

MAINE STATE LEGISLATURE

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STATE OF MAINE
125TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT SELECT COMMITTEE ON
REGULATORY FAIRNESS AND REFORM**

July 2011

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LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 125th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD 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 LD is noted to the right of the LD title. The following describes the various final actions.

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; legislation died
DIED BETWEEN HOUSES..... House & Senate disagreed; legislation died
DIED IN CONCURRENCE..... defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX..... chapter # of enacted public Law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 125th Legislature is September 28, 2011. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Select Committee on Regulatory Fairness and Reform

February 1, 2012 to the Joint Standing Committee on State and Local Government.

Part L allows joint standing committees of the Legislature to direct agencies within their jurisdiction to undertake retrospective reviews of agency rules for relevance, clarity and reasonableness and to report their findings and recommendations to the legislative committee the following year.

Part M directs the Commissioner of Economic and Community Development to work collaboratively and in partnership with the Finance Authority of Maine, the Maine International Trade Center and representatives of private sector business interests in applying to the United States Department of Homeland Security, United States Citizenship and Immigration Service for the designation of the State as a state regional center for the purposes of reviewing and approving foreign investment projects under the Immigrant Investor Pilot Program enacted in federal law under Public Law 102-395, Section 610. The purpose of the pilot program is to encourage immigration through the fifth employment-based preference, EB-5, immigrant visa category by immigrants seeking to enter the United States to invest from \$500,000 to \$1,000,000 in commercial enterprises that will create at least 10 full-time jobs. Part M also directs the Commissioner of Economic and Community Development to report by January 15, 2012 to the Joint Standing Committee on Labor, Commerce, Research and Economic Development on the progress of that application process and to include in that report any statutory recommendations necessary to facilitate the State's application or to effectively administer a federally designated regional center in the State.

Enacted Law Summary

Public Law 2011, chapter 304 enacts all the provisions contained in Committee Amendment A to LD 1.

Public Law 2011, chapter 304 was enacted as an emergency effective June 13, 2011, except that those sections of the law that amend the Maine Revised Statutes, Title 38, section 341-C (relating to the membership of the Board of Environmental Protection) take effect on September 16, 2011.

LD 160 Resolve, To Require the Department of Agriculture, Food and Rural Resources and the Department of Public Safety To Develop a Consolidated License for Convenience Stores ONTP

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

This resolve requires the Commissioner of Agriculture, Food and Rural Resources and the Commissioner of Public Safety to jointly examine the various licensing and inspection requirements placed on operators of convenience stores and develop a consolidated convenience store operation license and a method of consolidating and reducing the number of annual inspections. The commissioners are required to report their findings, along with any necessary implementing legislation, to the Joint Standing Committee on Labor, Commerce, Research and Economic Development by December 1, 2011.

LD 730 An Act To Streamline the Issuance of State Business Licenses ONTP

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

Joint Select Committee on Regulatory Fairness and Reform

This bill streamlines the issuance of state business licenses by creating a retail business portfolio license program in the Department of Economic and Community Development, Office of Business Development. The program, which would begin on January 3, 2012, requires the office to issue a single, consolidated portfolio license to any person possessing a sales tax registration certificate issued for the purpose of operating a retail sales facility. The portfolio license would consolidate into a single license all individual business licenses required for that facility to conduct business in the State, would have a single, prorated renewal date for all licenses in the portfolio license and would be available at a fee not to exceed the sum of the fees for each of the individual licenses.

The bill requires the Director of the Office of Business Development to adopt routine technical rules by December 1, 2011 in order to begin the program on January 3, 2012. The bill also requires the director, by January 15, 2012, to report to the Joint Standing Committee on Labor, Commerce, Research and Economic Development on the operation of the program and on any statutory changes necessary to improve the effective operation of the program.