

STATE OF MAINE
123RD LEGISLATURE
SECOND REGULAR AND FIRST SPECIAL SESSIONS



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

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

May 2008

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Joint Standing Committee on Business, Research and Economic Development

LD 770 Resolve, Establishing the Task Force To Eliminate Outdated or Unnecessary Laws and Rules To Stimulate Job Creation

ONTP

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

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Session of the 123rd Legislature with recommendations to alter or eliminate those laws or rules that are unnecessary or outdated.

LD 790 An Act To Strengthen Rural Community Investment

**ACCEPTED ONTP
REPORT**

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

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.

LD 833 An Act To Support the Maine Patent Program

**DIED ON
ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FISCHER HOBBINS	OTP-AM	H-637

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.

Committee Amendment "B" (H-637)

This amendment replaces the appropriations and allocations section of the bill and makes a one-time General Fund appropriation of \$250,000 in fiscal year 2008-09 for the University of Maine School of Law's Maine Patent Program.

Joint Standing Committee on Business, Research and Economic Development

LD 1038 Resolve, Directing the Department of Professional and Financial Regulation To Study the Issue of Residential Contractor Licensing

RESOLVE 219

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HINCK	OTP-AM MAJ ONTP MIN	H-978 H-997 SAMSON

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.

Committee Amendment "A" (H-978)

This amendment establishes the Maine Residential Contractor Licensing Board as an affiliated board within the Department of Professional and Financial Regulation. Beginning January 1, 2012, the board will be responsible for issuing licenses to residential contractors in Maine in order to ensure that residential contractors build according to uniform building and energy standards, as well as to ensure that residential contractors comply with the home construction contract requirements of Title 10, chapter 219-A.

House Amendment "A" (H-997)

This amendment changes Committee Amendment "A" to create a resolve directing the Department of Professional and Financial Regulation to study the issue of residential contractor licensing. The department is required to report its recommendations for residential contractor licensing to the joint standing committee of the Legislature having jurisdiction over business, research and economic development matters, which may submit legislation to the Second Regular Session of the 124th Legislature.

Enacted Law Summary

Resolve 2007, chapter 219 is a resolve directing the Department of Professional and Financial Regulation to study the issue of residential contractor licensing. The department is required to report its recommendations for residential contractor licensing to the joint standing committee of the Legislature having jurisdiction over business, research and economic development matters, which may submit legislation to the Second Regular Session of the 124th Legislature.

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

ONTP

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

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,

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Maine, Massachusetts, New Hampshire, Rhode Island and Vermont.

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

ONTP

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

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.

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

ONTP

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

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 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.

See LD 2320 for the committee bill reported out pursuant to S.P. 873 on this subject.

LD 1937 An Act Regarding the Maine Regulatory Fairness Board

**PUBLIC 676
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SMITH N	OTP-AM	H-933 S-673 ROTUNDO

This bill allows the members of the Maine Regulatory Fairness Board to be reimbursed for their expenses.

Committee Amendment "A" (H-933)

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Committee Amendment "A" (S-477)

This amendment replaces the bill. It removes the District Director of the United States Small Business Administration's Maine District Office as a member of the Small Business and Entrepreneurship Commission. The amendment also requires the commission to submit an annual report beginning January 15, 2009 to the joint standing committee of the Legislature having jurisdiction over business, research and economic development matters that includes the commission's proposed quarterly meeting schedule for the year, as well as a summary of the Small Business Development Center Program's activities in Maine that focuses on its collaborative efforts with other economic development programs in the State. It also establishes 3-year terms for public members appointed to the commission and requires the Commissioner of Economic and Community Development to establish staggered terms for the public members.

Enacted Law Summary

Public Law 2007, chapter 585 removes the District Director of the United States Small Business Administration's Maine District Office as a member of the Small Business and Entrepreneurship Commission. It also requires the commission to submit an annual report beginning January 15, 2009 to the joint standing committee of the Legislature having jurisdiction over business, research and economic development matters that includes the commission's proposed quarterly meeting schedule for the year, as well as a summary of the Small Business Development Center Program's activities in Maine that focuses on its collaborative efforts with other economic development programs in the State. It establishes 3-year terms for public members appointed to the commission and requires the Commissioner of Economic and Community Development to establish staggered terms for the public members.

LD 2003 An Act To Create the Southern York County Regional Development Authority

ONTP

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

This bill creates a regional development authority in southern York County. Initially, 6 named communities in southern York County are eligible to be part of the authority and have the opportunity to vote on whether to become participating members of that authority. This concept resulted from the regional effort of several communities located in southern York County and has been developed as a result of a regional development grant awarded to the Town of South Berwick by the Executive Department, State Planning Office.

The Southern York County Regional Development Authority would have broad legal authority to engage in activities to promote, facilitate and conduct economic development through the creation of jobs, educational programs and workforce housing and other related activities, which would all take place through a coordinated, cooperative regional effort among the communities that vote to become members of the regional development authority.

LD 2024 An Act To Clarify the Licensure of Advanced Practice Registered Nurses

PUBLIC 498

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERRY A	OTP-AM	H-694

This bill changes the language providing for authority to practice as an advanced practice registered nurse to provide a one-step licensing process rather than the two-step process currently in place.

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Committee Amendment "A" (H-694)

This amendment adds an effective date of September 1, 2008 to the bill.

Enacted Law Summary

Public Law 2007, chapter 498 provides for a streamlined, one-step licensing process for advanced practice registered nurses. The law has an effective date of September 1, 2008.

LD 2078 **Resolve, To Determine Methods of Securing a Trained Laboratory Workforce for Maine** ONTP

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

This resolve directs the Department of Economic and Community Development, Maine Office of Innovation to administer a working group to study the current shortage of trained qualified laboratory technicians and to report back to the Legislature its findings as to how the educational systems of the State can help to relieve the shortage.

