

# MAINE STATE LEGISLATURE

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



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

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

April 2010

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# STATE OF MAINE

124<sup>TH</sup> LEGISLATURE  
SECOND 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 Second 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:

<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 HOUSES</i> .....	<i>House &amp; 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&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; 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 Second Regular Session of the 124<sup>th</sup> Legislature is Monday, July 12, 2010. 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 1679 An Act To Create Jobs and Stimulate Economic Development by Making Captive Insurers Eligible for Pine Tree Development Zone Benefits

PUBLIC 627  
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND	OTP-AM	S-400

This bill makes captive insurance companies located anywhere in the State eligible for Pine Tree Development Zone benefits for a 10-year period and provides for a 100% state income tax credit during that 10-year period. The bill also extends the availability of the income tax credit for all qualified Pine Tree Development Zone businesses for 10 years until 2029.

### Committee Amendment "A" (S-400)

This amendment strikes sections of the bill that designate all captive insurance companies anywhere in the State as being in a tier 1 location for purposes of Pine Tree Development Zone benefits but leaves the amended definition of "financial services" within the Pine Tree Development Zone laws to clarify that captive insurance companies are part of the financial services sector and therefore eligible to apply for Pine Tree Development Zone benefits. It retroactively restores electricity rate benefits for qualified Pine Tree Development Zone businesses. The amendment also makes several technical corrections to the Pine Tree Development Zone laws in order to ensure that the tax benefits in the bill as amended expire on the same date. This amendment also makes those technical corrections retroactive to September 12, 2009, the date the law establishing tier 1 and tier 2 locations took effect. It makes a correction to the tax increment financing laws to reflect the changes made to the Pine Tree Development Zone laws.

### Enacted Law Summary

Public Law 2009, chapter 627 amends the definition of "financial services" within the Pine Tree Development Zone laws to clarify that captive insurance companies are part of the financial services sector and therefore eligible to apply for Pine Tree Development Zone benefits. It retroactively restores electricity rate benefits for qualified Pine Tree Development Zone businesses. The law also makes several technical corrections to the Pine Tree Development Zone laws in order to ensure that the tax benefits in the bill as amended expire on the same date. This law also makes those technical corrections retroactive to September 12, 2009, the date the law establishing tier 1 and tier 2 locations took effect. It also makes a correction to the tax increment financing laws to reflect the changes made to the Pine Tree Development Zone laws.

Public Law 2009, chapter 627 was enacted as an emergency measure effective April 9, 2010.

## LD 1683 An Act Regarding the Law Governing Recreational Vehicle Manufacturers, Distributors and Dealers

PUBLIC 562

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SCHNEIDER	OTP-AM	S-396

This bill removes motorized recreational vehicles from the laws governing motor vehicle manufacturers, distributors and dealers and adds them to the laws governing nonmotorized recreational vehicles.

### Committee Amendment "A" (S-396)

# Joint Standing Committee on Business, Research and Economic Development

This amendment makes several technical changes to the bill. It makes changes to the provisions governing good cause in dealer agreements, amends the number of days for written notice within survivorship provisions, amends the terms for reasonable compensation under the warranty and strikes the provision allowing the court to award attorney's fees and replaces it with the requirement that each party must be responsible for its own attorney's fees.

## Enacted Law Summary

Public Law 2009, chapter 562 removes motorized recreational vehicles from the laws governing motor vehicle manufacturers, distributors and dealers and adds them to the laws governing nonmotorized recreational vehicles.

## LD 1685 An Act To Clarify the Enforcement Role of the Mixed Martial Arts Authority of Maine

PUBLIC 582

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PETERSON	OTP-AM	H-753

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to enact measures designed to enhance and clarify the licensing and oversight authority of the Mixed Martial Arts Authority of Maine, which is established in the Maine Revised Statutes, Title 5, section 12004-G, subsection 4-D.

### Committee Amendment "A" (H-753)

This amendment replaces the bill, which was a concept draft. It authorizes the board of directors of the Mixed Martial Arts Authority of Maine to conduct specific inspections of mixed martial arts competitions, exhibitions or events and enhances enforcement mechanisms of the board. The amendment requires the authority to adopt rules regarding the certification process for authorized participants and a requirement that a physician be present during each mixed martial arts competition, exhibition or event. It allows the board to discipline authorized participants if they fail to adhere to the rules adopted by the authority and allows for fines up to \$500 for each violation. It extends the deadline for the authority to adopt rules from March 1, 2010 to October 15, 2010.

## Enacted Law Summary

Public Law 2009, chapter 582 authorizes the board of directors of the Mixed Martial Arts Authority of Maine to conduct specific inspections of mixed martial arts competitions, exhibitions or events and enhances enforcement mechanisms of the board. The law requires the authority to adopt rules regarding the certification process for authorized participants and adds the requirement that a physician be present during each mixed martial arts competition, exhibition or event. It allows the board to discipline authorized participants if they fail to adhere to the rules adopted by the authority and allows for fines up to \$500 for each violation. The law extends the deadline for the authority to adopt rules from March 1, 2010 to October 15, 2010.

## LD 1701 An Act To Facilitate an Increase in Sales of Motor Vehicles

ONTP

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

This bill removes the current prohibition on sales of motor vehicles on Sunday. In addition, this bill repeals the existing exception from that prohibition for the sale of motor homes, which will no longer be necessary.