

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
123<sup>RD</sup> LEGISLATURE  
FIRST REGULAR SESSION



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

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

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# STATE OF MAINE

123<sup>RD</sup> LEGISLATURE

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## 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 123<sup>rd</sup> 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 719      An Act To Encourage Manufacturing by Expanding Pine Tree Development Zones** **INDEF PP**

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to expand Pine Tree Development Zones to allow Maine manufacturers to be more competitive with out-of-state manufacturers.

**LD 748      An Act To Expand the Recycling of Beverage Containers BY REQUEST** **ONTP**

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

This bill increases the bottle deposit on beverage containers, except wine and spirits containers, from 5¢ to 10¢.

**LD 749      An Act To Dedicate Unclaimed Beverage Deposits to Beverage Container Recycling Development BY REQUEST** **ONTP**

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

This bill provides that 1/2 of the amount of unclaimed beverage container deposits must be deposited in a dedicated account in the Department of Agriculture for the research and development of beverage container recycling.

**LD 750      An Act To Support Efforts To Attract and Retain Young People in the State's Workforce** **DIED ON ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PINGREE	OTP-AM	H-247

This bill augments the efforts of Realize!Maine, under the auspices of the Maine Development Foundation, to retain and attract young people to live, work and recreate in Maine. The bill also repeals the "S.W.A.T. team" law and incorporates the responsibilities formerly set out in the Maine Revised Statutes, Title 5, chapter 389 into the responsibilities of the Maine Development Foundation.

**Committee Amendment "A" (H-247)**

This amendment replaces section 2 of the bill with new language describing the Maine Development Foundation's responsibility to establish and oversee an initiative to develop, recommend and implement specific strategies and efforts to attract and retain youth in Maine. It also requires the foundation to report to the joint standing committee of the Legislature having jurisdiction over business, research and economic development matters by February 1, 2009 on the progress made pursuant to the Maine Revised Statutes, Title 10, section 917-A, subsection 6 to attract and retain young people in Maine and to support regional efforts in Maine to connect, attract and retain people 20 to

# Joint Standing Committee on Business, Research and Economic Development

40 years of age and the foundation's use of any state funds appropriated to support these efforts across the State. It also amends the initiative section of the appropriations and allocations section to require the foundation to use the appropriated funds to support any of these efforts to provide programs and outreach to attract and retain young people in Maine, provided that not less than 50% of the funds be used to support regional efforts across the State.

## LD 751 An Act To Modernize Maine's Accountancy Laws

PUBLIC 384

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RECTOR COURTNEY	OTP-AM	H-547

This bill makes changes to the laws governing the practice of certified public accountants by allowing a certified public accountant licensed in another jurisdiction to provide professional services in the State without a permit if the accountant receives certification from the National Association of State Boards of Accountancy, National Qualification Appraisal Service that the accountant has substantially equivalent qualifications to qualifications required by the State.

The bill also subjects the out-of-state accountant to the Board of Accountancy's rules and jurisdiction and requires the Board of Accountancy to adjust the fees required for a permit to practice accountancy yearly so that revenues from the fees neither increase or decrease. Finally, this bill removes limitations on the Board of Accountancy's quorum requirements.

### Committee Amendment "A" (H-547)

This amendment makes changes to the substantial equivalency requirements proposed by the bill for determining when accountants and firms licensed in other jurisdictions may practice in Maine without a license to require that the final determination of substantial equivalency is made by the Department of Professional and Financial Regulation, Board of Accountancy. It also removes from the bill proposed changes to the Board of Accountancy and removes the statutory fee cap language as well as the language allowing the Department of Professional and Financial Regulation to adjust fees, as this department already has the authority to adjust fees for each program as necessary.

### Enacted Law Summary

Public Law 2007, chapter 384 makes changes to the laws governing the practice of certified public accountants by allowing certified public accountants and firms licensed in other jurisdictions to provide professional services in the State without a permit, provided that the accountants qualifications are deemed to be substantially equivalent to qualifications required by the State, as determined by the Department of Professional and Financial Regulation, Board of Accountancy. The law also subjects the out-of-state licensee to the Board of Accountancy's rules and jurisdiction.

## LD 752 An Act To Streamline Licensure for Sign Language Interpreters

ONTP

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to streamline the licensure procedure for sign language interpreters. Specifically, this bill would amend the laws regarding educational requirements for license renewals for sign language interpreters and would address conflicts between those statutory requirements and the practice by schools of hiring unlicensed interpreters to work with students.