

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

The bill amends the licensing of local redemption centers by requiring the Department of Professional and Financial Regulation to consider the proximity of a proposed redemption center to existing redemption centers. The bill also limits the number of redemption centers that may be licensed in a municipality based on the population of the municipality. The population limits do not apply to existing redemption centers, certain licensed food establishments and reverse vending machines located in a redemption center and may be waived if the applicant shows a compelling need for another redemption center.

The bill also provides a procedure for an applicant denied a license to appeal that denial.

Committee Amendment "A" (H-272)

This amendment removes the provision of the bill that adds additional rulemaking language, as the Department of Agriculture, Food and Resources already has rulemaking authority regarding the licensing and renewal of redemption centers. It also makes changes to the bill's requirements for the location and number of redemption centers in municipalities based on population. It also clarifies that eating establishments licensed by the Department of Health and Human Services are also exempt from the population size location requirements for redemption centers.

LD 1620 An Act To Provide for the 2007 and 2008 Allocations of the State Ceiling on Private Activity Bonds

P & S 18
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROMLEY	OTP-AM	S-145

This bill establishes the allocations of the state ceiling on issuance of tax-exempt bonds for calendar years 2007 and 2008. Under federal law, a maximum of \$256,235,000 in tax-exempt bonds benefiting private individuals or entities may be issued in the State in 2007, and at least \$256,235,000 in tax-exempt bonds benefiting private individuals or entities may be issued in the State in 2008. This bill allocates the state ceiling among the state-level issuers of tax-exempt bonds.

Committee Amendment "A" (S-145)

This amendment incorporates a fiscal note.

Enacted Law Summary

Private and Special Law 2007, chapter 18 establishes the allocations of the state ceiling on issuance of tax-exempt bonds for calendar years 2007 and 2008. Under federal law, a maximum of \$256,235,000 in tax-exempt bonds benefiting private individuals or entities may be issued in the State in 2007, and at least \$256,235,000 in tax-exempt bonds benefiting private individuals or entities may be issued in the State in 2008. This law allocates the state ceiling among the state-level issuers of tax-exempt bonds.

LD 1622 An Act To Expand Exemptions from Licensing Laws for Professional Engineers

PUBLIC 379

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROMLEY	OTP-AM	S-240

The bill exempts certain persons engaged in certain minor construction from the requirements of the Maine Revised Statutes, Title 32, chapter 19.

Joint Standing Committee on Business, Research and Economic Development

Committee Amendment "A" (S-240)

This amendment makes a technical change to the bill by replacing the term "single-family" with "single" to clarify that the exemption is for single bathrooms.

Enacted Law Summary

Public Law 2007, chapter 379 exempts certain persons engaged in certain minor construction from the licensing requirements for professional engineers that are provided in the Maine Revised Statutes, Title 32, chapter 19.

LD 1623 An Act To Create the Board of Speech-language Pathology, Audiology and Hearing Aid Dealing and Fitting

PUBLIC 369

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROMLEY	OTP-AM	S-227

Part A and Part B of this bill reflect the creation of the Board of Speech-language Pathology, Audiology and Hearing Aid Dealing and Fitting.

Part C of this bill repeals the Maine Revised Statutes, Title 32, chapters 23-A and 77, which govern the regulation of speech-language pathology, audiology and hearing aid dealing and fitting, and combine the chapters into one authorizing statute. The bill eliminates the need for a Licensed Audiologist to hold a separate license as a Hearing Aid Dealer and Fitter, as well as eliminates the requirement of a business license. This bill reflects the current practice standards in the delivery of audiology and hearing aid services, while providing an appropriate level of public protection.

Committee Amendment "A" (S-227)

This amendment clarifies the scope of practice for audiologists and maintains current audiology practice standards. It also adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2007, chapter 369 creates the Board of Speech-language Pathology, Audiology and Hearing Aid Dealing and Fitting. This law also repeals the Maine Revised Statutes, Title 32, chapters 23-A and 77, which govern the regulation of speech-language pathology, audiology and hearing aid dealing and fitting, and combine the chapters into one authorizing statute. The law eliminates the need for a Licensed Audiologist to hold a separate license as a Hearing Aid Dealer and Fitter, as well as eliminates the requirement of a business license. The law clarifies the scope of practice for audiologists and maintains current audiology practice standards. It also reflects the current practice standards in the delivery of audiology and hearing aid services, while providing an appropriate level of public protection.

LD 1626 Resolve, Directing the Department of Professional and Financial Regulation, State Board of Nursing To Amend the Rules for the Medication Course for Certified Nursing Assistants

RESOLVE 76

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NASS R	OTP-AM	S-146

This bill requires that a clinical training program for certified nursing assistants have a trainer-to-student ratio of not less than 1 to 5.