

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

*First Regular Session and
First Special Session*

Bill Summaries

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

August 2005

Members:

Sen. Lynn Bromley, Chair

Sen. Barry J. Hobbins

Sen. Dana L. Dow

Rep. Nancy E. Smith, Chair

Rep. Lillian LaFontaine O'Brien

Rep. Stephen R. Beaudette

Rep. Charles Earl Crosby, III

Rep. David W. Farrington

Rep. Christopher Rector

Rep. Susan M. Austin

Rep. Robert A. Berube

Rep. Lawrence E. Jacobsen

Rep. John C. Robinson

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Maine State Legislature

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122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 organized 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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included 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).

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
NOT PROPERLY BEFORE THE BODY..... Ruled out of order by the presiding officers; bill died
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 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

Joint Standing Committee on Business, Research and Economic Development

Office to report back on the status of the project to the Joint Standing Committee on Business, Research and Economic Development by February 1, 2006.

Enacted law summary

Public Law 2005, chapter 200 requires towns, cities or municipalities that adopt a building rehabilitation code to adopt the International Existing Building Code, which is a building rehabilitation code. The law also provides that the State Planning Office is authorized to obtain public and private funds to conduct a project that would harmonize the codes and standards currently in law with the Maine Model Building Code and the International Existing Building Code within 3 years. The law requires the State Planning Office is required to report back on the status of the project to the Joint Standing Committee on Business, Research and Economic Development by February 1, 2006.

LD 552 **Resolve, Directing the Board of Dental Examiners To Establish by Rule Protocols To Allow Dental Hygienists Practicing under Public Health Supervision Status To Administer Fluoride or Other Antimicrobials** **RESOLVE 39**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THOMAS DOW	OTP-AM	H-256

LD 552 proposed to allow dental hygienists to prescribe fluoride and chlorhexidine or their derivatives without a dentist present.

Committee Amendment "A" (H-256) proposed to replace the bill with a resolve directing the Department of Professional and Financial Regulation, Board of Dental Examiners to establish by rule protocols that would describe the conditions under which dental hygienists with public health supervision status would be authorized to administer fluoride or other antimicrobials.

Enacted law summary

Resolve 2005, chapter 39 directs the Department of Professional and Financial Regulation, Board of Dental Examiners to establish by rule protocols that describe the conditions under which dental hygienists with public health supervision status are authorized to administer fluoride or other antimicrobials.

LD 566 **An Act To Amend the Definition of "Chiropractic Acupuncture"** **DIED ON ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SULLIVAN PERRY A	ONTP MAJ OTP MIN	

Joint Standing Committee on Business, Research and Economic Development

LD 566 proposed to amend the definition of "chiropractic acupuncture" to include the use of microelectric current, magnetic stimulation, moxibustion and other forms of heat therapy, therapeutic uses of sound and light, cupping techniques and acupressure techniques.

LD 581 An Act Regarding Identity Theft Deterrence

PUBLIC 243

<u>Sponsor(s)</u> BROMLEY KOFFMAN	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-187
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LD 581 proposed to prohibit a consumer reporting agency from furnishing a consumer report or disclosing information about a consumer unless the consumer authorized the disclosure and provided a copy of a police report prepared by a law enforcement agency in investigation of identity theft involving the consumer to the consumer reporting agency.

Committee Amendment "A" (S-187) proposed to replace the bill. The amendment proposed to allow consumers to implement security freezes on their consumer reports and described the requirements for requesting and removing security freezes temporarily and permanently. This amendment proposed to establish strict timelines for compliance by consumer reporting agencies and would permit consumer reporting agencies to assess a fee to consumers who are not victims of identity theft for each freeze-related action taken with respect to a consumer report. In addition, it proposed to identify exceptions to the security freeze requirements based on federal law and state enforcement requirements.

Enacted law summary

Public Law 2005, chapter 243 allows consumers to implement a security freeze on their consumer reports and describes the requirements for requesting and removing a security freeze temporarily or permanently. This law establishes strict timelines for compliance by consumer reporting agencies and permits consumer reporting agencies to assess a fee to consumers who are not victims of identity theft for each freeze-related action taken with respect to a consumer report. In addition, the law identifies exceptions to the security freeze requirements based on federal law and state enforcement requirements.

LD 585 An Act To Reauthorize the Petroleum Market Share Act

**PUBLIC 155
EMERGENCY**

<u>Sponsor(s)</u> BROMLEY	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-128
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LD 585 proposed to remove provisions of the Petroleum Market Share Act that otherwise would repeal certain portions of that Act. It also proposed to repeal laws that establish and govern the Petroleum Advisory Committee.

Committee Amendment "A" (S-128) proposed to reduce the frequency of refiner reports from quarterly to annually and clarify that the required reports may be made by affiliates. The amendment also proposed to provide that, although the Attorney General is required to consult with industry stakeholders concerning any future