

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

STAFF:

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

MEMBERS:

SEN. LYNN BROMLEY, CHAIR
SEN. ELIZABETH SCHNEIDER
SEN. JONATHAN T. E. COURTNEY

REP. NANCY E. SMITH, CHAIR
REP. STEPHEN R. BEAUDETTE
REP. RICHARD C. CLEARY
REP. W. BRUCE MACDONALD
REP. MARK PAUL SAMSON
REP. KIMBERLY E. W. SILSBY
REP. CHRISTOPHER W. RECTOR
REP. SUSAN M. W. AUSTIN
REP. MICHAEL GARY BEAULIEU
REP. KERRI L. PRESCOTT

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 1842 An Act To Update Professional and Occupational Licensing Laws

PUBLIC 402

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROMLEY	OTP-AM	S-275

This bill updates and streamlines the State's professional and occupational licensing laws within the jurisdiction of the Department of Professional and Financial Regulation, Office of Licensing and Registration by:

1. Redesignating certain registration programs as licensing programs;
2. Enhancing the accountability of licensees by requiring that they promptly make corrections to the information in their application and licensing files;
3. Removing unnecessary disclosure and notification requirements;
4. Clarifying the authority of licensing programs to protect the public through license denial or revocation;
5. Clarifying terms of service for board members;
6. Streamlining provisions related to board meetings and board governance;
7. Removing the requirements for unnecessary reporting by boards and commissions;
8. Clarifying the gubernatorial appointment process;
9. Clarifying penalties for noncompliance with the licensing laws;
10. Making licensees responsible for meeting statutory application deadlines; and
11. Clarifying the examination process for many professions and occupations.

Committee Amendment "A" (S-275)

This amendment removes sections of the bill that propose to clarify licensure and scope of practice language for psychologists and psychological examiners and also removes language that clarifies that the scope of practice for psychologists and psychological examiners may not be construed to permit the practice of medicine. The amendment also includes a minor conforming language change to the section regarding dietician license renewals.

Enacted Law Summary

Public Law 2007, chapter 402 updates and streamlines the State's professional and occupational licensing laws within the jurisdiction of the Department of Professional and Financial Regulation, Office of Licensing and Registration by:

1. Redesignating certain registration programs as licensing programs;
2. Enhancing the accountability of licensees by requiring that they promptly make corrections to the information in their application and licensing files;
3. Removing unnecessary disclosure and notification requirements;

Joint Standing Committee on Business, Research and Economic Development

4. Clarifying the authority of licensing programs to protect the public through license denial or revocation;
5. Clarifying terms of service for board members;
6. Streamlining provisions related to board meetings and board governance;
7. Removing the requirements for unnecessary reporting by boards and commissions;
8. Clarifying the gubernatorial appointment process;
9. Clarifying penalties for noncompliance with the licensing laws;
10. Making licensees responsible for meeting statutory application deadlines; and
11. Clarifying the examination process for many professions and occupations.

LD 1863 An Act To Allow Pressure Boiler Inspections by National Board-certified Inspectors

ONTP

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

This bill amends the laws dealing with the Board of Boilers and Pressure Vessels. It changes the term "authorized inspector" to "commissioned inspector" to reflect the terms used by the National Board of Boilers and Pressure Vessel Inspectors. It defines "authorized inspection agency." It allows owners and operators of boilers and pressure vessels to contract for inspections independently for a fee with any authorized inspection agency.

LD 1872 An Act To Preserve Maine's Quality Places

ONTP

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

Part A of this bill directs the Maine Municipal Bond Bank to issue revenue bonds in the amount of \$190,000,000 to preserve and protect the State's quality places, including revitalizing towns and cities, augmenting land and farm conservation, protecting traditional uses and access to Maine forests, farms and lakes and promoting outdoor recreation and high-value tourism. The effect of Part A is contingent on voter approval of the issuance of the revenue bonds.

Part B of this bill establishes the Communities for Maine's Future program in the Department of Economic and Community Development to provide grants and loans from the sale of any bonds authorized pursuant to Part A to municipalities and groups of municipalities for community infrastructure projects.

Part C of this bill establishes the Public Access for Traditional Uses Fund within the Land for Maine's Future program.

Part D imposes an additional tax of 3% on the value of lodging and directs that the revenue from this additional tax be deposited in the Quality Places Reserve Fund.

Part E establishes the Quality Places Reserve Fund and specifies that an amount equal to 95% of the revenue in