LD 2120 **An Act To Require That Sellers of Scrap Metal Provide Identification** ONTP

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

This bill requires sellers of scrap metal to provide written documentation of their identity to junk dealers. It requires a junk dealer to provide payment to a seller of scrap metal in the form of a check for which the dealer maintains a record of the payee, check number and name of the financial institution upon which the check is drawn.

LD 2124 **An Act To Prevent the Theft of Certain Metals** **PUBLIC 549 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BERRY	OTP-AM	H-771

The purpose of this bill, which is based on Arkansas law, is to prevent the theft of certain metals. Specifically, this bill:

1. Requires that scrap metal recyclers doing business in the State maintain an accurate and legible record of each scrap metal purchase transaction in excess of 100 pounds or \$50;
2. Requires that a seller of scrap metal provide to the purchaser identification and a signed statement that the seller is the owner or is otherwise authorized to sell the scrap metal;
3. Restricts the sale and purchase of certain items without reasonable, written documentation that the seller is the owner of the scrap metal or is authorized to sell the scrap metal;
4. Provides that, if notice of a known or presumed theft of a product is given to a scrap metal recycler and, within 90 days after the notice, a product meeting the description in the notice is purchased by the scrap metal recycler or offered for sale to the scrap metal recycler, then the scrap metal recycler must notify a law enforcement agent; and

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5. Prohibits the purchase of scrap metal from a minor without consent of the parent or guardian.

Committee Amendment "A" (H-771)

This amendment makes the following changes to the bill:

1. It adds an emergency preamble and emergency clause and strikes the municipal permit requirement.
2. It replaces all references to scrap metal recyclers with scrap metal processors and clarifies the definition of "scrap metal processor."
3. It changes the penalty for violation of this subchapter from a criminal to a civil penalty.
4. It adds platinum to the list of nonferrous metals and changes the record-keeping requirements to allow a scrap metal processor to provide payment to a seller only in the form of a check, and requires that a record be maintained of the payee, check number and name of the financial institution upon which the check is drawn.
5. It changes the record-keeping requirements by removing the birth date and identifying number and requiring only the name, address and gender of the seller, as long as the scrap metal processor requires the seller to provide proof of identification with a driver's license, military identification card, passport or other form of government-issued photo identification.
6. It changes the requirements for the purchase and sale of certain scrap metals to require a signed statement from the seller at the time of sale that the property subject to the transaction is not stolen property to the best of the seller's knowledge and that the seller is the owner or is otherwise authorized to sell the scrap metal.
7. It adds catalytic converters to the list of restricted scrap metals that may be sold and changes the definition of "scrap metal" to include stainless steel and recyclable metal products that are intact as well as those that are in bits and pieces and constituent parts.
8. It clarifies that the exemption from the requirements of this bill for beverage containers does not extend to beer kegs and strikes the mandatory law enforcement notification requirement on a scrap metal processor that requires the scrap metal processor to notify law enforcement that nonferrous metal products were purchased by or offered for sale to the scrap metal processor.
9. It strikes the provision that states that records and statements must be made available in any legal proceeding, as the law already provides a process for the discovery of this type of information during legal proceedings.
10. It clarifies that a scrap metal processor may not purchase scrap metal from a minor unless the minor is accompanied by the minor's parent or guardian and the parent or guardian provides a written statement to the scrap metal processor that the transaction is taking place with the parent's or guardian's full knowledge and consent.

Enacted Law Summary

Public Law 2007, chapter 549 establishes the following requirements and restrictions for the purchase and sale of scrap metal:

1. A scrap metal processor doing business in the State must maintain an accurate and legible record of each scrap metal purchase transaction in excess of 100 pounds or \$50, must provide payment to a seller only in the form of a check and a record must be maintained of the payee, check number and name of the financial institution upon which the check is drawn;
2. The record of each scrap metal purchase transaction must contain the name, address and gender of the seller, and

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the processor must require the seller to provide proof of identification with a driver's license, military identification card, passport or other form of government-issued photo identification. The record must also include the date and general description of the scrap metal, the weight, quantity or volume of the scrap metal, as well as a signed statement that the seller is the owner or is otherwise authorized to sell the scrap metal;

3. Restricts the sale and purchase of specific types of scrap metal to require a signed statement from the seller at the time of sale that the property subject to the transaction is not stolen property to the best of the seller's knowledge and that the seller is the owner or is otherwise authorized to sell the scrap metal;
4. Prohibits the purchase of scrap metal from a minor unless the minor is accompanied by a parent or guardian and the parent or guardian provides a written statement to the scrap metal processor that the transaction is taking place with the parent's or guardian's full knowledge and consent; and
5. Establishes a civil penalty for violation of this subchapter.

Public Law 2007, chapter 549 was enacted as an emergency measure effective April 3, 2008.

LD 2143 An Act To Require Retailers To Disclose the State's Implied Warranty Laws to Customers

DIED BETWEEN HOUSES

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

This bill requires sellers of consumer goods who offer service contracts for sale to instruct their employees who deal with buyers of the requirements under the State's implied warranty laws. It also requires the Attorney General to publish a brochure on the State's implied warranty laws and to provide copies at no cost to sellers of consumer goods.

Committee Amendment "A" (H-823)

This amendment is the minority report of the committee. It replaces the requirement of a seller's informing its employees of the State's implied warranty laws with the requirement that, beginning November 1, 2008, a seller of consumer goods who also offers for sale service contracts, with the exception of new and used motor vehicles, post a notice for buyers of consumer goods that summarizes in plain language the consumer's implied warranty rights. It requires the notice to be posted in a prominent location where the consumer goods are sold, in boldface type and in nontechnical language that is understandable by the general public.

