

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

*First Regular Session and
First Special Session*

Bill Summaries

*Joint Standing Committee
on
Business, Research and Economic Development*

August 2005

Members:

Sen. Lynn Bromley, Chair

Sen. Barry J. Hobbins

Sen. Dana L. Dow

Rep. Nancy E. Smith, Chair

Rep. Lillian LaFontaine O'Brien

Rep. Stephen R. Beaudette

Rep. Charles Earl Crosby, III

Rep. David W. Farrington

Rep. Christopher Rector

Rep. Susan M. Austin

Rep. Robert A. Berube

Rep. Lawrence E. Jacobsen

Rep. John C. Robinson

Staff:

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Maine State Legislature

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122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 organized by committees 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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included 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).

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:

- CARRIED OVER Bill Carried Over to Second Regular Session
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
OTP ND/NT..... Committee report Ought To Pass In New Draft/New Title
P&S XXX..... Chapter # of enacted Private & Special Law
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 the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

Joint Standing Committee on Business, Research and Economic Development

LD 1653 **Resolve, To Require the Department of Professional and Financial Regulation To Suspend Recently Enacted Rules Pertaining to the Office of Licensing and Registration, Board of Boilers and Pressure Vessels** **CARRIED OVER**

<u>Sponsor(s)</u> MARTIN		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 1653 proposed to require the Department of Professional and Financial Regulation to suspend recently enacted rules pertaining to the Office of Licensing and Registration, Board of Boilers and Pressure Vessels.

This bill was carried over by H.P. 1203 to the next special or regular session of the 122nd Legislature.

LD 1663 **An Act To Establish the Maine Higher Education Employer Initiative** **CARRIED OVER**

<u>Sponsor(s)</u> ROTUNDO		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 1663, a concept draft pursuant to Joint Rule 208, proposed to establish the Maine Higher Education Employer Initiative to assist and provide incentives to employers that adopt policies that encourage their employees to attend college and obtain associate and bachelor's degrees. The bill proposed to require the Maine Development Foundation to coordinate and manage the initiative and the Finance Authority of Maine to adopt routine technical rules to implement the tax credit authorized by the initiative.

This bill was carried over by H.P. 1203 to the next special or regular session of the 122nd Legislature.

LD 1670 **An Act To Exempt Internet Services from Auctioneer Licensure** **PUBLIC 349
EMERGENCY**

<u>Sponsor(s)</u> BROMLEY EBERLE		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-259
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LD 1670 proposed to clarify that sales of goods or real estate occurring over the Internet would not be considered auctions for purposes of regulation of auctions.

Committee Amendment "A" (S-259) proposed to replace the bill. It proposed to provide an exemption from the requirements of auctioneer licensure for an individual who takes possession of goods pursuant to a contract for the exclusive purpose of selling those goods over the Internet. This amendment proposed to repeal this exemption on May 15, 2007.

Enacted law summary

Joint Standing Committee on Business, Research and Economic Development

Public Law 2005, chapter 349 provides an exemption from the requirements of auctioneer licensure for an individual who takes possession of goods pursuant to a contract for the exclusive purpose of selling those goods over the Internet. This exemption is repealed May 15, 2007.

Public Law 2005, chapter 349 was enacted as an emergency measure effective June 8, 2005.

LD 1678

An Act To Replace the Interagency Task Force on Homelessness and Housing Opportunities with the Statewide Homeless Council

PUBLIC 380

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EDMONDS RICHARDSON J	OTP-AM	

LD 1678 proposed to replace the Interagency Task Force on Homelessness and Housing Opportunities with the Statewide Homeless Council, whose membership would be designed to better coordinate and establish statewide policies on homelessness.

Committee Amendment "A" (S-320) proposed to delete the provision that would allow members of the Interagency Task Force on Homelessness and Housing Opportunities to continue to serve out the remainder of their terms on the Statewide Homeless Council.

Enacted law summary

Public Law 2005, chapter 380 repeals the Interagency Task Force on Homelessness and Housing Opportunities and establishes in its place the Statewide Homeless Council. The membership of the council is designed to better coordinate and establish statewide policies on homelessness.