

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
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

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

124TH 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 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:

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 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 amendment is the minority report of the committee. It replaces the bill, which was a concept draft, with a resolve that directs the Executive Department, State Planning Office, in conjunction with the Department of Agriculture, Food and Rural Resources to oversee a 2-year study to be performed by an independent private entity to review the State's beverage container laws in the context of existing municipal beverage container recycling programs, with a focus on the environmental effects that these laws and programs generate. The resolve requires the State Planning Office and the Department of Agriculture, Food and Rural Resources to engage the assistance of an expert consultant in the field of municipal beverage container recycling programs and their environmental effects to assist in the development of the request for proposals for the study. The resolve also provides that if private funds from outside sources for the expert consultant and study are received by January 15, 2010, the study must be completed no later than January 15, 2012, unless a one-year extension is necessary to complete the study. It requires the State Planning Office and the Department of Agriculture, Food and Rural Resources to notify the joint standing committee of the Legislature having jurisdiction over business, research and economic development matters as soon as outside funding for the study is received and to provide the committee with an interim report on the status of the study by January 15, 2011.

This amendment also adds an appropriations and allocations section.

Senate Amendment "A" To Committee Amendment "A" (S-284)

This amendment provides that a 5-member work group consisting of the Director of the State Planning Office within the Executive Department or the director's designee, the Commissioner of Agriculture, Food and Rural Resources or the commissioner's designee, the Commissioner of Environmental Protection or the commissioner's designee, the Commissioner of Economic and Community Development or the commissioner's designee and a representative of the Maine Municipal Association oversee a 2-year study to be performed by an independent private entity to review the focus on the environmental effects that laws and programs regarding recycling have generated. The representatives of the State Planning Office and the Department of Agriculture, Food and Rural Resources shall serve as cochairs of the work group. The work group shall engage the assistance of a qualified consultant in the relevant fields and tasks to be reviewed. The expert consultant and study must be funded through private funds received by the State from outside sources.

Enacted Law Summary

Resolve 2009, chapter 130 provides that a 5-member work group consisting of the Director of the State Planning Office within the Executive Department or the director's designee, the Commissioner of Agriculture, Food and Rural Resources or the commissioner's designee, the Commissioner of Environmental Protection or the commissioner's designee, the Commissioner of Economic and Community Development or the commissioner's designee and a representative of the Maine Municipal Association oversee a 2-year study to be performed by an independent private entity to review the focus on the environmental effects that laws and programs regarding recycling have generated. The representatives of the State Planning Office and the Department of Agriculture, Food and Rural Resources shall serve as cochairs of the work group. The work group shall engage the assistance of a qualified consultant in the relevant fields and tasks to be reviewed. The expert consultant and study must be funded through private funds received by the State from outside sources. The study must be completed no later than January 15, 2012, unless an extension is necessary. The work group is required to report to the Joint Standing Committee on Business, Research and Economic Development on its progress on January 15, 2010 and January 15, 2011.

LD 813

An Act To Require Plain Language in Consumer Contracts

ONTP

Sponsor(s)

EVES
RECTOR

Committee Report

ONTP

Amendments Adopted

Joint Standing Committee on Business, Research and Economic Development

This bill is a concept draft pursuant to Joint Rule 208. It proposes to require written consumer contracts involving \$100,000 or less to meet certain criteria in order to be clear and readable, including:

1. Adequately informing the consumer of the rights and duties fixed by the contract;
2. Using words with common everyday meanings to the extent practicable;
3. Being appropriately divided into sections with captions and paragraphs; and
4. Being printed in at least 10-point type with at least one point of leading between lines and in an ink that contrasts sufficiently with the paper.

Exceptions to the clear and readable standard include words, phrases or forms of agreement required by law or governmental entity or technical terms customarily used in a particular industry or area if there are no clear and readable substitutes for those terms. The Attorney General would enforce the provisions of this bill.

LD 892 An Act To Improve Assistance for Technology-based Entrepreneurs

PUBLIC 90

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

This bill provides a broader set of assistance options for technology-based entrepreneurs than currently available through the applied technology development centers. Since the outreach will no longer be confined by physical locations, technology-based entrepreneurs will have access to more targeted services. Adapting the current program to be more responsive and far-reaching will foster high-growth entrepreneurship, which has been found to have a significant impact on economic growth.

Enacted Law Summary

Public Law 2009, chapter 90 provides a broader set of assistance options for technology-based entrepreneurs than currently available through the applied technology development centers. Since the outreach will no longer be confined by physical locations, technology-based entrepreneurs will have access to more targeted services.

LD 937 An Act To License Septic System Installers

ONTP

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

This bill establishes a septic system installer license for a person who wishes to install septic systems. The requirements of the license include being licensed as a plumber and carrying proper insurance.