

MAINE STATE LEGISLATURE

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*State Of Maine
121st Legislature*

*Second Regular Session and
Second Special Session*

Bill Summaries

*Joint Standing Committee
on
Business, Research and Economic Development*

May 2004

Members:

Sen. Lynn Bromley, Chair

Sen. Christopher G. L. Hall

Sen. Kevin L. Shorey

Rep. Nancy B. Sullivan, Chair

Rep. Lillian LaFontaine O'Brien

Rep. Guy J. Duprey, Jr.

Rep. Edward Pellon

Rep. Nancy E. Smith

Rep. Susan M. Austin

Rep. Robert A. Berube

Rep. Lawrence E. Jacobsen

Rep. Stephen R. Beaudette

Rep. William T. Rogers, Jr.

Staff:

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Maine State Legislature



*Office Of Policy And Legal Analysis
Office Of Fiscal And Program Review*

*121st Maine Legislature
Second Regular Session and
Second Special Session*

Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint 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/billsumm.htm).

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:

- 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
- P&S XXX..... Chapter # of enacted Private & Special Law
- PASSED..... Joint Order passed in both bodies
- 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 that the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is April 30, 2004; and non-emergency legislation enacted in the Second Special Session is July 30, 2004. Four bills (LD's 1572, 1629, 1636 and 1637) that were considered at the First Special Session in August 2003 are also included in these summaries.

David C. Elliott, Director
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Business, Research and Economic Development

LD 263

An Act to Define a Scope of Practice for Acupuncture

PUBLIC 666

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROMLEY	OTP-AM MAJ	S-414
DUDLEY	ONTP MIN	

LD 263 proposed to amend and update existing law governing acupuncture to set forth a scope of practice. The proposed scope of practice is similar to that found in New Hampshire law. The bill also proposed to incorporate New Hampshire's definition of oriental medicine.

Committee Amendment "A" (S-414) proposed to limit the techniques to be added to licensed acupuncturists' scope of practice to those techniques that are taught in accredited colleges of acupuncture and to add and delete certain practices from the bill. The amendment also proposed to eliminate the bill's provision that would have authorized the Board of Complementary Health Care Providers to further define the scope of practice by rule, but to add a provision providing for certification in the modality of Chinese herbal formulation. The amendment also proposed to clarify that other licensed persons and unlicensed persons would not be prevented from using the listed techniques by the techniques' inclusion within acupuncturists' scope of practice. Finally, the amendment proposed to make a technical correction to the definition of "acupuncture" and amend the acupuncturist and naturopathic doctor licensing fee statutes, including a fee for the newly created acupuncturist certification.

Enacted Law Summary

Public Law 2003, chapter 666 amends and updates existing law governing acupuncture to add to the existing scope of practice those techniques that are taught in accredited colleges of acupuncture. The law also provides for certification in the modality of Chinese herbal formulation, and clarifies that other licensed persons and unlicensed persons are not prevented from using the listed techniques by the techniques' inclusion within acupuncturists' scope of practice. Finally, the law makes a technical correction to the definition of "acupuncture" and amends the acupuncturist and naturopathic doctor licensing fee statutes, including a fee for the newly created acupuncturist certification.

LD 391

An Act To Provide Consumers at Chain Restaurants with Accurate, Accessible Nutrition Information

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FAIRCLOTH	ONTP	
BROMLEY		

LD 391 proposed to require that restaurants with 20 or more locations in the nation provide nutrition information on menu boards, menus and packaging, beginning July 1, 2004. The bill also proposed to give the Department of Human Services rule-making authority.