MAINE STATE LEGISLATURE

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State Of Maine
121st Legislature

Second Regular Session and
Second Special Session

Bill Summaries

Joint Standing Committee
on
Business, Research and Economic Development

May 2004

Members:
Sen. Lynn Bromley, Chair
Sen. Christopher G. L. Hall
Sen. Kevin L. Shorey

Rep. Nancy B. Sullivan, Chair
Rep. Lillian LaFontaine O'Brien
Rep. Guy J. Duprey, Jr.
Rep. Edward Pellon
Rep. Nancy E. Smith
Rep. Susan M. Austin
Rep. Robert A. Berube
Rep. Lawrence E. Jacobsen
Rep. Stephen R. Beaudette
Rep. William T. Rogers, Jr.

Staff:
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Maine State Legislature

Office Of Policy And Legal Analysis
Office Of Fiscal And Program Review

121st Maine Legislature
Second Regular Session and
Second Special Session

Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint select committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills considered by the committees. It is arranged alphabetically by committee name and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla/billsumm.htm).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

CON RES XXX	*Chapter # of Constitutional Resolution passed by both Houses*
CONF CMTE UNABLE TO AGREE	*Committee of Conference unable to agree; bill died*
DIED BETWEEN BODIES	*House & Senate disagree; bill died*
DIED IN CONCURRENCE	*One body accepts ONTP report; the other indefinitely postpones the bill*
DIED ON ADJOURNMENT	*Action incomplete when session ended; bill died*
EMERGENCY	*Enacted law takes effect sooner than 90 days*
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE	*Emergency bill failed to get 2/3 vote*
FAILED ENACTMENT/FINAL PASSAGE	*Bill failed to get majority vote*
FAILED MANDATE ENACTMENT	*Bill imposing local mandate failed to get 2/3 vote*
NOT PROPERLY BEFORE THE BODY	*Ruled out of order by the presiding officers; bill died*
INDEF PP	*Bill Indefinitely Postponed*
ONTP	*Ought Not To Pass report accepted*
OTP-ND	*Committee report Ought To Pass In New Draft*
P&S XXX	*Chapter # of enacted Private & Special Law*
PASSED	*Joint Order passed in both bodies*
PUBLIC XXX	*Chapter # of enacted Public Law*
RESOLVE XXX	*Chapter # of finally passed Resolve*
UNSIGNED	*Bill held by Governor*
VETO SUSTAINED	*Legislature failed to override Governor's Veto*

Please note that the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is April 30, 2004; and non-emergency legislation enacted in the Second Special Session is July 30, 2004. Four bills (LD's 1572, 1629, 1636 and 1637) that were considered at the First Special Session in August 2003 are also included in these summaries.

David C. Elliott, Director
Offices located in Room 215 of the Cross Office Building

Enacted Law Summary

Public Law 2003, chapter 541 creates consistency in the timing and content of reports submitted by charitable organizations and the parties with whom they contract in order to facilitate comparison of data regarding the reported percentage of funds raised that are remitted to the charity for program purposes and the percentage accruing to the benefit of paid professional solicitors. The law also clarifies the distinction between a professional solicitor and a professional fund-raising counsel. In addition, the law enables the Department of Professional and Financial Regulation to collect financial data from professional solicitors who have, in the past, been able to withhold it by obtaining registrations as professional fund-raising counsel, as is currently permitted by law. The law also extends the disciplinary authority of the department over entities registered under the Charitable Solicitations Act to any instance in which the provisions of the act have been violated. Finally, the law eliminates the bonding exemption for auctioneers who become professional solicitors, professional fund-raising counsel or commercial co-venturers.

LD 1696 **Resolve, Directing the Office of Policy and Legal Analysis and the Office of the Revisor of Statutes To Prepare a Recodification of the Maine Revised Statutes, Title 9, Chapter 385; Title 10, Chapters 901 and 951; and Title 32** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BROMLEY SULLIVAN	ONTP	

LD 1696 proposed to require the Office of Policy and Legal Analysis and the Office of the Revisor of Statutes to jointly prepare a bill that would recodify the Charitable Solicitations Act, the Department of Professional and Financial Regulation, the manufactured housing laws and all of the Maine Revised Statutes, Title 32. Under the proposed bill, the Department of Professional and Financial Regulation would have been allowed to participate in the recodification.

LD 1715 **An Act To Facilitate the Recovery of Stolen Property** **PUBLIC 582**

Sponsor(s)	Committee Report	Amendments Adopted
ROTUNDO	OTP-AM MAJ OTP-AM MIN	S-407

LD 1715 proposed to extend record-keeping requirements covering used goods. Current law requires pawnbrokers to keep records regarding pawn transactions, including the identity of the consumer and the type of property. The pawnbroker is required to file this information monthly with local law enforcement.

This bill, based on a Lewiston ordinance, proposed to apply similar record-keeping requirements to all merchants receiving used goods, such as consignment shops and secondhand dealers. The bill proposed to require all merchants, including pawnbrokers, dealing in used property to: