

# 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 966      An Act To Amend the Licensing Requirements for Marriage and Family Therapists**

**PUBLIC 172**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EVES	OTP-AM MAJ ONTP MIN	H-198

This bill allows the Board of Counseling Professionals Licensure to grant a provisional license as a marriage and family therapist for a period not to exceed 6 months to an applicant who meets the requirements for licensure except for the successful completion of the examination prescribed by the board.

**Committee Amendment "A" (H-198)**

This amendment is the majority report of the committee. It replaces the provision of the bill that allows the Board of Counseling Professionals Licensure to grant a provisional license as a marriage and family therapist and provides that the board may grant a temporary conditional license for a period not to exceed 6 months to an applicant who meets the requirements for licensure except for the successful completion of the examination prescribed by the board. It also requires the applicant to be employed at an agency under clinical supervision and to apply for and successfully complete the examination within this 6-month period. The amendment also provides that if the applicant fails the examination, the applicant is prohibited from using any clinical experience gained during the 6-month period that the applicant held the temporary conditional license to qualify for licensure. The amendment also adds an appropriations and allocations section.

**Enacted Law Summary**

Public Law 2009, chapter 172 provides that the Board of Counseling Professionals Licensure may grant a temporary conditional license for a period not to exceed 6 months to an applicant who meets the requirements for licensure except for the successful completion of the examination prescribed by the board. The law requires the applicant to be employed at an agency under clinical supervision and to apply for and successfully complete the examination within this 6-month period. The law also provides that if the applicant fails the examination, the applicant is prohibited from using any clinical experience gained during the 6-month period that the applicant held the temporary conditional license to qualify for licensure.

**LD 997      An Act To Clarify the Limits of the Maine Uniform Building and Energy Code**

**ACCEPTED ONTP REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HINCK BARTLETT	ONTP MAJ OTP-AM MIN	

This bill amends the laws governing the Maine Uniform Building and Energy Code to allow a municipality to voluntarily adopt and enforce an appendix to the code, the so-called "stretch energy code," that contains energy standards that exceed the energy conservation and efficiency requirements established by the code. This bill requires the Technical Building Codes and Standards Board within the Department of Public Safety to adopt, amend and maintain no later than July 1, 2010 an appendix to the code that contains energy conservation and efficiency requirements based on established national voluntary efficiency standards that exceed the energy requirements of the code. The bill provides that the appendix must be made available for voluntary adoption by any municipality interested in adopting standards and that the board must maintain a list of municipalities that have voluntarily

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

adopted the appendix to the code on the board's publicly accessible website.

## **Committee Amendment "A" (H-127)**

This amendment is the minority report of the committee. The amendment adds an appropriations and allocations section.

### **LD 998      An Act To Provide a Strategic Planning Fund for Research and Development and Technology-related Companies      ONTP**

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

This bill establishes the Maine Strategic Planning Fund for Research and Development, to be administered by the Department of Economic and Community Development, Office of Innovation for the purposes of administering grants for business planning, technical assistance, marketing and strategic planning to private research and development companies that are eligible to receive general obligation bond proceeds for research and development purposes. Any private research and development company that receives general obligation bonds for research and development must deposit a total of 2.25% of all general obligation bonds received into the fund. The office is required to submit an annual report to the joint standing committee of the Legislature having jurisdiction over business, research and economic development matters on the strategic planning fund for research and development. The joint standing committee shall evaluate the impact of the use of the funds on the economic success of the businesses involved to determine if future funding formulas should be adjusted.

### **LD 999      An Act To Streamline the Evaluation of Economic Development Programs      LEAVE TO WITHDRAW**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAIN RECTOR	LTW	

This bill implements the recommendations of the Department of Economic and Community Development relating to streamlining and improving the comprehensive economic development evaluation for the State's economic development programs and incentives. It also reduces duplicative statutory reporting requirements that will be included in the department's comprehensive evaluation process. The bill also amends the definition of "economic development incentive."

It also increases the maximum budget amounts of contributing programs and organizations that can be assessed for economic development evaluation and research and development evaluation. It repeals the provision of law that allows the State Tax Assessor to withhold reimbursement for taxes paid on certain business property from a claimant who has failed to provide certain information to the Department of Economic and Community Development.