

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
123<sup>RD</sup> LEGISLATURE  
SECOND REGULAR AND FIRST SPECIAL SESSIONS



Summaries of bills, adopted amendments and laws enacted or finally passed  
during the Second Regular or First Special Sessions 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  
SECOND REGULAR & FIRST SPECIAL SESSIONS



**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 Second Regular or First Special Sessions of the 123<sup>rd</sup> Maine Legislature.

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:

|   |  |
|---|--|
| <i>CON RES XXX</i> .....                              | <i>Chapter # of Constitutional Resolution passed by both Houses</i>            |
| <i>CONF CMTE UNABLE TO AGREE</i> .....                | <i>Committee of Conference unable to agree; bill died</i>                      |
| <i>DIED BETWEEN BODIES</i> .....                      | <i>House &amp; Senate disagree; bill died</i>                                  |
| <i>DIED IN CONCURRENCE</i> .....                      | <i>One body accepts ONTP report; the other indefinitely postpones the bill</i> |
| <i>DIED ON ADJOURNMENT</i> .....                      | <i>Action incomplete when session ended; bill died</i>                         |
| <i>EMERGENCY</i> .....                                | <i>Enacted law takes effect sooner than 90 days</i>                            |
| <i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i> ..... | <i>Emergency bill failed to get 2/3 vote</i>                                   |
| <i>FAILED ENACTMENT/FINAL PASSAGE</i> .....           | <i>Bill failed to get majority vote</i>  |
| <i>FAILED MANDATE ENACTMENT</i> .....                 | <i>Bill imposing local mandate failed to get 2/3 vote</i>                      |
| <i>NOT PROPERLY BEFORE THE BODY</i> .....             | <i>Ruled out of order by the presiding officers; bill died</i>                 |
| <i>INDEF PP</i> .....                                 | <i>Bill Indefinitely Postponed; bill died</i>                                  |
| <i>ONTP (or Accepted ONTP report)</i> .....           | <i>Ought Not To Pass report accepted; bill died</i>                            |
| <i>P&amp;S XXX</i> .....                              | <i>Chapter # of enacted Private &amp; Special Law</i>                          |
| <i>PUBLIC XXX</i> .....                               | <i>Chapter # of enacted Public Law</i>   |
| <i>RESOLVE XXX</i> .....                              | <i>Chapter # of finally passed Resolve</i>                                     |
| <i>UNSIGNED</i> .....                                 | <i>Bill held by Governor</i>   |
| <i>VETO SUSTAINED</i> .....                           | <i>Legislature failed to override Governor's Veto</i>                          |

The effective date for non-emergency legislation enacted in the Second Regular Session (R2) is June 30, 2008. The effective date for non-emergency legislation enacted in the First Special Session (S1) is July 18, 2008.<sup>1</sup> The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills. Any bill summarized in this document having an LD number less than 1932 was a bill carried over from the First Regular Session of the 123<sup>rd</sup> Legislature.

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<sup>1</sup> The session in which each law was enacted or finally passed (R2 or S1) is included in Appendix C.

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

the processor must require the seller to provide proof of identification with a driver's license, military identification card, passport or other form of government-issued photo identification. The record must also include the date and general description of the scrap metal, the weight, quantity or volume of the scrap metal, as well as a signed statement that the seller is the owner or is otherwise authorized to sell the scrap metal;

3. Restricts the sale and purchase of specific types of scrap metal to require a signed statement from the seller at the time of sale that the property subject to the transaction is not stolen property to the best of the seller's knowledge and that the seller is the owner or is otherwise authorized to sell the scrap metal;
4. Prohibits the purchase of scrap metal from a minor unless the minor is accompanied by a parent or guardian and the parent or guardian provides a written statement to the scrap metal processor that the transaction is taking place with the parent's or guardian's full knowledge and consent; and
5. Establishes a civil penalty for violation of this subchapter.

Public Law 2007, chapter 549 was enacted as an emergency measure effective April 3, 2008.

