

# 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  
118TH LEGISLATURE

FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
BUSINESS AND ECONOMIC DEVELOPMENT

JULY 1997

**MEMBERS:**

*Sen. John T. Jenkins, Chair*

*Sen. Anne M. Rand*

*Sen. Bruce W. MacKinnon*

*Rep. Marc J. Vigue, Chair*

*Rep. Rosaire J. Sirois*

*Rep. Richard R. Farnsworth*

*Rep. Thomas P. Shannon*

*Rep. Thomas J. Wright*

*Rep. Robert A. Cameron*

*Rep. Thomas W. Murphy, Jr.*

*Rep. William E. Bodwell, II*

*Rep. Jay MacDougall*

*Rep. Adam Mack*

**Staff:**

*Carrie C. McFadden, Legislative Analyst*

*Office of Policy and Legal Analysis  
Room 101/107/135, 13 State House Station  
Augusta, ME 04333  
(207)287-1670*



**Maine State Legislature**

**OFFICE OF POLICY AND LEGAL ANALYSIS**

13 State House Station, Augusta, Maine 04333-0013  
Telephone: (207) 287-1670  
Fax: (207) 287-1275

**ONE HUNDRED EIGHTEENTH LEGISLATURE  
FIRST REGULAR AND FIRST SPECIAL SESSIONS**

**Summary Of Legislation Before The Joint Standing Committees  
August 1997**

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet ([www.state.me.us/legis/opla](http://www.state.me.us/legis/opla)).

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*.....*Bill carried over to Second Regular Session*
- 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*
- INDEF PP*.....*Bill Indefinitely Postponed*
- ONTP*.....*Ought Not To Pass report accepted*
- OTP ND*.....*Committee report Ought To Pass In New Draft*
- OTP ND/NT*.....*Committee report Ought To Pass In New Draft/New Title*
- 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*

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

*David E. Boulter, Director*

Offices Located in the State House, Rooms 101/107/135

LD 421 proposed to create an exception to a licensing requirement for naturopathic doctors. If practicing naturopathic doctors had begun their practice before the board-approved basic sciences exam was developed, they would be exempt from the basic sciences exam requirement.

**LD 426**                      **An Act to Amend the Employee Leasing Company Registration Process**                      **PUBLIC 29**

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

LD 426 proposed to make technical corrections to the employee leasing laws enacted in the Second Regular Session of the 117th Legislature. The intent of those laws was to have the registration performed at the Department of Professional and Financial Regulation, not the Department of Labor.

***Enacted law summary***

Public Law 1997, chapter 29 makes technical corrections to the employee leasing laws enacted in the Second Regular Session of the 117th Legislature. The intent of those laws was to have the registration performed at the Department of Professional and Financial Regulation, not the Department of Labor.

**LD 481**                      **An Act to Regulate Body Piercing**                      **PUBLIC 206**

<u>Sponsor(s)</u> KERR		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-215
---------------------------	--	-----------------------------------	--	------------------------------------

LD 481 proposed to direct the Department of Human Services to establish sterilization, sanitation and safety standards for persons engaged in the business of body piercing. The bill would have required practitioners of body piercing to be registered with the municipality in which they practiced. The bill proposed to require local health officers to annually inspect locations where body piercing was practiced.

In addition, the bill proposed to establish a task force to recommend legislation to regulate body piercing.

**Committee Amendment "A" (H-215)** replaced the bill and proposed to direct the Department of Human Services to establish sterilization, sanitation and safety standards and necessary rules to regulate the art of body piercing. This amendment would require persons practicing body piercing to be licensed by the department beginning January 1, 1998. The license to practice would be renewed annually for a fee not to exceed \$75. For those persons practicing both body piercing and tattooing, the renewal fee would not to exceed \$100. The renewal fee would include costs for an annual inspection of the body piercing establishment by department sanitarians.

This amendment would also prohibit body piercers from performing body piercing on a minor unless parental consent had been obtained. The prohibition for minors would not include piercing an ear with a disposable, single-use stud or solid needle that is applied using a mechanical device to force the needle or stud through the ear. The amendment would establish a civil violation as the penalty for nonadherence to chapter requirements.

***Enacted law summary***

Public Law 1997, chapter 206 directs the Department of Human Services to establish sterilization, sanitation and safety standards and necessary rules to regulate the art of body piercing. Persons practicing body piercing are to be licensed by the department beginning January 1, 1998. The license to practice is to be renewed annually for a fee not to exceed \$75. For those persons practicing both body piercing and tattooing, the renewal fee is not to exceed \$100. The renewal fee includes costs for an annual inspection of the body piercing establishment by department sanitarians.

Body piercers are prohibited from performing body piercing on a minor unless parental consent has been obtained. The prohibition on piercing minors does not include piercing an ear with a disposable, single-use stud or solid needle that is applied using a mechanical device to force the needle or stud through the ear. Nonadherence to chapter requirements is a civil violation.

**LD 508                      An Act to Increase the Certification Fee Cap for the Board of Geologists and Soil Scientists                      PUBLIC 141**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VIGUE	OTP-AM    MAJ ONTP        MIN	H-130

LD 508 proposed to increase the cap for initial and renewal fees for certification as a geologist or soil scientist in order to outsource the geologist exam. The bill proposed an increase in certification fees of \$15 from \$65 per year to \$80 per year.

**Committee Amendment "A" (H-130)** adds an allocation and a fiscal note to the bill.

***Enacted law summary***

Public Law 1997, chapter 141 increases the cap for initial and renewal fees for certification as a geologist or soil scientist in order to outsource the geologist exam. Certification fees will increase \$15 from \$65 per year to \$80 per year.

**LD 539                      An Act to Clarify the Laws Regarding the Board of Licensure in Medicine and Ensure That Physician Discipline Is Reported to the Appropriate Licensing Board                      PUBLIC 271**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VIGUE LONGLEY	OTP-AM	H-359

LD 539 proposed to amend the Maine Revised Statutes, Title 24, chapter 21, the Maine Health Security Act, to include health maintenance organizations, preferred provider arrangements and similar organizations as entities that must report practitioner discipline related to clinical competence or unprofessional conduct.