

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 1505

An Act To Amend the Licensing Requirements for Veterinarians

PUBLIC 251

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SULLIVAN SHOREY	OTP	

LD 1505 proposed to amend licensure requirements for veterinarians by granting authority for the Maine State Board of Veterinary Medicine to consider alternative pathways to licensure for foreign educated and trained applicants and to set criteria by rule. This bill also proposed to make technical adjustments to bring the Maine Veterinary Practice Act in line with other laws and to allow the Director of the Office of Licensing and Registration within the Department of Professional and Financial Regulation to set licensure fees instead of the State Board of Veterinary Medicine.

Enacted Law Summary

Public Law 2003, chapter 251 amends licensure requirements for veterinarians by granting authority for the Maine State Board of Veterinary Medicine to consider alternative pathways to licensure for foreign educated and trained applicants and to set criteria by rule. The law also allows the Director of the Office of Licensing and Registration, rather than the State Board of Veterinary Medicine, to set licensure fees concerning veterinary practice, and sets the cap for any such fee at \$150. In addition, the law makes technical adjustments to bring the Maine Veterinary Practice Act in line with other laws.

LD 1506

**An Act To Make Technical Changes to Statutes Regarding
Regulatory Boards and Registrations**

PUBLIC 204

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SULLIVAN SHOREY	OTP	

LD 1506 proposed to make technical changes in 6 board statutes and one registration statute involving the Department of Professional and Financial Regulation as well as one change regarding the ability of a licensing board to deny an application for licensure when an applicant has failed to comply with a board order or consent agreement.

Part A of the bill proposed to change the submission deadline for the commissioner's report on charitable solicitation activity from February to December, to capture information on November filings.

Part B proposed to allow licensing boards to deny initial licensure to an applicant who is in noncompliance with a board order or consent agreement (the boards currently only can deny renewal).

Part C proposed to repeal the outdated provision requiring a specific number of electrical inspectors; to permit the Electricians' Examining Board to adopt, through routine technical rulemaking, appropriate exceptions to national codes as provided by the codes; and to repeal the provision requiring the board to keep records of licensees' names and addresses and money received and disbursed by the board.

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Part D proposed to repeal unnecessary complaint provisions for physical therapists.

Part E proposed to change the passing criteria for certified public accountant examinations to accommodate computer-based testing, and to allow the board to contract with third parties to administer the exam.

Part F proposed to permit the Propane and Natural Gas Board to adopt, through rulemaking, appropriate exceptions to national codes as provided by the codes.

Part G proposed to change the exemption from the definition of "boiler" for certain types of pressure vessels that are regulated by the Propane and Natural Gas Board.

Part H proposed to permit nurses who have passed the National Council of State Boards of Nursing, Inc.'s National Council's Learning Extension examination or who are licensed in a United States territory or a foreign jurisdiction and who have met all other requirements for licensure to practice nursing in this State for up to 90 days while awaiting the issuance of a social security number. In addition, Part H proposed to eliminate the requirement that an applicant for licensure as a registered professional nurse have a high school diploma or the equivalent since all applicants must have completed a course of study of not less than 2 years in an approved program in professional nursing and hold a degree, diploma or certificate from that program. Part H also proposed to make additional technical changes to the laws governing nurses and nursing.

Enacted Law Summary

Public Law 2003, chapter 204 makes technical changes in 6 board statutes and one registration statute involving the Department of Professional and Financial Regulation as well as a change regarding the ability of a licensing board to deny an application for licensure when an applicant has failed to comply with a board order or consent agreement.

Part A of the law changes the submission deadline for the commissioner's report on charitable solicitation activity from February to December, to capture information on November filings.

Part B allows licensing boards to deny initial licensure to an applicant who is in noncompliance with a board order or consent agreement (the boards currently only can deny renewal).

Part C repeals the outdated provision requiring a specific number of electrical inspectors; permits the Electricians' Examining Board to adopt, through routine technical rulemaking, appropriate exceptions to national codes as provided by the codes; and repeals the provision requiring the board to keep records of licensees' names and addresses and money received and disbursed by the board.

Part D repeals unnecessary complaint provisions for physical therapists.

Part E changes the passing criteria for certified public accountant examinations to accommodate computer-based testing, and allows the board to contract with third parties to administer the exam.

Part F permits the Propane and Natural Gas Board to adopt, through rulemaking, appropriate exceptions to national codes as provided by the codes.

Part G changes the exemption from the definition of "boiler" for certain types of pressure vessels that are regulated by the Propane and Natural Gas Board.

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Part H permits nurses who have passed the National Council of State Boards of Nursing, Inc.'s National Council's Learning Extension examination or who are licensed in a United States territory or a foreign jurisdiction and who have met all other requirements for licensure to practice nursing in this State for up to 90 days while awaiting the issuance of a social security number. In addition, Part H eliminates the requirement that an applicant for licensure as a registered professional nurse have a high school diploma or the equivalent since all applicants must have completed a course of study of not less than 2 years in an approved program in professional nursing and hold a degree, diploma or certificate from that program. Part H also makes additional technical changes to the laws governing nurses and nursing.

LD 1551 An Act To License Home Building and Improvement Contractors CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COWGER BRENNAN		

LD 1551 proposes to create the Maine Home Contractor Licensing Act. The bill proposes to create the Maine Home Contractor Licensing Board, which would be responsible for licensing and regulation of home contractors and would be authorized to promulgate rules. The bill also proposes to prohibit certain acts as unfair trade practices and to provide penalties for violations, and to standardize contracts in the home construction industry. In addition, the bill proposed to adopt a state-wide building code.

LD 1554 An Act Regarding Eligibility under the Municipal Investment Trust Fund PUBLIC 288 EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROMLEY	OTP-AM	S-149

LD 1554 proposed to make service center communities eligible for grants or loans under the Municipal Investment Trust Fund. It also proposed to add that grants or loans may be used for downtown improvement projects and to remove some of the program requirements for eligibility for a downtown improvement program.

Committee Amendment "A" (S-149) proposed to add an emergency preamble and emergency clause to the bill.

Enacted Law Summary

Public Law 2003, chapter 288 makes service center communities eligible for grants or loans under the Municipal Investment Trust Fund. It also allows grants or loans to be used for downtown improvement projects and removes some prior program requirements for eligibility for a downtown improvement program.

Public Law 2003, chapter 288 was enacted as an emergency measure effective May 23, 2003.