

# 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.

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written proposal identifying ways to improve the promotion and marketing of the Business Answers program, to the Joint Standing Committee on Business, Research and Economic Development by February 1, 2006.

**LD 832**                      **An Act To Amend the Laws Regulating the Practice of Optometry**                      **ONTP**

<u>Sponsor(s)</u> BLANCHETTE	<u>Committee Report</u> ONTP      MAJ OTP        MIN	<u>Amendments Adopted</u>
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LD 832 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;
3. Eliminate the prohibition on association 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 permits the joint marketing of the optometrist and mercantile or retail establishment.

**LD 837**                      **Resolve, Regarding a New Certification for Health Care Attendants**                      **ONTP**

<u>Sponsor(s)</u> MILLS P	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 837 proposed to direct the Department of Health and Human Services and the State Board of Nursing to adopt routine technical rules for a new classification of health care workers named health care attendants.

**LD 905**                      **An Act To Modernize the Innkeeping Statutes**                      **PUBLIC 185**

<u>Sponsor(s)</u> COWGER MOODY	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-160
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LD 905 proposed to amend several sections of the law dealing with innkeeping and lodging. The bill proposed to amend the provision requiring all guests to register. The bill also proposed to require that a guest who is overcharged must be reimbursed the amount charged minus the posted rate for the room. The bill also proposed to amend the law to make optional the requirement that an innkeeper or campground owner accept a credit card

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from a minor to cover guest expenses. Lastly, the bill proposed to permit the owner of a lodging house or hotel that has 10 or fewer guest rooms to decline to admit children as occupants.

**Committee Amendment "A" (S-160)** proposed to replace the bill. It proposed to remove the treble damages provision for overcharges by keepers of hotels, inns and lodging houses and instead proposed to require that a guest who is overcharged be reimbursed the amount charged minus the posted rate for the room. It also proposed to require that a person conducting any hotel or lodging house maintain a register of all persons renting, but not occupying, the room. This amendment also proposed to provide that innkeepers or campground owners have the discretion to deny accommodations to minors.

### ***Enacted law summary***

Public Law 2005, chapter 185 removes the treble damages provision for overcharges by keepers of hotels, inns and lodging houses and instead requires that a guest who is overcharged be reimbursed the amount charged minus the posted rate for the room. The law also removes the requirement that a person operating a hotel or lodging house must maintain a register of all persons occupying the room and only requires the name of the person renting the room. This law provides that innkeepers or campground owners have the discretion to deny accommodations to minors.

**LD 906**

**An Act To Amend the Laws Regarding the Licensure of Dentists,  
Dental Hygienists and Denturists**

**PUBLIC 45**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROMLEY RECTOR	OTP	

LD 906 proposed to provide the Board of Dental Examiners with the authority to waive a personal interview and conduct a telephone interview for applicants seeking licensure by endorsement in cases where the applicant is serving on military deployment overseas. Current law allows dentists to administer general anesthetics. The bill proposed to allow dentists to administer general anesthetics and conscious sedation only with a permit issued by the board. The bill proposed to clarify language concerning the payment of license renewal fees if an existing licensee applies late or if a new applicant applies for licensure in the 2nd year of the biennial license period. Finally, the bill proposed to eliminate outdated language concerning temporary dentist permits, which the board ceased to issue after January 1, 2000.

### ***Enacted law summary***

Public Law 2005, chapter 45 provides the Board of Dental Examiners with the authority to waive a personal interview and conduct a telephone interview for applicants seeking licensure by endorsement in cases where the applicant is serving on military deployment overseas. The law requires dentists to receive permits issued by the board prior to administering general anesthetics and conscious sedation. The law clarifies language concerning the payment of license renewal fees if an existing licensee applies late, or if a new applicant applies for licensure in the 2nd year of the biennial license period. It also eliminates outdated language concerning temporary dentist permits, which the board ceased to issue after January 1, 2000.