

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
123<sup>RD</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123<sup>rd</sup> Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON BUSINESS, RESEARCH  
AND ECONOMIC DEVELOPMENT**

July 2007

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# STATE OF MAINE

123<sup>RD</sup> LEGISLATURE

FIRST REGULAR SESSION

## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS



This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 123<sup>rd</sup> Maine Legislature, which was in session from December 6, 2006 to June 21, 2007.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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:

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 (or Accepted ONTP report).....	Ought Not To Pass report accepted
OTP-ND.....	Committee report Ought To Pass In New Draft
P&S XXX.....	Chapter # of enacted Private & Special Law
PASSED.....	Joint Order passed in both bodies
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 that the effective date for non-emergency legislation enacted in the First Regular Session is **September 20, 2007**. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

# Joint Standing Committee on Business, Research and Economic Development

This amendment incorporates a fiscal note.

## LD 1115 An Act Concerning Licensure as a Master Well Driller or a Master Pump Installer

PUBLIC 207  
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RAYE	OTP-AM	S-127

This bill provides for an exception to the current licensure laws for a master well driller and a master pump installer.

### Committee Amendment "A" (S-127)

Unlike the bill, which established an exception to the current licensure laws for a master well driller and a master pump installer, this amendment instead authorizes the Maine Water Well Commission to grant a waiver to those licensure laws to individuals with clearly defined levels of experience in situations in which the commission finds the presence of exigent circumstances.

### Enacted Law Summary

Public Law 2007, chapter 207 authorizes the Maine Water Well Commission to grant a waiver to the master well driller and master pump installer licensure laws to individuals with clearly defined levels of experience in situations in which the commission finds the presence of exigent circumstances.

## LD 1128 An Act To Require Electronic Monitoring of Secondary Sales Transactions

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SMITH N PERRY J		

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to provide law enforcement with increased capability to solve property and financial crimes throughout the State and the New England region by amending the laws governing the licensing of pawnbrokers. This bill would require pawnbrokers to maintain electronic records of their transactions through the use of downloadable databases. This information would be made electronically accessible to law enforcement officers throughout New England by transmitting the data to the New England State Police Information Network, NESPIN, whose geographical region includes Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont.

This bill was carried over by H.P. 1369 to any special or regular session of the 123rd Legislature.

## LD 1129 Resolve, Directing the Commissioner of Professional and Financial Regulation To Conduct a Sunrise Review of Oral Health Care Issues

RESOLVE 85

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PENDLETON RAYE	OTP-AM MAJ ONTP MIN	H-362

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

This bill expands the requirements for receiving a license to practice dentistry in this State to allow graduation from a foreign university considered satisfactory to the Board of Dental Examiners and removes the requirement that applicants for licensure by endorsement that are licensed to practice in another state meet the State's professional education requirements.

## **Committee Amendment "A" (H-362)**

This amendment replaces the bill with a resolve. It directs the Commissioner of Professional and Financial Regulation to conduct an independent assessment pursuant to the Maine Revised Statutes, Title 32, chapter 1-A, subchapter 2 of the following oral health care issues: the proposal for expansion of the scope of practice of dental hygienists to create a mid-level dental hygienist license category, as well as the proposal to permit dental hygienists to practice independently without the supervision of a licensed dentist in order to increase access to preventive dental care across the State; the proposal to expand licensing requirements to permit graduates of a foreign university considered satisfactory to the Board of Dental Examiners to practice dentistry in this State, including a review of other states' models for evaluation of foreign-trained dentists; and the proposal that the regulatory structure for denturists and dental hygienists include placing denturists and dental hygienists under the jurisdiction of a new board within the Department of Professional and Financial Regulation. This amendment also requires the Commissioner of Professional and Financial Regulation to submit a report to the Joint Standing Committee on Business, Research and Economic Development and authorizes the committee to introduce legislation on the subject matter of the report to the Second Regular Session of the 123rd Legislature.

## **Enacted Law Summary**

Resolve 2007, chapter 85 directs the Commissioner of Professional and Financial Regulation to conduct an independent assessment pursuant to the Maine Revised Statutes, Title 32, chapter 1-A, subchapter 2 of the following oral health care issues: the proposal for expansion of the scope of practice of dental hygienists to create a mid-level dental hygienist license category, as well as the proposal to permit dental hygienists to practice independently without the supervision of a licensed dentist in order to increase access to preventive dental care across the State; the proposal to expand licensing requirements to permit graduates of a foreign university considered satisfactory to the Board of Dental Examiners to practice dentistry in this State, including a review of other states' models for evaluation of foreign-trained dentists; and the proposal that the regulatory structure for denturists and dental hygienists include placing denturists and dental hygienists under the jurisdiction of a new board within the Department of Professional and Financial Regulation. This resolve requires the Commissioner of Professional and Financial Regulation to submit a report to the Joint Standing Committee on Business, Research and Economic Development and authorizes the committee to introduce legislation on the subject matter of the report to the Second Regular Session of the 123rd Legislature.

## **LD 1139 An Act Regarding Returnable Containers**

**ONTP**

Sponsor(s)

ADAMS

Committee Report

ONTP

Amendments Adopted

This bill requires the letters and numbers of the refund value and the word "Maine" or "ME" placed on refundable beverage containers to be at least 1/4 inch in height, in a font style that is easily read and of a color that is in sharp contrast to the background on which the refund value and state designation are embossed, stamped, labeled or attached.