

MAINE STATE LEGISLATURE

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STATE OF MAINE
124TH LEGISLATURE
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the Second Regular Session of the 124th Maine Legislature coming from the

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

April 2010

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

STATE OF MAINE

124TH LEGISLATURE
SECOND 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 Second Regular Session of the 124th 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>CARRIED OVER</i>	<i>Carried over to a subsequent session of the Legislature</i>
<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 HOUSES</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 of the 124th Legislature is Monday, July 12, 2010. 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 1572 An Act To Correct Errors in the Laws Relating to Unlicensed Practice and Other Provisions of the Professional and Occupational Licensing Laws

PUBLIC 465

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SMITH N SCHNEIDER	OTP	

This bill amends general provisions relating to the professional and occupational licensing programs within the Department of Professional and Financial Regulation, Office of Licensing and Registration to clarify the application of those provisions to regulatory functions of the office.

The bill also corrects incorrect statutory citations to "this Title" that were not updated when certain provisions were transferred from the Maine Revised Statutes, Title 32 to Title 10.

Enacted Law Summary

Public Law 2009, chapter 465 amends general provisions relating to the professional and occupational licensing programs within the Department of Professional and Financial Regulation, Office of Licensing and Registration to clarify the application of those provisions to regulatory functions of the office.

The law also corrects incorrect statutory citations to "this Title" that were not updated when certain provisions were transferred from the Maine Revised Statutes, Title 32 to Title 10.

LD 1597 An Act To Clarify the Educational Requirements for Eligibility for Examination for Licensure as a Certified Public Accountant

**ACCEPTED ONTP
REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARRACHE	ONTP MAJ OTP MIN	

This bill clarifies the law pertaining to the educational requirements for eligibility for examination for licensure as a certified public accountant and the requirements for licensure.

LD 1608 Resolve, Directing the Commissioner of Professional and Financial Regulation To Study the Complaint Resolution Process

RESOLVE 191

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SMITH N GOODALL	OTP-AM	H-658 S-438 BARTLETT

This bill establishes the Independent Office of Administrative Law Judges to decide cases related to licensing complaints from licensing boards under the Department of Professional and Financial Regulation.

Joint Standing Committee on Business, Research and Economic Development

Committee Amendment "A" (H-658)

This amendment replaces the bill with a resolve that directs the Commissioner of Professional and Financial Regulation, in consultation with interested parties including the Maine Regulatory Fairness Board, to conduct a study of the need to establish protocols for the resolution of complaints made to occupational and professional licensing boards within and affiliated with the Department of Professional and Financial Regulation. It requires the Commissioner of Professional and Financial Regulation to submit any recommendations from the study to the joint standing committee of the Legislature having jurisdiction over business, research and economic development matters by February 15, 2011. It also authorizes the joint standing committee of the Legislature having jurisdiction over business, research and economic development matters to submit a bill regarding the subject matter of the study to the First Regular Session of the 125th Legislature.

Senate Amendment "A" To Committee Amendment "A" (S-438)

This amendment removes the authority for the joint standing committee of the Legislature having jurisdiction over business, research and economic development matters to submit a bill to the First Regular Session of the 125th Legislature.

Enacted Law Summary

Resolve 2009, chapter 191 directs the Commissioner of Professional and Financial Regulation, in consultation with interested parties including the Maine Regulatory Fairness Board, to conduct a study of the need to establish protocols for the resolution of complaints made to occupational and professional licensing boards within and affiliated with the Department. It requires the Commissioner of Professional and Financial Regulation to submit any recommendations from the study to the joint standing committee of the Legislature having jurisdiction over business, research and economic development matters by February 15, 2011.

LD 1659 An Act To Enhance the Small Enterprise Growth Fund

PUBLIC 475

Sponsor(s)

RECTOR

Committee Report

OTP

Amendments Adopted

This bill allows the Small Enterprise Growth Board to establish and manage separate investment funds raised from entities other than the State.

Enacted Law Summary

Public Law 2009, chapter 475 allows the Small Enterprise Growth Board to establish and manage separate investment funds raised from entities other than the State.

LD 1664 An Act To Enhance the Redevelopment of the Brunswick Naval Air Station

**PUBLIC 641
EMERGENCY**

Sponsor(s)

GERZOFSKY

Committee Report

OTP-AM

Amendments Adopted

S-503