

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
124<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the First Regular Session of the 124<sup>th</sup> Maine Legislature coming from the

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

July 2009

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# STATE OF MAINE

124<sup>TH</sup> LEGISLATURE  
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## 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 124<sup>th</sup> 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:

CARRIED OVER.....	Carried over to a subsequent session of the Legislature
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; bill died
ONTP (or Accepted ONTP report).....	Ought Not To Pass report accepted; bill died
P&S XXX.....	Chapter # of enacted Private & Special Law
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

The effective date for non-emergency legislation enacted in the First Regular Session of the 124<sup>th</sup> Legislature is September 12, 2009. 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 215**      **An Act Regarding the Practice of Professional Engineering without a License**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BOLAND PERRY J	ONTP	

This bill authorizes the State Board of Licensure for Professional Engineers with the assistance of the Attorney General to enforce provisions of the law regarding the practice of engineering without a license. It also imposes criminal penalties and increases the civil penalties for conducting engineering activities without a license.

**LD 232**      **An Act To Require Businesses To Make Toilet Facilities Available to Individuals with Certain Medical Conditions**

PUBLIC 152

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RICHARDSON W	OTP-AM	H-186

This bill requires an owner or employee of a retail establishment to make an employee toilet facility available to an individual upon request if that individual has an eligible medical condition as specified in the bill. It includes liability protection for an owner or employee of a retail establishment who provides a customer with an eligible medical condition access to an employee toilet facility.

**Committee Amendment "A" (H-186)**

This amendment clarifies that a retail establishment is not required to provide access to employee toilet facilities if the request would impose an undue burden on the retail establishment. It also clarifies that liability protection is extended to the retail establishment, as well as the owner and employees, and provides that these requirements may not be construed to limit the rights, remedies and procedures afforded to individuals pursuant to the Maine Human Rights Act. It also removes any civil penalties for a violation.

**Enacted Law Summary**

Public Law 2009, chapter 152 requires an owner or employee of a retail establishment to make an employee toilet facility available to an individual upon request if that individual has an eligible medical condition as specified in the bill. It includes liability protection for an owner or employee of a retail establishment who provides a customer with an eligible medical condition access to an employee toilet facility. A retail establishment is not required to provide access to employee toilet facilities if the request would impose an undue burden on the retail establishment. It also clarifies that liability protection is extended to the retail establishment, as well as the owner and employees, and provides that these requirements may not be construed to limit the rights, remedies and procedures afforded to individuals pursuant to the Maine Human Rights Act.