

STATE OF MAINE
123RD LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature coming from the

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

July 2007

STAFF:

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

MEMBERS:

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

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
A. Bills referred to Committee			
<i>Bills referred and voted out</i>	102	93.6%	5.3%
<u><i>Bills Carried Over</i></u>	<u>7</u>	<u>6.4%</u>	<u>0.4%</u>
Total Bills referred	109	100.0%	5.6%
B. Bills reported out by law or joint order	0	0.0%	0.0%
Total Bills considered by Committee	109	100.0%	5.6%
Orders and Resolutions referred to Committee			
<i>Joint Study Orders referred and voted out</i>	0	0.0%	0.0%
<i>Joint Resolutions referred and voted out</i>	0	0.0%	0.0%
<i>Orders and Resolutions Carried Over</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Orders and Resolutions Referred	0	0.0%	0.0%
II. COMMITTEE REPORTS	<u>Number</u>	<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
A. Unanimous committee reports			
<i>Ought to Pass</i>	4	3.9%	0.2%
<i>Ought to Pass as Amended</i>	32	31.4%	1.8%
<i>Ought to Pass as New Draft</i>	0	0.0%	0.0%
<u><i>Ought Not to Pass</i></u>	<u>54</u>	<u>52.9%</u>	<u>3.1%</u>
Total unanimous reports	90	88.2%	5.2%
B. Divided committee reports			
<i>Two-way reports</i>	11	10.8%	0.6%
<i>Three-way reports</i>	1	1.0%	0.1%
<u><i>Four-way reports</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total divided reports	12	11.8%	0.7%
Total committee reports	102	93.6%	5.8%
III. CONFIRMATION HEARINGS	3	N/A	N/A
IV. FINAL DISPOSITION	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
A. Bills and Papers enacted or finally passed			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	26	23.9%	1.3%
<i>Private and Special Laws</i>	1	0.9%	0.1%
<i>Resolves</i>	11	10.1%	0.6%
<u><i>Constitutional Resolutions</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Enacted or Finally Passed	38	34.9%	2.0%
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	0	0.0%	0.0%
<u>Rules not authorized by the Legislature</u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total number of rules reviewed	0	0.0%	0.0%
C. Bills vetoed or held by Governor			
<i>Vetoed over-ridden</i>	0	0.0%	0.0%
<i>Vetoed sustained</i>	0	0.0%	0.0%
<u><i>Held by the Governor</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total	0	0.0%	0.0%

Note: A committee vote on a bill is not included here if the bill was subsequently re-referred to another committee or recommitted and carried over.

Joint Standing Committee on Business, Research and Economic Development

LD 30 Resolve, To Decrease Landfill Costs and Protect the Environment through a Beverage Container Reuse Program ONTP

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

This resolve directs the Executive Department, State Planning Office, in consultation with the Department of Agriculture, Food and Rural Resources, the Department of Environmental Protection and the Department of Health and Human Services, to study the economics of a beverage container reuse program in Maine.

LD 121 An Act To Strengthen the Home Construction Contract Laws ONTP

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

This bill amends the laws relating to construction contracts by:

1. Directing the Attorney General to enforce the provision of the contract requiring the contractor to submit to dispute resolution;
2. Requiring a contractor that is subject to the construction contract provisions to post a \$10,000 bond to ensure the contract's warranty provision; and
3. Requiring a judgment against a contractor for a violation of a contract to include court costs and reasonable attorney's fees.

LD 177 An Act To Clarify the Requirements for Temporary Licensure of Psychologists PUBLIC 10

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

This bill specifies that applicants for temporary licensure by the State Board of Examiners of Psychologists must possess at least 1,500 hours of postdoctoral experience, which is the standard currently contained in the Board's rules.

Enacted Law Summary

Public Law 2007, chapter 10 specifies that applicants for temporary licensure by the State Board of Examiners of Psychologists must possess at least 1,500 hours of postdoctoral experience, which is the standard currently contained in the Board's rules.

Joint Standing Committee on Business, Research and Economic Development

LD 183 An Act To Protect Consumers in the Home Appraisal Process

ONTP

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

This bill requires that appraisers physically inspect real estate on site while preparing an appraisal of that property for a financial institution or creditor that imposes a fee on the consumer for the appraisal.

LD 253 An Act To Implement the Recommendations of the Joint Select Committee on Research, Economic Development and the Innovation Economy

PUBLIC 420

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	S-196
		S-368 ROTUNDO

This bill implements recommendations of the Joint Select Committee on Research, Economic Development and the Innovation Economy. The bill establishes the Maine Innovation Economy Advisory Board in statute. It amends the membership of the Maine Economic Growth Council to add a member from the Maine Innovation Economy Advisory Board. It requires the Maine Economic Growth Council to develop research and development budgetary recommendations. It sets a minimum recommendation level for research and development for the Governor's proposed budget to the Legislature. It requires an annual progress report relating to the 5-year evaluation of state investments in research and development.

Committee Amendment "A" (S-196)

This amendment replaces sections 7 and 8 of the bill and changes the membership of the Maine Innovation Economy Advisory Board from 19 members to the Director of the Maine Technology Institute, the Director of the Office of Innovation and 30 members appointed by the Governor with a variety of expertise in research and development.

Senate Amendment "A" (S-368)

This amendment removes the percentage requirements for research and development appropriations in the Governor's budget submissions and instead provides legislative intent that those requirements be included beginning in fiscal year 2009-10.

The amendment also reduces the General Fund appropriation in each fiscal year.

Enacted Law Summary

Public Law 2007, chapter 420 implements the recommendations of the Joint Select Committee on Research, Economic Development and the Innovation Economy. The law establishes the Maine Innovation Economy Advisory Board in statute to coordinate the State's research and development activities. The law amends the membership of the Maine Economic Growth Council to add a member from the Maine Innovation Economy Advisory Board and requires the Maine Economic Growth Council to develop research and development budgetary recommendations. The law includes a General Fund appropriation for the Maine Development Foundation for the additional costs associated with the Growth Council's development of specific budget recommendations for research and development and preparation of an annual accountability update. It also sets a minimum funding recommendation level for research and development in the Governor's proposed budget to the Legislature beginning in fiscal year 2008-09 and for each successive year for the next 10 fiscal years. Finally, the law requires an annual progress report relating to the 5-year evaluation of state investments in research and development.

Joint Standing Committee on Business, Research and Economic Development

LD 270 Resolve, Establishing the Task Force To Eliminate Outdated or Unnecessary Laws and Rules To Stimulate Job Creation CARRIED OVER

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

This resolve is a concept draft pursuant to Joint Rule 208. This resolve proposes to create a task force composed of Legislators and members of the small business community. The task force would be required to examine laws and rules relating to the regulation of small business and report back to the Second Regular Session of the 123rd Legislature with recommendations to alter or eliminate those laws or rules that are unnecessary or outdated.

This resolve was carried over by H.P. 1369 to any special or regular session of the 123rd Legislature.

LD 281 An Act Regarding Notification of Intent To Sell a Mobile Home Park ONTP

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

This bill requires an owner of a mobile home park who intends to sell the mobile home park to provide 45 days written notice of that intent to the Maine State Housing Authority. Current law only requires the mobile home park owner to give 45 days written notice to tenants of the mobile home park.

LD 289 Resolve, Directing the Commissioner of Labor To Convene a Task Force To Evaluate and Recommend Revisions to the Definition of Service Dog RESOLVE 96

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROBINSON	OTP-AM	H-472

This bill enacts a definition of "service dog." It requires documentation of minimum training standards for service dogs and dogs trained to assist in law enforcement and search and rescue efforts in order to receive an exemption from licensing fees.

Committee Amendment "A" (H-472)

This amendment replaces the bill with a resolve. It directs the Commissioner of Labor to convene a task force to evaluate and recommend changes to the statutory definition of service dog in the Maine Revised Statutes. It provides that the task force must be staffed and coordinated by the Department of Labor and must include a variety of state and local stakeholders to review the following issues within the parameters of applicable federal and state laws: criteria or documentation that town clerks must use to verify a dog as a service animal to qualify for the license fee exemption; proposed revisions to the Maine Revised Statutes to clarify the rights of and protections for people with disabilities who use service animals; proposed revisions necessary to the Maine Revised Statutes to provide clarification to business owners of their rights and responsibilities concerning service animals; and proposals for any specific criteria that may be required for consideration by medical practitioners when prescribing the use of a service animal. The amendment requires the commissioner to submit a report following this review by January 15, 2008 to the Joint Standing Committee on Business,

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Research and Economic Development and authorizes that committee to submit legislation on the subject matter of the report to the Second Regular Session of the 123rd Legislature.

Enacted Law Summary

Resolve 2007, chapter 96 directs the Commissioner of Labor to convene a task force to evaluate and recommend changes to the statutory definition of service dog in the Maine Revised Statutes. It provides that the task force must be staffed and coordinated by the Department of Labor and must include a variety of state and local stakeholders to review the following issues within the parameters of applicable federal and state laws: criteria or documentation that town clerks must use to verify a dog as a service animal to qualify for the license fee exemption; proposed revisions to the Maine Revised Statutes to clarify the rights of and protections for people with disabilities who use service animals; proposed revisions necessary to the Maine Revised Statutes to provide clarification to business owners of their rights and responsibilities concerning service animals; and proposals for any specific criteria that may be required for consideration by medical practitioners when prescribing the use of a service animal. This resolve requires the commissioner to submit a report following this review by January 15, 2008 to the Joint Standing Committee on Business, Research and Economic Development and authorizes that committee to submit legislation on the subject matter of the report to the Second Regular Session of the 123rd Legislature.

LD 385 An Act To Require Stable Gasoline Pricing ONTP

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

This bill requires a retail seller of motor fuel to post the price of the fuel by 6 a.m. each day and prohibits the price from changing until after midnight of that day. Failure to comply is a civil violation, punishable by a maximum fine of \$100.

LD 428 An Act To Conserve Energy in Maine Households ONTP

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

This bill establishes the Weatherization Assistance Program to provide funds or materials to eligible households to improve the energy efficiency of the homes of those eligible households. The program is administered by the Maine State Housing Authority. The program is funded by an annual allocation of \$7,500,000 of the funds from the real estate transfer tax that are transferred to the Maine State Housing Authority.

LD 441 An Act To Restructure the Board of Commissioners of the Maine State Housing Authority To Closely Match Local PUBLIC 101 EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HOBBS	OTP-AM	S-33

This bill changes the number of commissioners on the Maine State Housing Authority appointed by the Governor from 5 to 7, 2 of whom must be representatives of low-income people, to match the number of commissioners on local authorities. It also changes the manner in which the chair of the commissioners is chosen.

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Committee Amendment "A" (S-33)

This amendment adds an emergency preamble and clause and replaces the bill. It increases the number of commissioners on the Maine State Housing Authority from 7 to 10 commissioners, increases the number appointed by the Governor from 5 to 8 and requires that at least 3 appointments be given to a representative of bankers, the elderly and a resident of subsidized housing. It requires that of the 5 remaining gubernatorial appointments, priority be given to a representative involved in the housing business and a representative of the disability community. It requires that the director of the Maine State Housing Authority serve as an exofficio, nonvoting member and the Treasurer of State serve as an exofficio voting member. It requires the Governor to appoint the chair of the commissioners from among the 8 gubernatorial appointments and provides that the chair serve as a nonvoting member, except that the chair may vote only to break a tie. It also increases the number of commissioners necessary for a quorum from 4 to 5.

Enacted Law Summary

Public Law 2007, chapter 101 increases the number of commissioners on the Maine State Housing Authority from 7 to 10 commissioners, increases the number appointed by the Governor from 5 to 8 and requires that at least 3 appointments be given to a representative of bankers, the elderly and a resident of subsidized housing. It also requires that of the 5 remaining gubernatorial appointments, priority be given to a representative involved in the housing business and a representative of the disability community. It requires that the director of the Maine State Housing Authority serve as an exofficio, nonvoting member and the Treasurer of State serve as an exofficio voting member. The law requires the Governor to appoint the chair of the commissioners from among the 8 gubernatorial appointments and provides that the chair serve as a nonvoting member, except that the chair may vote only to break a tie. The law also increases the number of commissioners necessary for a quorum from 4 to 5.

Public Law 2007, chapter 101 was enacted as an emergency measure effective May 11, 2007.

LD 449 **Resolve, To Support Creative Economy Businesses**

RESOLVE 97

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAUDETTE	OTP-AM	H-473

This bill is a concept draft pursuant to Joint Rule 208. It proposes to develop an approach to make creative space more available and affordable for those who are involved in the creative economy. Under this bill, the Maine Arts Commission would work in concert with groups of individuals involved in similar creative media, disciplines or arts to keep costs down and enhance creativity and economic stability for those individuals.