The amendment also requires the Attorney General to publish a brochure on the State's implied warranty laws by September 1, 2008 that summarizes in plain language the consumer's implied warranty rights under the State's implied warranty laws, as well as a model notice for sellers of consumer goods to post where consumer goods are sold, and provide both at no cost to sellers of consumer goods in the State.

LD 2159 An Act To Advance the Maine Economy

PUBLIC 644

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL	OTP-AM	S-566

This bill creates and provides funding for the Maine Expansion Fund, to be administered by the Department of Economic and Community Development, Office of Innovation. The fund consists of ongoing appropriations and

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will provide grants to municipalities, which must match the grants, to aid eligible businesses to locate or expand in the State.

The bill amends current law to enhance the development of green energy in Maine by transferring annually 20% of the money in the conservation program fund to the Renewable Resource Fund and annually 75% of that money to the Maine Technology Institute to support the development and commercialization of renewable energy resources.

The bill also requires the Department of Economic and Community Development, Office of Innovation and Office of Business Development to work with other entities to develop and implement a strategic action plan to align the State's business development support network with potential high-growth companies and to report to the Legislature on the progress of the plan by March 2, 2009.

The bill provides additional ongoing funds to the Maine Quality Centers in the Maine Community College System and to the Governor's Training Initiative Program in the Department of Labor.

Committee Amendment "A" (S-566)

This amendment strikes sections 1, 5, 6, 7, 9 and 10 of the bill. It reduces the annual distribution percentage of funds transferred to the Maine Technology Institute from the Renewable Resource Fund from 75% to 35%. It also adds the Maine Center for Enterprise Development to the list of entities working collaboratively with the Office of Innovation on the design of a leadership and entrepreneurial development program. This amendment also adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2007, chapter 644 provides support for the development of green energy in Maine by transferring annually 35% of the Renewable Resource Fund to the Maine Technology Institute to support the development and commercialization of renewable energy resources. The law also requires the Department of Economic and Community Development, Office of Innovation to work with the University of Maine's Student Innovation Center to develop a collaborative effort with the Technology Institute, the Small Business Development Centers, the Department of Economic and Community Development's business development specialists, the Maine Manufacturing Extension Partnership, the Target Technology Incubator, the Maine Center for Enterprise Development and the Small Enterprise Growth Fund to design a leadership and entrepreneurial development program.

The program must match up to 10 high-growth potential entrepreneurs per year with best-in-class training, resources and mentors. The program may seek outside funds from foundations, government or other sources to fund the program. The law requires the Office of Innovation to submit a report to the joint standing committee of the Legislature having jurisdiction over business and economic development matters on the program by March 1, 2009.

LD 2179 An Act To Promote Residential and Commercial Energy Conservation

INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BARTLETT	JT RULE 309	

This bill establishes a system for the regulation and inspection of building energy standards. It also creates a tax credit for homes certified as United States Environmental Protection Agency's Energy Star program qualified homes and creates a high-performance building standard incentive.

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LD 2185 An Act To Provide for the 2008 and 2009 Allocations of the State Ceiling on Private Activity Bonds

**P & S 41
EMERGENCY**

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

This bill establishes the allocations of the state ceiling on the issuance of tax-exempt bonds for calendar years 2008 and 2009. Under federal law, a maximum of \$262,095,000 in tax-exempt bonds benefiting private individuals or entities may be issued in Maine in 2008 and at least \$262,095,000 in tax-exempt bonds benefiting private individuals or entities may be issued in Maine in 2009. This bill allocates the state ceiling among the state-level issuers of tax-exempt bonds.

Committee Amendment "A" (S-473)

This amendment incorporates a fiscal note.

Enacted Law Summary

Private and Special Law 2007, chapter 41 establishes the allocations of the state ceiling on the issuance of tax-exempt bonds for calendar years 2008 and 2009. Under federal law, a maximum of \$262,095,000 in tax-exempt bonds benefiting private individuals or entities may be issued in Maine in 2008 and at least \$262,095,000 in tax-exempt bonds benefiting private individuals or entities may be issued in Maine in 2009. This law allocates the state ceiling among the state-level issuers of tax-exempt bonds.

Private and Special Law 2007, chapter 41 was enacted as an emergency measure effective April 1, 2008.

LD 2186 Resolve, Regarding the Operations of the Greater Portland Public Development Commission

RESOLVE 224

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUMMINGS	ONTP MAJ OTP-AM MIN	H-809 H-969 CLEARY

This bill directs the disposition of funds and other assets of the Greater Portland Public Development Commission, which was created by the Legislature in 1945 to dispose of World War II South Portland shipyard assets and to promote economic development in the City of Portland and the City of South Portland.

This bill authorizes the permanent transfer or assignment of the commission's remaining funds and other assets to a nonprofit organization with a mission consistent with the commission's mission to continue the commission's economic development efforts in the City of Portland and the City of South Portland and provides for the subsequent termination of the commission's legal existence.

Committee Amendment "A" (H-809)

This amendment incorporates a fiscal note.

House Amendment "A" (H-969)

This amendment replaces the bill. Unlike the bill, which directed the disposition of funds and other assets of the Greater Portland Public Development Commission, this amendment instead directs the Greater Portland Public Development Commission to submit an audited financial statement to the joint standing committee of the Legislature having jurisdiction over business, research and economic development matters by January 15, 2009, and authorizes

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the joint standing committee to report out legislation regarding the operations of the commission. Pending final disposition of that legislation, this resolve prohibits the Greater Portland Public Development Commission from expending funds, incurring liabilities and taking on new business activity.

