

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
ONT P.....	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

Committee Amendment "A" (H-785) proposed to approve the major substantive rule with the following changes:

1. Language would be changed to restore the original grant amounts of \$150,000 and \$75,000, rather than the bill's proposed change of amounts to \$175,000 and \$100,000; and
2. Language would be added to give preference to proposals from businesses with 5 or fewer employees.

Enacted Law Summary

Resolve 2003, chapter 132 approves Chapter 302: Rules for the Maine Microenterprise Initiative, a major substantive rule of the Department of Economic and Community Development, with the following changes:

1. Language is changed to restore the original grant amounts of \$150,000 and \$75,000, rather than the proposed change of amounts to \$175,000 and \$100,000; and
2. Language is added to give preference to proposals from businesses with 5 or fewer employees.

Resolve 2003, chapter 132 was enacted as an emergency measure effective April 14, 2004.

LD 1931

An Act To Provide for a Limited Transition Provision for Renewal of Certain Social Worker Licenses

**P & S 41
EMERGENCY**

Sponsor(s)
SULLIVAN

Committee Report
OTP

Amendments Adopted

LD 1931 amends Public Law 2003, chapter 429 which became effective on September 13, 2003. The new consultation requirements of that chapter, however, became effective on January 1, 2004. To avoid unfairness to licensees who held valid licenses on September 13, 2003 but who have not been subject to those consultation requirements before and who will need a reasonable period of time within which to comply with those requirements, this bill proposed to provide for a limited transition to authorize the Department of Professional and Financial Regulation, State Board of Social Worker Licensure to delay application of new consultation requirements for those licensees so that all licensees would have not less than 2 years, the equivalent of one 2-year license cycle, but not more than 4 years, the equivalent of 2 2-year license cycles, to meet the new consultation requirements as provided by current law.

Enacted Law Summary

Private and Special Law 2003, chapter 41 addresses problems with the implementation of Public Law 2003, chapter 429. That law became effective on September 13, 2003. The new consultation requirements of that chapter, however, became effective on January 1, 2004. To avoid unfairness to licensees who held valid licenses on September 13, 2003 but who have not been subject to those consultation requirements before and who will need a reasonable period of time within which to comply with those requirements, Private and Special Law 2003, chapter 41 provides for a limited transition to authorize the Department of Professional and Financial Regulation, State Board of Social Worker Licensure to delay application of new consultation requirements for those licensees so that all licensees will have not less than 2 years, the equivalent of one 2-year license cycle, but not more than 4 years,

Joint Standing Committee on Business, Research and Economic Development

the equivalent of 2 2-year license cycles, to meet the new consultation requirements as provided by Public Law 2003, chapter 429.

Private and Special Law 2003, chapter 41 was enacted as an emergency measure effective April 7, 2004.

LD 1933	An Act To Implement the Recommendations of the Joint Standing Committee on Business, Research and Economic Development Regarding the Board of Licensure in Medicine Pursuant to Reviews Conducted under the State Government Evaluation Act	PUBLIC 601
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<u>Sponsor(s)</u>	<u>Committee Report</u> OTP	<u>Amendments Adopted</u>
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LD 1933 proposed to implement the recommendations of the Joint Standing Committee on Business, Research and Economic Development pursuant to its review of the Board of Licensure in Medicine under the State Government Evaluation Act. The bill proposed to:

1. Delegate to the secretary of the Board of Licensure in Medicine certain duties, including license application reviews, and to the board's executive director the receipt of fees;
2. Recognize combined training programs not yet accredited as well as physician training in the United Kingdom other than internal medicine and surgery, and update postgraduate training requirements to recognize specialty board certification;
3. Clarify temporary and emergency locum tenens licensure provisions;
4. Update requirements for certification during postgraduate training;
5. Allow licenses to be denied referral when a debt is owed to the board;
6. Mandate reporting of sexual misconduct; and
7. Make other technical corrections to existing statutes.

Enacted Law Summary

Public Law 2003, chapter 601 implements the recommendations of the Joint Standing Committee on Business, Research and Economic Development pursuant to its review of the Board of Licensure in Medicine under the State Government Evaluation Act. The law:

1. Delegates to the secretary of the Board of Licensure in Medicine certain duties, including license application reviews, and to the board's executive director the receipt of fees;
2. Recognizes combined training programs not yet accredited as well as physician training in the United Kingdom other than internal medicine and surgery, and updates postgraduate training requirements to recognize specialty board certification;