

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

Staff:

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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.

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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
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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
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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

Joint Standing Committee on Business, Research and Economic Development

to amend the State Board of Social Worker Licensure by removing restrictive language with regard to license types. Finally, the bill proposed to eliminate one position from the Board of Barbering and Cosmetology currently designated for an owner of a barbering or cosmetology school located in the State.

Committee Amendment "A" (H-356) proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 2005, chapter 235 eliminates the position on the Electricians' Examining Board designated for the Commissioner of Professional and Financial Regulation or the commissioner's designee. The law also amends the State Board of Social Worker Licensure by removing restrictive language with regard to license types to provide greater flexibility to appoint members with significant clinical social work experience. Finally, the law eliminates the position from the Board of Barbering and Cosmetology that is currently designated for an owner of a barbering or cosmetology school located in the State.

LD 1480

An Act Regarding Licensing Boards

PUBLIC 262

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROMLEY SMITH N	OTP-AM	S-208

LD 1480 proposed to increase the statutory fee caps with respect to the Board of Chiropractic Licensure, the Maine Board of Pharmacy, the Board of Licensure for Professional Land Surveyors and the Board of Real Estate Appraisers. The bill proposed to provide for a standardized approach to licensure renewal procedures.

Committee Amendment "A" (S-208) proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 2005, chapter 262 increases the statutory fee caps with respect to the Board of Chiropractic Licensure, the Maine Board of Pharmacy, the Board of Licensure for Professional Land Surveyors and the Board of Real Estate Appraisers. The law also provides for a standardized approach to licensure renewal procedures.

LD 1482

An Act To Provide for the 2005 and 2006 Allocations of the State Ceiling on Private Activity Bonds

**P & S 5
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROMLEY RECTOR	OTP-AM	S-115

LD 1482 proposed to establish the allocations of the state ceiling on issuance of tax-exempt bonds for calendar years 2005 and 2006. Under federal law, a maximum of \$239,180,000 in tax-exempt bonds benefiting private individuals or entities may be issued in Maine each year in 2005 and 2006. This bill proposed to allocate the state ceiling among the state-level issuers of tax-exempt bonds.