

# MAINE STATE LEGISLATURE

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*State Of Maine  
121st Legislature*

*First Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Business, Research and Economic Development*

*July 2003*

**Members:**

*Sen. Lynn Bromley, Chair*

*Sen. Christopher G. L. Hall*

*Sen. Kevin L. Shorey*

*Rep. Nancy B. Sullivan, Chair*

*Rep. Lillian LaFontaine O'Brien*

*Rep. Guy J. Duprey, Jr.*

*Rep. Edward Pellon*

*Rep. Nancy E. Smith*

*Rep. Susan M. Austin*

*Rep. Robert A. Berube*

*Rep. Lawrence E. Jacobsen*

*Rep. Christopher Rector*

*Rep. William T. Rogers, Jr.*

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# Maine State Legislature



## Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

### 121st Maine Legislature First Regular Session

#### Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint select committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. 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 considered by the committees. It is arranged alphabetically by committee name 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:

<i>CARRIED OVER PURSUANT TO HP 1212</i> .....	<i>Bills carried over to the 2<sup>nd</sup> Regular Session</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 BODIES</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</i>
<i>ONTP</i> .....	<i>Ought Not To Pass report accepted</i>
<i>OTP-ND</i> .....	<i>Committee report Ought To Pass In New Draft</i>
<i>P&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>PASSED</i> .....	<i>Joint Order passed in both bodies</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>

Please note that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

**David C. Elliott, Director**  
Offices located in Room 215 of the Cross Office Building

*Joint Standing Committee on Business, Research and Economic Development*

**LD 607**

**Resolve, To Study the Effects of NAFTA and Other Cross-border Issues on Maine Businesses**

**RESOLVE 87**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROTUNDO CRAVEN	OTP-AM	S-22 S-296 CATHCART

LD 607 proposed to direct the Department of Economic and Community Development and the Executive Department, State Planning Office to study the positive and negative effects of the North American Free Trade Agreement, with particular emphasis on several important business sectors, and to permit the Department of Economic and Community Development to submit legislation for consideration in the Second Regular Session of the 121st Legislature to help expand business opportunities under and minimize adverse effects of NAFTA.

**Committee Amendment "A" (S-22)** proposed to specify that the study assess the impacts of NAFTA on small businesses throughout the State and include an assessment of imports and other cross-border commerce issues and effects on the natural resource-based industries of the State.

The amendment also proposed to add a one-time appropriation of \$75,000 in fiscal year 2003-04 to fund the study and to change the title of the resolve to reflect the changes proposed in this amendment.

**Senate Amendment "A" to Committee Amendment "A" (S-296)** proposed to reduce the one-time appropriation from \$75,000 to \$25,000.

***Enacted Law Summary***

Resolve 2003, chapter 87 directs the Department of Economic and Community Development and the Executive Department, State Planning Office to study the positive and negative effects of the North American Free Trade Agreement, with particular emphasis on several important business sectors, including an assessment of the impacts of NAFTA on small businesses throughout the State and an assessment of imports and other cross-border commerce issues and effects on the natural resource-based industries of the State. This resolve also permits the Department of Economic and Community Development to submit legislation for consideration in the Second Regular Session of the 121st Legislature to help expand business opportunities under and minimize adverse effects of NAFTA.

**LD 649**

**An Act To Allow the Practice of Optometry on the Same Premises As an Optical Shop or Other Establishment**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SULLIVAN HATCH PH	ONTP	

LD 649 proposed to do the following:

1. Eliminate the prohibition on optometric practice on premises where nonoptometric materials are dispensed;
2. Eliminate the existing prohibition on "mercantile employment" of optometrists by clarifying related provisions;

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- 3. Eliminate the prohibition on associations by any optometrist with a person, firm or corporation who is not a registered optometrist;
- 4. Permit optometrists to practice under a trade name like other medical professionals; and
- 5. Authorize contracts for the practice of optometry in or on the premises of an optical shop or commercial or mercantile establishment and permit the joint marketing of the optometrist and mercantile or retail establishment.

**LD 663**

**An Act To Create Economic Development Zones**

**ONTP**

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

LD 663 proposed to create the Economic Development Zone Program within the Department of Economic and Community Development, Office of Tourism and Community Development. The purpose of the program would have been to identify those areas of the State with high unemployment as economic development zones and to coordinate the department's economic development expenditures to ensure that at least 45% of the department's economic development expenditures are directed to those economic development zones and used for economic development activities that reduce unemployment in those areas.

The bill also proposed to require the Commissioner of Economic and Community Development to provisionally adopt major substantive rules implementing the program and submit them to the Legislature for review no later than January 1, 2004.

Lastly, the bill proposed to repeal this program January 1, 2007.

**LD 682**

**An Act To Change the Membership of the Plumbers' Examining Board To Include a Local Plumbing Inspector**

**PUBLIC 107**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'NEIL	OTP-AM MAJ ONTP MIN	H-110 SULLIVAN H-89

LD 682 proposed to expand the membership of the Plumbers' Examining Board to include one member who is a local plumbing inspector.

**Committee Amendment "A" (H-89)**, which was the committee's majority report and was adopted, proposed to replace the bill. The amendment proposed to change the membership of the Plumbers' Examining Board by substituting a local plumbing inspector who has been engaged in plumbing inspections for at least 4 years and is employed by a municipality for one of the journeyman plumbers currently on the board. The amendment proposed to take effect on September 24, 2004, which is the expiration date of the term of the current board member who is a local plumbing inspector.