

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 956

An Act To Prevent Identity Theft

ONTP

<u>Sponsor(s)</u> FARRINGTON BARTLETT		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 956 proposed to allow a consumer to restrict the release of any information regarding that consumer by a consumer reporting agency without the express authorization of the consumer. The bill proposed to provide that a consumer reporting agency may charge a reasonable fee for this service unless the consumer has been a victim of identity theft.

LD 957

An Act To Limit Faxes from Telemarketers

PUBLIC 197

<u>Sponsor(s)</u> CRESSEY WOODCOCK		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 957 proposed to amend the telephone solicitation laws by expanding the definition of automated telephone calling device to include a facsimile machine. Current law prohibits a person from using an automated telephone calling device to make solicitation calls to telephone numbers in the State except on weekdays between the hours of 9 a.m. and 5 p.m.

Enacted law summary

Public Law 2005, chapter 197 amends the telephone solicitation laws by expanding the definition of automated telephone calling device to include a facsimile machine. The law prohibits a person from using an automated telephone calling device to make solicitation calls to telephone numbers in the State except on weekdays between the hours of 9 a.m. and 5 p.m.

LD 964

Resolve, To Expand Maine's Inland Fishing Economy by Creating Pine Tree Development Zones

ONTP

<u>Sponsor(s)</u> MOODY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 964 proposed to direct the Department of Economic and Community Development to extend the Pine Tree Development Zone program to offer benefits to people who invest in fisheries, fish habitat, access and infrastructure on the Androscoggin River from the New Hampshire border to Bethel, on Moosehead Lake and on a body of water in Washington County or Hancock County to be determined by the department. The bill proposed to require the Department of Inland Fisheries and Wildlife to designate the projects on each program body of water that would qualify for program benefits, approve project applications to participate in the program and create a process for designating additional zones on other bodies of water. The bill proposed to require the Department of Economic and Community Development and the Department of Inland Fisheries and Wildlife to

Joint Standing Committee on Business, Research and Economic Development

report no later than December 7, 2005 on the progress of the extension of the program and submit any proposed legislation.

LD 993 **Resolve, Directing the Plumbers' Examining Board to Update the State Plumbing Code to the Current Version of the Uniform Plumbing Code** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAMON FLOOD	ONTP	

LD 993 proposed to direct the Department of Professional and Financial Regulation, Plumbers' Examining Board to update the state plumbing code to the current version of the Uniform Plumbing Code published by the International Association of Plumbing and Mechanical Officials.

LD 994 **An Act To Increase Access to Dental Care by Accepting All Regional Board Examinations for Initial Licensure of Dentists** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS P CLARK	ONTP MAJ OTP-AM	

LD 994 proposed to require the Board of Dental Examiners to accept as part of its requirements for licensure a passing grade from any regional testing agency as an alternative to an examination by a northeast regional testing agency.

LD 1010 **An Act To Modify the Transition Provision for Renewal of Social Worker Licenses** **PUBLIC 173
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SULLIVAN BEAUDETTE	OTP-AM	S-161

LD 1010 proposed to permit social workers licensed as of the effective date of Public Law 2003, chapter 429, which extended a 96-hour consultation requirement to all social workers, to fulfill this 96-hour standard by counting consultation hours that were obtained prior to September 1, 2004 from a licensed social worker in a group setting regardless of the group size. As of August 2, 2004, the Board of Social Worker Licensure required that the consultation must be provided either individually or in a group of not more than 8 members. The board's prior practices had recognized consultation in groups of 20 members or more.

Committee Amendment "A" (S-161) proposed to replace the bill. It proposed to provide that social workers employed in long-term care settings and licensed as of September 13, 2003, the effective date of Public Law 2003, chapter 429, which extended a 96-hour consultation requirement to all social workers, may fulfill the