

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
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

LD 1014 An Act To Provide for the 2009 and 2010 Allocations of the State Ceiling on Private Activity Bonds

**P & S 14
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SCHNEIDER	OTP-AM	S-54

This bill establishes the allocations of the state ceiling on issuance of tax-exempt bonds for calendar years 2009 and 2010. Under federal law, a maximum of \$273,270,000 in tax-exempt bonds benefiting private individuals or entities may be issued in the State in 2009, and at least \$273,270,000 in tax-exempt bonds benefiting private individuals or entities may be issued in the State in 2010. This bill allocates the state ceiling among the state-level issuers of tax-exempt bonds.

Committee Amendment "A" (S-54)

This amendment incorporates a fiscal note.

Enacted Law Summary

Private and Special Law 2009, chapter 14 establishes the allocations of the state ceiling on issuance of tax-exempt bonds for calendar years 2009 and 2010. Under federal law, a maximum of \$273,270,000 in tax-exempt bonds benefiting private individuals or entities may be issued in the State in 2009, and at least \$273,270,000 in tax-exempt bonds benefiting private individuals or entities may be issued in the State in 2010. This law allocates the state ceiling among the state-level issuers of tax-exempt bonds.

Private and Special Law 2009, chapter 14 was enacted as an emergency measure effective May 6, 2009.

LD 1023 An Act To Require a Seller of a Gas Station To Provide an Updated Inspection Prior to Sale of the Property

ONTP

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

This bill provides that in the case of the sale or transfer of any real estate where an underground gasoline storage tank used in connection with the retail sale of gasoline is located, the owner of the real estate, prior to such a sale or transfer, shall file a copy of the most recent annual inspection results relating to the underground gasoline storage tank with the purchaser or transferee.

LD 1048 An Act To Increase the Amount of the Deposit on Returnable Beverage Containers

**LEAVE TO
WITHDRAW**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SIROIS NUTTING J	LTW	

Joint Standing Committee on Business, Research and Economic Development

This bill raises the refund value on nonrefillable beverage containers by 5¢ and directs the State Tax Assessor to apply the increase in revenue from unclaimed deposits as a result of this bill toward the cost of the total allocation for kindergarten to grade 12 education.

LD 1054 An Act To Promote Economic Development in the Greater Portland Region

P & S 23

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EBERLE DAVIS G	OTP-AM	H-378

This bill modifies the charter of the Greater Portland Public Development Commission by allowing it to conduct its regular business and transfer its funds and its assets to a nonprofit corporation that has the same mission as the commission and to add the municipalities of Westbrook, Falmouth, Cape Elizabeth and Scarborough to the geographic area served by the commission.

Committee Amendment "A" (H-378)

This amendment strikes the provisions in the bill that proposed to transfer the funds and assets of the Greater Portland Public Development Commission and updates its charter by replacing outdated property management powers with the power to provide and administer loans and grants to businesses and nonprofits for purposes of stimulating economic growth and revitalization efforts and fostering coordination between economic development entities within the confines of Portland, South Portland, Westbrook, Falmouth, Cape Elizabeth and Scarborough. It also requires the commission to submit an annual report summarizing its complete activities for the prior year, an accounting of its receipts, expenditures, assets and liabilities and a statement of its proposed activities for the coming year to the Governor and the joint standing committee of the Legislature having jurisdiction over business, research and economic development matters.

Enacted Law Summary

Private and Special Law 2009, chapter 23 amends the charter of the Greater Portland Public Development Commission by replacing outdated property management powers with the power to provide and administer loans and grants to businesses and nonprofits for purposes of stimulating economic growth and revitalization efforts and fostering coordination between economic development entities within the confines of Portland, South Portland, Westbrook, Falmouth, Cape Elizabeth and Scarborough. The law requires the commission to submit an annual report summarizing its complete activities for the prior year, an accounting of its receipts, expenditures, assets and liabilities and a statement of its proposed activities for the coming year to the Governor and the joint standing committee of the Legislature having jurisdiction over business, research and economic development matters.

LD 1062 Resolve, To Assist Artists, Art Galleries and Art Dealers

RESOLVE 92

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND	OTP-AM	S-160

This bill clarifies the relationship between an artist and an art gallery, including the financial responsibilities of the artist and the art gallery.