LD 451 **An Act To Support the Creative Economy Effort**

ONTP

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

This bill is a concept draft pursuant to Joint Rule 208. It proposes to provide funding for the establishment of a system to provide a creative space or hub in towns with fewer than 10,000 residents in order to facilitate growth of small creative economy businesses and to support the revitalization, stability and growth of the towns' downtown centers. The funds will be coordinated by the Maine Arts Commission and be available upon application and approval to towns and to qualified nonprofit organizations.

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LD 452 An Act To Encourage the Reuse of Plastic Containers BY REQUEST ONTP

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

This bill requires that a beverage container with the capacity of 2 liters or less made of polyethylene terephthalate must be a standardized bottle that can be refilled at least 9 times.

LD 463 An Act To Create the Marine Research Matching Fund ACCEPTED ONTP REPORT

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

This bill creates the Marine Research Matching Fund, to be administered by the Maine Technology Institute, for the purpose of providing matching funds for marine research grants provided by federal research funding agencies. The bill also appropriates ongoing funds from the General Fund to provide resources for the fund.

Committee Amendment "A" (S-105)

This amendment is the minority report of the committee. It makes technical changes to the initiative in the bill's appropriations and allocations section.

LD 479 An Act Regarding Licensure Testing by the Oil and Solid Fuel Board ONTP

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

This bill requires the Oil and Solid Fuel Board to provide at least one license examination site per county and for online examinations for licensure.

LD 480 Resolve, To Reduce Paperwork Retention Required by the Maine State Housing Authority ONTP

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

This resolve directs the Maine State Housing Authority to adopt rules so that a recipient of a low-income housing credit from the Federal Government would not have to retain paperwork for longer than required by the Internal Revenue Service or longer than 20 years.

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LD 525 Resolve, To Stimulate Tourism Development Projects

RESOLVE 14

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ANNIS SMITH D	OTP-AM	H-69

This resolve directs the Office of Tourism to develop a nature-based tourism program in 3 separate areas of the State and requires the office to report on its progress in developing the program to the Joint Standing Committee on Business, Research and Economic Development by February 1, 2008.

Committee Amendment "A" (H-69)

This amendment clarifies that the Office of Tourism is required to develop a nature-based tourism program within existing resources.

Enacted Law Summary

Resolve 2007, chapter 14 directs the Office of Tourism to develop within existing resources a nature-based tourism program in 3 separate areas of the State and target and coordinate its tourism development efforts in these areas so that the program will serve as a model for future tourism efforts throughout the State.

LD 550 An Act To Allow the Independent Practice of Dental Hygiene

ONTP

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

This bill allows dental hygienists to practice independently and perform duties as defined by the Board of Dental Examiners.

LD 553 An Act To Allow for Corporate Ownership of Dental Practices

ONTP

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

This bill removes the prohibition on corporations engaging in the practice of dentistry. The Maine Professional Service Corporation Act continues to apply to incorporated dental practices.

**LD 565 An Act To Remove the Sunset on the Exemption of Internet Services
from Auctioneer Licensure Requirements**

**PUBLIC 61
EMERGENCY**

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

Current law provides an exemption from licensing as an auctioneer for a person who contracts to sell goods over the Internet. The exemption is scheduled to expire on May 15, 2007.

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This bill removes the sunset of the exemption.

Enacted Law Summary

Public Law 2007, chapter 61 removes the sunset of the exemption from the auctioneer licensing requirements for a person who contracts to sell goods over the Internet. The exemption was scheduled to expire on May 15, 2007.

Public Law 2007, chapter 61 was enacted as an emergency measure effective April 30, 2007.

LD 575 **An Act To Expand Jurisdictions of Municipal Housing Authorities** **ONTP**

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

This bill provides municipal housing authorities with the exclusive authority to administer federal funds within their areas of operation and within the boundaries of contiguous communities for the operation and management of housing projects.

LD 607 **An Act To Improve Electrical Safety** **ONTP**

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

This bill requires that electrical work performed by a nonlicensed individual be inspected by a licensed electrician or a municipal code enforcement officer.

LD 630 **Resolve, Directing the Commissioner of Professional and Financial Regulation To Strengthen Safety Inspection Requirements Governing Industrial Elevators** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PATRICK BRYANT B	ONTP	

This resolve directs the Commissioner of Professional and Financial Regulation to review and strengthen current industrial elevator safety inspection requirements so they are similar to those of residential and business elevators.

LD 656 **Resolve, To Focus State Agency Efforts in Economic Development on Entrepreneurial Sustainability and Growth** **RESOLVE 38**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERRY A	OTP-AM MAJ ONTP MIN	H-133

This bill is a concept draft pursuant to Joint Rule 208. It proposes to require state agencies that promote economic development to focus on the sustainability and growth of entrepreneurial efforts and development in the poorest counties of the State.

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Committee Amendment "A" (H-133)

This amendment replaces the bill and creates a resolve that directs the Department of Economic and Community Development to convene working groups in 3 rural counties in the State to develop a plan for economic development and growth that addresses the specific economic environment of each county. It provides that the working groups must convene at least 4 meetings to review the economic development needs of these counties and provide benchmarks for their strengths and weaknesses. The department is required to assist and guide the working groups with their economic development initiatives and to report on the progress of each working group to the Joint Standing Committee on Business, Research and Economic Development by February 1, 2008.

Enacted Law Summary

Resolve 2007, chapter 38 directs the Department of Economic and Community Development to convene working groups in 3 rural counties in the State to develop a plan for economic development and growth that addresses the specific economic environment of each county. It provides that the working groups must convene at least 4 meetings to review the economic development needs of these counties and provide benchmarks for their strengths and weaknesses. The department is required to assist and guide the working groups with their economic development initiatives and to report on the progress of each working group to the Joint Standing Committee on Business, Research and Economic Development by February 1, 2008.

LD 662 **Resolve, To Assist Veterans in Need of Shelter**

RESOLVE 90

Sponsor(s)

MILLS J

Committee Report

OTP-AM

Amendments Adopted

H-459

This resolve directs the Maine State Housing Authority, with input from the Bureau of Veterans' Services within the Department of Veterans Affairs, to assess the need for and placement of housing and shelter throughout the State for homeless veterans and to make it a top priority to develop plans and work with local, state, regional and federal agencies to provide shelter and housing for homeless veterans.

Committee Amendment "A" (H-459)

This amendment replaces the resolve and requires the Maine State Housing Authority to work with the Department of Defense, Veterans and Emergency Management, Bureau of Maine Veterans' Services, to increase outreach efforts across the State for veterans who are homeless and directs the authority to convene a group of stakeholders involved in veterans affairs to find methods for improving outreach efforts and using any available federal grants to assist in meeting the needs of homeless veterans.

Enacted Law Summary

Resolve 2007, chapter 90 requires the Maine State Housing Authority to work with the Department of Defense, Veterans and Emergency Management, Bureau of Maine Veterans' Services, to increase outreach efforts across the State for veterans who are homeless and directs the authority to convene a group of stakeholders involved in veterans affairs to find methods for improving outreach efforts and using any available federal grants to assist in meeting the needs of homeless veterans.

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LD 671 An Act To Amend the Laws Dealing with the Posting of Gas Prices

PUBLIC 86

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DIAMOND	OTP-AM	S-45

This bill changes the current law to permit price readings built into the fuel pump as a means by which retail motor fuel sellers fulfill the requirement to make fuel prices visible at the pump.

Committee Amendment "A" (S-45)

This amendment replaces the bill. It changes current law to permit a retail seller of fuel to use price readings, digital or analog, built into the pump that reflect the actual price of the fuel pumped to fulfill the statutory requirement to make fuel prices visible at the pump. It requires that a sign of no less than 64 square inches be used on the pump if either the price on the pump differs from the price posted on the roadside sign due to a difference in grade of fuel or service or the retailer does not have a roadside sign.

Enacted Law Summary

Public Law 2007, chapter 86 changes current law to permit a retail seller of fuel to use price readings, digital or analog, built into the pump that reflect the actual price of the fuel pumped to fulfill the statutory requirement to make fuel prices visible at the pump. It requires that a sign of no less than 64 square inches be used on the pump if either the price on the pump differs from the price posted on the roadside sign due to a difference in grade of fuel or service or the retailer does not have a roadside sign.

LD 677 **Resolve, Directing the Development of a Building Code and Building Rehabilitation Code Implementation Plan**

RESOLVE 46

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM MAJ ONTP MIN	S-94

This resolve is a recommendation of the Community Preservation Advisory Committee. The bill directs the Executive Department, State Planning Office, with assistance from the Office of the State Fire Marshal, the Department of Economic and Community Development and the Maine Historic Preservation Commission, to develop a plan for implementing the Maine Model Building Code and the International Existing Building Code.

Committee Amendment "A" (S-94)

This amendment is the majority report of the committee. This amendment changes the resolve to include the Department of Professional and Financial Regulation in the group of agencies directed to develop a plan for implementing the Maine Model Building Code and the International Existing Building Code. It also includes a requirement that the agencies identify overlap between model codes and the codes and standards listed in the Maine Revised Statutes, Title 10, section 9703 and the advantages and disadvantages of maintaining the current state fire code or changing to the International Fire Code. It also requires the agencies to identify measures that allow for preserving the artistic and architectural integrity of historic structures without unreasonable risk to life and safety.

Enacted Law Summary

Resolve 2007, chapter 46 directs the Executive Department, State Planning Office, with assistance from the Office of the State Fire Marshal, the Department of Economic and Community Development, the Department of

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Professional and Financial Regulation and the Maine Historic Preservation Commission, to develop a plan for implementing the Maine Model Building Code and the International Existing Building Code. It also requires the agencies to identify overlap between model codes and the codes and standards listed in the Maine Revised Statutes, Title 10, section 9703 and the advantages and disadvantages of maintaining the current state fire code or changing to the International Fire Code. The resolve also requires the agencies to identify measures that allow for preserving the artistic and architectural integrity of historic structures without unreasonable risk to life and safety. The resolve requires the agencies to complete the development of the implementation plan by January 15, 2008 and the report must include a recommended implementation schedule. The resolve directs the Executive Department, State Planning Office to report to the Joint Standing Committee on Business, Research and Economic Development by February 15, 2008 with the results of the implementation plan. The Joint Standing Committee on Business, Research and Economic Development is authorized to submit legislation relating to the report to the Second Regular Session of the 123rd Legislature.

LD 686 An Act To Ensure Truth in Music Advertising

PUBLIC 171

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAKAS BARTLETT	OTP-AM	H-198

This bill, which is based on Pennsylvania law, prohibits musical groups from advertising or conducting performances using false or misleading connections with other musical groups. Under the bill, imitators could face fines of \$5,000 to \$15,000, in addition to being required to make restitution.

Committee Amendment "A" (H-198)

This amendment makes the following changes to the bill:

1. It prohibits a person to promote, in addition to advertise or conduct, a live musical performance or production through the use of a false, deceptive or misleading affiliation with a performing group and a recording group;
2. It clarifies that the court may order restitution only for the recording group;
3. It exempts nonprofit corporations from liability under this chapter; and
4. It reduces the minimum fine from \$5,000 to \$500 for each violation and removes the maximum fine.

Enacted Law Summary

Public Law 2007, chapter 171 does the following:

1. It prohibits a person from promoting, in addition to advertising or conducting, a live musical performance or production through the use of a false, deceptive or misleading affiliation with a performing group and a recording group;
2. It authorizes the Attorney General or a district attorney to file an action in court for a restraining order to restrain this activity and authorizes the court to order restitution for the recording group;
3. It exempts nonprofit corporations from liability under this chapter; and
4. It provides for a minimum fine of \$500 for each civil violation.

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LD 719 **An Act To Encourage Manufacturing by Expanding Pine Tree Development Zones** **INDEF PP**

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to expand Pine Tree Development Zones to allow Maine manufacturers to be more competitive with out-of-state manufacturers.

LD 748 **An Act To Expand the Recycling of Beverage Containers BY REQUEST** **ONTP**

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

This bill increases the bottle deposit on beverage containers, except wine and spirits containers, from 5¢ to 10¢.

LD 749 **An Act To Dedicate Unclaimed Beverage Deposits to Beverage Container Recycling Development BY REQUEST** **ONTP**

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

This bill provides that 1/2 of the amount of unclaimed beverage container deposits must be deposited in a dedicated account in the Department of Agriculture for the research and development of beverage container recycling.

LD 750 **An Act To Support Efforts To Attract and Retain Young People in the State's Workforce** **DIED ON ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PINGREE	OTP-AM	H-247

This bill augments the efforts of Realize!Maine, under the auspices of the Maine Development Foundation, to retain and attract young people to live, work and recreate in Maine. The bill also repeals the "S.W.A.T. team" law and incorporates the responsibilities formerly set out in the Maine Revised Statutes, Title 5, chapter 389 into the responsibilities of the Maine Development Foundation.

