

# MAINE STATE LEGISLATURE

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*State Of Maine  
120th Legislature*

*Second Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Business and Economic Development*

*May 2002*

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**120th Legislature**  
**Second Regular Session**

**Summary Of Legislation Before The Joint Standing Committees**  
**May 2002**

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 arranged alphabetically by committee name 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](http://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:

<i>CON RES XXX</i> .....	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i> .....	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i> .....	<i>House &amp; Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i> .....	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i> .....	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i> .....	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i> .....	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i> .....	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i> .....	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i> .....	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i> .....	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i> .....	<i>Ought Not To Pass report accepted</i>
<i>OTP ND</i> .....	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i> .....	<i>Committee report Ought To Pass In New Draft/New Title</i>
<i>P&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>PASSED</i> .....	<i>Joint Order passed in both bodies</i>
<i>PUBLIC XXX</i> .....	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i> .....	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i> .....	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i> .....	<i>Legislature failed to override Governor's Veto</i>

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is July 25, 2002.

**Patrick T. Norton, Interim Director**  
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## Joint Standing Committee on Business and Economic Development

employers. It also provides \$500,000 for business attraction and expansion marketing efforts and \$1,000,000 to recapitalize the Maine Microenterprise Initiative. Public Law 2001, chapter 680 also provides \$200,000 over the biennium to recapitalize the fund that provides grants to avoid or alleviate the impact caused when a community loses a mature or dominant industry and provides one-time funds for the construction of the River Valley Technical Center incubator facility and matching funds for the Schoodic education and research center. It also appropriates \$35,000 in one-time funds to assist the Maine Film Office to upgrade digital technology and \$100,000 for the Maine Products Marketing Program. In addition, this Public Law appropriates \$5,000 and allocates another \$5,000 for the Community Forestry Fund, \$75,000 for the Forum Francophone, and \$10,000 to the Town of Raymond for a Community Gateways project and \$211,674 for the New Century Community Program. Finally, this Public Law allows funds in the Jobs Retention Program that become available as a result of a revocation of a certificate of approval for a certified retained business under this program to be used for grants to municipalities to retain mature or dominant employers.

Public Law 2001, chapter 680 was enacted as an emergency measure effective April 11, 2002.

**LD 1262**                      **An Act to Properly Apply Jurisdiction of Chimney Regulation**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BOWLES SHOREY	ONTP	

LD 1262 proposed to remove the Oil and Solid Fuel Board from the responsibility of chimney regulation in the State and proposed to clarify that the Commissioner of Public Safety or the commissioner's designee has the responsibility for enforcing chimney regulation.

**LD 1476**                      **An Act to Amend the Laws of the Board of Barbering and Cosmetology**                      **PUBLIC 599**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLISS PENDLETON	OTP-AM	H-932

LD 1476 proposed to establish a continuing education requirement for people engaged in the practice of cosmetology, manicuring, aesthetics and barbering.

**Committee Amendment "A" (H-827)**, which was not adopted, proposed to replace the original bill and require the Board of Barbering and Cosmetology to establish continuing education requirements for licensees of the board and establish provisions for inactive license status. This amendment would have narrowed the scope of practice for barbers, in order to enable the board to adopt less stringent continuing education requirements for barbers. This amendment also proposed to reduce the number of hours of course instruction from 1,500 hours to 1,000 hours or experience in practice from 2,500 hours to 2,000 to satisfy the training component of licensure for barbers. Additionally, this amendment proposed to remove the authority to set fees from the board and give the authority to the Director of the Office of Licensing and Registration within the Department of Professional and Financial Regulation. The amendment would have changed the composition of the Board of Barbering and Cosmetology by reducing the number of barber and cosmetologist members and by adding a manicurist and an aesthetician.

## Joint Standing Committee on Business and Economic Development

Finally, the amendment proposed to alter the inspection schedule to make more efficient use of staff and make rules adopted under the chapter routine technical rules and proposed to add a fiscal note and an allocation section to the bill.

**Committee Amendment "B" (H-932)** which was adopted, proposed to replace the original bill and to make changes to the composition of the Board of Barbering and Cosmetology by reducing the number of barber and cosmetologist members and by adding a manicurist and an aesthetician. The amendment also proposed to alter the inspection schedule to make more efficient use of staff would add a fiscal note to the bill.

### *Enacted law summary*

Public Law 2001, chapter 599 establishes a continuing education requirement for people engaged in the practice of cosmetology, manicuring, aesthetics and barbering and sets criteria for the applicants, the continuing education courses and the entities that provide the courses.

**LD 1498**                      **Resolve, to Require the Collection of Health Care Practitioner Workforce Data**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVAGE C	ONTP	

LD 1498 proposed that certain boards amend their rules by January 1, 2002 to require that all licensed, registered and certified persons under the authority of those boards complete and return the survey proposed under this resolve.

**LD 1672**                      **An Act to Create the Washington County Development Authority**                      **PUBLIC 568**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHOREY GOODWIN	OTP-AM	H-967 RICHARDSON S-468

LD 1672 proposed to create the Washington County Development Authority for the purposes of enhancing economic development within the county, strengthening the financial condition of local governments within the county while combining resources and sharing costs for meeting regional economic development needs and challenges, and promoting and developing infrastructure and programs for employment and economic development opportunities and other conditions to enhance regional development. This bill, as proposed, would take effect when approved only for the purpose of permitting its submission to the legal voters of the cities, towns and plantations of Washington County at regular or special town and plantation meetings and city elections called and held for that purpose before December 31, 2001.

**Committee Amendment "A" (S-468)**, which was adopted, proposed to strike and replace the original bill. It proposed to create the Washington County Development Authority for the purposes of accepting from the Federal Government and disposing of the real or personal property located within the geographical boundaries of the naval communications unit in the Town of Cutler or any other decommissioned federal military facility located in Washington County. The amendment proposed to establish the authority as a public municipal corporation, create