

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

STATE OF MAINE  
124<sup>TH</sup> LEGISLATURE  
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the Second Regular Session of the 124<sup>th</sup> Maine Legislature coming from the

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

April 2010

**MEMBERS:**

SEN. ELIZABETH M. SCHNEIDER, CHAIR  
SEN. NANCY B. SULLIVAN  
SEN. CHRISTOPHER W. RECTOR

REP. NANCY E. SMITH, CHAIR  
REP. RICHARD C. CLEARY  
REP. W. BRUCE MACDONALD  
REP. THOMAS J. WRIGHT  
REP. JOAN F. COHEN  
REP. ROBERT B. HUNT  
REP. JAMES R. MARTIN  
REP. JAYNE CROSBY GILES  
REP. SUSAN M.W. AUSTIN  
REP. KERRI L. PRESCOTT

**STAFF:**

NATALIE L. HAYNES, LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670

# STATE OF MAINE

124<sup>TH</sup> LEGISLATURE  
SECOND 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 Second Regular Session of the 124<sup>th</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:

*CARRIED OVER* ..... Carried over to a subsequent session of the Legislature  
*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 HOUSES*..... 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; bill died  
*ONTP (or Accepted ONTP report)* ..... Ought Not To Pass report accepted; bill died  
*P&S XXX*..... Chapter # of enacted Private & Special Law  
*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

The effective date for non-emergency legislation enacted in the Second Regular Session of the 124<sup>th</sup> Legislature is Monday, July 12, 2010. 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*

investing in Maine businesses. Tax credits under this program are limited to \$20,000,000. No more than \$4,000,000 of tax credits may be placed at risk with respect to any single venture capital fund. The law includes a recapture provision where if the retirement system redeems a credit and subsequently achieves an aggregate annual return in excess of 8% on all investments under the program, it is required to return the excess to the State until it has reimbursed the credits redeemed. It also adds an exception from the laws governing public records by allowing the retirement system to protect the confidentiality of information that could impair the ability of the retirement system to obtain such information in the future or that could cause substantial harm to the retirement system or that could cause substantial harm to the venture capital funds into which the retirement system invests under the innovation finance program.

**LD 91      An Act To Fund the Maine Downtown Center**

**P & S 42**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WATSON GOODALL	OTP-AM	H-607

This bill was carried over from the First Regular Session of the 124th Legislature by joint order, H.P. 1053. This bill includes ongoing General Fund appropriations of \$75,000 per year to recapitalize the Maine Downtown Center.

**Committee Amendment "B" (H-607)**

This amendment strikes the appropriations and allocations section of the bill and replaces it with a one-time appropriation to the Executive Department, State Planning Office to recapitalize the Maine Downtown Center.

**Enacted Law Summary**

Private and Special Law 2009, chapter 42 provides a one-time appropriation to the Executive Department, State Planning Office to recapitalize the Maine Downtown Center.

**LD 272      An Act To License Home Building and Improvement Contractors**

**DIED BETWEEN  
HOUSES**

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

This bill was carried over from the First Regular Session of the 124th Legislature pursuant to Joint Order H.P. 1053. This bill creates the Maine Home Contractor Licensing Act. The bill contains provisions concerning: requirements for licensure of general contractors and persons who perform framing, roofing, siding, insulating, window work or chimney work, if the work concerns residential dwellings; certain specific exemptions from licensure; required qualifications for general and specialty licenses; requirements for criminal and financial disclosures; creation of the Maine Home Contractor Licensing Board; and fees for licensing.

**Committee Amendment "A" (H-760)**

This amendment is the minority report of the committee and it replaces the bill. It creates the Maine Residential Builders and Specialty Contractors Act and establishes the Maine Residential Builders and Specialty Contractors Board within the Department of Professional and Financial Regulation, Office of Licensing and Registration.

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

Beginning January 1, 2013, the board will authorize persons to practice residential building by issuing a license to residential builders and a registration certificate to residential specialty contractors. It establishes the requirements for licensure as a residential builder and for registration as a residential specialty contractor and includes certain specific exemptions from licensure and registration. The amendment also provides for staggered initial appointments to the board and requires that all members be appointed to the board no later than May 1, 2011. The board is required to convene its first meeting no later than July 15, 2011.

**LD 355      An Act To Protect Residential Consumers of Home Heating Fuel      ONTP**

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

This bill was carried over from the First Regular Session of the 124th Legislature pursuant to Joint Order H.P. 1053. This bill amends the statutory requirements for price protection and prepaid home heating oil, kerosene, liquefied petroleum gas and natural gas contracts to require these contracts to include a conspicuous cancellation clause in no less than 12-point boldface type of uniform font that clearly states the terms and conditions by which a consumer may be released from the obligations of the contract, including any fees, penalties, notice provisions and deadlines that may apply.

**LD 696      Resolve, To Reclaim Past Unredeemed Beverage Container Deposits      ACCEPTED ONTP REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN J L PERRY J	ONTP MAJ OTP-AM MIN	

This bill was carried over from the First Regular Session of the 124th Legislature pursuant to Joint Order H.P. 1053. This resolve seeks to recapture unredeemed or abandoned deposits from beverage containers subject to commingling agreements. Specifically, the resolves requires the Office of Program Evaluation and Government Accountability to conduct an audit to estimate deposit amounts unaccounted for during the last 15 years and requires initiators of deposits to pay the estimates, plus interest, within 60 days of notice from the department. Failure to pay will result in a daily fine added to the assessment.

**Committee Amendment "A" (H-599)**

This amendment is the minority report of the committee. This amendment incorporates a fiscal note.

**LD 1389      An Act To Create Regional Quality of Place Investment Strategies for High-value Jobs, Products and Services in Maine      PUBLIC 483**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAMON	OTP-AM MAJ ONTP MIN	S-353