

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 1413

Resolve, To Implement Select Recommendations of the Joint Select Committee on Future Maine Prosperity

**RESOLVE 110
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COHEN DAMON	OTP-AM	H-379

This resolve establishes the Commission To Improve the Business Climate in order to study all aspects of advancing the State's business climate through improving the efficiency, effectiveness and consistency of the State's regulatory systems, as well as improving the relationships between regulators and the regulated community

The commission is required to submit a report that includes its findings and recommendations, including suggested legislation, for presentation to the Second Regular Session of the 124th Legislature. The Joint Standing Committee on Business, Research and Economic Development is authorized to introduce a bill related to the subject matter of the report to the Second Regular Session of the 124th Legislature.

Committee Amendment "A" (H-379)

This amendment replaces the resolve and requires the Maine Regulatory Fairness Board, in consultation with private and public stakeholders, including but not limited to the Department of Professional and Financial Regulation, the Department of Economic and Community Development and the Department of Health and Human Services, to review and identify ways to advance the State's business climate as identified by the 2009 Measures of Growth In Focus report from the Maine Economic Growth Council, the final report of the Joint Select Committee on Future Maine Prosperity, the report entitled "Charting Maine's Future, An Action Plan for Promoting Sustainable Prosperity and Quality Places" by the Brookings Institution and any other reports identified by the board; to improve the efficiency, effectiveness and consistency of the State's regulatory systems; and to improve the relationships between regulators and the regulated community. It requires the board to use the process for accepting public input through public meetings across the State, which is currently required in statute, to assist in the identification of regulatory burdens.

It also requires the board to provide a briefing regarding its review no later than February 15, 2010 and authorizes the joint standing committee of the Legislature having jurisdiction over business, research and economic development matters to introduce a bill related to this issue in the Second Regular Session of the 124th Legislature.

This amendment also requires that, no later than January 15, 2011, the board must provide a written report with its findings and recommendations to the joint standing committee of the Legislature having jurisdiction over business, research and economic development matters.

Enacted Law Summary

Resolve 2009, chapter 110 requires the Maine Regulatory Fairness Board, in consultation with private and public stakeholders, including but not limited to the Department of Professional and Financial Regulation, the Department of Economic and Community Development and the Department of Health and Human Services, to review and identify ways to advance the State's business climate as identified by the 2009 Measures of Growth In Focus report from the Maine Economic Growth Council, the final report of the Joint Select Committee on Future Maine Prosperity, the report entitled "Charting Maine's Future, An Action Plan for Promoting Sustainable Prosperity and Quality Places" by the Brookings Institution and any other reports identified by the board; to improve the efficiency, effectiveness and consistency of the State's regulatory systems; and to improve the relationships between regulators and the regulated community. The law requires the board to use the process for accepting public input through public meetings across the State, which is currently required in statute, to assist in the identification of regulatory burdens.

Joint Standing Committee on Business, Research and Economic Development

The law requires the board to provide a briefing regarding its review no later than February 15, 2010 and authorizes the joint standing committee of the Legislature having jurisdiction over business, research and economic development matters to introduce a bill related to this issue in the Second Regular Session of the 124th Legislature. The law requires that, no later than January 15, 2011, the board must provide a written report with its findings and recommendations to the joint standing committee of the Legislature having jurisdiction over business, research and economic development matters.

Resolve 2009, chapter 110 was enacted as an emergency measure effective June 9, 2009.

LD 1455 An Act To Establish the Maine Fuel Board

PUBLIC 344

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SMITH N SCHNEIDER	OTP-AM	H-345 H-525 SMITH N S-261 SCHNEIDER

This bill repeals the Maine Revised Statutes, Title 32, chapters 33 and 130, governing the licensure and regulation of oil and solid fuel burning technicians and propane and natural gas technicians, and combines the 2 licensing programs into one licensing program under a merged licensing board, the Maine Fuel Board, established by one authorizing statute. This bill reflects the current standards for the installation of oil and solid fuel burner equipment and propane and natural gas equipment and strengthens licensing requirements for propane and natural gas technicians who apply for licensure after the effective date of the bill. The bill provides for a limited license for wood pellet technicians and for board authority to consider the impact of new heating technology that may be available in the future.

Committee Amendment "A" (H-345)

This amendment changes the professional qualification requirements in the bill for an applicant for a propane and natural gas technician license to require either the successful completion of a national propane gas association's certified employee training program or successful completion of a board-approved propane or natural gas course at a Maine community college, career and technical education center or career and technical education region or a comparable institute of this State or another state and passing an examination approved by the board. This amendment also reduces the license term for applicants for a temporary plant operator or delivery technician license. The amendment also adds an appropriations and allocations section.

Senate Amendment "A" (S-261)

This amendment changes the membership of the Maine Fuel Board by removing the member appointed by the Commissioner of Public Safety, adding one more member who must be licensed as a master oil and solid fuel technician and one more member who must be licensed as a propane and natural gas technician and requiring one member to be licensed as both. This amendment also requires all members required to be licensed to have been licensed for at least the 7 years immediately prior to appointment.

House Amendment "A" To Senate Amendment "A" (H-525)

This amendment adds a member appointed by the Commissioner of Public Safety as that commissioner's representative to the Maine Fuel Board.

Enacted Law Summary

Public Law 2009, chapter 344 repeals the Maine Revised Statutes, Title 32, chapters 33 and 130, governing the