

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 1383

An Act Regarding the Licensing of Foresters

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL NASS R	ONTP MAJ OTP MIN	

LD 1383 proposed to require the Board of Licensure of Foresters to administer the forester examination at least once a month. It also proposed to require the board to issue a forestry license to an applicant who is licensed in good standing in New Hampshire or Vermont.

LD 1385

An Act To Amend Dental Hygienist Licensing Requirements

PUBLIC 289

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THOMAS DAVIS P	OTP-AM	H-418

LD 1385 proposed to decrease from 5 to 3 years the active clinical practice experience that a dental hygienist must have in order to be considered for licensure by endorsement. This would match the endorsement for dentists. It proposed to require the hygienist to be interviewed by the Board of Dental Examiners, Subcommittee on Dental Hygienist Submissions.

Committee Amendment "A" (H-418) proposed to correct an additional cross-reference required by the bill.

Enacted law summary

Public Law 2005, chapter 289 decreases from 5 to 3 years the active clinical practice experience that a dental hygienist must have in order to be considered for licensure by endorsement. This matches the endorsement for dentists. The law requires a hygienist who is an applicant for licensure by endorsement to be interviewed by the Board of Dental Examiners, Subcommittee on Dental Hygienist Submissions.

LD 1403

An Act To Create an Alternative Method of Dispute Resolution in Homeowner Claims of Defective Workmanship or Materials for Manufactured Housing

ONTP

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

LD 1403 proposed to require a homeowner to provide written notice of each alleged construction defect to the manufacturer or dealer of manufactured housing 90 days before a suit is filed and to provide evidence supporting the claim. The bill would require a claimant to provide the manufacturer or dealer of the manufactured housing reasonable access to the residence to determine the nature and extent of the defect. The manufacturer or dealer of manufactured housing would be required to respond to the claimant within 30 days of the notice and could offer to inspect the property, remedy the defect, compromise by payment or reject in whole or in part the claim. The bill proposed to provide that a court must dismiss an action commenced against a manufacturer or dealer of

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manufactured housing if the claimant has failed to comply with the notice and opportunity to repair requirements. This bill would require a manufacturer or dealer of manufactured housing contractor to provide notice of the provisions of this bill to a homeowner upon entering a home construction contract.

LD 1412 **An Act To Protect Consumers Regarding Motor Vehicle Rentals** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PELLETIER-SIMPS	ONTP	

LD 1412 proposed to require verification of the mileage of a motor vehicle before that motor vehicle is rented for a period of less than one year.

LD 1423 **Resolve, Directing the Department of Professional and Financial Regulation and the Maine Community College System To Develop a Proposal To Certify Home Repair Tradespersons To Perform Limited Plumbing and Electrical Work** **RESOLVE 105**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BURNS BARTLETT	OTP MAJ ONTP MIN	

LD 1423 proposed to direct the Department of Professional and Financial Regulation and the Maine Community College System to jointly develop a proposal to establish a certification program for home repair and renovation tradespersons to perform limited plumbing and electrical work. This resolve proposed to require the department and the system to solicit input from interested parties, including, but not limited to, the Electricians' Examining Board, the Plumbers' Examining Board and consumers of home repair, plumbing and electrical services.

Enacted law summary

Resolve 2005, chapter 105 directs the Department of Professional and Financial Regulation and the Maine Community College System to jointly develop a proposal to establish a certification program for home repair and renovation tradespersons to perform limited plumbing and electrical work. The resolve directs the department and the system to solicit input from interested parties, including, but not limited to, the Electricians' Examining Board, the Plumbers' Examining Board and consumers of home repair, plumbing and electrical services.

LD 1427 **An Act Regarding the Scope of Practice of Registered Cardiovascular Invasive Specialists** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLOUGH BARTLETT	ONTP	