

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

Staff:

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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

LD 697

An Act To Clarify Reporting Responsibilities to Licensing Boards

PUBLIC 221

<u>Sponsor(s)</u> HOBBINS SMITH N	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-130
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LD 697 proposed to specify the information to be reported by providers of health care to licensing boards regarding health-care-related discipline of licensed professionals by the providers. It proposed to clarify that all health care entities are covered by this reporting requirement and it proposed to confirm the ability of the practitioner's board of licensure to share otherwise confidential investigative information with health care providers who credential licensees.

Committee Amendment "A" (S-130) proposed to broaden the scope of information that must be provided by a health care provider or health care entity to the relevant board or authority following an adverse action against a practitioner. It also proposed to increase the fine for a civil violation of the provision of law from \$1,000 to \$5,000.

Enacted law summary

Public Law 2005, chapter 221 broadens the scope of information that must be provided by a health care provider or health care entity to the relevant board or authority following health-care related discipline of licensed professionals. The law also increases the fine for the failure of any health care provider or entity to report this information from \$1,000 to \$5,000. It clarifies that all health care entities are covered by this reporting requirement and it confirms the ability of the practitioner's board of licensure to share otherwise confidential investigative information with health care providers who credential licensees.

LD 737

An Act To Ensure the Success of Pine Tree Development Zones

ONTP

<u>Sponsor(s)</u> SAVIELLO	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 737 proposed to extend the Pine Tree Development Zone to include as a qualified business an existing business that makes a significant capital investment, such as modernizing a manufacturing process, that would provide job retention at the facility. It proposed to require those businesses to meet criteria that parallel the criteria for new job creation. The bill also proposed to provide that any effect that a qualified business has on waters of the State would be considered a qualified business activity.