

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

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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

Public Law 1997, chapter 379 amends the statutes regulating speech pathologists and audiologists in the following ways:

1. Changes all references from "speech" to "speech-language" in the Maine Revised Statutes, Title 32, chapter 77.
2. Creates the definition for "speech-language pathology assistant," and the necessary qualifications that allow a person to practice as a speech-language pathologist and audiologist, which includes a two-year associates degree. It requires that a person holding this credential work under the direct supervision of a licensee and register with the board.
3. Requires that a person applying for the credential of "speech-language pathology aide" after October 1,1997 must demonstrate two years of post-secondary education and submit a training plan endorsed by a licensed speech-language pathologist.
4. Requires all speech-language pathology aides to meet the eligibility requirements for a speech-language pathology assistant by January 1, 2005 in order to continue their practice of speech-language pathology.
5. Clarifies the qualifications and scopes of practice for speech-language pathologists and audiologists.
6. Establishes the Board of Examiners on Speech-language Pathology and Audiology's authority to adopt rules to refine these scopes of practice within the parameters of statutory provisions.

LD 1780

An Act to Amend the Finance Authority of Maine Act and the Adaptive Equipment Loan Program

PUBLIC 489

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JENKINS VIGUE	OTP-AM	S-247

LD 1780 proposed to make changes to the laws governing the Adaptive Equipment Loan Program Fund Board and the Finance Authority of Maine. It proposed to repeal an ambiguous provision requiring that 75% of the loans made from the Adaptive Equipment Loan Program Fund be made to individuals and further requiring that all for-profit entities receiving a loan obtain at least 50% of the total project costs from sources other than the fund, and proposed to replace the provision with a directive that the board adopt rules setting forth a preference for individuals with disabilities to receive loans and requiring that for-profit loan recipients provide a portion of project costs from sources other than the Adaptive Equipment Loan Program Fund. It would have updated the list of education loan programs the authority administers. It restated the existing provisions with regard to the amount of bonds supported by the moral obligation of the State that the authority may issue to include up to \$264,000,000 for electric rate stabilization projects, \$120,000,000 for major business expansion projects, \$57,000,000 for workers' compensation residual market mechanism projects and up to \$150,000,000 minus the aggregate outstanding amount of mortgage loans secured by capital reserve funds pursuant to the Maine Revised Statutes, Title 10, section 1032 for all other projects. It was not intended that this bill have any effect on any revenue obligation securities issued at any time pursuant to Title 10, section 1053, subsection 5.

Committee Amendment "A" (S-247) proposed to change the membership requirements of the Adaptive Equipment Loan Program Fund Board to include a designee of the Bureau of Rehabilitation Services instead of a designee of the Department of Education since the bureau was transferred to the Department of Labor.

The amendment further clarified that all business entities are eligible for adaptive equipment loans. It included a requirement that the board adopt rules setting forth a preference for individuals with disabilities to receive loans for personal purposes. This amendment also allowed a subcommittee of the Adaptive Equipment Loan Program Fund Board to approve applications for loans of \$2,500 or less and emergency applications. Outside contractors under contract with the board could also approve loans of less than \$2,500.

The amendment changes the definition of veteran to include any individual who has served in the United States Armed Forces and included a separate definition of a wartime veteran under Finance Authority of Maine law.

The amendment expanded the Finance Authority of Maine's ability to insure loans to veterans by allowing the authority to insure 100% for a loan of up to \$75,000 for any person who has served in the United States Armed Forces or up to \$125,000 for wartime veterans.

The amendment further clarified that the authority may charge interest on Teachers for Maine loans that are not forgiven by return service.

The amendment deleted sections of the bill that had been enacted by Public Law 1997, chapter 97, sections 1 to 4.

Enacted law summary

Public Law 1997, chapter 489 makes changes to the laws governing the Adaptive Equipment Loan Program Fund Board and the Finance Authority of Maine.

It repeals an ambiguous provision requiring that 75% of the loans made from the Adaptive Equipment Loan Program Fund be made to individuals and further requiring that all for-profit entities receiving a loan obtain at least 50% of the total project costs from sources other than the fund, and replaces the provision with a directive that the board adopt rules setting forth a preference for individuals with disabilities to receive loans and requiring that for-profit loan recipients provide a portion of project costs from sources other than the Adaptive Equipment Loan Program Fund.

It changes the membership requirements of the Adaptive Equipment Loan Program Fund Board to include a designee of the Bureau of Rehabilitation Services instead of a designee of the Department of Education since the bureau was transferred to the Department of Labor.

It clarifies that all business entities are eligible for adaptive equipment loans. It includes a requirement that the board adopt rules setting forth a preference for individuals with disabilities to receive loans for personal purposes. This amendment also allows a subcommittee of the Adaptive Equipment Loan Program Fund Board to approve applications for loans of \$2,500 or less and emergency applications. Outside contractors under contract with the board may also approve loans of less than \$2,500.

It amends the Finance Authority of Maine Act to change the definition of veteran to include any individual who has served in the United States Armed Forces and include a separate definition of a wartime veteran. It expands the

Finance Authority of Maine's ability to insure loans to veterans by allowing the authority to insure 100% for a loan of up to \$75,000 for any person who has served in the United States Armed Forces or up to \$125,000 for wartime veterans.

It clarifies that the authority may charge interest on Teachers for Maine loans that are not forgiven by return service.

It restates the existing provisions with regard to the amount of bonds supported by the moral obligation of the State that the authority may issue to include up to \$264,000,000 for electric rate stabilization projects, \$120,000,000 for major business expansion projects, \$57,000,000 for workers' compensation residual market mechanism projects and up to \$150,000,000 minus the aggregate outstanding amount of mortgage loans secured by capital reserve funds pursuant to the Maine Revised Statutes, Title 10, section 1032 for all other projects. It is not intended that this bill have any effect on any revenue obligation securities issued at any time pursuant to Title 10, section 1053, subsection 5.

LD 1796

An Act to Provide Licensing for Micropigmentation Practitioners

PUBLIC 383

Sponsor(s)
TUTTLE

Committee Report
OTP-AM

Amendments Adopted
H-507

LD 1796 proposed to repeal current law regulating tattooing and to provide a licensing framework within the Department of Human Services for micropigmentation practice, which included the art of tattooing.

Committee Amendment "A" (H-507) proposed to retain the chapter regulating tattoo artists and established a separate licensing structure for those engaging in the practice of micropigmentation.

The Department of Human Services would be granted rulemaking authority to govern the practice of micropigmentation and given a deadline of November 1, 1997 for establishing licensing rules, including standards of practice, education and training requirements.

The amendment would require that licenses must be renewed every two years. The licensing fee, not to exceed \$50, would include a biennial inspection of the micropigmentation facility by the Department of Human Services. Individuals engaged in the practice of micropigmentation in the State would be required to comply with the rules of the Department by January 1, 1998.

Enacted law summary

Public Law 1997, chapter 383 establishes a separate licensing structure for those engaging in the practice of micropigmentation. The Department of Human Services is given rulemaking authority to govern the practice of micropigmentation and must establish licensing rules by November 1, 1997, including standards of practice, education and training requirements. Public Law 1997, chapter 383 requires that licenses for the practice of micropigmentation must be renewed every two years. The licensing fee, not to exceed \$50, includes a biennial inspection of the micropigmentation facility by the Department of Human Services. Individuals engaging in the practice of micropigmentation in the State must comply with the rules of the Department by January 1, 1998.