

# 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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**STAFF:**

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

# 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 612 An Act To Assist Small Businesses with Creating Jobs

INDEF PP

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

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

This bill proposes to assist small businesses with the creation of jobs and increased employment.

## LD 613 An Act To Recruit Businesses from Other States

ONTP

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

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

This bill proposes to enact measures designed to recruit business from other states.

## LD 622 An Act To Promote the Accessibility and Use of Reusable Bags

ONTP

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

This bill requires a retailer who has 30,000 square feet or more of retail sales area to provide a bag made out of cloth or other durable fabric to bag products at the point of retail sale to a customer at the request of that customer and at no charge to the customer at least twice a year.

## LD 630 An Act To Update and Streamline State Licensing Laws and Clarify the Process for Appealing Final Decisions of Certain Licensing Entities

PUBLIC 112

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COHEN SCHNEIDER	OTP-AM	H-107

This bill contains various updating and streamlining provisions. It corrects a cross-reference in the Charitable Solicitations Act and grants state electrical inspectors authority to issue an order of correction to an electrician when violations to the National Electrical Code are found. Currently, electrical inspectors can only issue orders of correction to homeowners. It removes a reference to the National Electrical Code in the licensure requirements for a limited electrician in low energy.

## *Joint Standing Committee on Business, Research and Economic Development*

The bill eliminates the requirement for licensed podiatrists, chiropractors, radiologic technologists, physical therapists and real estate appraisers to publicly display licenses and repeals the license display requirement from the Maine Revised Statutes, Title 10. It also eliminates the sworn statement requirement for the applications for licensure for interpreters for deaf and hard-of-hearing persons. It clarifies language concerning podiatric assistants. It also grants authority to licensed psychologists and audiologists to use assistive personnel in the practice setting. It corrects the quorum requirement for the Board of Counseling Professionals Licensure and the State Board of Alcohol and Drug Counselors. It also changes professional qualification requirements for real estate brokers and real estate appraisers and amends the definition of "federally related transaction" in the Real Estate Appraisal Licensing and Certification Act to comply with federal law.

The bill clarifies that appeals from final decisions of licensing programs within the Department of Professional and Financial Regulation, Office of Licensing and Registration, including decisions to suspend or revoke a license, are to the Maine Superior Court. It also clarifies that appeals to the Superior Court are based on the record made by the licensing entity. Finally, the bill clarifies that conviction of a crime may be considered in license denial matters to the extent permitted by the occupational license disqualification law.

### **Committee Amendment "A" (H-107)**

This amendment amends the law to clarify that appellate jurisdiction to review disciplinary decisions of the occupational licensing boards and commissions under the Office of Licensing and Registration will lie with the Superior Court in order to accomplish the intent of the bill.

### **Enacted Law Summary**

Public Law 2009, chapter 112 contains various updating and streamlining provisions. It corrects a cross-reference in the Charitable Solicitations Act and grants state electrical inspectors authority to issue an order of correction to an electrician when violations to the National Electrical Code are found. Currently, electrical inspectors can only issue orders of correction to homeowners.

The law removes a reference to the National Electrical Code in the licensure requirements for a limited electrician in low energy. It eliminates the requirement for licensed podiatrists, chiropractors, radiologic technologists, physical therapists and real estate appraisers to publicly display licenses and repeals the license display requirement from the Maine Revised Statutes, Title 10. It also eliminates the sworn statement requirement for the applications for licensure for interpreters for deaf and hard-of-hearing persons. It clarifies language concerning podiatric assistants.

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