

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

*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*

**Staff:**

*Natalie Haynes, Legislative Analyst*

*Office of Policy and Legal Analysis*

*13 State House Station*

*Augusta, ME 04333*

*(207) 287-1670*



Maine State Legislature

OFFICE OF POLICY & LEGAL ANALYSIS

13 State House Station, Room 215 Cross State Office Building
Augusta, Maine 04333-0013
Telephone: (207) 287-1670
Fax: (207) 287-1275

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 1427 proposed to establish laws governing registered cardiovascular invasive specialists. The bill proposed to require cardiovascular invasive specialists to work within written practice protocols and under the supervision of a cardiologist. The bill lists functions and duties that a cardiovascular invasive specialist may perform and it would require that a cardiovascular invasive specialist wear an identification badge.

**LD 1441**                      **An Act Concerning the Measurement of Firewood**                      **DIED BETWEEN HOUSES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SMITH N MARTIN	ONTP      MAJ OTP      MIN	

LD 1441 proposed to allow the sale of firewood only according to the definition of a standard cord. This bill proposed to delete the definition of a loose cord of firewood.

**LD 1443**                      **An Act To Require the Owner of a Service Dog To Show a Certificate of Completion of a Basic Obedience Class from a Service Dog Trainer in Order for That Dog To Be Admitted to a Retail Establishment or Restaurant**                      **ONTP**

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

LD 1443 proposed to allow an owner of a service dog to bring the dog into food stores and restaurants only if the owner shows the store or restaurant a certificate of completion for the dog from a basic obedience class administered by a service dog trainer.

**LD 1445**                      **An Act To Protect the Integrity of Maine State Housing Authority Funds**                      **PUBLIC 261**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ADAMS	OTP-AM	H-429

LD 1445 proposed to allow the Maine State Housing Authority, after notice and hearing, to withhold, suspend or revoke the funds granted to any person or organization who violates any health, safety or sanitation standard of the Maine State Housing Authority or the municipality in which the subject housing is located.

**Committee Amendment "A" (H-429)** proposed to provide that the Maine State Housing Authority may condition approval of funding for a housing project upon a municipality's representation that the applicant, an affiliate of the applicant or any owner controlled by the applicant has no record of a material municipal code violation of health, safety or sanitation standards.

## Joint Standing Committee on Business, Research and Economic Development

### *Enacted law summary*

Public Law 2005, chapter 261 provides that the Maine State Housing Authority may condition approval of funding for a housing project upon a municipality's representation that the applicant, an affiliate of the applicant or any owner controlled by the applicant has no record of a material municipal code violation of health, safety or sanitation standards.

**LD 1461**

**An Act To Increase Access to Certain Dental Services**

**PUBLIC 322**

<u>Sponsor(s)</u> FAIRCLOTH		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-601
--------------------------------	--	-----------------------------------	--	------------------------------------

LD 1461 proposed to establish a new category of dental assistant, "expanded function dental assistant," with authority to perform certain reversible intraoral procedures under the direct supervision of and assignment of duties by a licensed dentist. The bill proposed to provide that a certified dental assistant or a licensed registered dental hygienist may qualify for certification as an expanded function dental assistant by successfully completing training in a school or program approved by the Board of Dental Examiners.

**Committee Amendment "A" (H-601)** proposed to limit the number of procedures the expanded function dental assistant may perform to the procedures listed in the bill and provides that the Board of Dental Examiners may further expand through rulemaking other reversible procedures that an expanded function dental assistant may perform. It also proposed to provide that the Board of Dental Examiners may establish an application fee, not to exceed \$100, as well as a certification renewal fee of not more than \$100. The amendment also proposed to add an appropriations and allocations section to the bill.

### *Enacted law summary*

Public Law 2005, chapter 322 establishes a new category of dental assistant, "expanded function dental assistant," with authority to perform certain reversible intraoral procedures under the direct supervision of a licensed dentist. The law provides that the Board of Dental Examiners may further expand through rulemaking other reversible procedures that an expanded function dental assistant may perform. A certified dental assistant or a licensed registered dental hygienist may qualify for certification as an expanded function dental assistant by successfully completing training in a school or program approved by the Board of Dental Examiners. The law establishes an application fee to be determined by the Board of Dental Examiners, not to exceed \$100, as well as a certification renewal fee of not more than \$100.

**LD 1471**

**An Act To Update the Membership of Certain Professional Licensing Boards**

**PUBLIC 235**

<u>Sponsor(s)</u> SMITH N BROMLEY		<u>Committee Report</u> OTP		<u>Amendments Adopted</u> H-356
---	--	--------------------------------	--	------------------------------------

LD 1471 proposed to eliminate the position on the Electricians' Examining Board designated for the Commissioner of Professional and Financial Regulation or the commissioner's designee. This bill also proposed