

MAINE STATE LEGISLATURE

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STATE OF MAINE
124TH LEGISLATURE
FIRST REGULAR SESSION



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

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

July 2009

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STATE OF MAINE

124TH 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 124th 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>CARRIED OVER</i>	<i>Carried over to a subsequent session of the Legislature</i>
<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 & 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&S XXX</i>	<i>Chapter # of enacted Private & 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 First Regular Session of the 124th 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

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.

Joint Standing Committee on Business, Research and Economic Development

The council would:

1. Have the power to compel staffing from any state agency;
2. Have the authority to compel a state agency to cooperate with the council in developing a new regulatory regime for State Government;
3. Develop a new approach to regulation of private sector businesses based on broad principles rather than specific rules and regulations; and
4. Report its findings and recommendations for the implementation of principle-based regulation to the Legislature by December 1, 2009.

Committee Amendment "A" (S-269)

This amendment is the minority report of the committee and replaces the bill. It establishes the Small Business Regulatory Advocate in order to assist small businesses in resolving problems with state agencies and business owners that face hardship as a result of actions taken by a regulatory agency. It also requires that the advocate must be an individual from the Executive Department, State Planning Office who provides technical assistance to the Maine Regulatory Fairness Board. It further requires the advocate to identify areas in which small businesses have problems in dealings with state agencies, propose changes in the administrative practices of state agencies to mitigate those identified problems and identify potential legislative changes that may be appropriate to mitigate such problems. The amendment also adds an appropriations and allocations section.

LD 355 An Act To Protect Residential Consumers of Home Heating Fuel Carried Over

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

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.

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

LD 366 An Act To Protect Confidential Consumer Records in Self-service Storage Facilities ONTP

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

This bill requires self-service storage facilities to register with the Department of Professional and Financial Regulation, Bureau of Consumer Credit Protection. As part of this registration, self-service storage facilities must