Committee Amendment "A" (H-247)

This amendment replaces section 2 of the bill with new language describing the Maine Development Foundation's responsibility to establish and oversee an initiative to develop, recommend and implement specific strategies and efforts to attract and retain youth in Maine. It also requires the foundation to report to the joint standing committee of the Legislature having jurisdiction over business, research and economic development matters by February 1, 2009 on the progress made pursuant to the Maine Revised Statutes, Title 10, section 917-A, subsection 6 to attract and retain young people in Maine and to support regional efforts in Maine to connect, attract and retain people 20 to

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40 years of age and the foundation's use of any state funds appropriated to support these efforts across the State. It also amends the initiative section of the appropriations and allocations section to require the foundation to use the appropriated funds to support any of these efforts to provide programs and outreach to attract and retain young people in Maine, provided that not less than 50% of the funds be used to support regional efforts across the State.

LD 751 An Act To Modernize Maine's Accountancy Laws

PUBLIC 384

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RECTOR COURTNEY	OTP-AM	H-547

This bill makes changes to the laws governing the practice of certified public accountants by allowing a certified public accountant licensed in another jurisdiction to provide professional services in the State without a permit if the accountant receives certification from the National Association of State Boards of Accountancy, National Qualification Appraisal Service that the accountant has substantially equivalent qualifications to qualifications required by the State.

The bill also subjects the out-of-state accountant to the Board of Accountancy's rules and jurisdiction and requires the Board of Accountancy to adjust the fees required for a permit to practice accountancy yearly so that revenues from the fees neither increase or decrease. Finally, this bill removes limitations on the Board of Accountancy's quorum requirements.

Committee Amendment "A" (H-547)

This amendment makes changes to the substantial equivalency requirements proposed by the bill for determining when accountants and firms licensed in other jurisdictions may practice in Maine without a license to require that the final determination of substantial equivalency is made by the Department of Professional and Financial Regulation, Board of Accountancy. It also removes from the bill proposed changes to the Board of Accountancy and removes the statutory fee cap language as well as the language allowing the Department of Professional and Financial Regulation to adjust fees, as this department already has the authority to adjust fees for each program as necessary.

Enacted Law Summary

Public Law 2007, chapter 384 makes changes to the laws governing the practice of certified public accountants by allowing certified public accountants and firms licensed in other jurisdictions to provide professional services in the State without a permit, provided that the accountants qualifications are deemed to be substantially equivalent to qualifications required by the State, as determined by the Department of Professional and Financial Regulation, Board of Accountancy. The law also subjects the out-of-state licensee to the Board of Accountancy's rules and jurisdiction.

LD 752 An Act To Streamline Licensure for Sign Language Interpreters

ONTP

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to streamline the licensure procedure for sign language interpreters. Specifically, this bill would amend the laws regarding educational requirements for license renewals for sign language interpreters and would address conflicts between those statutory requirements and the practice by schools of hiring unlicensed interpreters to work with students.

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LD 768 An Act To Ensure That Pine Tree Development Zone Benefits Are Not Extended to Businesses That Compete with Existing Maine Businesses

PUBLIC 263

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS P	OTP-AM	S-154

This bill provides that a qualified Pine Tree Development Zone business must demonstrate that its development within a Pine Tree Development Zone will not result in a substantial detriment to any other business in the State. A business aggrieved by a decision of the Commissioner of Economic and Community Development that there will not be a substantial detriment to any other business in the State may appeal that decision to Superior Court.

Committee Amendment "A" (S-154)

This amendment deletes the statutory cross-reference to employment tax increment financing and inserts similar statutory language in Pine Tree Development Zone requirements for certification of a qualified business. The amendment requires that prior to certification of a qualified Pine Tree Development Zone business the Commissioner of Economic and Community Development with assistance from the State Economist must determine that the proposed business activity will not result in a substantial detriment to existing businesses in the State. This amendment deletes the section of the bill that provided an express right of appeal to the Superior Court from decisions made by the commissioner regarding certification of qualified businesses.

Enacted Law Summary

Public Law 2007, chapter 263 amends the Pine Tree Development Zone statutory requirements for certification of a qualified business. The law requires that prior to certification of a qualified Pine Tree Development Zone business the Commissioner of Economic and Community Development, with assistance from the State Economist, must determine that the proposed business activity will not result in a substantial detriment to existing businesses in the State.

LD 790 An Act To Strengthen Rural Community Investment

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RAYE		S-52

This bill requires Maine Rural Partners to:

1. Complete pilot projects underway in the Town of Strong and Washington County to build innovative strategic plans and to create community investment mechanisms;
2. Prepare an analysis of the potential for attracting and leveraging investment in rural Maine communities; and
3. Make recommendations to the Legislature and Governor regarding methods of encouraging such investment.

This bill also makes ongoing General Fund appropriations of \$150,000 per year beginning in fiscal year 2007-08 to be used to support Maine Rural Partners in carrying out its mission of strengthening rural community capacity and exploring innovative community investment mechanisms.

This bill was carried over by H.P. 1369 to any special or regular session of the 123rd Legislature.

Committee Amendment "A" (S-52)

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This amendment incorporates a fiscal note.

LD 794 An Act To Provide Representation by a Mechanic or Installer on the ONTP
Manufactured Housing Board

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

This bill expands the membership of the Manufactured Housing Board from 9 to 10 members in order to provide for the appointment of a licensed installer or mechanic to the board. The bill also changes the quorum from 5 to 6 to reflect the additional member on the board.

LD 803 An Act To Stimulate the Economy in the St. John Valley ONTP

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

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

This bill proposes to promote economic growth in the St. John Valley. Specifically, the bill would authorize Aroostook County to send out to the voters a bond issue for economic development. The bond amount is to be determined by Aroostook County Commissioners.

LD 820 An Act To Amend the Funeral Service Licensing Laws ONTP

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

This bill allows individuals who own closed hearses or other appropriate vehicles to transport human remains in sealed containers from a licensed funeral establishment to a location in or outside the State without being required to become licensed by the State Board of Funeral Service.

LD 831 An Act Regarding Ticket Refunds ONTP

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

This bill requires that a ticket for an event at a venue that has at least a 1,000-person capacity have a clearly legible telephone number printed on it for a purchaser to call at no cost to obtain refund information.

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LD 833 An Act To Support the Maine Patent Program

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FISCHER HOBBINS		H-225

The bill makes a one-time General Fund appropriation of \$250,000 in fiscal year 2007-08 for the University of Maine School of Law's Maine Patent Program.

This bill was carried over by H.P. 1369 to any special or regular session of the 123rd Legislature.

Committee Amendment "A" (H-225)

This amendment replaces the appropriations and allocations section.

LD 851 An Act To Facilitate the Upgrading and Preservation of Existing Building Structures

ONTP

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

This bill directs the Commissioner of Public Safety to adopt a uniform fire and life safety code based on standards established by the International Code Council. It repeals the provision of law that requires fire and safety codes to be enforced instead of the Model Building Code when there exists a conflict between the codes. It also requires the commissioner to adopt rules for the modification of existing building structures that allow for the preservation of artistic and architectural integrity of historical building structures and for varying degrees of safety requirements depending on the type of construction and the level of risk that may arise from variations in building type and intensity of use.

LD 855 An Act To Require the Maine State Housing Authority To Perform a Comprehensive Resource and Needs Assessment for Housing for Special Needs Populations That Are Not Homeless

ONTP

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

This bill requires the Maine State Housing Authority to periodically perform a comprehensive resource and needs assessment for housing for special needs populations that are not homeless.

LD 918 Resolve, Directing the Commissioner of Economic and Community Development To Convene a Working Group To Explore Regionalization

**ACCEPTED ONTP
REPORT**

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

This bill directs the Commissioner of Economic and Community Development to convene a working group to explore efficiencies and benefits to be gained through regionalization. The working group is directed to examine

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regionalization measures to make advocacy for business more coordinated and cost-effective, to reduce duplication and to support the efforts of the business community.

Committee Amendment "A" (H-226)

This amendment is the minority report of the committee. It requires the Executive Department, State Planning Office, instead of the Commissioner of Economic and Community Development, to convene the working group. It also requires the report to be submitted to the Joint Standing Committee on Business, Research and Economic Development instead of to the Joint Standing Committee on State and Local Government.

LD 927 An Act To Amend the Lodging Place Licensing Requirements to Support Small Businesses

PUBLIC 428

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ANNIS	OTP-AM MAJ ONTP MIN	H-277 S-172 MARTIN

This bill provides that a private home that is designated or eligible to be designated as a historic building is not considered a lodging place if it does not gross more than \$100,000 annually and does not let more than 7 rooms or does not have more than 15 unrelated guests at one time.

Committee Amendment "A" (H-277)

This amendment is the majority report of the committee. It amends the private home exemption from licensing for lodging places by increasing the number of rooms that may be let from 3 to 5. It deletes the provisions in the bill that propose to allow for a private home that is designated or eligible to be designated as a historic building to be exempted from the licensing provision if it does not gross more than \$100,000 annually and does not let more than 7 rooms or does not have more than 15 unrelated guests at one time.

Senate Amendment "A" (S-172)

This amendment specifies that private homes that are not considered lodging places and are not subject to licensing must post in a visible location in each rented room a card informing the public that the lodging place is not regulated by the Department of Health and Human Services, Maine Center for Disease Control and Prevention, and must provide guests upon check-in with a notice containing the same information.

Enacted Law Summary

Public Law 2007, chapter 428 amends the private home exemption from licensing requirements for lodging places by increasing the number of rooms that may be let from 3 to 5. The law requires private homes that are exempted from the licensing requirements to post in a visible location in each rented room a card informing the public that the lodging place is not regulated by the Department of Health and Human Services, Maine Center for Disease Control and Prevention, and must provide guests upon check-in with a notice containing the same information.

LD 944 An Act To Reduce Regulatory Costs for Maine Businesses

ONTP

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

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

This bill proposes to reduce regulatory costs for businesses in the State by establishing a council on private sector regulatory costs composed of private sector business leaders. The council would:

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1. Have the power to compel staffing from any state agency;
2. Have the authority to compel a state agency to cooperate with the council in developing a new regulatory regime for State Government;
3. Develop a new approach to regulation of private sector businesses based on broad principles rather than specific rules and regulations; and
4. Report its findings and recommendations for the implementation of principle-based regulation to the Legislature by December 1, 2007.

LD 1004 An Act To Repeal the Laws That Establish a Deposit for Bottles and Cans

INDEF PP

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

This bill repeals the laws that place a deposit and refund value on beverage containers.

LD 1026 An Act To Reduce Inspections and Operating Costs for Elevators

ONTP

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

This bill directs the Department of Professional and Financial Regulation, Office of Licensing and Regulation, Board of Elevator and Tramway Safety to adopt rules to change the inspection schedule for category 5 periodic tests on elevators from 5 to 10 years. It also directs the Public Utilities Commission to adopt rules to establish flat-rate basic service charges for elevator telephones that do not exceed \$5 per month.

LD 1037 An Act To Exempt Maintenance Workers from Licensure for General Electrical Maintenance

ONTP

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

This bill exempts a maintenance worker employed by a corporation from licensing requirements when engaged in the repair or replacement of light fixtures, light switches, lighting ballasts and electrical outlets not exceeding 120 volts in any building or on property that is owned or operated by the corporation, provided the maintenance worker is a member of the corporation's regular maintenance staff.

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LD 1038 An Act To License Home Building and Improvement Contractors

CARRIED OVER

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

This bill creates the Maine Home Contractor Licensing Act. The bill contains the following provisions: requirements for licensure of general contractors and persons who perform framing, roofing, siding, insulating, window work or chimney work, if the work concerns residential dwellings; certain specific exemptions from licensure; required qualifications for general and specialty licenses; requirements for criminal and financial disclosures; creation and authority of the Maine Home Contractor Licensing Board; fees for licensing; adoption of a model building code; and a mechanism for phasing in a registration program, followed by a licensing program, upon adoption of the model building code by 56 of a list of 83 specified municipalities.

This bill was carried over by H.P. 1369 to any special or regular session of the 123rd Legislature.

LD 1057 An Act Concerning the Economic and Business Climate

ONTP

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

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

This bill would implement the recommendations of the Environmental and Energy Technology Council of Maine.

LD 1064 An Act To Increase Funding To Support Research and Development in the University of Maine System

**DIED ON
ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FAIRCLOTH TURNER	OTP-AM	H-529

This bill requires the Governor or Governor-elect to include in the budget submitted to the Legislature beginning in fiscal year 2008-09 a funding level recommendation for research and development for the University of Maine System through the Maine Economic Improvement Fund that equals at least 1% of the previous year's General Fund revenue and to increase the amount of the previous General Fund revenue each fiscal year by two tenths of 1% so that the funding level recommendation for fiscal year 2018-19 and beyond will equal at least 3% of the General Fund revenues for the previous fiscal year. If the Governor or Governor-elect recommends less than these amounts, then the Governor must submit a report explaining the funding difference to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs matters and the joint standing committee of the Legislature having jurisdiction over research and development matters.