Enacted Law Summary

Resolve 2007, chapter 224 directs the Greater Portland Public Development Commission to submit an audited financial statement to the joint standing committee of the Legislature having jurisdiction over business, research and economic development matters by January 15, 2009, and authorizes the joint standing committee to report out legislation regarding the operations of the commission. Pending final disposition of that legislation, this resolve prohibits the Greater Portland Public Development Commission from expending funds, incurring liabilities and taking on new business activity.

LD 2250 Resolve, Regarding Legislative Review of Portions of Chapter 220: Methodology for Identification of Regional Service Centers, a Major Substantive Rule of the Executive Department, State Planning Office

**RESOLVE 205
EMERGENCY**

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

This resolve provides for legislative review of portions of Chapter 220: Methodology for Identification of Regional Service Centers, a major substantive rule of the Executive Department, State Planning Office.

Enacted Law Summary

Resolve 2007, chapter 205 authorizes the final adoption of portions of Chapter 220: Methodology for Identification of Regional Service Centers, a provisionally adopted major substantive rule of the Executive Department, State Planning Office.

Resolve 2007, chapter 205 was enacted as an emergency measure effective April 15, 2008.

LD 2253 An Act To Provide Access to Certain Medications to Certified Midwives

PUBLIC 669

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM MAJ OTP-AM MIN	H-936

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-935)

This amendment is the majority report of the committee. The amendment replaces the bill and establishes a license for certified professional midwives under the Board of Complementary Health Care Providers. It adds 2 licensed midwives to the board. The amendment restricts the use of the title "licensed midwife" and the abbreviation "L.M." to licensed midwives who hold a current license to practice midwifery in this State. It authorizes licensed midwives to possess and administer a limited number of noncontrolled prescription drugs and substances in the course of the practice of midwifery, including oxygen; oxytocin, excluding the oxytocic drug methergine, for the sole purpose of postpartum control of maternal hemorrhaging; vitamin K; eye prophylaxis; and local anesthetics or numbing agents for repair of lacerations. It requires midwives to report the use of the antihemorrhagic medication to the maternal and child health division of the Department of Health and Human Services, Maine Center for Disease Control and Prevention.

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It also provides that a pharmacist, acting in good faith, is not prohibited from selling and dispensing any of those drugs and substances to a licensed midwife. A pharmacist, or person acting at the direction of a pharmacist, who in good faith sells and dispenses noncontrolled prescription drugs and substances to a licensed midwife is not liable for any adverse reactions caused by any method of use by the licensed midwife. A pharmacist, or person acting at the direction of a pharmacist, who makes a report to an enforcement agency is immune from any civil liability that may result from that action, including, but not limited to, any civil liability that might otherwise arise under state or local laws or rules regarding confidentiality of information. It also establishes a rebuttable presumption of good faith for pharmacists.

Committee Amendment "B" (H-936)

This amendment is the minority report of the committee. The amendment replaces the bill and authorizes midwives certified by an international certification agency to possess and administer a limited number of noncontrolled prescription drugs and substances in the course of the practice of midwifery, including oxygen; oxytocin, excluding the oxytocic drug methergine, for the sole purpose of postpartum control of maternal hemorrhaging; vitamin K; eye prophylaxis; and local anesthetics or numbing agents for repair of lacerations. It requires midwives to report the use of the antihemorrhagic medication to the maternal and child health division of the Department of Health and Human Services, Maine Center for Disease Control and Prevention.

It provides that a pharmacist, acting in good faith, is not prohibited from selling and dispensing any of those drugs and substances to a midwife. A pharmacist, or person acting at the direction of a pharmacist, who in good faith sells and dispenses noncontrolled prescription drugs and substances to a midwife is not liable for any adverse reactions caused by any method of use by the midwife. A pharmacist, or person acting at the direction of a pharmacist, who makes a report to an enforcement agency is immune from any civil liability that may result from that action, including, but not limited to, any civil liability that might otherwise arise under state or local laws or rules regarding confidentiality of information. It also establishes a rebuttable presumption of good faith for pharmacists.

Enacted Law Summary

Public Law 2007, chapter 669 authorizes certified professional midwives to possess and administer a limited number of noncontrolled prescription drugs and substances in the course of the practice of midwifery, including oxygen; oxytocin, excluding the oxytocic drug methergine, for the sole purpose of postpartum control of maternal hemorrhaging; vitamin K; eye prophylaxis; and local anesthetics or numbing agents for repair of lacerations. It requires midwives to report the use of the antihemorrhagic medication to the maternal and child health division of the Department of Health and Human Services, Maine Center for Disease Control and Prevention.

The law provides that a pharmacist, acting in good faith, is not prohibited from selling and dispensing any of those drugs and substances to a midwife. A pharmacist, or person acting at the direction of a pharmacist, who in good faith sells and dispenses noncontrolled prescription drugs and substances to a midwife is not liable for any adverse reactions caused by any method of use by the midwife. In addition, a pharmacist, or person acting at the direction of a pharmacist, who makes a report to an enforcement agency is immune from any civil liability that may result from that action, including, but not limited to, any civil liability that might otherwise arise under state or local laws or rules regarding confidentiality of information. The law also establishes a rebuttable presumption of good faith for pharmacists.

LD 2257 An Act To Establish a Uniform Building and Energy Code

PUBLIC 699

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM MAJ	H-1005 SMITH N
	OTP-AM MIN	H-983

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This bill defines a uniform statewide building and energy code, known as the Maine Uniform Building and Energy Code, that will replace all building and energy codes adopted by state agencies and municipalities. It establishes the Technical Building Codes and Standards Board in the Department of Public Safety, which will amend, update and adopt the code. The board will also identify and resolve conflicts between the code and other building-related codes, publish conflict resolutions on the Internet within 30 days, establish a process for considering amendments suggested by municipalities and citizens and ensure that training and certification for municipal building inspectors is readily available, affordable and accessible. The board may appoint technical advisory groups to make recommendations on specific code issues.

