

# MAINE STATE LEGISLATURE

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



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

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

July 2009

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# STATE OF MAINE

124<sup>TH</sup> 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 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 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; 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 First Regular Session of the 124<sup>th</sup> Legislature is September 12, 2009. 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*

level of employment for purposes of determining Pine Tree Development Zone benefits if it meets the following criteria: it is located on a working waterfront in a Pine Tree Development Zone; it has sustained at least a 5% loss of employed workers due to a catastrophic occurrence; and it has appropriate infrastructure and zoning or other land use regulations in place. The amendment provides that the definition of "base level of employment" may be adjusted to mean 25% of the average number of employees of that business over the 3 months immediately preceding the catastrophic occurrence. It requires a qualified business to apply for an adjustment of the base level of employment within 16 months of the catastrophic occurrence and any applications under this provision must be received by the Department of Economic and Community Development by August 1, 2011. The amendment also cross-references this definition in the laws governing employment tax increment financing benefits.

### **Enacted Law Summary**

Public Law 2009, chapter 21 allows a qualified Pine Tree Development Zone business whose primary purpose is to support the State's working waterfront industry that has suffered from a catastrophic occurrence to apply for an adjustment of the base level of employment for purposes of determining Pine Tree Development Zone benefits if it meets the following criteria: it is located on a working waterfront in a Pine Tree Development Zone; it has sustained at least a 5% loss of employed workers due to a catastrophic occurrence; and it has appropriate infrastructure and zoning or other land use regulations in place. It provides that the definition of "base level of employment" may be adjusted to mean 25% of the average number of employees of that business over the 3 months immediately preceding the catastrophic occurrence. It requires a qualified business to apply for an adjustment of the base level of employment within 16 months of the catastrophic occurrence and any applications under this provision must be received by the Department of Economic and Community Development by August 1, 2011. The law also cross-references this definition in the laws governing employment tax increment financing benefits.

Public Law 2009, chapter 21 was enacted as an emergency measure effective April 9, 2009.

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

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MACDONALD SCHNEIDER		

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.

This bill was carried over to any special or regular session of the 124th Legislature pursuant to Joint Order H.P. 1053.

**LD 281      An Act To Amend the Licensing Requirements for Speech-language Pathology Assistants      ONTP**

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

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

This bill specifically provides that an applicant for licensure as a speech-language pathology assistant may hold a degree higher than an associate degree and exempts applicants holding a bachelor of science degree from any practicum requirements that may be applicable to applicants who hold associate degrees.

**LD 307      An Act To Amend the Laws Governing Payment for Prearranged Funeral Services      ONTP**

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

Current law prohibits a funeral home or funeral establishment from soliciting a prearranged funeral service or plan for any person or persons. This bill repeals that prohibition.

**LD 317      An Act to Facilitate Repairs to the Saco River Retaining Wall      ONTP**

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

This bill provides a one-time General Fund appropriation in fiscal year 2009-10 to the City of Biddeford to repair the Saco River retaining wall in the City of Biddeford.

**LD 346      An Act To Improve Elevator Safety      ONTP**

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

This bill requires that work on elevators in industrial and manufacturing plants must be done by a person that is licensed as an elevator or lift mechanic.

**LD 347      An Act To Reduce Regulatory Costs for Maine Businesses      ACCEPTED ONTP REPORT**

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to reduce regulatory costs for businesses in the State by establishing a council on private sector regulatory costs composed of private sector business leaders.