

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

*First Regular Session and
First Special Session*

Bill Summaries

*Joint Standing Committee
on*

Business, Research and Economic Development

August 2005

Members:

Sen. Lynn Bromley, Chair

Sen. Barry J. Hobbins

Sen. Dana L. Dow

Rep. Nancy E. Smith, Chair

Rep. Lillian LaFontaine O'Brien

Rep. Stephen R. Beaudette

Rep. Charles Earl Crosby, III

Rep. David W. Farrington

Rep. Christopher Rector

Rep. Susan M. Austin

Rep. Robert A. Berube

Rep. Lawrence E. Jacobsen

Rep. John C. Robinson

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Maine State Legislature

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122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 organized by committees 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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included 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:

- CARRIED OVER Bill Carried Over to Second Regular Session
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
OTP ND/NT..... Committee report Ought To Pass In New Draft/New Title
P&S XXX..... Chapter # of enacted Private & Special Law
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 the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

Joint Standing Committee on Business, Research and Economic Development

LD 391

**An Act To Amend the Maine Motor Vehicle Franchise Board
Laws**

PUBLIC 61

<u>Sponsor(s)</u> RECTOR HOBBINS		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-90
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LD 391 proposed to make technical amendments to the Maine Motor Vehicle Franchise Board laws to provide for alternate members and proposed to clarify that the board has adopted its own adjudicatory rules that make the board exempt from parallel Maine Administrative Procedure Act requirements.

Committee Amendment "A" (H-90) proposed to provide for 5-year term limits for alternate members appointed to the Maine Motor Vehicle Franchise Board.

Enacted law summary

Public Law 2005, chapter 61 makes technical amendments to the Maine Motor Vehicle Franchise Board laws to provide for alternate members and to clarify that the board has adopted its own adjudicatory rules, which makes the board exempt from parallel Maine Administrative Procedure Act requirements. The law also establishes 5-year term limits for alternate members appointed to the Maine Motor Vehicle Franchise Board.

LD 398

**An Act To Make Technical Changes to the Medical Licensure
Laws**

PUBLIC 162

<u>Sponsor(s)</u> SMITH N		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-318
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LD 398 proposed to make the following technical changes to the law concerning the Board of Licensure in Medicine:

1. Clarify and provide specific grounds for disciplining physician assistants;
2. Change the postgraduate training requirements for licensure for applicants who have graduated from an accredited or unaccredited medical school on or after July 1, 2004 to require the completion of at least 36 months in a graduate educational program;
3. Repeal sections of law referring to a state examination and reexamination of physician licensure applicants since the board now uses the national standardized examination set;
4. Change the nomenclature of the "locum tenens" license; and
5. Require physicians 70 years of age or older who continue active practice to pay license registration fees.

Committee Amendment "A" (H-318) proposed to provide that an applicant who has completed 24 months of postgraduate training and has received an unrestricted endorsement from the director of an accredited graduate

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education program in Maine is considered to have satisfied the postgraduate training requirements if the applicant continues in that program and completes 36 months of postgraduate training.

Enacted law summary

Public Law 2005, chapter 162 makes a number of technical changes to the law concerning the Board of Licensure in Medicine. The law clarifies and provides specific grounds for disciplining physician assistants. It changes the postgraduate training requirements for licensure for applicants who have graduated from an accredited or unaccredited medical school on or after July 1, 2004 to require the completion of at least 36 months in a graduate educational program. The law also provides that an applicant who has completed 24 months of postgraduate training and has received an unrestricted endorsement from the director of an accredited graduate education program in Maine is considered to have satisfied the postgraduate training requirements if the applicant continues in that program and completes 36 months of postgraduate training. The law repeals sections of law referring to a state examination and reexamination of physician licensure applicants since the board now uses the national standardized examination set. It changes the nomenclature of the "locum tenens" license. The law also requires physicians 70 years of age or older who continue active practice to pay license registration fees.

LD 399 An Act To Recruit and Retain College Graduates through Loan Repayment PUBLIC 427

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FISCHER	OTP-AM MAJ	H-553
MITCHELL	ONTP MIN	S-400 ROTUNDO

LD 399 proposed to establish the Future for Youth in Maine Loan Repayment Program to recruit and retain college graduates to start new technology-based businesses and to work in occupations and industries facing labor shortages in the State. The bill proposed to provide that the program would issue loan repayments of up to \$5,000 per year for a maximum of 4 years for graduates who are employed in new technology-based businesses within the Applied Technology Development Center System or in occupations or industries that are facing labor shortages. The bill proposed to direct the Finance Authority of Maine to administer the program.

Committee Amendment "A" (H-553) proposed to provide that an "eligible employment position" may include a position as an employee of a technology-based business developed within any statewide recognized economic development entity. It proposed to delete the provision in the bill that allows eligibility based on full-time employment within a labor shortage area. It also proposed to require the Finance Authority of Maine to identify the eligibility rules for the program in consultation with the Governor.

Senate Amendment "A" (S-400) proposed to strike the appropriation of \$1,000,000 per year to the Future for Youth in Maine Loan Repayment Program. The amendment proposed to allow the Finance Authority of Maine to receive money from sources other than the State to be used to provide loans.

Enacted law summary

Public Law 2005, chapter 427 establishes the Future for Youth in Maine Loan Repayment Program to recruit and retain college graduates to start new technology-based businesses and to work as employees of technology-based businesses within any statewide recognized economic development entity. The program will provide loan repayments of up to \$5,000 per year for a maximum of 4 years for graduates who are employed in new