

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

STATE OF MAINE
125TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON LABOR, COMMERCE,
RESEARCH AND ECONOMIC DEVELOPMENT**

July 2011

MEMBERS:

SEN. CHRISTOPHER W. RECTOR, CHAIR
SEN. THOMAS H. MARTIN, JR.
SEN. TROY DALE JACKSON

REP. KERRI L. PRESCOTT., CHAIR
REP. DANA L. DOW
REP. MELVIN NEWENDYKE
REP. AMY FERN VOLK
*REP. FREDERICK L. WINTLE
REP. JOHN L. TUTTLE, JR.
REP. TIMOTHY E. DRISCOLL
REP. PAUL E. GILBERT
REP. ROBERT B. HUNT
REP. ERIN D. HERBIG

STAFF:

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

* REPLACED LATE IN THE SESSION BY REP. ANDRE E. CUSHING III

STATE OF MAINE
125TH LEGISLATURE
FIRST REGULAR SESSION



LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 125th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD 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 LD is noted to the right of the LD title. The following describes the various final actions.

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; legislation died
DIED BETWEEN HOUSES..... House & Senate disagreed; legislation died
DIED IN CONCURRENCE..... defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX..... chapter # of enacted public Law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 125th Legislature is September 28, 2011. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on Labor, Commerce, Research and Economic Development

LD 700 Resolve, Directing the Finance Authority of Maine To Create a Microfinance Loan Program Entitled "Believe in ME" for Entrepreneurs under 30 Years of Age ONTP

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

This resolve directs the Finance Authority of Maine to create a microfinance loan program entitled "Believe in ME" for entrepreneurs under 30 years of age using \$1,000,000 appropriated from the General Fund as its start-up money. The Finance Authority of Maine is required to report the specifics of the loan program to the Joint Standing Committee on Labor, Commerce, Research and Economic Development by December 1, 2011. The committee may report out a bill to the Second Regular Session of the 125th Legislature to implement the program.

LD 751 Resolve, To Examine State Programs That Grant Funds To Improve Real Property and To Establish a Formula for Recouping Certain Funds ONTP

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

This resolve directs the Maine State Housing Authority and the Efficiency Maine Trust to examine their state programs that grant funds to improve real property and to establish a formula for recouping funds when a recipient of funds sells the real property within 10 years of receiving the funds.

LD 765 An Act To Address the Documented Educational and Rehabilitation Needs of Persons Who Are Blind or Visually Impaired Carried Over

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

This bill addresses the documented educational and rehabilitation needs of blind students and adults by funding approximately 50% of the professional staff shortage identified by both: (1) The report of the stakeholder working group established to review the current and future needs of blind or visually impaired individuals established pursuant to Resolve 2009, chapter 39; and (2) The recommendations of the Department of Education's corrective action plan work group in regard to Disability Rights Center v. Maine Department of Education dated July 28, 2010.

The bill meets the rapidly expanding need for vision rehabilitation and independent living services for adults dealing with vision loss due to both the general aging of the population and age-related eye diseases that cause vision loss.

Joint Standing Committee on Labor, Commerce, Research and Economic Development

Committee Amendment "A" (H-130)

This amendment incorporates a fiscal note.

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

LD 767 An Act To Amend and Clarify Certain Portions of the Dental Practice PUBLIC 184
Laws

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HUNT RECTOR	OTP	

This bill clarifies that dental practice, such as dentistry and dental hygiene, without a license, including while a license is suspended, is a strict liability crime. In addition, this bill amends the law regarding unlicensed practice by including 2 categories of licensure, denturists and dental radiographers, that were inadvertently omitted and makes other minor corrections.

Enacted Law Summary

Public Law 2011, chapter 184 clarifies that dental practice, such as dentistry and dental hygiene, without a license, including while a license is suspended, is a strict liability crime. In addition, this bill amends the law regarding unlicensed practice by including 2 categories of licensure, denturists and dental radiographers, that were inadvertently omitted and makes other minor corrections.

LD 771 An Act To Establish the St. John Valley Regional Planning Commission Carried Over

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

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

This bill proposes to establish the St. John Valley Regional Planning Commission. Under this bill, the following Aroostook County communities would be represented on the executive board of the commission: Allagash, Caswell Plantation, Cyr Plantation, Eagle Lake, Fort Kent, Frenchville, Grand Isle, Hamlin, Limestone, Madawaska, New Canada, New Sweden, Portage Lake, St. Agatha, St. Francis, St. John Plantation, Stockholm, Van Buren, Wallagrass Plantation and Winterville Plantation as well as the unorganized townships in Aroostook County Commissioner District Number 3.

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.