**LD 2143 An Act To Require Retailers To Disclose the State's Implied Warranty Laws to Customers**

**DIED BETWEEN HOUSES**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| EATON             | ONTP MAJ<br>OTP-AM MIN  |                           |

This bill requires sellers of consumer goods who offer service contracts for sale to instruct their employees who deal with buyers of the requirements under the State's implied warranty laws. It also requires the Attorney General to publish a brochure on the State's implied warranty laws and to provide copies at no cost to sellers of consumer goods.

**Committee Amendment "A" (H-823)**

This amendment is the minority report of the committee. It replaces the requirement of a seller's informing its employees of the State's implied warranty laws with the requirement that, beginning November 1, 2008, a seller of consumer goods who also offers for sale service contracts, with the exception of new and used motor vehicles, post a notice for buyers of consumer goods that summarizes in plain language the consumer's implied warranty rights. It requires the notice to be posted in a prominent location where the consumer goods are sold, in boldface type and in nontechnical language that is understandable by the general public.

The amendment also requires the Attorney General to publish a brochure on the State's implied warranty laws by September 1, 2008 that summarizes in plain language the consumer's implied warranty rights under the State's implied warranty laws, as well as a model notice for sellers of consumer goods to post where consumer goods are sold, and provide both at no cost to sellers of consumer goods in the State.

**LD 2159 An Act To Advance the Maine Economy**

**PUBLIC 644**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MITCHELL          | OTP-AM                  | S-566                     |

This bill creates and provides funding for the Maine Expansion Fund, to be administered by the Department of Economic and Community Development, Office of Innovation. The fund consists of ongoing appropriations and

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

will provide grants to municipalities, which must match the grants, to aid eligible businesses to locate or expand in the State.

The bill amends current law to enhance the development of green energy in Maine by transferring annually 20% of the money in the conservation program fund to the Renewable Resource Fund and annually 75% of that money to the Maine Technology Institute to support the development and commercialization of renewable energy resources.

The bill also requires the Department of Economic and Community Development, Office of Innovation and Office of Business Development to work with other entities to develop and implement a strategic action plan to align the State's business development support network with potential high-growth companies and to report to the Legislature on the progress of the plan by March 2, 2009.

The bill provides additional ongoing funds to the Maine Quality Centers in the Maine Community College System and to the Governor's Training Initiative Program in the Department of Labor.

### **Committee Amendment "A" (S-566)**

This amendment strikes sections 1, 5, 6, 7, 9 and 10 of the bill. It reduces the annual distribution percentage of funds transferred to the Maine Technology Institute from the Renewable Resource Fund from 75% to 35%. It also adds the Maine Center for Enterprise Development to the list of entities working collaboratively with the Office of Innovation on the design of a leadership and entrepreneurial development program. This amendment also adds an appropriations and allocations section.

### **Enacted Law Summary**

Public Law 2007, chapter 644 provides support for the development of green energy in Maine by transferring annually 35% of the Renewable Resource Fund to the Maine Technology Institute to support the development and commercialization of renewable energy resources. The law also requires the Department of Economic and Community Development, Office of Innovation to work with the University of Maine's Student Innovation Center to develop a collaborative effort with the Technology Institute, the Small Business Development Centers, the Department of Economic and Community Development's business development specialists, the Maine Manufacturing Extension Partnership, the Target Technology Incubator, the Maine Center for Enterprise Development and the Small Enterprise Growth Fund to design a leadership and entrepreneurial development program.

The program must match up to 10 high-growth potential entrepreneurs per year with best-in-class training, resources and mentors. The program may seek outside funds from foundations, government or other sources to fund the program. The law requires the Office of Innovation to submit a report to the joint standing committee of the Legislature having jurisdiction over business and economic development matters on the program by March 1, 2009.

**LD 2179 An Act To Promote Residential and Commercial Energy Conservation**

**INDEF PP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| BARTLETT          | JT RULE 309             |                           |

This bill establishes a system for the regulation and inspection of building energy standards. It also creates a tax credit for homes certified as United States Environmental Protection Agency's Energy Star program qualified homes and creates a high-performance building standard incentive.