It also establishes the Division of Building Codes and Standards in the Department of Public Safety in the Office of the State Fire Marshal to provide administrative and technical support. The division will include a technical codes coordinator to provide technical support to the board, a training coordinator to establish a training program for building inspectors and an office specialist to provide administrative support for the board and division staff.

Enforcement of the code will be carried out by local building inspectors in municipalities of more than 2,000 residents, and these municipalities are considered the authority having jurisdiction over matters of local code enforcement. Enforcement of the code in municipalities with fewer than 2,000 residents is optional. Funding for the board, the division and training expenses for building inspectors will be provided from a surcharge on fire and life safety code plan review fees through the Office of State Fire Marshal and standards plan reviews for commercial and public buildings. All funding is to be deposited into a Department of Public Safety dedicated revenue fund called the Uniform Building Codes and Standards Fund.

Committee Amendment "A" (H-983)

This amendment is the majority report of the committee.

1. It amends the membership of the Technical Building Codes and Standards Board in the Department of Public Safety.
2. It provides the board with the authority to resolve conflicts only between the Maine Uniform Building and Energy Code and the fire and life safety codes.
3. It requires the board to adopt rules in accordance with the Maine Administrative Procedure Act necessary to carry out its duties.
4. It requires the board on December 31st of each calendar year beginning in 2010 to report to the joint standing committee of the Legislature having jurisdiction over business, research and economic development matters any proposals for proposed conflict resolutions for codes and standards referenced in the Maine Revised Statutes, Title 10, section 9725, subsections 2 to 7; proposals to improve the efficiency and effectiveness of those codes and standards; and alternative methods of funding for the board to create an equitable source of revenue.
5. It changes the establishment of the Division of Building Codes and Standards in the Department of Public Safety, instead establishing it as an independent bureau within the Department of Public Safety.
6. It amends the energy efficiency building standards laws to incorporate the standards of the Maine Uniform Building and Energy Code.
7. It provides that, beginning July 1, 2010, the Maine Uniform Building and Energy Code must be enforced in a municipality that has more than 2,000 residents and that has adopted any building code by August 1, 2008. Beginning July 1, 2012, the Maine Uniform Building and Energy Code must be enforced in a municipality that has more than 2,000 residents and that has not adopted any building code by August 1, 2008. It provides that the Maine Uniform Building and Energy Code be enforced through inspections that comply with the code through any of the following means: (A) municipally appointed building officials and local code enforcement officers; (B) interlocal agreements with other municipalities that share the use of building officials certified in building standards pursuant

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to Title 10, section 9723; (C) contractual agreements with county or regional authorities that share the use of building officials certified in building standards pursuant to Title 10, section 9723; and (D) reports from 3rd-party inspectors certified pursuant to Title 10, section 9723 submitted to the building official prior to obtaining a certificate of occupancy in Title 25, section 2357 that are obtained pursuant to independent contractual arrangements between the building owner and 3rd-party inspector or the municipality and 3rd-party inspector.

8. It replaces the term "inspector of buildings" with "building official."
9. It adds a definition for "3rd-party inspector" and requires the board to develop a training program for municipal building officials, local code enforcement officers and 3rd-party inspectors.
10. It clarifies that the Executive Department, State Planning Office is responsible for implementing the training and certification program established by the board.
11. It adds an appropriations and allocations section.

Committee Amendment "B" (H-984)

This amendment is the minority report of the committee.

1. It establishes the Maine Uniform Building Code and removes references in the code to the International Energy Conservation Code and the Maine model radon standard for new residential construction set forth in the Maine Revised Statutes, Title 25, section 2466 and associated rules.
2. It amends the membership of the Technical Building Codes and Standards Board in the Department of Public Safety.
3. It provides the board with the authority to resolve conflicts only between the Maine Uniform Building Code and the fire and life safety codes.
4. It requires the board to adopt rules in accordance with the Maine Administrative Procedure Act necessary to carry out its duties and sunsets the duties of the board in January 2012.
5. It requires the board on December 31st of each calendar year beginning in 2010 to report to the joint standing committee of the Legislature having jurisdiction over business, research and economic development matters any proposals for proposed conflict resolutions for codes and standards referenced in Title 10, section 9725, subsections 2 to 7; proposals to improve the efficiency and effectiveness of those codes and standards; and alternative methods of funding for the board to create an equitable source of revenue.
6. It changes the establishment of the Division of Building Codes and Standards in the Department of Public Safety, instead establishing it as an independent bureau within the Department of Public Safety.
7. It removes mandatory enforcement of the Maine Uniform Building Code and provides that municipalities may choose to enforce the Maine Uniform Building Code through inspections that comply with the code through any of the following means: (A) building officials and local code enforcement officers; (B) interlocal agreements with other municipalities that share the use of building officials certified in building standards pursuant to Title 10, section 9723; (C) contractual agreements with county or regional authorities that share the use of building officials certified in building standards pursuant to Title 10, section 9723; and (D) reports from 3rd-party inspectors certified pursuant to Title 10, section 9723 submitted to the building official that are obtained pursuant to independent contractual arrangements between the building owner and 3rd-party inspector or the municipality and 3rd-party inspector.
8. It sunsets the surcharge on plan review fees in January 2012.

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9. It replaces the term "inspector of buildings" with "building official."
10. It adds a definition for "3rd-party inspector" and requires the board to develop a training program for municipal building officials, local code enforcement officers and 3rd-party inspectors.
11. It clarifies that the Executive Department, State Planning Office is responsible for implementing the training and certification program established by the board.
12. It adds an appropriations and allocations section.
13. It adds a report on local enforcement efforts from the board to the joint standing committee of the Legislature having jurisdiction over business, research and economic development matters by December 1, 2013.

