

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

Second Regular Session

Bill Summaries

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

July 2006

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

Office of Policy and Legal Analysis Office of Fiscal and Program Review

122nd Maine Legislature Second Regular 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 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
ONT P.....	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 (Pocket Veto).....	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 August 23, 2006.

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individuals or entities may be issued in Maine each year in 2006 and 2007. This bill proposed to allocate the state ceiling among the state-level issuers of tax-exempt bonds.

Committee Amendment "A" (S-510) proposed to correct the year of an allocation to the Finance Authority of Maine and correct the amount of the unallocated state ceiling for the year 2006.

Enacted law summary

Private and Special Law 2005, chapter 48 establishes the allocations of the state ceiling on issuance of tax-exempt bonds for calendar years 2006 and 2007. Under federal law, a maximum of \$246,610,000 in tax-exempt bonds benefiting private individuals or entities may be issued in Maine each year in 2006 and 2007. This law allocates the state ceiling among the state-level issuers of tax-exempt bonds.

Private and Special Law 2005, chapter 48 was enacted as an emergency measure effective April 7, 2006.

LD 2076

An Act Relating to Payday Loans

PUBLIC 604

Sponsor(s)

Committee Report
OTP-AM

Amendments Adopted
H-982

LD 2076 proposed to define "payday loan" and clarify that the Maine Consumer Credit Code applies to a payday lender, wherever located, that makes a payday loan to a consumer located in this State.

Committee Amendment "A" (H-982) proposed to replace the bill. This amendment proposed to provide for the integration of the regulation of Internet-based payday lending into the Maine Consumer Credit Code. It proposed to add a definition of "payday loan" in the definition section of the Code and amend the territorial application provision of the Code to clarify that it applies to payday lenders, wherever located, that make payday loans to consumers in this State.

Enacted law summary

Public Law 2005, chapter 604 provides for the integration of the regulation of Internet-based payday lending into the Maine Consumer Credit Code. The law includes the definition of "payday loan" in the definition section of the Code and amends the territorial application provision of the Code to clarify that it applies to payday lenders, wherever located, that provide payday loans to consumers in this State.

LD 2089

**An Act To Amend the Laws Governing Home Construction
Contracts To Increase Consumer Awareness**

PUBLIC 619

Sponsor(s)

Committee Report
OTP-AM

Amendments Adopted
H-1006

LD 2089 proposed to require residential construction contractors to register with the Department of Professional and Financial Regulation to provide consumers with access to relevant financial and business information

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regarding registered contractors and proposed to require the use of a model contract and change order contract and proposed to establish a public complaint process that would be conducted electronically over the Internet.

Committee Amendment "A" (H-1006) proposed to replace the bill. This amendment proposed to require that home construction contracts for more than \$3,000 include as an addendum consumer protection information on home construction and repair as it is provided on the Attorney General's publicly accessible website, as well as a clear and conspicuous notice that states consumers are strongly advised to visit the Attorney General's publicly accessible website to gather information on how to enforce their rights when constructing or repairing their home.

This amendment also proposed to require the Attorney General and the Criminal Law Advisory Commission to review provisions in the Maine Criminal Code that are available to prosecute home building and improvement contractors that engage in deceptive and fraudulent business practices and determine whether any changes in the criminal code are appropriate. It also provides that any proposed changes to the code be submitted to the joint standing committee of the Legislature having jurisdiction over business, research and economic development matters as well as the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters by February 1, 2007.

Enacted law summary

Public Law 2005, chapter 619 requires home construction contracts to include as an addendum consumer protection information on home construction and repair as it is provided on the Attorney General's publicly accessible website as well as a clear and conspicuous notice that states consumers are strongly advised to visit the Attorney General's publicly accessible website to gather information on how to enforce their rights when constructing or repairing their home. The law requires the Attorney General and the Criminal Law Advisory Commission to review provisions in the Maine Criminal Code that are available to prosecute home building and improvement contractors that engage in deceptive and fraudulent business practices and determine whether any changes in the criminal code are appropriate. The law requires that proposed changes to the code be submitted to the joint standing committee of the Legislature having jurisdiction over business, research and economic development matters as well as the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters by February 1, 2007.

LD 2091

An Act To Make Changes to the Laws Regarding Pine Tree Development Zones

PUBLIC 669

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DRISCOLL	OTP-AM MAJ ONTP MIN	H-1026 H-1065 DRISCOLL

LD 2091 proposed to allow the designation of a Pine Tree Development Zone on any industrial site that has sustained a minimum loss of 500 workers during the prior 5 years.

Committee Amendment "A" (H-1026) proposed to require that applications for a waiver of the Pine Tree Development Zone wage and unemployment requirements for property contained within an industrial site that has sustained a minimum loss of 500 workers be received by August 1, 2010.

House Amendment "A" to Committee Amendment "A" (H-1065) proposed to provide that only a qualified business with a base level of employment equal to zero is eligible to receive Pine Tree Development Zone