

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
FIRST REGULAR SESSION



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

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

July 2007

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STATE OF MAINE

123RD 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 123rd 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

**LD 1161 An Act To Make Certain Changes to the Board of Licensure in
Medicine**

ONTP

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

This bill requires the Board of Licensure in Medicine to inform licensees of their right to be represented by counsel during an informal conference with the board involving a complaint against the licensee. This bill allows a licensee to confer with counsel during the conference. This bill also provides licensees with the ability to refuse to participate in an informal conference with the board if an adjudicatory hearing is preferred. It also requires that any consent agreement that involves the licensee's participation in an alcohol or drug treatment program, or the licensee's treatment by a licensed therapist, must provide the licensee with the right to select the alcohol or drug treatment program or licensed therapist.

**LD 1163 An Act To Implement the Recommendations of the Office of Program
Evaluation and Government Accountability Regarding Economic
Development in Maine**

PUBLIC 434

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROSEN R	OTP-AM	S-278
		S-369 ROTUNDO

This bill implements the recommendations of the Office of Program Evaluation and Government Accountability's report to the Government Oversight Committee on economic development programs in Maine.

Committee Amendment "A" (S-278)

This amendment replaces the bill and implements the recommendations of the Office of Program Evaluation and Government Accountability's report to the Government Oversight Committee to increase the State's evaluation and performance measures for economic development programs in Maine. The amendment also adds an appropriations and allocations section to the bill.

Senate Amendment "A" (S-369)

This amendment requires the Joint Standing Committee on Business, Research and Economic Development to perform its duties pertaining to business compliance with reporting requirements within authorized interim committee meetings.
The amendment also reduces the General Fund appropriation.

Enacted Law Summary

Public Law 2007, chapter 434 implements the recommendations of the Office of Program Evaluation and Government Accountability's report to the Government Oversight Committee to increase the State's evaluation and performance measures for economic development programs in Maine.

**LD 1171 An Act To Modernize the Laws Pertaining to the Sport of Skiing and
Use of Ski Areas**

PUBLIC 287

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT B	OTP-AM	S-171

Joint Standing Committee on Business, Research and Economic Development

This bill amends the definitions of "skier" and "ski area" and expands skiers' and tramway passengers' responsibilities to include forms of skiing and other uses of ski facilities that have arisen since the last time these statutory provisions were amended.

Committee Amendment "A" (S-171)

This amendment strikes out the Maine Revised Statutes, Title 32, section 15217, subsection 4-A proposed in the bill and replaces it with language clarifying that a person engaged in a ski competition accepts all inherent risks of skiing and all risks of course, venue and area conditions, including freestyle terrain configuration and condition while engaged in those activities.

Enacted Law Summary

Public Law 2007, chapter 287 amends the laws pertaining to the sport of skiing by broadening the definition for the inherent risks associated with the sport of skiing to include skiing on freestyle terrain and clarifies that a ski competitor accepts all inherent risks of skiing and all risks of course, venue and area conditions, including freestyle terrain configuration and condition while engaged in those activities.

LD 1172 An Act To Regulate Fire Alarm Contractors

ONTP

Sponsor(s)

NASS R

Committee Report

ONTP

Amendments Adopted

This bill requires that fire alarm system contractors in the State be licensed by the Commissioner of Public Safety.

LD 1188 An Act Regarding Local Plumbing Inspectors

PUBLIC 358

Sponsor(s)

PERRY J

Committee Report

OTP

Amendments Adopted

This bill repeals and replaces current law and clarifies that local plumbing inspectors are prohibited from issuing permits and inspecting any internal plumbing job or subsurface wastewater disposal system work if the local plumbing inspector or the inspector's employee, employer, agent or representative has worked or plans to work on the same job, including performing a site evaluation, providing labor or providing any products or services to that site.

Enacted Law Summary

Public Law 2007, chapter 358 repeals and replaces current law and clarifies that local plumbing inspectors are prohibited from issuing permits and inspecting any internal plumbing job or subsurface wastewater disposal system work if the local plumbing inspector or the inspector's employee, employer, agent or representative has worked or plans to work on the same job, including performing a site evaluation, providing labor or providing any products or services to that site.