House Amendment "A" (H-996)

This amendment directs the Technical Building Codes and Standards Board, in adopting and amending the Maine Uniform Building and Energy Code, to ensure that nontraditional or experimental construction, including straw bale and earth berm construction, and building materials from sawmills and lumber yards are permissible under the code. This amendment also specifies that the requirements of the Maine Uniform Building and Energy Code do not apply to post and beam and timber frame construction.

House Amendment "B" (H-1005)

This amendment directs the Technical Building Codes and Standards Board, in adopting and amending the Maine Uniform Building and Energy Code, to ensure that nontraditional or experimental construction, including straw bale and earth berm construction, and building materials from local sawmills are permissible under the code. This amendment also specifies that the requirements of the Maine Uniform Building and Energy Code do not apply to post and beam and timber frame construction.

Enacted Law Summary

Public Law 2007, chapter 699 establishes a uniform statewide building and energy code, known as the Maine Uniform Building and Energy Code and provides express limitations on municipal home rule authority. It provides that, beginning July 1, 2010, the Maine Uniform Building and Energy Code must be enforced in a municipality that has more than 2,000 residents and that has adopted any building code by August 1, 2008. Beginning July 1, 2012, the Maine Uniform Building and Energy Code must be enforced in a municipality that has more than 2,000 residents and that has not adopted any building code by August 1, 2008. The Maine Uniform Building and Energy Code must be enforced through inspections that comply with the code through any of the following means: (A) municipally appointed building officials and local code enforcement officers; (B) interlocal agreements with other municipalities that share the use of building officials certified in building standards; (C) contractual agreements with county or regional authorities that share the use of building officials certified in building standards; and (D) reports from 3rd-party inspectors certified pursuant to Title 10, section 9723 submitted to the building official prior to obtaining a certificate of occupancy in Title 25, section 2357 that are obtained pursuant to independent contractual arrangements between the building owner and 3rd-party inspector or the municipality and 3rd-party inspector.

The law establishes the Technical Building Codes and Standards Board in the Department of Public Safety. The board is responsible for amending, updating and adopting the code and resolving conflicts between the code and the fire and life safety codes. The board must establish a process for considering amendments to the code and adopt rules in accordance with the Administrative Procedures Act that are necessary to carry out its duties. The board is responsible for establishing training and certification program standards for municipal building officials, local code enforcement officers and 3rd-party inspectors. The State Planning Office is responsible for implementing the training and certification program established by the board.

Beginning in 2010, the board is required to provide an annual report to the joint standing committee of the Legislature having jurisdiction over business, research and economic development matters on the following:

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proposals for proposed conflict resolutions for codes and standards referenced in the Maine Revised Statutes, Title 10, section 9725, subsections 2 to 7; proposals to improve the efficiency and effectiveness of those codes and standards; and alternative methods of funding for the board to create an equitable source of revenue. The board, in adopting and amending the Maine Uniform Building and Energy Code, is required to ensure that nontraditional or experimental construction, including straw bale and earth berm construction, and building materials from local sawmills are permissible under the code. The requirements of the code do not apply to post and beam and timber frame construction, nor do they apply to log homes or manufactured housing.

The law also creates the Bureau of Building Codes and Standards as an independent bureau within the Department of Public Safety to provide administrative and technical support to the board. The bureau includes a technical codes coordinator to provide technical support to the board and an office specialist to provide administrative support for the bureau and board.

The law establishes the Uniform Building Codes and Standards Fund within the Department of Public Safety to provide funding for the board, bureau and the State Planning Office for training expenses. Revenue for the fund will be provided from a surcharge on fire and life safety code plan review fees through the Office of State Fire Marshal and standards plan reviews for commercial and public buildings.

LD 2264 An Act To Encourage Energy Conservation by the Maine State Housing Authority Pursuant to the State Government Evaluation Act Review

PUBLIC 645

Sponsor(s)

Committee Report

Amendments Adopted

OTP-AM

H-1004

This bill provides the Maine State Housing Authority with the authority to encourage and provide incentives to individuals and entities that conserve energy; support and participate in markets that reward energy conservation and use the proceeds from this participation to support affordable housing programs under its jurisdiction; and create and administer programs that encourage individuals and entities to conserve energy.

Committee Amendment "A" (H-1004)

This amendment clarifies that, in carrying out its authority to support and participate in markets that reward energy conservation, the Maine State Housing Authority may use resources derived from any source except the conservation program fund established by the Public Utilities Commission pursuant to the Maine Revised Statutes, Title 35-A, section 3211-A, subsection 5.

Enacted Law Summary

Public Law 2007, chapter 645 provides the Maine State Housing Authority with the following authority: (1) to encourage and provide incentives to individuals and entities that conserve energy; (2) to support and participate in markets that reward energy conservation and use the proceeds from this participation to support affordable housing programs under its jurisdiction; and (3) create and administer programs that encourage individuals and entities to conserve energy. The law clarifies that, in carrying out its authority to support and participate in markets that reward energy conservation, the Maine State Housing Authority may use resources derived from any source except the conservation program fund established by the Public Utilities Commission pursuant to the Maine Revised Statutes, Title 35-A, section 3211-A, subsection 5.

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**LD 2271 An Act Regarding the State Government Evaluation Act Review of the
Maine State Housing Authority**

PUBLIC 562

Sponsor(s)

Committee Report

Amendments Adopted

OTP

This bill makes the following changes to the laws governing the Maine State Housing Authority:

1. It eliminates the annual reporting requirement for the recommendations regarding housing for persons under 35 years of age.
2. It provides the Maine State Housing Authority with the ability to administer state and other funds for persons who are homeless.
3. It expands the records protected as confidential records pursuant to the freedom of access law to include the addresses of domestic violence shelters and living accommodations, as well as information collected by recipients of grants, mortgages and mortgage insurance from the authority.
4. It repeals the setting aside of funds within the Housing Opportunities for Maine Fund.

