

# 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*

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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](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:

*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

requirement that information on accounts must be provided to the community development organization that is sponsoring the account;

10. Reduce the membership of the Advisory Committee on Family Development Accounts;
11. Amend the Maine Seed Capital Tax Credit Program so that amendments made regarding the administration of the issuance of tax credits for investments in private venture capital funds are retained after the provisions sunset on June 30, 2001;
12. Repeal the provisions naming 2 individuals from the Maine Education Assistance Board to the Advisory Committee on College Savings, to replace one member formerly named from the Maine Education Assistance Board with an individual with knowledge of higher education financial assistance, to replace the other individual with an at-large member and staggers the terms of the new members; and
13. Modify the membership of the Advisory Committee on Medical Education to remove representation by organizations that no longer exist and to widen the pool of potential candidates for participation in the program to allow former participants to serve on the committee. The bill also proposed to change the status of 6 members from nonvoting to voting.

**Committee Amendment "A" (H-467)** proposed to clarify provisions of the Maine Seed Capital Tax Credit Program. It proposed to clarify that private venture capital funds can invest in and receive credits for investments in multiple businesses, within certain limits. The amendment also proposed to clarify that while a principal owner of a business may not receive a credit for the principal's own investment in the business, whether directly made or through a venture fund, only so much of the credit in a venture fund attributable to the investment in such principal's business would be ineligible. The amendment also proposed to strike ambiguous and contradictory language from provisions that govern the Educators for Maine Program. It also proposed to add a fiscal note to the bill.

**Senate Amendment "B" to Committee Amendment "A" (S-325)** proposed to remove those provisions related to the Seed Capital Tax Credit Program.

**Senate Amendment "A" to Committee Amendment "A" (S-322)**, which was not adopted, proposed to remove those provisions related to the Seed Capital Tax Credit Program.

**LD 1710**

**An Act to Clarify the Maine Biomedical Research Program**

**PUBLIC 196**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOLDTHWAIT HONEY	OTP-AM	S-121

LD 1710 proposed that for purposes of receiving funds from the Maine Biomedical Research Program eligible institutions consist of nonprofit biomedical research institutions, academic medical centers or medical schools.

The bill further proposed to define specified grant sources to include federal agencies, nonprofit foundations, private corporations or out-of-state educational institutions that issue grants or contracts for peer-reviewed biomedical research where the grantee retains complete editorial control over the content of the research performed.

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The bill also proposed a definition for "private nonprofit biomedical research institution." The definition would be based upon the definition currently used by the Association of Independent Research Institutions.

The bill also proposed a definition for "academic medical center." This definition would be based upon that used by the Alliance of Independent Academic Medical Centers.

The bill also proposed a definition for "medical school."

The bill further proposed that the purpose of the biomedical Research Program would be to promote economic development and jobs in the State, and that the primary means for doing so that would be to make investments in institutions with a track record of attracting biomedical research funds to the State. A secondary purpose of the program would be to provide incentives for small biomedical research institutions to grow.

The bill also proposed to generalize the scope of biomedical research to include all diseases and biomedical mechanisms.

The bill also proposed to amend the application procedure to incorporate the amended definition of specified grant sources, and to clarify that the allocation of funds to eligible institutions be based on the funding that the institution has received or expended for the purpose of producing peer-reviewed biomedical research in on-site, "wetbench" laboratories in this State.

The bill also proposed to amend the section of the law pertaining to allocation of funds to incorporate the amended definition of specified grant sources.

The bill further proposed that the allocation formula must provide smaller institutions with an incentive to grow. It also proposed to repeal the minimum funding allocation provision in current law.

Finally, the bill proposed that rules adopted by the Department of Economic and Community Development to implement the Maine Biomedical Research Program would be routine technical rules.

**Committee Amendment "A" (S-121)** proposed to amend the original bill by establishing the Maine Biomedical Research Board. The amendment also transferred to that board from the Department of Economic and Community Development the administration of the Maine Biomedical Research Fund. The amendment also proposed to authorize the Maine Biomedical Research Board to contract with the Maine Technology Institute for such assistance as the board may require. The amendment also proposed to make technical corrections to the definition of an eligible institution. Finally, the amendment proposed to add a fiscal note to the bill.

### *Enacted law summary*

Public Law 2001, chapter 196 makes several changes to the law governing eligibility for receiving funds from the Maine Biomedical Research Program. It clarifies that eligible institutions for purposes of receiving funds from the Maine Biomedical Research Program consist of nonprofit biomedical research institutions, academic medical centers or medical schools.

The law also defines specified grant sources to include federal agencies, nonprofit foundations, private corporations or out-of-state educational institutions that issue grants or contracts for peer-reviewed biomedical research where the grantee retains complete editorial control over the content of the research performed.

## Joint Standing Committee on Business and Economic Development

The law defines "private nonprofit biomedical research institution." The definition is based upon that used by the Association of Independent Research Institutions. The law also defines "academic medical center" based upon the definition used by the Alliance of Independent Academic Medical Centers. The law also defines "medical school" for the purposes of clarifying eligibility requirements to receive grants.

The law establishes the Maine Biomedical Research Board. It transfers to that board from the Department of Economic and Community Development the administration of the Maine Biomedical Research Fund. The law authorizes the Maine Biomedical Research Board to contract with the Maine Technology Institute for such assistance as the board may require.

PL 2001, chapter 196 declares that the purpose of the biomedical Research Program is to promote economic development and jobs in the State, and that the primary means for doing so is to make investments in institutions with a track record of attracting biomedical research funds to the State. A secondary purpose of the program is to provide incentives for small biomedical research institutions to grow.

The law generalizes the scope of biomedical research to include all diseases and biomedical mechanisms.

The law also amends the application procedure to incorporate the amended definition of specified grant sources, and clarifies that the allocation of funds to eligible institutions must be based on the funding that the institution has received or expended for the purpose of producing peer-reviewed biomedical research in on-site, "wetbench" laboratories in this State.

PL 2001, chapter 196 also amends the section of the law pertaining to allocation of funds to incorporate the amended definition of specified grant sources. It states that the allocation formula must provide smaller institutions with an incentive to grow. It also repeals the minimum funding allocation provision.

The law also provides that rules adopted by the Department of Economic and Community Development to implement the Maine Biomedical Research Program are routine technical rules.

**LD 1718**

**An Act Relating to Licensing Board Fee Caps**

**PUBLIC 323**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RICHARDSON SHOREY	OTP-AM	H-326 H-407 RICHARDSON

LD 1718 proposed to establish fee caps for the Charitable Solicitations Act and the massage therapists licensure law and proposed to raise existing fee caps for the Nursing Home Administrators Licensing Board, the Board of Licensing of Auctioneers, the Electricians' Examining Board, the Board of Hearing Aid Dealers and Fitters, the State Board of Examiners of Psychologists, the Radiologic Technology Board of Examiners and the Board of Boilers and Pressure Vessels. Consistent with Public Law 1999, chapter 685 and Public Law 1999, chapter 687, Part C, section 6, this bill proposed to shift the fee-making authority for the licensing boards identified above from the boards to the Director of the Office of Licensing and Registration within the Department of Professional and Financial Regulation.