Committee Amendment "A" (H-529)

This amendment adds an appropriations and allocations section to the bill.

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LD 1076 An Act To Encourage Expansion and Development of Maine Tourism

ONTP

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

This bill makes ongoing appropriations of \$3,400,000 for fiscal year 2007-08 and \$3,485,000 for fiscal year 2008-09 to the Department of Economic and Community Development, Office of Tourism for additional funding for advertising to promote tourism in the State, for contracting with the University of Maine System and Maine Community College System and others to provide education and training for managers, owners and staff of tourism-related businesses and organizations and for funding of the University of Maine System, Center for Tourism Research. This bill also:

1. Requires the Governor with the assistance of the Commissioner of Economic and Community Development and the Maine Tourism Commission to report biennially on tourism in the State;
2. Changes the name of the Tourism Marketing Promotion Fund to the Tourism Marketing and Development Fund and increases the fund's revenue from 5% to 8% of a portion of the sales and use tax and directs the fund to fund and annually transfer the yearly increase in its revenue to the Maine Tourism Development Fund created by this Act; and
3. Creates the Maine Tourism Development Fund to provide grants to various for-profit and nonprofit organizations and municipalities for tourism-related projects.

LD 1077 An Act To Create a Seasonal Vendor Sales Tax Revolving Loan Fund

ONTP

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

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

This bill proposes to establish a seasonal vendor loan fund in the Department of Economic and Community Development to provide loans to small seasonal retail vendors to assist them in maintaining business operations and remitting sales taxes to the State during periods that are not the peak season for the vendor. Loans would be repaid during the vendors' peak season with reasonable interest.

LD 1106 An Act To Recapitalize the Municipal Investment Trust Fund

**DIED ON
ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HOBBS	OTP-AM	S-95

This bill requires the State Controller to transfer \$5,000,000 from the undedicated revenue of the General Fund to the Maine Municipal Bond Bank to capitalize the Municipal Investment Trust Fund no later than June 30, 2008.

Committee Amendment "A" (S-95)

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This amendment incorporates a fiscal note.

LD 1115 An Act Concerning Licensure as a Master Well Driller or a Master Pump Installer

**PUBLIC 207
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RAYE	OTP-AM	S-127

This bill provides for an exception to the current licensure laws for a master well driller and a master pump installer.

Committee Amendment "A" (S-127)

Unlike the bill, which established an exception to the current licensure laws for a master well driller and a master pump installer, this amendment instead authorizes the Maine Water Well Commission to grant a waiver to those licensure laws to individuals with clearly defined levels of experience in situations in which the commission finds the presence of exigent circumstances.

Enacted Law Summary

Public Law 2007, chapter 207 authorizes the Maine Water Well Commission to grant a waiver to the master well driller and master pump installer licensure laws to individuals with clearly defined levels of experience in situations in which the commission finds the presence of exigent circumstances.

LD 1128 An Act To Require Electronic Monitoring of Secondary Sales Transactions

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SMITH N PERRY J		

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

This bill proposes to provide law enforcement with increased capability to solve property and financial crimes throughout the State and the New England region by amending the laws governing the licensing of pawnbrokers. This bill would require pawnbrokers to maintain electronic records of their transactions through the use of downloadable databases. This information would be made electronically accessible to law enforcement officers throughout New England by transmitting the data to the New England State Police Information Network, NESPIN, whose geographical region includes Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont.

This bill was carried over by H.P. 1369 to any special or regular session of the 123rd Legislature.

LD 1129 Resolve, Directing the Commissioner of Professional and Financial Regulation To Conduct a Sunrise Review of Oral Health Care Issues

RESOLVE 85

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PENDLETON RAYE	OTP-AM MAJ ONTP MIN	H-362

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This bill expands the requirements for receiving a license to practice dentistry in this State to allow graduation from a foreign university considered satisfactory to the Board of Dental Examiners and removes the requirement that applicants for licensure by endorsement that are licensed to practice in another state meet the State's professional education requirements.

Committee Amendment "A" (H-362)

This amendment replaces the bill with a resolve. It directs the Commissioner of Professional and Financial Regulation to conduct an independent assessment pursuant to the Maine Revised Statutes, Title 32, chapter 1-A, subchapter 2 of the following oral health care issues: the proposal for expansion of the scope of practice of dental hygienists to create a mid-level dental hygienist license category, as well as the proposal to permit dental hygienists to practice independently without the supervision of a licensed dentist in order to increase access to preventive dental care across the State; the proposal to expand licensing requirements to permit graduates of a foreign university considered satisfactory to the Board of Dental Examiners to practice dentistry in this State, including a review of other states' models for evaluation of foreign-trained dentists; and the proposal that the regulatory structure for denturists and dental hygienists include placing denturists and dental hygienists under the jurisdiction of a new board within the Department of Professional and Financial Regulation. This amendment also requires the Commissioner of Professional and Financial Regulation to submit a report to the Joint Standing Committee on Business, Research and Economic Development and authorizes the committee to introduce legislation on the subject matter of the report to the Second Regular Session of the 123rd Legislature.

Enacted Law Summary

Resolve 2007, chapter 85 directs the Commissioner of Professional and Financial Regulation to conduct an independent assessment pursuant to the Maine Revised Statutes, Title 32, chapter 1-A, subchapter 2 of the following oral health care issues: the proposal for expansion of the scope of practice of dental hygienists to create a mid-level dental hygienist license category, as well as the proposal to permit dental hygienists to practice independently without the supervision of a licensed dentist in order to increase access to preventive dental care across the State; the proposal to expand licensing requirements to permit graduates of a foreign university considered satisfactory to the Board of Dental Examiners to practice dentistry in this State, including a review of other states' models for evaluation of foreign-trained dentists; and the proposal that the regulatory structure for denturists and dental hygienists include placing denturists and dental hygienists under the jurisdiction of a new board within the Department of Professional and Financial Regulation. This resolve requires the Commissioner of Professional and Financial Regulation to submit a report to the Joint Standing Committee on Business, Research and Economic Development and authorizes the committee to introduce legislation on the subject matter of the report to the Second Regular Session of the 123rd Legislature.

LD 1139 An Act Regarding Returnable Containers

ONTP

Sponsor(s)

ADAMS

Committee Report

ONTP

Amendments Adopted

This bill requires the letters and numbers of the refund value and the word "Maine" or "ME" placed on refundable beverage containers to be at least 1/4 inch in height, in a font style that is easily read and of a color that is in sharp contrast to the background on which the refund value and state designation are embossed, stamped, labeled or attached.

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LD 1161 An Act To Make Certain Changes to the Board of Licensure in Medicine

ONTP

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

This bill requires the Board of Licensure in Medicine to inform licensees of their right to be represented by counsel during an informal conference with the board involving a complaint against the licensee. This bill allows a licensee to confer with counsel during the conference. This bill also provides licensees with the ability to refuse to participate in an informal conference with the board if an adjudicatory hearing is preferred. It also requires that any consent agreement that involves the licensee's participation in an alcohol or drug treatment program, or the licensee's treatment by a licensed therapist, must provide the licensee with the right to select the alcohol or drug treatment program or licensed therapist.

LD 1163 An Act To Implement the Recommendations of the Office of Program Evaluation and Government Accountability Regarding Economic Development in Maine

PUBLIC 434

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROSEN R	OTP-AM	S-278 S-369 ROTUNDO

This bill implements the recommendations of the Office of Program Evaluation and Government Accountability's report to the Government Oversight Committee on economic development programs in Maine.

Committee Amendment "A" (S-278)

This amendment replaces the bill and implements the recommendations of the Office of Program Evaluation and Government Accountability's report to the Government Oversight Committee to increase the State's evaluation and performance measures for economic development programs in Maine. The amendment also adds an appropriations and allocations section to the bill.

Senate Amendment "A" (S-369)

This amendment requires the Joint Standing Committee on Business, Research and Economic Development to perform its duties pertaining to business compliance with reporting requirements within authorized interim committee meetings.

The amendment also reduces the General Fund appropriation.

Enacted Law Summary

Public Law 2007, chapter 434 implements the recommendations of the Office of Program Evaluation and Government Accountability's report to the Government Oversight Committee to increase the State's evaluation and performance measures for economic development programs in Maine.

LD 1171 An Act To Modernize the Laws Pertaining to the Sport of Skiing and Use of Ski Areas

PUBLIC 287

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT B	OTP-AM	S-171

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This bill amends the definitions of "skier" and "ski area" and expands skiers' and tramway passengers' responsibilities to include forms of skiing and other uses of ski facilities that have arisen since the last time these statutory provisions were amended.

Committee Amendment "A" (S-171)

This amendment strikes out the Maine Revised Statutes, Title 32, section 15217, subsection 4-A proposed in the bill and replaces it with language clarifying that a person engaged in a ski competition accepts all inherent risks of skiing and all risks of course, venue and area conditions, including freestyle terrain configuration and condition while engaged in those activities.

Enacted Law Summary

Public Law 2007, chapter 287 amends the laws pertaining to the sport of skiing by broadening the definition for the inherent risks associated with the sport of skiing to include skiing on freestyle terrain and clarifies that a ski competitor accepts all inherent risks of skiing and all risks of course, venue and area conditions, including freestyle terrain configuration and condition while engaged in those activities.

LD 1172 An Act To Regulate Fire Alarm Contractors

ONTP

Sponsor(s)

NASS R

Committee Report

ONTP

Amendments Adopted

This bill requires that fire alarm system contractors in the State be licensed by the Commissioner of Public Safety.

LD 1188 An Act Regarding Local Plumbing Inspectors

PUBLIC 358

Sponsor(s)

PERRY J

Committee Report

OTP

Amendments Adopted

This bill repeals and replaces current law and clarifies that local plumbing inspectors are prohibited from issuing permits and inspecting any internal plumbing job or subsurface wastewater disposal system work if the local plumbing inspector or the inspector's employee, employer, agent or representative has worked or plans to work on the same job, including performing a site evaluation, providing labor or providing any products or services to that site.

Enacted Law Summary

Public Law 2007, chapter 358 repeals and replaces current law and clarifies that local plumbing inspectors are prohibited from issuing permits and inspecting any internal plumbing job or subsurface wastewater disposal system work if the local plumbing inspector or the inspector's employee, employer, agent or representative has worked or plans to work on the same job, including performing a site evaluation, providing labor or providing any products or services to that site.

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LD 1194 An Act Concerning the Practice of a Deceased or Incapacitated Dentist

PUBLIC 210
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROMLEY	OTP-AM	S-118

This bill permits the legal guardian or personal representative of a deceased or incapacitated dentist to contract with another dentist to continue the operations of the practice of the deceased or incapacitated dentist for a period of up to 24 months after the death or incapacitation of the dentist or until the practice is sold, whichever occurs first.

Committee Amendment "A" (S-118)

This amendment adds an emergency preamble and an emergency clause to the bill.

Enacted Law Summary

Public Law 2007, chapter 210 permits the legal guardian or personal representative of a deceased or incapacitated dentist to contract with another dentist to continue the operations of the practice of the deceased or incapacitated dentist for a period of up to 24 months after the death or incapacitation of the dentist, or until the practice is sold, whichever occurs first.

Public Law 2007, chapter 210 was enacted as an emergency measure effective June 4, 2007.

LD 1210 An Act Concerning the Diagnosis, Service and Repair of Motor Vehicles

CARRIED OVER

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

This bill requires an automobile manufacturer to provide the owner or lessee and repair facilities with the information necessary to diagnose, service or repair, certify, activate or install equipment in a motor vehicle it has manufactured.

This bill was carried over by H.P. 1369 to any special or regular session of the 123rd Legislature.

LD 1215 An Act To Attract New Capital for Innovative Businesses through Equity Investment in Maine

CARRIED OVER

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

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

The bill establishes a Fund of Funds whose governing board is authorized to issue shares in one or more venture capital funds focused on business sectors with strong prospects for expansion in Maine. At least 50% of the aggregate money raised through the fund must be invested in Maine.

The board may guarantee a rate of return sufficient to attract necessary capital for diversified investments in the sectors targeted by each fund. Should any fund fall short of its guarantee in the third to tenth year of its

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existence, investors may be awarded refundable state tax credits to pay 50% of the loss. Aggregate credits may not exceed \$20,000,000 per year.

If the Maine State Retirement System chooses to invest in any of the funds, the State will appropriate 50% of any losses the Maine State Retirement System may incur during the third to tenth years of share ownership.

