

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
SECOND REGULAR AND FIRST SPECIAL SESSIONS



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

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

May 2008

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
SECOND REGULAR & FIRST SPECIAL SESSIONS



**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 Second Regular or First Special Sessions of the 123rd Maine Legislature.

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:

<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed; bill died</i>
<i>ONTP (or Accepted ONTP report)</i>	<i>Ought Not To Pass report accepted; bill died</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

The effective date for non-emergency legislation enacted in the Second Regular Session (R2) is June 30, 2008. The effective date for non-emergency legislation enacted in the First Special Session (S1) is July 18, 2008.¹ The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills. Any bill summarized in this document having an LD number less than 1932 was a bill carried over from the First Regular Session of the 123rd Legislature.

¹ The session in which each law was enacted or finally passed (R2 or S1) is included in Appendix C.

Joint Standing Committee on Business, Research and Economic Development

Committee Amendment "A" (S-477)

This amendment replaces the bill. It removes the District Director of the United States Small Business Administration's Maine District Office as a member of the Small Business and Entrepreneurship Commission. The amendment also requires the commission to submit an annual report beginning January 15, 2009 to the joint standing committee of the Legislature having jurisdiction over business, research and economic development matters that includes the commission's proposed quarterly meeting schedule for the year, as well as a summary of the Small Business Development Center Program's activities in Maine that focuses on its collaborative efforts with other economic development programs in the State. It also establishes 3-year terms for public members appointed to the commission and requires the Commissioner of Economic and Community Development to establish staggered terms for the public members.

Enacted Law Summary

Public Law 2007, chapter 585 removes the District Director of the United States Small Business Administration's Maine District Office as a member of the Small Business and Entrepreneurship Commission. It also requires the commission to submit an annual report beginning January 15, 2009 to the joint standing committee of the Legislature having jurisdiction over business, research and economic development matters that includes the commission's proposed quarterly meeting schedule for the year, as well as a summary of the Small Business Development Center Program's activities in Maine that focuses on its collaborative efforts with other economic development programs in the State. It establishes 3-year terms for public members appointed to the commission and requires the Commissioner of Economic and Community Development to establish staggered terms for the public members.

LD 2003 An Act To Create the Southern York County Regional Development Authority

ONTP

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

This bill creates a regional development authority in southern York County. Initially, 6 named communities in southern York County are eligible to be part of the authority and have the opportunity to vote on whether to become participating members of that authority. This concept resulted from the regional effort of several communities located in southern York County and has been developed as a result of a regional development grant awarded to the Town of South Berwick by the Executive Department, State Planning Office.

The Southern York County Regional Development Authority would have broad legal authority to engage in activities to promote, facilitate and conduct economic development through the creation of jobs, educational programs and workforce housing and other related activities, which would all take place through a coordinated, cooperative regional effort among the communities that vote to become members of the regional development authority.

LD 2024 An Act To Clarify the Licensure of Advanced Practice Registered Nurses

PUBLIC 498

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERRY A	OTP-AM	H-694

This bill changes the language providing for authority to practice as an advanced practice registered nurse to provide a one-step licensing process rather than the two-step process currently in place.

Joint Standing Committee on Business, Research and Economic Development

Committee Amendment "A" (H-694)

This amendment adds an effective date of September 1, 2008 to the bill.

Enacted Law Summary

Public Law 2007, chapter 498 provides for a streamlined, one-step licensing process for advanced practice registered nurses. The law has an effective date of September 1, 2008.

LD 2078 **Resolve, To Determine Methods of Securing a Trained Laboratory Workforce for Maine** **ONTP**

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

This resolve directs the Department of Economic and Community Development, Maine Office of Innovation to administer a working group to study the current shortage of trained qualified laboratory technicians and to report back to the Legislature its findings as to how the educational systems of the State can help to relieve the shortage.

LD 2120 **An Act To Require That Sellers of Scrap Metal Provide Identification** **ONTP**

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

This bill requires sellers of scrap metal to provide written documentation of their identity to junk dealers. It requires a junk dealer to provide payment to a seller of scrap metal in the form of a check for which the dealer maintains a record of the payee, check number and name of the financial institution upon which the check is drawn.

LD 2124 **An Act To Prevent the Theft of Certain Metals** **PUBLIC 549 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BERRY	OTP-AM	H-771

The purpose of this bill, which is based on Arkansas law, is to prevent the theft of certain metals. Specifically, this bill:

1. Requires that scrap metal recyclers doing business in the State maintain an accurate and legible record of each scrap metal purchase transaction in excess of 100 pounds or \$50;
2. Requires that a seller of scrap metal provide to the purchaser identification and a signed statement that the seller is the owner or is otherwise authorized to sell the scrap metal;
3. Restricts the sale and purchase of certain items without reasonable, written documentation that the seller is the owner of the scrap metal or is authorized to sell the scrap metal;
4. Provides that, if notice of a known or presumed theft of a product is given to a scrap metal recycler and, within 90 days after the notice, a product meeting the description in the notice is purchased by the scrap metal recycler or offered for sale to the scrap metal recycler, then the scrap metal recycler must notify a law enforcement agent; and