

MAINE STATE LEGISLATURE

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*State Of Maine
120th Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Business and Economic Development*

August 2001

Members:

Sen. Kevin Shorey, Chair

Sen. Lynn Bromley

Sen. Ed Youngblood

Rep. John Richardson, Chair

Rep. Bruce S. Bryant

Rep. Susan Dorr

Rep. Paul R. Hatch

Rep. Marc Michaud

Rep. Jonathan Thomas

Rep. Harold A. Clough

Rep. Thomas W. Murphy, Jr.

Rep. Brian M. Duprey

Rep. John R. Morrison

Staff:

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Maine State Legislature
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120th Legislature
First Regular Session

Summary Of Legislation Before The Joint Standing Committees
August 2001

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. 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
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 **September 21, 2001**.

David E. Boulter, Director
Offices Located in the State House, Rooms 101/107/135

Joint Standing Committee on Business and Economic Development

to the Joint Standing Committee on Business and Economic Development and the Joint Standing Committee on Utilities and Energy by December 5, 2001.

Resolve 2001, chapter 67 was emergency legislation that became effective June 28, 2001.

LD 1634

An Act to Amend the Laws Pertaining to the Maine Small Business Commission

PUBLIC 142

Sponsor(s)
SHOREY
BRYANT

Committee Report
OTP

Amendments Adopted

LD 1634 proposed to require the Maine Small Business Commission to evaluate entrepreneurial programs as part of its duties and to require the commission to advise the Commissioner of Economic and Community Development in developing and implementing statewide strategies and policies as they relate to encouraging economic development by developing entrepreneurial businesses around the State. The bill also proposed to change the number of members of the commission from 3 to 7.

Enacted law summary

Public Law 2001, chapter 142 requires the Maine Small Business Commission to evaluate entrepreneurial programs as part of its duties and requires the commission to advise the Commissioner of Economic and Community Development to assist in developing and implementing statewide strategies and policies as they relate to encouraging economic development by developing entrepreneurial businesses around the State. The law also increases the number of members of the commission from 3 to 7.

LD 1639

An Act to Improve the Licensing and Regulation of Denturists

PUBLIC 337

Sponsor(s)
MICHAUD MH
STANLEY

Committee Report
OTP-AM

Amendments Adopted
S-204

LD 1639 proposed to makes several changes relating to denturists and dental practices. Specifically, the bill proposed the following:

1. To authorizes denturists to become shareholders in dental practices and to add a denturist as a member of the Board of Dental Examiners;
2. To establish the Denturist Subcommittee as an independent subcommittee of the Board of Dental Examiners with jurisdiction over examinations and approval of educational curriculums and continuing education;
3. To clarify the definition of the "practice of denturism";

Joint Standing Committee on Business and Economic Development

4. To prohibit a mandatory oral health certification as a precondition for a denturist to treat a patient, and clarify that the subcommittee, not the board, would adopt rules to regulate the practice of denturism;
5. To clarify that the a education requirement may be met by successful completion of a course certified by the American Denturist Association or the Denturist Association of Canada; and
6. To provide that denturist who is a licensed dental radiographer may expose, develop and interpret X rays without supervision of a dentist.

Committee Amendment "A" (S-204) proposed to strike and replace the original bill. The amendment also proposed to authorize denturists to become shareholders in dental practices providing that at no time could denturists have an equal or greater ownership interest in a dental practice than the dentists have in that practice. Finally, the amendment proposed to eliminate the requirement that denturists obtain oral health certification from a dentist prior to practicing denturism on a person.

Enacted law summary

Public Law 2001, chapter 337 makes two changes in the laws governing the practice of denturism. Specifically, the law authorizes denturists to become shareholders in dental practices providing that at no time a denturist or denturists in sum have an equal or greater ownership interest in a dental practice than the dentist or dentists have in that practice. The law also eliminates the requirement that denturists obtain oral health certification from a dentist prior to practicing denturism on a person.

LD 1655

An Act to Regulate Unused Property Markets

ONTP

Sponsor(s)
KILKELLY

Committee Report
ONTP

Amendments Adopted

LD 1655 proposed to prohibit unused property merchants from selling unused baby food, infant formula, nonprescription drugs and medical devices at unused property markets unless the unused property merchant possesses written authorization to do so from the manufacturer or distributor of the item being sold. The bill also proposed to require unused property merchants to collect and maintain detailed purchase receipts for a minimum of 2 years. The bill would not have applied to the sale of motor vehicles or trailers that are required to be registered or are subject to the certification of title laws of the State, wood for fuel, ice, livestock, business conducted in any industry or association trade show, property not manufactured within recent times, anyone who sells by sample catalogs or brochures for future delivery, and the sale of arts, crafts or other merchandise produced by a person who produces such arts, crafts or merchandise or a person acting on their behalf. Under the proposed bill, an unused property merchant's first violation of the Maine Revised Statutes, Title 32, chapter 112 would have been a Class E crime, the 2nd violation would have been a Class D crime and all subsequent violations would have been Class C crimes.