

MAINE STATE LEGISLATURE

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*State Of Maine
121st Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Business, Research and Economic Development*

July 2003

Members:

Sen. Lynn Bromley, Chair

Sen. Christopher G. L. Hall

Sen. Kevin L. Shorey

Rep. Nancy B. Sullivan, Chair

Rep. Lillian LaFontaine O'Brien

Rep. Guy J. Duprey, Jr.

Rep. Edward Pellon

Rep. Nancy E. Smith

Rep. Susan M. Austin

Rep. Robert A. Berube

Rep. Lawrence E. Jacobsen

Rep. Christopher Rector

Rep. William T. Rogers, Jr.

Staff:

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Maine State Legislature



Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

121st Maine Legislature First Regular Session

Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint select committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. 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 considered by the committees. It is arranged alphabetically by committee name 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 PURSUANT TO HP 1212</i>	<i>Bills carried over to the 2nd 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>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</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>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PASSED</i>	<i>Joint Order passed in both bodies</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 that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

David C. Elliott, Director
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Business, Research and Economic Development

LD 36

An Act to Protect the Privacy of Maine Nurses

PUBLIC 64

<u>Sponsor(s)</u> DAGGETT		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-9
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LD 36 proposed to ensure that the personal residence address and telephone number, and e-mail address if provided, of an applicant for licensure by the State Board of Nursing remain confidential unless the applicant provides a personal residence address, telephone number and e-mail address as the public contact address. It proposed to prohibit the disclosure of personal health information and personal residence address and telephone number except to other governmental licensing or disciplinary authorities or to any health care providers located within or outside this State that are concerned with granting, limiting or denying a nurse's employment or privileges.

Committee Amendment "A" (S-9) proposed to replace the bill. The amendment proposed that on or after July 1, 2004, applicants for licensure or for renewal of licensure by the State Board of Nursing would be required to provide the board with a professional address and telephone number, which would be public information, and a residential address and telephone number, which would be confidential unless furnished as the applicant's or licensee's public contact address. It also proposed to prohibit the disclosure of personal health information, except as otherwise permitted or required by law, and to remove from the original bill a provision allowing the board to share personal information with certain governmental authorities and health care providers.

Enacted Law Summary

Public Law 2003, chapter 64 provides that on or after July 1, 2004, applicants for licensure or for renewal of licensure by the State Board of Nursing must provide the board with a professional address and telephone number, which will be public information, and a residential address and telephone number, which will be confidential unless furnished as the applicant's or licensee's public contact address. It also prohibits the disclosure of personal health information, except as otherwise permitted or required by law.

LD 42

An Act to Establish Rent Caps on Property in Southern Maine

ONTP

<u>Sponsor(s)</u> LAVERRIERE-BOUC		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 42, which was a concept draft pursuant to Joint Rule 208, proposed to establish caps on residential rental property rates in southern Maine commensurate with the average wages earned by southern Maine residents.

LD 75

An Act to Amend the Motor Vehicle Franchise Laws

ONTP

<u>Sponsor(s)</u> RINES		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 75 proposed to permit a motor vehicle franchisor and a dealer to enter into an agreement for the reimbursement of warranty repairs if a majority of a motor vehicle franchisor's state dealers agree. Under the proposed bill, motor

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vehicle franchisors would have certified to the Secretary of State that a majority of their dealers participate under the agreement and that costs recovered are only those permitted by the agreement.

This bill was heard and worked in conjunction with LD 1294, which also proposed to amend the laws concerning the regulation of business practices between motor vehicle manufacturers, distributors and dealers.

LD 126 An Act to Amend the Membership of the Propane and Natural Gas Board PUBLIC 420

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT	ONTP MAJ	H-503 SULLIVAN
HATCH PR	OTP-AM MIN	

LD 126 proposed to add to the Propane and Natural Gas Board a board member who is a member of a labor organization in the building and construction industry.

House Amendment "A" (H-503) proposed to add an appropriations and allocations section to the bill.

Committee Amendment "A" (S-20), which was not adopted, was the minority report of the Joint Standing Committee on Business, Research and Economic Development. The amendment proposed to require the new member of the Propane and Natural Gas Board to have at least 10 consecutive years of active experience in the propane or natural gas industry immediately preceding appointment. The amendment also proposed that the member must represent a labor organization in the pipefitting industry and proposed to add an appropriations and allocations section.

House Amendment "A" to Committee Amendment "A" (H-94), which was not adopted, proposed to maintain the membership of the Propane and Natural Gas Board at 8 members. It proposed to retain the provision of the bill that would have exempted the member representing a labor organization from the requirement of at least 10 consecutive years of active experience in the propane or the natural gas industry immediately preceding appointment. It also proposed to strike the appropriation section from the amendment.

House Amendment "B" to Committee Amendment "A" (H-120), which was not adopted, proposed to maintain the membership of the Propane and Natural Gas Board at 8 members. It proposed to retain the provision of the bill that would have exempted the member representing a labor organization from the requirement of at least 10 consecutive years of active experience in the propane or the natural gas industry immediately preceding appointment. It also proposed to strike the appropriation section from the amendment.

Enacted Law Summary

Public Law 2003, chapter 420 adds to the Propane and Natural Gas Board a board member who is a member of a labor organization in the building and construction industry, and allocates funds for administrative costs associated with having an additional member.