Enacted Law Summary

Public Law 2007, chapter 562 makes the following changes to the laws governing the Maine State Housing Authority:

1. It eliminates the annual reporting requirement for the recommendations regarding housing for persons under 35 years of age.
2. It provides the Maine State Housing Authority with the ability to administer state and other funds for persons who are homeless.
3. It expands the records protected as confidential records pursuant to the freedom of access law to include the addresses of domestic violence shelters and living accommodations, as well as information collected by recipients of grants, mortgages and mortgage insurance from the authority.
4. It repeals the setting aside of funds within the Housing Opportunities for Maine Fund.

LD 2277 An Act Regarding the Sunrise Review of Oral Health Care Issues

PUBLIC 620

Sponsor(s)

Committee Report

Amendments Adopted

OTP-AM

H-934

This bill creates the new license category of independent practice dental hygienist. An independent practice dental hygienist must meet the ordinary requirements for licensure as a dental hygienist and, in addition, must have an associate degree in dental hygiene with 3 years' experience or a bachelor's degree in dental hygiene with one year's experience. The bill authorizes an independent practice dental hygienist to perform specified procedures without supervision by a dentist, but requires an independent practice dental hygienist to provide a patient with a referral plan to a dentist for any necessary dental care. Under this bill an independent practice dental hygienist could be the proprietor of a business or could be an employee of a dentist, denturist, another independent practice dental

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hygienist or a business owned by persons who are not dental professionals. The bill also provides the Subcommittee on Denturists with the authority to review applications for licensure and submissions relating to continuing education of denturists, as well as provides the subcommittee with rule-making authority. It also provides the Subcommittee on Dental Hygienist Submissions with rule-making authority.

Committee Amendment "A" (H-934)

This amendment provides the Subcommittee on Denturists and the Subcommittee on Dental Hygienists with equal authority to review applications for licensure and submissions relating to continuing education, as well as initial review of all complaints. It removes all references to the rule-making authority provided to these subcommittees in the bill. It also requires that a proprietor of a business where independent practice dental hygiene is performed be a licensee of the Board of Dental Examiners.

Enacted Law Summary

Public Law 2007, chapter 620 creates the new license category of independent practice dental hygienist. An independent practice dental hygienist must meet the ordinary requirements for licensure as a dental hygienist and, in addition, must have an associate degree in dental hygiene with 3 years of experience or a bachelor's degree in dental hygiene with one year of experience. The law authorizes an independent practice dental hygienist to perform specified procedures without supervision by a dentist, but requires an independent practice dental hygienist to provide a patient with a referral plan to a dentist for any necessary dental care. The law provides the Subcommittee on Denturists and the Subcommittee on Dental Hygienists with equal authority to review applications for licensure and submissions relating to continuing education, as well as initial review of all complaints. The law also allows any licensee of the Board of Dental Examiners to be a proprietor of a business where independent practice dental hygiene is performed.

LD 2278 An Act To Create Efficiencies in Professional Licensing Laws Pursuant to the State Government Evaluation Act Review of the Department of Professional and Financial Regulation

PUBLIC 621

Sponsor(s)

Committee Report

Amendments Adopted

OTP

H-967 SMITH N

This bill clarifies the legal requirement that licensees report name, address or other material change information to the Department of Professional and Financial Regulation within 10 days of the change; reenacts provisions that permit 2 boards to enforce orders of correction; changes the configuration of certain licensing boards; corrects cross-references in certain board statutes; eliminates unnecessary documentation requirements; repeals the Maine Athletic Commission; and sunsets the "registered counselor" license category.

House Amendment "A" (H-967)

This amendment moves the statutory provision pertaining to the duty to require certain information from applicants and licensees from the general administrative authority of the Department of Professional and Financial Regulations, Office of Licensing and Registration to a new section of the Maine Revised Statutes, Title 10 to permit the office and the boards, commissions and regulatory function within the office to enforce this provision.

Enacted Law Summary

Public Law 2007, chapter 621 clarifies the legal requirement that licensees report name, address or other material change information to the Department of Professional and Financial Regulation, Office Licensing and Registration within 10 days of the change; reenacts provisions that permit 2 boards to enforce orders of correction; changes the configuration of certain licensing boards; corrects cross-references in certain board statutes; eliminates unnecessary documentation requirements; repeals the Maine Athletic Commission; and sunsets the "registered counselor" license category.

Joint Standing Committee on Business, Research and Economic Development

LD 2317 An Act Regarding the Maine Economic Development Evaluation

**DIED ON
ADJOURNMENT**

Sponsor(s)

Committee Report

Amendments Adopted

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

This bill was reported out of committee pursuant to S.P. 926.

**LD 2320 An Act To Stimulate Capital Investment for Innovative Businesses in
Maine**

**HELD BY
GOVERNOR**

Sponsor(s)

Committee Report

Amendments Adopted

OTP

S-694 ROTUNDO

This bill is modeled on statutes in Arkansas, Iowa, Michigan, Montana and Utah. It authorizes the establishment of the Maine Fund of Funds within the Small Enterprise Growth Board for the purpose of increasing the availability of venture capital to the Maine economy. The fund is managed by a director chosen by the Small Enterprise Growth Board, who may replace the director at will and has authority to close the fund if necessary to protect the State's interests. The board raises capital for the fund by offering as security refundable tax credits issued by the board, with the goal of attracting venture capital investment in the State's economy. The board maintains regulatory control over the fund. The bill requires annual audits and reports on the fund.

