

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 671 An Act To Amend the Laws Dealing with the Posting of Gas Prices

PUBLIC 86

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DIAMOND	OTP-AM	S-45

This bill changes the current law to permit price readings built into the fuel pump as a means by which retail motor fuel sellers fulfill the requirement to make fuel prices visible at the pump.

Committee Amendment "A" (S-45)

This amendment replaces the bill. It changes current law to permit a retail seller of fuel to use price readings, digital or analog, built into the pump that reflect the actual price of the fuel pumped to fulfill the statutory requirement to make fuel prices visible at the pump. It requires that a sign of no less than 64 square inches be used on the pump if either the price on the pump differs from the price posted on the roadside sign due to a difference in grade of fuel or service or the retailer does not have a roadside sign.

Enacted Law Summary

Public Law 2007, chapter 86 changes current law to permit a retail seller of fuel to use price readings, digital or analog, built into the pump that reflect the actual price of the fuel pumped to fulfill the statutory requirement to make fuel prices visible at the pump. It requires that a sign of no less than 64 square inches be used on the pump if either the price on the pump differs from the price posted on the roadside sign due to a difference in grade of fuel or service or the retailer does not have a roadside sign.

LD 677 Resolve, Directing the Development of a Building Code and Building Rehabilitation Code Implementation Plan

RESOLVE 46

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM MAJ ONTP MIN	S-94

This resolve is a recommendation of the Community Preservation Advisory Committee. The bill directs the Executive Department, State Planning Office, with assistance from the Office of the State Fire Marshal, the Department of Economic and Community Development and the Maine Historic Preservation Commission, to develop a plan for implementing the Maine Model Building Code and the International Existing Building Code.

Committee Amendment "A" (S-94)

This amendment is the majority report of the committee. This amendment changes the resolve to include the Department of Professional and Financial Regulation in the group of agencies directed to develop a plan for implementing the Maine Model Building Code and the International Existing Building Code. It also includes a requirement that the agencies identify overlap between model codes and the codes and standards listed in the Maine Revised Statutes, Title 10, section 9703 and the advantages and disadvantages of maintaining the current state fire code or changing to the International Fire Code. It also requires the agencies to identify measures that allow for preserving the artistic and architectural integrity of historic structures without unreasonable risk to life and safety.

Enacted Law Summary

Resolve 2007, chapter 46 directs the Executive Department, State Planning Office, with assistance from the Office of the State Fire Marshal, the Department of Economic and Community Development, the Department of

Joint Standing Committee on Business, Research and Economic Development

Professional and Financial Regulation and the Maine Historic Preservation Commission, to develop a plan for implementing the Maine Model Building Code and the International Existing Building Code. It also requires the agencies to identify overlap between model codes and the codes and standards listed in the Maine Revised Statutes, Title 10, section 9703 and the advantages and disadvantages of maintaining the current state fire code or changing to the International Fire Code. The resolve also requires the agencies to identify measures that allow for preserving the artistic and architectural integrity of historic structures without unreasonable risk to life and safety. The resolve requires the agencies to complete the development of the implementation plan by January 15, 2008 and the report must include a recommended implementation schedule. The resolve directs the Executive Department, State Planning Office to report to the Joint Standing Committee on Business, Research and Economic Development by February 15, 2008 with the results of the implementation plan. The Joint Standing Committee on Business, Research and Economic Development is authorized to submit legislation relating to the report to the Second Regular Session of the 123rd Legislature.

LD 686 An Act To Ensure Truth in Music Advertising

PUBLIC 171

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAKAS BARTLETT	OTP-AM	H-198

This bill, which is based on Pennsylvania law, prohibits musical groups from advertising or conducting performances using false or misleading connections with other musical groups. Under the bill, imitators could face fines of \$5,000 to \$15,000, in addition to being required to make restitution.

Committee Amendment "A" (H-198)

This amendment makes the following changes to the bill:

1. It prohibits a person to promote, in addition to advertise or conduct, a live musical performance or production through the use of a false, deceptive or misleading affiliation with a performing group and a recording group;
2. It clarifies that the court may order restitution only for the recording group;
3. It exempts nonprofit corporations from liability under this chapter; and
4. It reduces the minimum fine from \$5,000 to \$500 for each violation and removes the maximum fine.

Enacted Law Summary

Public Law 2007, chapter 171 does the following:

1. It prohibits a person from promoting, in addition to advertising or conducting, a live musical performance or production through the use of a false, deceptive or misleading affiliation with a performing group and a recording group;
2. It authorizes the Attorney General or a district attorney to file an action in court for a restraining order to restrain this activity and authorizes the court to order restitution for the recording group;
3. It exempts nonprofit corporations from liability under this chapter; and
4. It provides for a minimum fine of \$500 for each civil violation.