

# 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.*

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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](http://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**

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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**

Sponsor(s)

Committee Report  
OTP

Amendments Adopted

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;

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3. Clarifies temporary and emergency locum tenens licensure provisions;
4. Updates requirements for certification during postgraduate training;
5. Allows licenses to be denied renewal when a debt is owed to the board;
6. Mandates reporting of sexual misconduct; and
7. Makes other technical corrections to existing statutes.

**LD 1958**                      **An Act To Implement the Recommendations of the Joint Standing Committee on Business, Research and Economic Development Regarding the Board of Dental Examiners Pursuant to Reviews Conducted under the State Government Evaluation Act**                      **PUBLIC 669**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP	S-498 HALL S-499 BROMLEY

LD 1958 proposed to implement the recommendations of the Joint Standing Committee on Business, Research and Economic Development pursuant to its review of the Board of Dental Examiners under the State Government Evaluation Act. The bill proposed to:

1. Eliminate one dentist member position from the Board of Dental Examiners and add one dental hygienist member position;
2. Create the Subcommittee on Denturist Discipline and the Subcommittee on Dental Hygienist Submissions, each with the authority to issue recommendations on matters within the subcommittee's scope that would be binding unless overturned by a 2/3 supermajority of the board;
3. Authorize the board to order mental or physical examinations of dentist, dental hygienist and dental radiographer licensees, identical to the board's existing authority to order examinations for denturist licensees;
4. Increase required hours of continuing education for dental hygienists from 20 to 30 every 2 years;
5. Codify in statute the current rules of the board concerning the requirements for licensure of dental hygienists who are graduates of accredited programs;
6. Direct the Commissioner of Professional and Financial Regulation to perform a sunrise review concerning the expansion of the scope of practice of licensed denturists to include fabrication and insertion of partial dentures and dentures over implants and authorize the joint standing committee of the Legislature having jurisdiction over business, research and economic development matters to introduce a bill in the First Regular Session of the 122nd Legislature to expand that scope of practice accordingly; and