The goal of the fund is to create investments in the Maine economy, which is broadly described as including the development of intellectual capital as well as job creation. The director may invest outside of the State as necessary to maximize returns and reduce the likelihood that tax credits will be redeemed. The bill provides that net profits from the fund after payment of obligations must be remitted to the General Fund. It also provides the Maine Public Employees Retirement System a preference in becoming a lender of capital and a special provision that the Maine Public Employees Retirement System may be granted a piece of the profits as an additional inducement to becoming a capital lender. Tax credits may not be redeemed for defaults occurring later than 2030, and the bill restricts tax credit redemption to \$10,000,000 per year.

This bill was reported out of committee pursuant to Joint Order S.P. 873.

Senate Amendment "A" (S-694)

This amendment strikes the appropriations and allocations section.

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SUBJECT INDEX

Business Regulation

Enacted

LD 2124 An Act To Prevent the Theft of Certain Metals PUBLIC 549
EMERGENCY

Not Enacted

LD 2120 An Act To Require That Sellers of Scrap Metal Provide ONTP
Identification

Consumer Protection

Not Enacted

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

LD 2143 An Act To Require Retailers To Disclose the State's Implied DIED BETWEEN
Warranty Laws to Customers HOUSES

Economic Development- Agencies

Enacted

LD 1937 An Act Regarding the Maine Regulatory Fairness Board PUBLIC 676
EMERGENCY

LD 1995 An Act To Strengthen the Maine Small Business and PUBLIC 585
Entrepreneurship Commission

LD 2186 Resolve, Regarding the Operations of the Greater Portland Public RESOLVE 224
Development Commission

LD 2250 Resolve, Regarding Legislative Review of Portions of Chapter 220:
Methodology for Identification of Regional Service Centers, a RESOLVE 205
Major Substantive Rule of the Executive Department, State EMERGENCY
Planning Office

Not Enacted

LD 2317 An Act Regarding the Maine Economic Development Evaluation DIED ON
ADJOURNMENT

Economic Development-Programs

Enacted

LD 2159 An Act To Advance the Maine Economy PUBLIC 644

Not Enacted

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

LD 790 An Act To Strengthen Rural Community Investment ACCEPTED ONTP REPORT

LD 833 An Act To Support the Maine Patent Program DIED ON ADJOURNMENT

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

LD 2003 An Act To Create the Southern York County Regional Development Authority ONTP

LD 2078 Resolve, To Determine Methods of Securing a Trained Laboratory Workforce for Maine ONTP

LD 2320 An Act To Stimulate Capital Investment for Innovative Businesses in Maine HELD BY GOVERNOR

Housing

Enacted

LD 2185 An Act To Provide for the 2008 and 2009 Allocations of the State Ceiling on Private Activity Bonds P & S 41 EMERGENCY

LD 2264 An Act To Encourage Energy Conservation by the Maine State Housing Authority Pursuant to the State Government Evaluation Act Review PUBLIC 645

LD 2271 An Act Regarding the State Government Evaluation Act Review of the Maine State Housing Authority PUBLIC 562

Occupational and Professional Regulation

Enacted

LD 1038 Resolve, Directing the Department of Professional and Financial Regulation To Study the Issue of Residential Contractor Licensing RESOLVE 219

LD 2024 An Act To Clarify the Licensure of Advanced Practice Registered Nurses PUBLIC 498

LD 2253 An Act To Provide Access to Certain Medications to Certified Midwives PUBLIC 669

LD 2257 An Act To Establish a Uniform Building and Energy Code PUBLIC 699

LD 2277 An Act Regarding the Sunrise Review of Oral Health Care Issues PUBLIC 620

LD 2278	An Act To Create Efficiencies in Professional Licensing Laws Pursuant to the State Government Evaluation Act Review of the Department of Professional and Financial Regulation	PUBLIC 621
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Not Enacted

LD 1128	An Act To Require Electronic Monitoring of Secondary Sales Transactions	ONTP
LD 1963	An Act Regarding the Training of Applicants for a Limited Radiographer License by Licensed Practitioners	ONTP
LD 2179	An Act To Promote Residential and Commercial Energy Conservation	INDEF PP

**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>	18	64.3%	3.2%
<i><u>Bills Carried Over from previous session</u></i>	<u>7</u>	<u>25.0%</u>	<u>1.2%</u>
Total Bills referred	25	89.3%	4.4%
B. Bills reported out by law or joint order	3	10.7%	0.5%
Total Bills considered by Committee	28	100.0%	5.0%
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	14.8%	0.8%
<i>Ought to Pass as Amended</i>	9	33.3%	1.7%
<i>Ought to Pass as New Draft</i>	0	0.0%	0.0%
<i><u>Ought Not to Pass</u></i>	<u>8</u>	<u>29.6%</u>	<u>1.5%</u>
Total unanimous reports	21	77.8%	4.0%
B. Divided committee reports			
<i>Two-way reports</i>	6	22.2%	1.1%
<i>Three-way reports</i>	0	0.0%	0.0%
<i><u>Four-way reports</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total divided reports	6	22.2%	1.1%
Total committee reports	27¹	96.4%	5.1%
III. CONFIRMATION HEARINGS	10	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>	11	39.3%	2.0%
<i>Private and Special Laws</i>	1	3.6%	0.2%
<i>Resolves</i>	3	10.7%	0.5%
<i><u>Constitutional Resolutions</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Enacted or Finally Passed	15	53.6%	2.7%
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	1	100.0%	4.5%
Rules authorized with legislative changes	0	0.0%	0.0%
<i><u>Rules not authorized by the Legislature</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total number of rules reviewed	1	100.0%	4.5%
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%
<i><u>Held by the Governor</u></i>	<u>1</u>	<u>3.6%</u>	<u>0.2%</u>
Total	1	3.6%	0.2%

¹ Total number of committee reports does not include one bill, LD 2179, that was referred to the committee, but was not reported out.

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.