Each year that any fund returns a profit in excess of the return owed to shareholders, 50% of the excess must be deposited into a separate guarantee account to be held and conservatively invested by the governing board. Shares issued more than 10 years after the effective date of this bill will no longer be entitled to state tax credits. Recourse will be limited to payments from the guarantee account upon such terms and conditions as the governing board may determine.

This bill was carried over by H.P. 1369 to any special or regular session of the 123rd Legislature.

LD 1244 An Act To Reduce Foreclosures

PUBLIC 326

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROMLEY	OTP-AM	S-239

This bill gives the Maine State Housing Authority the power to make a loan or enter into a contract with a financial institution to make a loan on behalf of the Maine State Housing Authority to pay off an existing loan on a single-family residence to assist a homeowner who is in default of the existing loan and in danger of losing the residence through foreclosure.

Committee Amendment "A" (S-239)

This amendment clarifies that the Maine State Housing Authority has the authority to make a loan, or contract with a financial institution to make a loan on behalf of the Maine State Housing Authority, to pay amounts past due on an existing loan on an owner-occupied single-family residence to assist a homeowner who is in default of the existing loan or in danger of losing the residence through foreclosure. The amendment requires that, prior to receiving such a loan, a homeowner must receive counseling with a 3rd-party, nonprofit organization approved by the United States Department of Housing and Urban Development, a housing financing agency of this State or the regulatory agency that has jurisdiction over the creditor.

Enacted Law Summary

Public Law 2007, chapter 326 provides that the Maine State Housing Authority has the authority to make a loan, or contract with a financial institution to make a loan on behalf of the Maine State Housing Authority, to pay amounts past due on an existing loan on an owner-occupied single-family residence to assist a homeowner who is in default of the existing loan or in danger of losing the residence through foreclosure. The law requires that prior to receiving such a loan, a homeowner must receive counseling with a 3rd-party, nonprofit organization approved by the United States Department of Housing and Urban Development, a housing financing agency of this State or the regulatory agency that has jurisdiction over the creditor.

LD 1246 Resolve, To Improve Oral Health for Children

ONTP

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

Joint Standing Committee on Business, Research and Economic Development

This resolve directs the Board of Dental Examiners to establish a program to allow dental hygienists certified by the board to provide dental care outside of a dental office to low-income persons and MaineCare recipients.

LD 1267 Resolve, To Estimate the Annual Value of Uncollected Bottle Deposits, Fraud and Total Costs under Maine's Bottle Bill

RESOLVE 40

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SMITH N	OTP-AM MAJ ONTP MIN	H-195

This resolve directs the Department of Agriculture, Food and Rural Resources to estimate the amount of uncollected bottle deposits that reverts each year to the State. The department shall report its findings and recommendations to the Joint Standing Committee on Agriculture, Conservation and Forestry by October 30, 2007. The committee has authority to submit legislation to the Second Regular Session of the 123rd Legislature.

Committee Amendment "A" (H-195)

This amendment is the majority report of the committee. This amendment replaces the resolve and directs the Department of Agriculture, Food and Rural Resources, in conjunction with other state agencies and 3rd-party administrators of beverage container commingling agreements that have knowledge of unclaimed beverage deposits, to estimate the unclaimed beverage container deposits that revert each year to the State and to beverage distributors. It also directs the department to estimate the total number of beverage containers that are illegally redeemed in the State each year and the total annual costs to Maine's beverage distributors to fulfill their obligations under Maine's beverage container deposit law. It also directs the department to report its findings and any recommendations to the Joint Standing Committee on Business, Research and Economic Development no later than January 15, 2008 and authorizes the committee to submit legislation concerning this report to the Second Regular Session of the 123rd Legislature.

Enacted Law Summary

Resolve 2007, chapter 40 directs the Department of Agriculture, Food and Rural Resources, in conjunction with other state agencies and 3rd-party administrators of beverage container commingling agreements that have knowledge of unclaimed beverage deposits, to estimate the unclaimed beverage container deposits that revert each year to the State and to beverage distributors. The resolve directs the department to estimate the total number of beverage containers that are illegally redeemed in the State each year and the total annual costs to Maine's beverage distributors to fulfill their obligations under Maine's beverage container deposit law. The resolve directs the department to report its findings and any recommendations to the Joint Standing Committee on Business, Research and Economic Development no later than January 15, 2008 and authorizes the committee to submit legislation concerning this report to the Second Regular Session of the 123rd Legislature.

LD 1278 An Act To Require Licensing for Certain Mechanical Trades

ONTP

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

This bill requires licensure of persons that perform sheet metal work, refrigeration and air conditioning system installation and repair, pipefitting and fire protection sprinkler system installation and repair.

The bill grandfathers persons that have completed apprentice programs or have been compensated for a minimum of 2,000 hours in the business of performing sheet metal work, refrigeration and air conditioning system installation and repair, pipefitting or fire protection sprinkler system installation and repair.

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LD 1282 An Act To Allow Manicurists and Pedicurists To Do Nails for the Elderly **ONTP**

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

This bill would require the Board of Barbering and Cosmetology to adopt rules to establish minimum training standards for manicurists and pedicurists that would allow them to work on the nails for the elderly and qualify for insurance reimbursement.

LD 1352 An Act To Amend the Laws Governing the Maine State Housing Authority **ONTP**

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

This bill changes the number of commissioners of the Maine State Housing Authority appointed by the Governor from 5 to 7, and specifies that the Governor appoints a chair from among the 7 gubernatorial appointments.

LD 1364 An Act To Preserve and Grow Maine Small Businesses **DIED ON
ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROMLEY	OTP-AM	S-101

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

This bill proposes to ensure that current resources available to Maine small businesses and entrepreneurs are maintained and that additional capacity is provided to meet the increased demand resulting from the anticipated growth in new and expanded small businesses.

Committee Amendment "A" (S-101)

This amendment replaces the bill and provides funds to support the Maine Small Business Development Centers to close the structural funding gap in fiscal year 2007-08 and fiscal year 2008-09.

LD 1403 An Act To Provide Parity in the Laws Regarding Licensing of Electricians **PUBLIC 398**

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

This bill creates parity between an applicant for licensure as a journeyman electrician or a journeyman-in-training electrician who is a graduate of an electrical program of a Maine community college and an applicant for licensure who is a graduate of an electrical program of an accredited community college that is not located in Maine.

Enacted Law Summary

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Public Law 2007, chapter 398 establishes parity between an applicant for licensure as a journeyman electrician or a journeyman-in-training electrician who is a graduate of an electrical program of a Maine community college and an applicant for licensure who is a graduate of an electrical program of an accredited community college that is not located in Maine.

LD 1404 Resolve, Directing the Establishment of a Building Contractor's License and Education Requirements for Code Enforcement Officers BY REQUEST ONTP

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

This resolve directs the Department of Professional and Financial Regulation to propose and develop licensing requirements for building contractors. This resolve also requires the Executive Department, State Planning Office to develop revised training and certification and continuing education requirements for code enforcement officers. The resolve requires that the proposals be submitted to the Joint Standing Committee on Business, Research and Economic Development no later than December 1, 2007.

LD 1466 An Act To Address Issues Related to Chiropractic Licensure ONTP

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

This bill creates a screening panel for complaints against chiropractors similar to the screening panel for medical malpractice claims under current law. The screening panel created by this bill reviews complaints against chiropractors and has the power to dismiss the complaint, enter into a consent agreement with the licensee who is the subject of the complaint or refer the complaint to the Board of Chiropractic Licensure for further action.

LD 1469 Resolve, To Enhance Accountability in Tax Increment Financing RESOLVE 70

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BERRY	OTP-AM	H-299

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

This bill proposes that any new tax increment financing project not under way by January 1, 2008 would be subject to higher standards for approval by the Department of Economic and Community Development, including but not limited to, an annual reapproval process based on preestablished performance benchmarks.

Committee Amendment "A" (H-299)

This amendment replaces the bill with a resolve that directs the Department of Economic and Community Development to review the State's tax increment financing accountability and reporting policies and to consult with the Office of Program Evaluation and Government Accountability and the Department of Administrative and Financial Services, Maine Revenue Services to develop recommendations for improving these policies. The Department of Economic and Community Development is directed to submit its report to the Joint Standing

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Committee on Business, Research and Economic Development and the Joint Standing Committee on Taxation by January 15, 2008. This amendment also authorizes the Joint Standing Committee on Business, Research and Economic Development to submit legislation to the Second Regular Session of the 123rd Legislature relating to this report.

Enacted Law Summary

Resolve 2007, chapter 70 directs the Department of Economic and Community Development to review the State's tax increment financing accountability and reporting policies and to consult with the Office of Program Evaluation and Government Accountability and the Department of Administrative and Financial Services, Maine Revenue Services to develop recommendations for improving these policies. The Department of Economic and Community Development is directed to submit its report to the Joint Standing Committee on Business, Research and Economic Development and the Joint Standing Committee on Taxation by January 15, 2008. This resolve authorizes the Joint Standing Committee on Business, Research and Economic Development to submit legislation to the Second Regular Session of the 123rd Legislature relating to this report.

LD 1470 An Act To Clarify the Laws Regarding Physicians

PUBLIC 380

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SMITH N MARRACHE	OTP-AM	H-449

This bill requires professional competence committees and physicians to report unprofessional conduct to the relevant regulatory board. Further, the bill amends the law concerning the Board of Licensure in Medicine by including disruptive behavior in the description of unprofessional conduct as grounds for discipline and by rule creates a license category limited to administrative medicine.

Committee Amendment "A" (H-449)

This amendment clarifies that the standard of professional behavior for licensees licensed by the Board of Medicine includes not engaging in disruptive behavior, which is defined as aberrant behavior that interferes with or is likely to interfere with the delivery of care.

Enacted Law Summary

Public Law 2007, chapter 380 requires professional competence committees and physicians to report unprofessional conduct to the relevant regulatory board. The law also adds the term 'disruptive behavior' within the description of unprofessional conduct as grounds for discipline and by rule creates a license category limited to administrative medicine.

LD 1471 An Act To Ensure That Publicly Funded Programs Do Not Jeopardize Existing Industry

ONTP

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

This bill prohibits a program of a nonprofit organization, governmental agency or political subdivision or educational institution that receives state funds from providing goods or services in competition with a private business.

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LD 1472 An Act To Provide for the Regulation of Denturists by the Board of Complementary Health Care Providers **ONTP**

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

Under current law, denturists are regulated by the Board of Dental Examiners. This bill places denturists under the jurisdiction of the Board of Complementary Health Care Providers.

LD 1516 An Act To Permit Certain Health Care Practices **ACCEPTED ONTP REPORT**

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

This bill authorizes a person to practice as an unlicensed health care practitioner in this State.

LD 1519 An Act To Amend the Membership and Reporting Requirements for the Citizen Trade Policy Commission **PUBLIC 266**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROTUNDO	OTP-AM	S-155

This bill changes the frequency with which the Citizen Trade Policy Commission must conduct an assessment of the impact international trade agreements have on Maine's state laws, municipal laws, working conditions and business environment from annually to every 2 years. It also establishes what constitutes a quorum and provides funding for a full-time staff position.

Committee Amendment "A" (S-155)

This amendment changes the membership of the Citizen Trade Policy Commission by replacing the Commissioner of Economic and Community Development as an ex officio, nonvoting member with the president of the Maine International Trade Center. This amendment also removes the appropriations and allocations section of the bill.

Enacted Law Summary

Public Law 2007, chapter 266 changes the frequency with which the Citizen Trade Policy Commission must conduct an assessment of the impact international trade agreements have on Maine's state laws, municipal laws, working conditions and business environment from annually to every 2 years and establishes quorum requirements for the Commission. The law also changes the membership of the Citizen Trade Policy Commission by replacing the Commissioner of Economic and Community Development as an ex officio, nonvoting member with the president of the Maine International Trade Center.

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LD 1575 An Act To Authorize the Maine Board of Pharmacy To Establish a Pharmacist Health Program

PUBLIC 288
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERRY A	OTP-AM	H-335

This bill authorizes the Maine Board of Pharmacy to establish a program promoting the health and recovery of pharmacists and pharmacy technicians who are diagnosed with substance use disorders and other mental illnesses.

Committee Amendment "A" (H-335)

This amendment adds an appropriations and allocations section to the bill.

Enacted Law Summary

Public Law 2007, chapter 288 authorizes the Maine Board of Pharmacy to establish a program that promotes the health and recovery of pharmacists and pharmacy technicians who are diagnosed with substance use disorders and other mental illnesses.

LD 1598 An Act To Grant Supervisory Privileges to Supervising Nurse Practitioners

PUBLIC 316

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PINKHAM	OTP-AM	H-386

This bill authorizes qualified independent registered nurse practitioners to provide the supervision necessary for a certified nurse practitioner to qualify to practice as an advanced practice registered nurse.

