

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON BUSINESS, RESEARCH
AND ECONOMIC DEVELOPMENT**

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STATE OF MAINE

123RD LEGISLATURE

FIRST REGULAR SESSION

LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS



This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature, which was in session from December 6, 2006 to June 21, 2007.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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 (or Accepted ONTP report).....	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 non-emergency legislation enacted in the First Regular Session is **September 20, 2007**. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

Joint Standing Committee on Business, Research and Economic Development

LD 270 **Resolve, Establishing the Task Force To Eliminate Outdated or Unnecessary Laws and Rules To Stimulate Job Creation** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROBINSON BROMLEY		

This resolve is a concept draft pursuant to Joint Rule 208. This resolve proposes to create a task force composed of Legislators and members of the small business community. The task force would be required to examine laws and rules relating to the regulation of small business and report back to the Second Regular Session of the 123rd Legislature with recommendations to alter or eliminate those laws or rules that are unnecessary or outdated.

This resolve was carried over by H.P. 1369 to any special or regular session of the 123rd Legislature.

LD 281 **An Act Regarding Notification of Intent To Sell a Mobile Home Park** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SILSBY	ONTP	

This bill requires an owner of a mobile home park who intends to sell the mobile home park to provide 45 days written notice of that intent to the Maine State Housing Authority. Current law only requires the mobile home park owner to give 45 days written notice to tenants of the mobile home park.

LD 289 **Resolve, Directing the Commissioner of Labor To Convene a Task Force To Evaluate and Recommend Revisions to the Definition of Service Dog** **RESOLVE 96**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROBINSON	OTP-AM	H-472

This bill enacts a definition of "service dog." It requires documentation of minimum training standards for service dogs and dogs trained to assist in law enforcement and search and rescue efforts in order to receive an exemption from licensing fees.

Committee Amendment "A" (H-472)

This amendment replaces the bill with a resolve. It directs the Commissioner of Labor to convene a task force to evaluate and recommend changes to the statutory definition of service dog in the Maine Revised Statutes. It provides that the task force must be staffed and coordinated by the Department of Labor and must include a variety of state and local stakeholders to review the following issues within the parameters of applicable federal and state laws: criteria or documentation that town clerks must use to verify a dog as a service animal to qualify for the license fee exemption; proposed revisions to the Maine Revised Statutes to clarify the rights of and protections for people with disabilities who use service animals; proposed revisions necessary to the Maine Revised Statutes to provide clarification to business owners of their rights and responsibilities concerning service animals; and proposals for any specific criteria that may be required for consideration by medical practitioners when prescribing the use of a service animal. The amendment requires the commissioner to submit a report following this review by January 15, 2008 to the Joint Standing Committee on Business,

Joint Standing Committee on Business, Research and Economic Development

Research and Economic Development and authorizes that committee to submit legislation on the subject matter of the report to the Second Regular Session of the 123rd Legislature.

Enacted Law Summary

Resolve 2007, chapter 96 directs the Commissioner of Labor to convene a task force to evaluate and recommend changes to the statutory definition of service dog in the Maine Revised Statutes. It provides that the task force must be staffed and coordinated by the Department of Labor and must include a variety of state and local stakeholders to review the following issues within the parameters of applicable federal and state laws: criteria or documentation that town clerks must use to verify a dog as a service animal to qualify for the license fee exemption; proposed revisions to the Maine Revised Statutes to clarify the rights of and protections for people with disabilities who use service animals; proposed revisions necessary to the Maine Revised Statutes to provide clarification to business owners of their rights and responsibilities concerning service animals; and proposals for any specific criteria that may be required for consideration by medical practitioners when prescribing the use of a service animal. This resolve requires the commissioner to submit a report following this review by January 15, 2008 to the Joint Standing Committee on Business, Research and Economic Development and authorizes that committee to submit legislation on the subject matter of the report to the Second Regular Session of the 123rd Legislature.

LD 385 An Act To Require Stable Gasoline Pricing

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GERZOFSKY	ONTP	

This bill requires a retail seller of motor fuel to post the price of the fuel by 6 a.m. each day and prohibits the price from changing until after midnight of that day. Failure to comply is a civil violation, punishable by a maximum fine of \$100.

LD 428 An Act To Conserve Energy in Maine Households

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FLETCHER	ONTP	

This bill establishes the Weatherization Assistance Program to provide funds or materials to eligible households to improve the energy efficiency of the homes of those eligible households. The program is administered by the Maine State Housing Authority. The program is funded by an annual allocation of \$7,500,000 of the funds from the real estate transfer tax that are transferred to the Maine State Housing Authority.

LD 441 An Act To Restructure the Board of Commissioners of the Maine State Housing Authority To Closely Match Local

**PUBLIC 101
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HOBBS	OTP-AM	S-33

This bill changes the number of commissioners on the Maine State Housing Authority appointed by the Governor from 5 to 7, 2 of whom must be representatives of low-income people, to match the number of commissioners on local authorities. It also changes the manner in which the chair of the commissioners is chosen.