

MAINE STATE LEGISLATURE

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*State Of Maine
121st Legislature*

First Regular Session

Bill Summaries

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

July 2003

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. Christopher Rector

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 First Regular 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).

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>CARRIED OVER PURSUANT TO HP 1212</i>	<i>Bills carried over to the 2nd Regular Session</i>
<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 & 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>P&S XXX</i>	<i>Chapter # of enacted Private & 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 that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

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

Joint Standing Committee on Business, Research and Economic Development

LD 1385 died on adjournment. However, the substance of the bill, as amended, was incorporated into Public Law 2003, chapter 451 (the "Part 2 Budget") as section NNN.

LD 1390 **An Act To Suspend Rules of the Board of Dental Examiners** **P & S 27**
Regarding Permission for Public Health Supervision Status

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
YOUNGBLOOD SULLIVAN	ONTP MAJ OTP-AM MIN	S-130

LD 1390 proposed to establish the Board of Licensure of Dental Hygienists and transfer jurisdiction for licensing and regulation of dental hygienists from the Board of Dental Examiners to the Board of Licensure of Dental Hygienists. The bill also proposed to establish membership, procedures and powers of the new board, as well as qualifications, disciplinary procedures, licensure, continuing education and other requirements for dental hygienists who would be licensed by the new board. The bill also proposed to include a provision authorizing dental hygienists to become shareholders in dental practices up to a 49% ownership interest.

Committee Amendment "A" (S-130), which was the minority report of the committee and was adopted, proposed to replace the bill. The amendment proposed to suspend that portion of the rules of the Board of Dental Examiners that requires a dental hygienist to seek permission from the board to perform work under public health supervision status. The amendment also proposed to require a dental hygienist, prior to performing this work, to give notice to the board that identifies the site where the work is to be performed, the nature of the work and the name of the supervising dentist with whom the hygienist has entered into the required public health supervision agreement.

Enacted Law Summary

Private and Special Law 2003, chapter 27 suspends until May 1, 2004 that portion of the rules of the Board of Dental Examiners that requires a dental hygienist to seek permission from the board to perform work under public health supervision status. The law requires a dental hygienist, prior to performing this work, to give notice to the board that identifies the site where the work is to be performed, the nature of the work and the name of the supervising dentist with whom the hygienist has entered into the required public health supervision agreement.

LD 1402 **An Act To Conform the Voting Members of Certain State Entities** **PUBLIC 385**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RICHARDSON J	OTP MAJ ONTP MIN	H-358 RINES

LD 1402 proposed to amend the status of the Treasurer of State from being a nonvoting member to a voting member of the group of representatives who vote with respect to agreements or recommendations for allocation or reallocation of the state ceiling and a voting member of the Maine Educational Loan Authority.

House Amendment "A" (H-358), which was presented on behalf of the Committee on Bills in the Second Reading and was adopted, proposed to incorporate changes made by Public Law 2003, chapter 112, section 1.

Joint Standing Committee on Business, Research and Economic Development

Enacted Law Summary

Public Law 2003, chapter 385 amends the status of the Treasurer of State from being a nonvoting member to a voting member of the group of representatives who vote with respect to agreements or recommendations for allocation or reallocation of the state ceiling and a voting member of the Maine Educational Loan Authority.

LD 1406 **An Act To Separate the Office of Tourism from the Office of Community Development** **PUBLIC 198**

<u>Sponsor(s)</u> COWGER		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 1406 proposed to separate the Office of Tourism and Community Development, previously a single office within the Department of Economic and Community Development, into 2 separate and distinct offices within the department.

Enacted Law Summary

Public Law 2003, chapter 198 separates the Office of Tourism and Community Development, previously a single office within the Department of Economic and Community Development, into 2 separate and distinct offices within the department.

LD 1408 **An Act To Refine the Maine Rural Development Statutes** **PUBLIC 281**

<u>Sponsor(s)</u> BROMLEY SMITH N		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-148
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LD 1408 proposed to clarify that employees of the Maine Rural Development Authority are eligible for the state employee health plan, to change the rulemaking designation for the community industrial building program from major substantive to routine technical and to remove the language that requires that unused funds be deposited with the Treasurer of State. The bill also proposed to expand the types of buildings the authority may invest in under the Commercial Facilities Development Program to include any buildings suitable for adaptive reuse as commercial or industrial facilities.

Committee Amendment "A" (S-148) proposed to expressly grant the Maine Rural Development Authority the power to make loans under the Commercial Facilities Development Program, to designate the Commissioner of Economic and Community Development as the chair of the board of trustees and to remove language that requires a separate fund to be set up for the community industrial building program.

Enacted Law Summary

Public Law 2003, chapter 281 clarifies that employees of the Maine Rural Development Authority are eligible for the state employee health plan, changes the rulemaking designation for the community industrial building program from major substantive to routine technical and removes the language that requires that unused funds be deposited