Committee Amendment "A" (H-386)

This amendment changes the bill by replacing the term "qualified independent nurse practitioner" with the term "supervising nurse practitioner" to more accurately describe the position.

It retains the bill's provisions for the position requiring 24 months of supervised practice and the approval of the State Board of Nursing. It adds to the requirements 5 years of practice in the same specialty and working in a clinical health care field for a minimum of 10 years.

Enacted Law Summary

Public Law, chapter 316 authorizes supervising nurse practitioners to provide the supervision necessary for certified nurse practitioners to qualify to practice as an advanced practice registered nurse. The law adds a definition for the term "supervising nurse practitioner" to accurately describe the position.

LD 1600 An Act To Allocate the Number of Redemption Centers Based on Population

DIED BETWEEN
HOUSES

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RECTOR	OTP-AM MAJ ONTP MIN	H-272

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The bill amends the licensing of local redemption centers by requiring the Department of Professional and Financial Regulation to consider the proximity of a proposed redemption center to existing redemption centers. The bill also limits the number of redemption centers that may be licensed in a municipality based on the population of the municipality. The population limits do not apply to existing redemption centers, certain licensed food establishments and reverse vending machines located in a redemption center and may be waived if the applicant shows a compelling need for another redemption center.

The bill also provides a procedure for an applicant denied a license to appeal that denial.

Committee Amendment "A" (H-272)

This amendment removes the provision of the bill that adds additional rulemaking language, as the Department of Agriculture, Food and Resources already has rulemaking authority regarding the licensing and renewal of redemption centers. It also makes changes to the bill's requirements for the location and number of redemption centers in municipalities based on population. It also clarifies that eating establishments licensed by the Department of Health and Human Services are also exempt from the population size location requirements for redemption centers.

LD 1620 An Act To Provide for the 2007 and 2008 Allocations of the State Ceiling on Private Activity Bonds

P & S 18
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROMLEY	OTP-AM	S-145

This bill establishes the allocations of the state ceiling on issuance of tax-exempt bonds for calendar years 2007 and 2008. Under federal law, a maximum of \$256,235,000 in tax-exempt bonds benefiting private individuals or entities may be issued in the State in 2007, and at least \$256,235,000 in tax-exempt bonds benefiting private individuals or entities may be issued in the State in 2008. This bill allocates the state ceiling among the state-level issuers of tax-exempt bonds.

Committee Amendment "A" (S-145)

This amendment incorporates a fiscal note.

Enacted Law Summary

Private and Special Law 2007, chapter 18 establishes the allocations of the state ceiling on issuance of tax-exempt bonds for calendar years 2007 and 2008. Under federal law, a maximum of \$256,235,000 in tax-exempt bonds benefiting private individuals or entities may be issued in the State in 2007, and at least \$256,235,000 in tax-exempt bonds benefiting private individuals or entities may be issued in the State in 2008. This law allocates the state ceiling among the state-level issuers of tax-exempt bonds.

LD 1622 An Act To Expand Exemptions from Licensing Laws for Professional Engineers

PUBLIC 379

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROMLEY	OTP-AM	S-240

The bill exempts certain persons engaged in certain minor construction from the requirements of the Maine Revised Statutes, Title 32, chapter 19.

Joint Standing Committee on Business, Research and Economic Development

Committee Amendment "A" (S-240)

This amendment makes a technical change to the bill by replacing the term "single-family" with "single" to clarify that the exemption is for single bathrooms.

Enacted Law Summary

Public Law 2007, chapter 379 exempts certain persons engaged in certain minor construction from the licensing requirements for professional engineers that are provided in the Maine Revised Statutes, Title 32, chapter 19.

LD 1623 An Act To Create the Board of Speech-language Pathology, Audiology and Hearing Aid Dealing and Fitting

PUBLIC 369

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROMLEY	OTP-AM	S-227

Part A and Part B of this bill reflect the creation of the Board of Speech-language Pathology, Audiology and Hearing Aid Dealing and Fitting.

Part C of this bill repeals the Maine Revised Statutes, Title 32, chapters 23-A and 77, which govern the regulation of speech-language pathology, audiology and hearing aid dealing and fitting, and combine the chapters into one authorizing statute. The bill eliminates the need for a Licensed Audiologist to hold a separate license as a Hearing Aid Dealer and Fitter, as well as eliminates the requirement of a business license. This bill reflects the current practice standards in the delivery of audiology and hearing aid services, while providing an appropriate level of public protection.

Committee Amendment "A" (S-227)

This amendment clarifies the scope of practice for audiologists and maintains current audiology practice standards. It also adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2007, chapter 369 creates the Board of Speech-language Pathology, Audiology and Hearing Aid Dealing and Fitting. This law also repeals the Maine Revised Statutes, Title 32, chapters 23-A and 77, which govern the regulation of speech-language pathology, audiology and hearing aid dealing and fitting, and combine the chapters into one authorizing statute. The law eliminates the need for a Licensed Audiologist to hold a separate license as a Hearing Aid Dealer and Fitter, as well as eliminates the requirement of a business license. The law clarifies the scope of practice for audiologists and maintains current audiology practice standards. It also reflects the current practice standards in the delivery of audiology and hearing aid services, while providing an appropriate level of public protection.

LD 1626 Resolve, Directing the Department of Professional and Financial Regulation, State Board of Nursing To Amend the Rules for the Medication Course for Certified Nursing Assistants

RESOLVE 76

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NASS R	OTP-AM	S-146

This bill requires that a clinical training program for certified nursing assistants have a trainer-to-student ratio of not less than 1 to 5.

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Committee Amendment "A" (S-146)

This amendment replaces the bill with a resolve that directs the Department of Professional and Financial Regulation, State Board of Nursing to amend its rules for the board's standardized medication course for certified nursing assistants to increase the clinical instructor-to-student ratio from 1:1 when the student is administering medications in the clinical setting to a ratio of 1:3. The amendment also requires the board to notify the Joint Standing Committee on Business, Research and Economic Development of the rule change by September 1, 2008.

Enacted Law Summary

Resolve 2007, chapter 76 directs the Department of Professional and Financial Regulation, State Board of Nursing to amend its rules for the board's standardized medication course for certified nursing assistants to increase the clinical instructor-to-student ratio from 1:1 when the student is administering medications in the clinical setting to a ratio of 1:3. The law requires the board to notify the Joint Standing Committee on Business, Research and Economic Development of the rule change by September 1, 2008.

LD 1637 *An Act To Adopt the Uniform Emergency Volunteer Health Practitioners Act* **ONTP**

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

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

This bill seeks to adopt the Uniform Emergency Volunteer Health Practitioners Act to provide a procedure for recognizing licenses granted by other states to health care practitioners who volunteer to provide assistance in this State during an emergency. The bill proposes to create a registration system that health care practitioners licensed in other states may use either before or during an emergency. Upon registration, a health care practitioner would be permitted to contribute that practitioner's professional skills to emergency relief efforts.

LD 1657 *An Act To Support and Enhance Maine's Beverage Container Recycling Laws and Household Hazardous Waste Collection* **ONTP**

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

This bill raises the deposit and refund on beverage containers from 5¢ to 10¢ and provides that the deposit and refund must be adjusted for inflation every 10 years beginning January 1, 2018. It doubles the handling fee paid to redemption centers beginning March 1, 2008. It expands the law to include aseptic containers. It provides that the unclaimed beverage container deposits must be deposited in a dedicated account in the State Planning Office for grants for household hazardous waste collection. It requires the State Planning Office to report on the volume of nonrefillable beverage containers that is disposed of as municipal solid waste in the State each year.

LD 1681 *An Act To Preserve and Grow Maine Jobs* **ONTP**

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

Joint Standing Committee on Business, Research and Economic Development

This bill requires a business that is closing and relocating to another part of the State or consolidating and closing its facilities or leaving a facility vacant, and that has received an economic development incentive from the State and had a minimum of 100 employed workers during the 3-year period immediately preceding the time of the business closure to either reimburse the State for the full amount of economic development incentives the State has distributed to the business or work in good faith with the Governor and the Commissioner of Economic and Community Development to find a new owner for the business or locate a new business to take its place in the same area of the State.

LD 1690 *Resolve, Directing the Department of Professional and Financial Regulation To Study the Necessity and Feasibility of Regulating Certain Mechanical Trades* ONTP

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

This resolve directs the Department of Professional and Financial Regulation to conduct a study of the necessity and feasibility of regulating certain mechanical trades within existing regulatory programs of the department. The resolve allows for the appropriate legislative oversight committee to submit proposed legislation in the Second Regular Session of the 123rd Legislature.

LD 1696 *An Act To Amend Maine's Bottle Laws* **DIED BETWEEN HOUSES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SULLIVAN	OTP-AM A B OTP-AM C	

This bill amends the bottle redemption laws in the following ways:

1. It reduces the minimum allowable deposit for wine and spirit containers from 15¢ to 5¢;
2. It increases the collection and handling fee for beverage containers by 2¢;
3. It prohibits the commingling of beverage containers of like or dissimilar product groups, materials or size of 2 or more initiators of deposit except for 12-ounce aluminum containers;
4. It lists size categories in which beverage containers must be sorted and requires distributors to provide gauged bags to dealers and local redemption centers;
5. It redirects funds from abandoned deposits from the General Fund to the Department of Education;
6. It increases the penalty for a violation of the beverage container laws for a distributor from a fine of no more than \$100 to a fine of no more than \$1,000; and
7. It allows a private right of action for a local redemption center to enforce the bottle redemption laws against a distributor.

Committee Amendment "A" (S-325)

Joint Standing Committee on Business, Research and Economic Development

This amendment replaces the bill and is the majority report of the committee. It reduces the minimum refund value for wine and spirits containers of greater than 50 milliliters to not less than 5¢ beginning April 1, 2008. It also increases the handling fee for beverage containers to at least 3 3/4¢ for containers picked up on or after March 1, 2008.

Committee Amendment "B" (S-326)

This amendment replaces the bill and is the minority report of the committee. It reduces the minimum refund value for wine and spirits containers of greater than 50 milliliters to not less than 5¢ beginning April 1, 2008. It also increases the handling fee for beverage containers to at least 4¢ for containers picked up on or after March 1, 2008.

Senate Amendment "A" (S-331)

This amendment amends Committee Amendment "A" to increase by 1/4¢ the increase in the handling fee for beverage containers. This amendment also increases by 1/4¢ the offset from the handling fee available to initiators of deposit who are part of a qualified commingling agreement.

LD 1701 Resolve, To Review the Disciplinary Process of the Board of Licensure in Medicine

ONTP

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

This resolve directs the Director of the Maine Quality Forum to convene a stakeholder group to review the disciplinary process of the Board of Licensure in Medicine and to make a report on any recommended improvements in the due process protections for both licensees and complainants and in the transparency of the disciplinary process.

LD 1702 An Act To Allow Stores under 10,000 Square Feet To Be Open on Certain Holidays

ONTP

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

This bill allows stores having under 10,000 square feet of interior customer selling space to be open on Easter Day, Thanksgiving Day and Christmas Day. The current maximum is 5,000 square feet.

LD 1730 An Act To Protect Citizens from Identity Theft through Restriction of the Disclosure of Confidential Information

ONTP

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

This bill prohibits a business operating in this State that has received a person's social security number in order to complete an application for credit from using the number as a form of customer identification and requires the business to restrict access to the social security number to the business's credit department.

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LD 1759 An Act To Preserve the Recycling Value of Beverage Containers

PUBLIC 299

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SMITH N	OTP-AM	H-387

This bill makes a series of changes to Maine's so-called "bottle bill."

1. The bill clarifies that the definition of "reverse vending machine" does not include devices such as hand scanners.
2. The bill provides the Department of Agriculture, Food and Rural Resources with the authority to remove any product from sale if that product has not been properly registered pursuant to the Maine Revised Statutes, Title 32, section 1865, subsection 3.
3. The bill allows the distributor to refuse to accept any beverage container that has been processed in a way that reduces the recycling value of the beverage container below current prices.
4. The bill clarifies that the distributor is obligated to pick up beverage containers from dealers to whom that distributor has sold those beverages and from licensed redemption centers designated to serve those dealers in the same quantity as was sold to the dealer.
5. The bill requires any person who tenders more than 1,000 beverage containers for redemption at any dealer or redemption center to provide a name and address and sign a declaration indicating that the containers were collected in Maine. The bill requires that the information be forwarded to the department and kept on file by the dealer or redemption center for a minimum of one year. A person tendering more than 1,000 beverage containers collected at a fixed location when the proceeds are given to not-for-profit groups is, after declaration of a name and address of the collection point, exempt from this requirement.
6. The bill relieves a redemption center of the obligation to pay the cash value for returnable beverage containers at the time they are presented for refund if the redemption center has established a deposit account on behalf of a customer and credits that account within 2 business days of the date of return.

