

MAINE STATE LEGISLATURE

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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

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Rep. William E. Bodwell, II

Rep. Jay MacDougall

Rep. Adam Mack

Staff:

Carrie C. McFadden, Legislative Analyst

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Maine State Legislature

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**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).

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

Enacted law summary

Public Law 1997, chapter 491 increases the amount of bonds that the Maine State Housing Authority may issue that are enhanced by the State's moral obligation. These bonds are primarily used for the authority's first time home buyer program and secured by first mortgages. The State's moral obligation is not a legal debt of the State, but there is an expectation that the State would cure a default and that expectation results in reduced interest rates.

Chapter 491 was enacted as an emergency measure effective June 11, 1997.

LD 1657

**An Act to Establish the Interstate Economic Development
Commission for the Northern New England States**

PUBLIC 254

<u>Sponsor(s)</u> LAWRENCE		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 1657 proposed to establish the framework for creation of a commission of members from Maine, New Hampshire and Vermont to investigate the opportunities to enhance economic development and tourism among these states. The commission would become active when similar legislation is enacted in New Hampshire and Vermont.

Enacted law summary

Public Law 1997, chapter 254 establishes the framework for creation of a commission of members from Maine, New Hampshire and Vermont to investigate the opportunities to enhance economic development and tourism among these states. The commission becomes active when similar legislation is enacted in New Hampshire and Vermont.

LD 1672

**An Act to Ensure Proper Training for Conducting Forensic
Examinations of Victims of Sexual Assault**

**PUBLIC 333
EMERGENCY**

<u>Sponsor(s)</u> LINDAHL PARADIS		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-505
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LD 1672 proposed to provide for the licensing of sexual assault nurse examiners and to require that the State Board of Nursing establish requirements, procedures and guidelines for licensing sexual assault nurse examiners.

Committee Amendment "A" (H-505) proposed to strike the licensing provisions for sexual assault nurse examiners and required that any health care professional, other than a physician, who conducted a sexual assault examination be trained in the proper procedures for the collection of evidence. Language was added to ensure that, regardless of training in evidence collection, the evidence collection results could not be excluded as evidence in any case before a court in this state.

Enacted law summary

Public Law 1997, chapter 333 requires that any health care professional, other than a physician, conducting a sexual assault examination be trained in the proper procedures for the collection of evidence. Regardless of training in evidence collection, the evidence collection results may not be excluded as evidence in any case before a court in this state.

The Business and Economic Development Committee has worked with the State Board of Nursing on issuing an advisory opinion regarding the scope of nursing practice to include the ability for a registered professional nurse (RN) to perform vaginal speculum exams and collection of specimens for cytology and/or culture. The advisory opinion to be issued by the Board of Nursing is a crucial step in the process of establishing sexual assault nurse examiner programs as RNs do not currently perform the vaginal examinations and collection of all evidence in a sexual assault examination.

Chapter 333 was enacted as an emergency measure effective May 30, 1997.

LD 1680 **An Act to Amend the Real Estate Brokerage Laws** **ONTP**

<u>Sponsor(s)</u> BENNETT		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1680 proposed to allow a subagent to work on the behalf of a broker who was not the designated broker for that broker as long as the subagent had obtained the approval of his or her designated broker.

LD 1697 **An Act to Encourage Employee Stock Ownership** **PUBLIC 217**

<u>Sponsor(s)</u> BRENNAN RAND		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 1697 proposed to create a program whereby the Finance Authority of Maine would reserve \$1,000,000 of its moral obligation authority to insure up to 90% of payments with respect to loans to employees to purchase an ownership interest in the business by which they are employed.

Enacted law summary

Public Law 1997, chapter 217 requires the Finance Authority of Maine to reserve \$1,000,000 of its moral obligation authority to insure up to 90% of payments with respect to loans to employees to purchase an ownership interest in the business by which they are employed.