

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

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.

Joint Standing Committee on Business, Research and Economic Development

Committee Amendment "A" (S-146)

This amendment replaces the bill with a resolve that directs the Department of Professional and Financial Regulation, State Board of Nursing to amend its rules for the board's standardized medication course for certified nursing assistants to increase the clinical instructor-to-student ratio from 1:1 when the student is administering medications in the clinical setting to a ratio of 1:3. The amendment also requires the board to notify the Joint Standing Committee on Business, Research and Economic Development of the rule change by September 1, 2008.

Enacted Law Summary

Resolve 2007, chapter 76 directs the Department of Professional and Financial Regulation, State Board of Nursing to amend its rules for the board's standardized medication course for certified nursing assistants to increase the clinical instructor-to-student ratio from 1:1 when the student is administering medications in the clinical setting to a ratio of 1:3. The law requires the board to notify the Joint Standing Committee on Business, Research and Economic Development of the rule change by September 1, 2008.

LD 1637	An Act To Adopt the Uniform Emergency Volunteer Health Practitioners Act	ONTP
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SIMPSON	ONTP	

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

This bill seeks to adopt the Uniform Emergency Volunteer Health Practitioners Act to provide a procedure for recognizing licenses granted by other states to health care practitioners who volunteer to provide assistance in this State during an emergency. The bill proposes to create a registration system that health care practitioners licensed in other states may use either before or during an emergency. Upon registration, a health care practitioner would be permitted to contribute that practitioner's professional skills to emergency relief efforts.

LD 1657	An Act To Support and Enhance Maine's Beverage Container Recycling Laws and Household Hazardous Waste Collection	ONTP
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HINCK	ONTP	

This bill raises the deposit and refund on beverage containers from 5¢ to 10¢ and provides that the deposit and refund must be adjusted for inflation every 10 years beginning January 1, 2018. It doubles the handling fee paid to redemption centers beginning March 1, 2008. It expands the law to include aseptic containers. It provides that the unclaimed beverage container deposits must be deposited in a dedicated account in the State Planning Office for grants for household hazardous waste collection. It requires the State Planning Office to report on the volume of nonrefillable beverage containers that is disposed of as municipal solid waste in the State each year.

LD 1681	An Act To Preserve and Grow Maine Jobs	ONTP
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SCHNEIDER	ONTP	