Committee Amendment "A" (H-387)

This amendment removes provisions in the bill proposing that distributors be required to pick up similar quantities of beverage containers as were sold to dealers or their redemption centers and provisions proposing to require that persons redeeming more than 1,000 empty containers sign a declaration indicating that those containers were collected in Maine.

The amendment clarifies provisions in the bill allowing distributors to refuse to accept beverage containers processed in a way that has reduced the container's value below current market recycling value. Distributors are still required, under existing law, to accept beverage containers that are empty, unbroken and reasonably clean. The Department of Agriculture, Food and Rural Resources is directed to adopt routine technical rules establishing the method for determining the current market recycling value of beverage containers. Those rules may authorize the use of a 3rd-party vendor to make that determination and must prescribe how payment for those 3rd-party vendor costs will be allocated among the parties involved.

The amendment also clarifies that the Department of Agriculture, Food and Rural Resources may revoke a dealer or redemption center license if the dealer or redemption center is adjudged to have committed a violation

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of the laws pertaining to the acceptance of empty beverage containers and the payment of refund values and handling fees.

Enacted Law Summary

Public Law 2007, chapter 299 makes a series of changes to Maine's "bottle bill" laws.

1. It clarifies that the definition of "reverse vending machine" does not include devices such as hand scanners.
2. It provides the Department of Agriculture, Food and Rural Resources with the authority to remove any product from sale if that product has not been properly registered pursuant to the Maine Revised Statutes, Title 32, section 1865, subsection 3.
3. It allows distributors to refuse to accept beverage containers processed in a way that has reduced the container's value below current market recycling value. The law still requires distributors to accept beverage containers that are empty, unbroken and reasonably clean. The Department of Agriculture, Food and Rural Resources is directed to adopt routine technical rules establishing the method for determining the current market recycling value of beverage containers. Those rules may authorize the use of a 3rd-party vendor to make that determination and must prescribe how payment for those 3rd-party vendor costs will be allocated among the parties involved.
4. It provides that the Department of Agriculture, Food and Rural Resources may revoke a dealer or redemption center license if the dealer or redemption center is adjudged to have committed a violation of the laws pertaining to the acceptance of empty beverage containers and the payment of refund values and handling fees.

LD 1773 An Act To Encourage Availability of Genuinely Affordable Housing in High-cost Markets

ONTP

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

This bill creates the definition of "housing affordability index," which is the ratio of a price of a home that is affordable for a household with a labor market's median income to the median home price for the labor market, calculated by the Maine State Housing Authority. This bill requires a developer of a subdivision of more than 5 housing units in a labor market that has an affordability index of less than 0.88 to dedicate at least 10% or one of the units as affordable units. This bill requires the Attorney General to enforce the provisions of this bill, with a person in violation committing a civil violation for which a fine of twice the profit the person made by not making the units affordable if the person sells the units or allowing the court to order the property to conform to the provisions of this bill if the units are rental units still in the possession of the person.

LD 1787 An Act To Amend the Licensing of Landscape Architects

PUBLIC 390

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SMITH N	OTP-AM MAJ ONTP MIN	H-451

This bill amends the licensing requirements and qualifications for landscape architects. This bill limits the scope of the practice of licensed landscape architecture to services provided for the purposes of landscape preservation, development and enhancement to properties that are open to and accessible by the public and affect public safety, such as site vehicular access and circulation, multi-vehicle parking areas and site grading that affects existing drainage capacity projects.

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The changes made by this bill take effect January 1, 2009.

Committee Amendment "A" (H-451)

This amendment removes provisions in the bill that proposed to change the form of licensure for landscape architects from a title act to a practice act. The amendment clarifies the scope of practice for landscape architects and retains the current form of licensure as a title act. It also removes the delayed effective date that was provided in the bill.

Enacted Law Summary

Public Law 2007, chapter 390 clarifies the scope of practice for landscape architects and retains the current form of licensure as a title act.

LD 1791 An Act To Amend the Oil and Solid Fuel Board and Propane and Natural Gas Board Licensing Laws

**PUBLIC 392
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BENOIT	OTP-AM	S-244

This bill creates an exemption from licensing requirements in the laws governing the Oil and Solid Fuel Board and the Propane and Natural Gas Board for individuals who perform combustion testing on oil burning equipment and propane and natural gas appliances. Each licensing board is required to engage in emergency rulemaking regarding combustion testing that an unlicensed individual may perform without a license. Each board's emergency rules are to be adopted under the provisions of the Maine Administrative Procedure Act within 90 days of the effective date of this Act.

Committee Amendment "A" (S-244)

This amendment retains the bill as an emergency, but replaces the content of the bill. The amendment authorizes the Oil and Solid Fuel Board and the Propane and Natural Gas Board to issue limited energy auditor technician licenses to qualified persons for the purposes of conducting combustion safety and efficiency testing of oil-fired or gas-fired space heating equipment or water heating equipment. These limited licenses do not authorize the license holder to make adjustments to oil-fired or gas-fired space heating equipment or water heating equipment. The amendment also directs those boards to adopt emergency routine technical rules to implement these new licensing provisions within 90 days after the effective date of this Act.

Enacted Law Summary

Public Law 2007, chapter 392 authorizes the Oil and Solid Fuel Board and the Propane and Natural Gas Board to issue limited energy auditor technician licenses to qualified persons for the purposes of conducting combustion safety and efficiency testing of oil-fired or gas-fired space heating equipment or water heating equipment. These limited licenses do not authorize the license holder to make adjustments to oil-fired or gas-fired space heating equipment or water heating equipment. The law also directs those boards to adopt emergency routine technical rules to implement these new licensing provisions within 90 days after the effective date of this Act.

Public Law 2007, chapter 392 was enacted as an emergency measure effective June 21, 2007.

LD 1794 Resolve, To Provide Regional Economic Development Assistance To Ensure Prosperity in Maine

ONTP

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

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This resolve directs the Department of Economic and Community Development to establish a position in the department dedicated to providing community development assistance, including regional economic development assistance, to municipalities in all areas of the State. The focus of this position must be on providing assistance to a municipality, upon the application of that municipality to the department, in preserving the character, integrity and viability of that municipality, with a special emphasis on preserving downtown areas.

**LD 1802 An Act To Ensure Public Benefit from Investments in Taxpayer
Financed Research**

ONTP

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

This bill establishes policies for the use of taxpayer-funded research in the private sector to maximize the return on investment for the public's benefit and to create a uniform policy for the transfer of taxpayer-funded research into the private sector. It also requires the Maine Technology Institute Director, in consultation with the Department of Economic and Community Development, Office of Innovation and an attorney with the University of Maine School of Law's intellectual property program and with participation from consumer advocacy groups, the University of Maine System and the business community, to perform a study to develop and gather information necessary to establish reasonable pricing policies for all taxpayer-funded research and make recommendations for changes in state laws and rules to ensure that commercialization and the development of intellectual property from taxpayer-funded research is widely available to the State and its citizens at a reasonable price.

**LD 1827 Resolve, Directing the Department of Professional and Financial
Regulation To Conduct a Sunrise Review Regarding the Practice of
Licensed Midwifery**

RESOLVE 115

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SMITH N SCHNEIDER	OTP-AM	H-450

This bill establishes a license for certified professional midwives and creates the Board of Licensed Midwives within the Department of Professional and Financial Regulation.

Committee Amendment "A" (H-450)

This amendment replaces the bill with a resolve that directs the Commissioner of Professional and Financial Regulation to conduct an independent assessment of the proposal to license certified professional midwives and to submit a report to the Joint Standing Committee on Business, Research and Economic Development by February 15, 2008. The amendment also authorizes the committee to submit legislation on the subject matter of the report to the Second Regular Session of the 123rd Legislature.

Enacted Law Summary

Resolve 2007, chapter 115 directs the Commissioner of Professional and Financial Regulation to conduct an independent assessment of the proposal to license certified professional midwives and to submit a report to the Joint Standing Committee on Business, Research and Economic Development by February 15, 2008. The resolve also authorizes the committee to submit legislation on the subject matter of the report to the Second Regular Session of the 123rd Legislature.

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LD 1842 An Act To Update Professional and Occupational Licensing Laws

PUBLIC 402

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROMLEY	OTP-AM	S-275

This bill updates and streamlines the State's professional and occupational licensing laws within the jurisdiction of the Department of Professional and Financial Regulation, Office of Licensing and Registration by:

1. Redesignating certain registration programs as licensing programs;
2. Enhancing the accountability of licensees by requiring that they promptly make corrections to the information in their application and licensing files;
3. Removing unnecessary disclosure and notification requirements;
4. Clarifying the authority of licensing programs to protect the public through license denial or revocation;
5. Clarifying terms of service for board members;
6. Streamlining provisions related to board meetings and board governance;
7. Removing the requirements for unnecessary reporting by boards and commissions;
8. Clarifying the gubernatorial appointment process;
9. Clarifying penalties for noncompliance with the licensing laws;
10. Making licensees responsible for meeting statutory application deadlines; and
11. Clarifying the examination process for many professions and occupations.

Committee Amendment "A" (S-275)

This amendment removes sections of the bill that propose to clarify licensure and scope of practice language for psychologists and psychological examiners and also removes language that clarifies that the scope of practice for psychologists and psychological examiners may not be construed to permit the practice of medicine. The amendment also includes a minor conforming language change to the section regarding dietician license renewals.

Enacted Law Summary

Public Law 2007, chapter 402 updates and streamlines the State's professional and occupational licensing laws within the jurisdiction of the Department of Professional and Financial Regulation, Office of Licensing and Registration by:

1. Redesignating certain registration programs as licensing programs;
2. Enhancing the accountability of licensees by requiring that they promptly make corrections to the information in their application and licensing files;
3. Removing unnecessary disclosure and notification requirements;

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4. Clarifying the authority of licensing programs to protect the public through license denial or revocation;
5. Clarifying terms of service for board members;
6. Streamlining provisions related to board meetings and board governance;
7. Removing the requirements for unnecessary reporting by boards and commissions;
8. Clarifying the gubernatorial appointment process;
9. Clarifying penalties for noncompliance with the licensing laws;
10. Making licensees responsible for meeting statutory application deadlines; and
11. Clarifying the examination process for many professions and occupations.

LD 1863 An Act To Allow Pressure Boiler Inspections by National Board-certified Inspectors

ONTP

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

This bill amends the laws dealing with the Board of Boilers and Pressure Vessels. It changes the term "authorized inspector" to "commissioned inspector" to reflect the terms used by the National Board of Boilers and Pressure Vessel Inspectors. It defines "authorized inspection agency." It allows owners and operators of boilers and pressure vessels to contract for inspections independently for a fee with any authorized inspection agency.

LD 1872 An Act To Preserve Maine's Quality Places

ONTP

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

Part A of this bill directs the Maine Municipal Bond Bank to issue revenue bonds in the amount of \$190,000,000 to preserve and protect the State's quality places, including revitalizing towns and cities, augmenting land and farm conservation, protecting traditional uses and access to Maine forests, farms and lakes and promoting outdoor recreation and high-value tourism. The effect of Part A is contingent on voter approval of the issuance of the revenue bonds.

Part B of this bill establishes the Communities for Maine's Future program in the Department of Economic and Community Development to provide grants and loans from the sale of any bonds authorized pursuant to Part A to municipalities and groups of municipalities for community infrastructure projects.

Part C of this bill establishes the Public Access for Traditional Uses Fund within the Land for Maine's Future program.

Part D imposes an additional tax of 3% on the value of lodging and directs that the revenue from this additional tax be deposited in the Quality Places Reserve Fund.

Part E establishes the Quality Places Reserve Fund and specifies that an amount equal to 95% of the revenue in

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the fund be applied solely to the payment of interest and principal on the revenue bonds issued pursuant to Part A. An amount equal to 5% must be transferred to the Office of Tourism.

Part F allocates \$5,000,000 from the Quality Places Reserve Fund to the Department of Economic and Community Development, Office of Tourism to promote outdoor recreation and high-value tourism through branding and marketing.

Part G specifies that Parts B, C, D, E and F are contingent on voter approval of the issuance of the revenue bonds contained in Part A.

LD 1896 An Act To Promote Safety and Career Paths in the Electrical Trade

ONTP

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

The bill encourages individuals seeking to enter the electrical installation field to enroll in a state-registered apprenticeship program or a community college program of electrical study. On or after January 1, 2008, applicants for a helper license are required to demonstrate progress toward completion of a formal course of study in order to renew the license after the first renewal cycle. The bill does not affect current licensees of the board who are validly licensed as helpers before January 1, 2008.

