

MAINE STATE LEGISLATURE

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STATE OF MAINE
118TH LEGISLATURE

FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
BUSINESS AND ECONOMIC DEVELOPMENT

JULY 1997

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ONE HUNDRED EIGHTEENTH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS

Summary Of Legislation Before The Joint Standing Committees
August 1997

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

<i>CARRIED OVER</i>	<i>Bill carried over to Second Regular Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i>	<i>Committee report Ought To Pass In New Draft/New Title</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

David E. Boulter, Director
 Offices Located in the State House, Rooms 101/107/135

LD 687 **An Act to Require Notification of Changes in Product Lines from Beverage Distributors to Redemption Centers and to Clarify Beverage Distributors' Obligation to Pick Up Containers** **ONTP**

<u>Sponsor(s)</u> SNOWE-MELLO	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 687 proposed to require distributors to pick up containers when requested by dealers if the containers are empty, unbroken and reasonably clean; of the particular kind, size and brand sold by the distributor; and number at least 48. The bill would require distributors to notify redemption centers when a beverage line was discontinued or a new beverage line was added. The distributor could choose to notify redemption centers in one of two ways.

LD 690 **An Act to Require That Safety Features Be Added to Hot Water Heaters and Furnaces Powered by Natural Gas** **ONTP**

<u>Sponsor(s)</u> PLOWMAN	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 690 proposed to require that sellers or installers of water heaters or furnaces that operate using natural gas for use in residences must ensure that those appliances are sold with and installed upon platforms that are at least ten inches off the floor.

LD 709 **An Act to Define the Term "Occupational Therapy Practitioner" in the Laws Regulating Professions and Occupations** **PUBLIC 212**

<u>Sponsor(s)</u> FULLER	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-287
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LD 709 proposed to enact a new definition in the Maine Revised Statutes, Title 32, chapter 32. The new definition, "occupational therapy practitioner," would include both occupational therapists and occupational therapy assistants. The bill would also amend language to include references to occupational therapy practitioners in the chapter.

Committee Amendment "A" (H-287) proposed to clarify that an occupational therapy practitioner included a licensed occupational therapist or a certified occupational therapy assistant.

Enacted law summary

Public Law 1997, chapter 212 enacts a new definition in the Maine Revised Statutes, Title 32, chapter 32. The new definition, "occupational therapy practitioner," includes licensed occupational therapists or certified occupational therapy assistants.

LD 713 **An Act to Change the Composition of the Loring Development Authority Board of Trustees** **ONTP**

<u>Sponsor(s)</u> O'NEAL		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 713 proposed to change the composition of the Loring Development Authority Board of Trustees by adding an additional member. The Aroostook County legislative delegation would appoint a member of the delegation to be a nonvoting, ex officio member of the board of trustees.

LD 729 **An Act to Amend the Maine Pharmacy Act** **PUBLIC 245**

<u>Sponsor(s)</u> BRUNO		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-288
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LD 729 proposed to simplify the title of the Board of Commissioners of the Profession of Pharmacy, to include in the Maine Pharmacy Act a definition of "pharmacy technician" and to authorize the board to establish a fee, not to exceed \$25, for the annual registration of pharmacy technicians.

Committee Amendment "A" (H-288) proposed to add new sections to the bill that would have revised the law regulating generic and therapeutically equivalent substitutions for brand-name medications to increase prescription form options available to practitioners and pharmacists. The amendment would also eliminate the requirement for posting a "Top 100" list of drug prices and would replace it with a requirement that a pharmacist or pharmacy technician disclose drug prices when asked, if provided with sufficient information by the inquiring person or by the prescribing practitioner.

Enacted law summary

Public Law 1997, chapter 245 simplifies the title of the Board of Commissioners of the Profession of Pharmacy, includes in the Maine Pharmacy Act a definition of "pharmacy technician" and authorizes the board to establish a fee, not to exceed \$25, for the annual registration of pharmacy technicians. Chapter 245 also amends the law regulating generic and therapeutically equivalent substitutions for brand-name medications to increase prescription form options available to practitioners and pharmacists. The prescription pad is no longer required to have a small check-off box on it in order to be filled in the State. Chapter 245 also eliminates the requirement for posting a "Top 100" list of drug prices and replaces it with a requirement that a pharmacist or pharmacy technician disclose drug prices when asked, if provided with sufficient information by the inquiring person or by the prescribing practitioner.