

# 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*

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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

brokerage license applicants take an examination and requires that applicants for a real estate sales agent license both complete a course of study and take an examination;

9. It requires that all sellers provide property disclosures containing certain information, whether or not a person licensed to practice real estate brokerage is involved in the transfer. The requirement that persons licensed to practice real estate brokerage provide such disclosures remains unchanged;
10. It updates the seller's mandatory disclosures involving reference to heating systems and sources rather than insulation; and
11. It also adopts an effective date of July 1, 2006 and includes transition language for sales agents and associate brokers.

**LD 1548**

**An Act To Amend the Laws Concerning Registration of Engineers**

**PUBLIC 315**

Sponsor(s)  
BROMLEY  
FARRINGTON

Committee Report  
OTP-AM

Amendments Adopted  
S-257

LD 1548 proposed to change the name of the board from "State Board of Registration for Professional Engineers" to "State Board of Licensure for Professional Engineers" and proposed to change all references to "certificate of registration" to "license." It also proposed to codify the practice of having the Chief Engineer of the Department of Transportation serve as an ex officio voting member of the board. It proposed to authorize the board to grant hardship exemptions to licensees who are unable to fulfill continuing education requirements. It proposed to delete outdated provisions no longer in effect. Finally, it proposed to change the title of chairman to chair and vice-chairman to vice-chair.

**Committee Amendment "A" (S-257)** proposed to delete the provision in the bill that would require a licensed professional engineer to be responsible for the design of marine vessels used for public conveyance and commercial vessels. Under current law, a person who performs work only on vessels under 200 feet long is exempt from the licensure requirements of professional engineers.

### ***Enacted law summary***

Public Law 2005, chapter 315 changes the name of the board from "State Board of Registration for Professional Engineers" to "State Board of Licensure for Professional Engineers" and changes all references to "certificate of registration" to "license." It also codifies the practice of having the Chief Engineer of the Department of Transportation serve as an ex officio voting member of the board. The law authorizes the board to grant hardship exemptions to licensees who are unable to fulfill continuing education requirements due to an extenuating situation, hardship or disability. The law also deletes outdated provisions no longer in effect.