LD 1926 An Act To Expand the Pine Tree Development Zone Benefits to Small and Midsize Maine Manufacturers

PUBLIC 468

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

Under this bill, Pine Tree Development Zone benefits are made available to more small and midsize Maine manufacturing companies by lowering the new net employee minimum to 4 and the investment minimum to \$225,000.

Enacted Law Summary

Public Law 2007, chapter 468 amends the recently enacted statutory exceptions to the Pine Tree Development Zone law (see Public Law 2007, chapter 240), which allows the Commissioner of the Department of Economic and Community Development to certify a business that does not otherwise qualify as a qualified Pine Tree Development Zone business pursuant to Title 30-A MRSA section 5250-I, subsection 17 or that does not locate in a Pine Tree Development Zone as qualified to receive Pine Tree Development Zone benefits if the business does the following: (A) is a for-profit business that has been engaged in the business of manufacturing in the State for at least 3 years; (B) makes a written commitment to expand its business at one of its current locations in the State by adding at the location of expansion a minimum of 20 net new, full-time employees for whom a retirement program subject to the federal Employee Retirement Income Security Act of 1974, 29 United States Code, Sections 1001 to 1461, as amended, and group health coverage are provided and whose income derived from employment at the business's location of expansion, calculated on a calendar-year basis, is greater than the most recent annual per capita personal income in the county in which the employee is employed; and (C) makes a written commitment to invest a minimum of \$2,000,000 in its expansion at one of its current locations.

Public Law 2007, chapter 468 amends the statutory exceptions to the Pine Tree Development Zone law by lowering the number of net, new full-time employees from 20 to 4 and reducing the minimum expansion investment level from \$2 million to \$225,000 in order to provide Pine Tree Development Zone benefits to small and midsize Maine manufacturing businesses.

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SUBJECT INDEX

Bonds

Enacted

LD 1620	An Act To Provide for the 2007 and 2008 Allocations of the State Ceiling on Private Activity Bonds	P & S 18 EMERGENCY
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Business Regulation

Enacted

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LD 677	Resolve, Directing the Development of a Building Code and Building Rehabilitation Code Implementation Plan	RESOLVE 46
LD 768	An Act To Ensure That Pine Tree Development Zone Benefits Are Not Extended to Businesses That Compete with Existing Maine Businesses	PUBLIC 263
LD 927	An Act To Amend the Lodging Place Licensing Requirements to Support Small Businesses	PUBLIC 428
LD 1171	An Act To Modernize the Laws Pertaining to the Sport of Skiing and Use of Ski Areas	PUBLIC 287
LD 1267	Resolve, To Estimate the Annual Value of Uncollected Bottle Deposits, Fraud and Total Costs under Maine's Bottle Bill	RESOLVE 40
LD 1759	An Act To Preserve the Recycling Value of Beverage Containers	PUBLIC 299

Not Enacted

LD 30	Resolve, To Decrease Landfill Costs and Protect the Environment through a Beverage Container Reuse Program	ONTP
LD 270	Resolve, Establishing the Task Force To Eliminate Outdated or Unnecessary Laws and Rules To Stimulate Job Creation	CARRIED OVER
LD 385	An Act To Require Stable Gasoline Pricing	ONTP
LD 452	An Act To Encourage the Reuse of Plastic Containers BY REQUEST	ONTP
LD 480	Resolve, To Reduce Paperwork Retention Required by the Maine State Housing Authority	ONTP
LD 748	An Act To Expand the Recycling of Beverage Containers BY REQUEST	ONTP

LD 749	An Act To Dedicate Unclaimed Beverage Deposits to Beverage Container Recycling Development BY REQUEST	ONTP
LD 831	An Act Regarding Ticket Refunds	ONTP
LD 851	An Act To Facilitate the Upgrading and Preservation of Existing Building Structures	ONTP
LD 944	An Act To Reduce Regulatory Costs for Maine Businesses	ONTP
LD 1004	An Act To Repeal the Laws That Establish a Deposit for Bottles and Cans	INDEF PP
LD 1057	An Act Concerning the Economic and Business Climate	ONTP
LD 1139	An Act Regarding Returnable Containers	ONTP
LD 1210	An Act Concerning the Diagnosis, Service and Repair of Motor Vehicles	CARRIED OVER
LD 1404	Resolve, Directing the Establishment of a Building Contractor's License and Education Requirements for Code Enforcement Officers BY REQUEST	ONTP
LD 1471	An Act To Ensure That Publicly Funded Programs Do Not Jeopardize Existing Industry	ONTP
LD 1600	An Act To Allocate the Number of Redemption Centers Based on Population	DIED BETWEEN HOUSES
LD 1657	An Act To Support and Enhance Maine's Beverage Container Recycling Laws and Household Hazardous Waste Collection	ONTP
LD 1696	An Act To Amend Maine's Bottle Laws	DIED BETWEEN HOUSES
LD 1702	An Act To Allow Stores under 10,000 Square Feet To Be Open on Certain Holidays	ONTP

Consumer Protection

Enacted

LD 289	Resolve, Directing the Commissioner of Labor To Convene a Task Force To Evaluate and Recommend Revisions to the Definition of Service Dog	RESOLVE 96
LD 686	An Act To Ensure Truth in Music Advertising	PUBLIC 171

Not Enacted

LD 121	An Act To Strengthen the Home Construction Contract Laws	ONTP
LD 183	An Act To Protect Consumers in the Home Appraisal Process	ONTP
LD 281	An Act Regarding Notification of Intent To Sell a Mobile Home Park	ONTP
LD 1128	An Act To Require Electronic Monitoring of Secondary Sales Transactions	CARRIED OVER
LD 1730	An Act To Protect Citizens from Identity Theft through Restriction of the Disclosure of Confidential Information	ONTP

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Enacted

LD 253	An Act To Implement the Recommendations of the Joint Select Committee on Research, Economic Development and the Innovation Economy	PUBLIC 420
LD 525	Resolve, To Stimulate Tourism Development Projects	RESOLVE 14
LD 656	Resolve, To Focus State Agency Efforts in Economic Development on Entrepreneurial Sustainability and Growth	RESOLVE 38
LD 1163	An Act To Implement the Recommendations of the Office of Program Evaluation and Government Accountability Regarding Economic Development in Maine	PUBLIC 434
LD 1469	Resolve, To Enhance Accountability in Tax Increment Financing	RESOLVE 70
LD 1519	An Act To Amend the Membership and Reporting Requirements for the Citizen Trade Policy Commission	PUBLIC 266

Not Enacted

LD 463	An Act To Create the Marine Research Matching Fund	ACCEPTED ONTP REPORT
LD 750	An Act To Support Efforts To Attract and Retain Young People in the State's Workforce	DIED ON ADJOURNMENT
LD 918	Resolve, Directing the Commissioner of Economic and Community Development To Convene a Working Group To Explore Regionalization	ACCEPTED ONTP REPORT
LD 1076	An Act To Encourage Expansion and Development of Maine Tourism	ONTP
LD 1077	An Act To Create a Seasonal Vendor Sales Tax Revolving Loan Fund	ONTP

LD 1794 **Resolve, To Provide Regional Economic Development Assistance To
Ensure Prosperity in Maine** **ONTP**

LD 1802 **An Act To Ensure Public Benefit from Investments in Taxpayer Financed
Research** **ONTP**

Economic Development-Programs

Enacted

LD 449 **Resolve, To Support Creative Economy Businesses** **RESOLVE 97**

LD 1926 **An Act To Expand the Pine Tree Development Zone Benefits to Small
and Midsize Maine Manufacturers** **PUBLIC 468**

Not Enacted

LD 451 **An Act To Support the Creative Economy Effort** **ONTP**

LD 719 **An Act To Encourage Manufacturing by Expanding Pine Tree
Development Zones** **INDEF PP**

LD 790 **An Act To Strengthen Rural Community Investment** **CARRIED OVER**

LD 803 **An Act To Stimulate the Economy in the St. John Valley** **ONTP**

LD 833 **An Act To Support the Maine Patent Program** **CARRIED OVER**

LD 1064 **An Act To Increase Funding To Support Research and Development in
the University of Maine System** **DIED ON
ADJOURNMENT**

LD 1106 **An Act To Recapitalize the Municipal Investment Trust Fund** **DIED ON
ADJOURNMENT**

LD 1215 **An Act To Attract New Capital for Innovative Businesses through Equity
Investment in Maine** **CARRIED OVER**

LD 1364 **An Act To Preserve and Grow Maine Small Businesses** **DIED ON
ADJOURNMENT**

LD 1681 **An Act To Preserve and Grow Maine Jobs** **ONTP**

LD 1872 **An Act To Preserve Maine's Quality Places** **ONTP**

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Enacted

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LD 662	Resolve, To Assist Veterans in Need of Shelter	RESOLVE 90
LD 1244	An Act To Reduce Foreclosures	PUBLIC 326

Not Enacted

LD 428	An Act To Conserve Energy in Maine Households	ONTP
LD 575	An Act To Expand Jurisdictions of Municipal Housing Authorities	ONTP
LD 855	An Act To Require the Maine State Housing Authority To Perform a Comprehensive Resource and Needs Assessment for Housing for Special Needs Populations That Are Not Homeless	ONTP
LD 1352	An Act To Amend the Laws Governing the Maine State Housing Authority	ONTP
LD 1773	An Act To Encourage Availability of Genuinely Affordable Housing in High-cost Markets	ONTP

Occupational and Professional Regulation

Enacted

LD 177	An Act To Clarify the Requirements for Temporary Licensure of Psychologists	PUBLIC 10
LD 565	An Act To Remove the Sunset on the Exemption of Internet Services from Auctioneer Licensure Requirements	PUBLIC 61 EMERGENCY
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LD 1115	An Act Concerning Licensure as a Master Well Driller or a Master Pump Installer	PUBLIC 207 EMERGENCY
LD 1129	Resolve, Directing the Commissioner of Professional and Financial Regulation To Conduct a Sunrise Review of Oral Health Care Issues	RESOLVE 85
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LD 1194	An Act Concerning the Practice of a Deceased or Incapacitated Dentist	PUBLIC 210 EMERGENCY
LD 1403	An Act To Provide Parity in the Laws Regarding Licensing of Electricians	PUBLIC 398
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LD 1575	An Act To Authorize the Maine Board of Pharmacy To Establish a Pharmacist Health Program	PUBLIC 288 EMERGENCY
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LD 1622	An Act To Expand Exemptions from Licensing Laws for Professional Engineers	PUBLIC 379
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LD 1626	Resolve, Directing the Department of Professional and Financial Regulation, State Board of Nursing To Amend the Rules for the Medication Course for Certified Nursing Assistants	RESOLVE 76
LD 1787	An Act To Amend the Licensing of Landscape Architects	PUBLIC 390
LD 1791	An Act To Amend the Oil and Solid Fuel Board and Propane and Natural Gas Board Licensing Laws	PUBLIC 392 EMERGENCY
LD 1827	Resolve, Directing the Department of Professional and Financial Regulation To Conduct a Sunrise Review Regarding the Practice of Licensed Midwifery	RESOLVE 115
LD 1842	An Act To Update Professional and Occupational Licensing Laws	PUBLIC 402
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LD 479	An Act Regarding Licensure Testing by the Oil and Solid Fuel Board	ONTP
LD 550	An Act To Allow the Independent Practice of Dental Hygiene	ONTP
LD 553	An Act To Allow for Corporate Ownership of Dental Practices	ONTP
LD 607	An Act To Improve Electrical Safety	ONTP
LD 630	Resolve, Directing the Commissioner of Professional and Financial Regulation To Strengthen Safety Inspection Requirements Governing Industrial Elevators	ONTP
LD 752	An Act To Streamline Licensure for Sign Language Interpreters	ONTP
LD 794	An Act To Provide Representation by a Mechanic or Installer on the Manufactured Housing Board	ONTP
LD 820	An Act To Amend the Funeral Service Licensing Laws	ONTP
LD 1026	An Act To Reduce Inspections and Operating Costs for Elevators	ONTP

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LD 1038	An Act To License Home Building and Improvement Contractors	CARRIED OVER
LD 1161	An Act To Make Certain Changes to the Board of Licensure in Medicine	ONTP
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LD 1246	Resolve, To Improve Oral Health for Children	ONTP
LD 1278	An Act To Require Licensing for Certain Mechanical Trades	ONTP
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LD 1516	An Act To Permit Certain Health Care Practices	ACCEPTED ONTP REPORT
LD 1637	An Act To Adopt the Uniform Emergency Volunteer Health Practitioners Act	ONTP
LD 1690	Resolve, Directing the Department of Professional and Financial Regulation To Study the Necessity and Feasibility of Regulating Certain Mechanical Trades	ONTP
LD 1701	Resolve, To Review the Disciplinary Process of the Board of Licensure in Medicine	ONTP
LD 1863	An Act To Allow Pressure Boiler Inspections by National Board-certified Inspectors	ONTP
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