

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**

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STAFF:

NATALIE L. HAYNES, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

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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

Public Law 2007, chapter 398 establishes parity between an applicant for licensure as a journeyman electrician or a journeyman-in-training electrician who is a graduate of an electrical program of a Maine community college and an applicant for licensure who is a graduate of an electrical program of an accredited community college that is not located in Maine.

LD 1404 Resolve, Directing the Establishment of a Building Contractor's License and Education Requirements for Code Enforcement Officers BY REQUEST ONTP

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

This resolve directs the Department of Professional and Financial Regulation to propose and develop licensing requirements for building contractors. This resolve also requires the Executive Department, State Planning Office to develop revised training and certification and continuing education requirements for code enforcement officers. The resolve requires that the proposals be submitted to the Joint Standing Committee on Business, Research and Economic Development no later than December 1, 2007.

LD 1466 An Act To Address Issues Related to Chiropractic Licensure ONTP

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

This bill creates a screening panel for complaints against chiropractors similar to the screening panel for medical malpractice claims under current law. The screening panel created by this bill reviews complaints against chiropractors and has the power to dismiss the complaint, enter into a consent agreement with the licensee who is the subject of the complaint or refer the complaint to the Board of Chiropractic Licensure for further action.

LD 1469 Resolve, To Enhance Accountability in Tax Increment Financing RESOLVE 70

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BERRY	OTP-AM	H-299

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

This bill proposes that any new tax increment financing project not under way by January 1, 2008 would be subject to higher standards for approval by the Department of Economic and Community Development, including but not limited to, an annual reapproval process based on preestablished performance benchmarks.

Committee Amendment "A" (H-299)

This amendment replaces the bill with a resolve that directs the Department of Economic and Community Development to review the State's tax increment financing accountability and reporting policies and to consult with the Office of Program Evaluation and Government Accountability and the Department of Administrative and Financial Services, Maine Revenue Services to develop recommendations for improving these policies. The Department of Economic and Community Development is directed to submit its report to the Joint Standing

Joint Standing Committee on Business, Research and Economic Development

Committee on Business, Research and Economic Development and the Joint Standing Committee on Taxation by January 15, 2008. This amendment also authorizes the Joint Standing Committee on Business, Research and Economic Development to submit legislation to the Second Regular Session of the 123rd Legislature relating to this report.

Enacted Law Summary

Resolve 2007, chapter 70 directs the Department of Economic and Community Development to review the State's tax increment financing accountability and reporting policies and to consult with the Office of Program Evaluation and Government Accountability and the Department of Administrative and Financial Services, Maine Revenue Services to develop recommendations for improving these policies. The Department of Economic and Community Development is directed to submit its report to the Joint Standing Committee on Business, Research and Economic Development and the Joint Standing Committee on Taxation by January 15, 2008. This resolve authorizes the Joint Standing Committee on Business, Research and Economic Development to submit legislation to the Second Regular Session of the 123rd Legislature relating to this report.

LD 1470 An Act To Clarify the Laws Regarding Physicians

PUBLIC 380

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SMITH N MARRACHE	OTP-AM	H-449

This bill requires professional competence committees and physicians to report unprofessional conduct to the relevant regulatory board. Further, the bill amends the law concerning the Board of Licensure in Medicine by including disruptive behavior in the description of unprofessional conduct as grounds for discipline and by rule creates a license category limited to administrative medicine.

Committee Amendment "A" (H-449)

This amendment clarifies that the standard of professional behavior for licensees licensed by the Board of Medicine includes not engaging in disruptive behavior, which is defined as aberrant behavior that interferes with or is likely to interfere with the delivery of care.

Enacted Law Summary

Public Law 2007, chapter 380 requires professional competence committees and physicians to report unprofessional conduct to the relevant regulatory board. The law also adds the term 'disruptive behavior' within the description of unprofessional conduct as grounds for discipline and by rule creates a license category limited to administrative medicine.

LD 1471 An Act To Ensure That Publicly Funded Programs Do Not Jeopardize Existing Industry

ONTP

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

This bill prohibits a program of a nonprofit organization, governmental agency or political subdivision or educational institution that receives state funds from providing goods or services in competition with a private business.