

# 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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*13 State House Station*

*Augusta, ME 04333*

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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](http://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 2<sup>nd</sup> 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 &amp; 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&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; 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*

**Committee Amendment "A" (H-183)** proposed to designate the Department of Economic and Community Development as the lead agency for providing information and business assistance to employers and businesses in response to an event that triggers rapid-response activities. The bill would have designated that department as the lead agency for the entire State response to such an event. The amendment proposed to retain for the Department of Labor its current role as the lead agency for providing assistance to workers affected by such an event and direct the Department of Labor, within 90 days from the effective date of the Act, to develop a directory of organizations that can provide resources to laid-off workers.

### *Enacted Law Summary*

Public Law 2003, chapter 159 designates the Department of Economic and Community Development as the lead agency for providing information and business assistance to employers and businesses in response to an event that triggers rapid-response activities. The law retains for the Department of Labor its role as the lead agency for providing assistance to workers affected by such an event and directs the Department of Labor, within 90 days from the effective date of the law, to develop a directory of organizations that can provide resources to laid-off workers.

Public Law 2003, chapter 159 was enacted as an emergency measure effective May 14, 2003.

**LD 945**

### **An Act To Facilitate Communication between Prescribers and Dispensers of Prescription Medication**

**PUBLIC 483**

Sponsor(s)  
PERRY A  
SHOREY

Committee Report  
OTP-AM

Amendments Adopted  
H-457

LD 945 proposed to require the Department of Professional and Financial Regulation to establish by January 2, 2004 and maintain an electronic prescription monitoring program. The bill proposed that the program allow prescribers and dispensers to identify immediately persons engaging in fraud and deception in obtaining schedule II, III and IV prescription drugs and to assist prescribers and dispensers in the safe and appropriate treatment and medication of patients. The bill also proposed to provide for criminal penalties for misuse of the information.

**Committee Amendment "A" (H-457)** proposed to replace the bill. The amendment proposed to make the following changes to the bill:

1. Specify that the intent of the legislation is to detect and prevent substance abuse, not interfere with the legitimate medical use of controlled substances;
2. Designate the Department of Behavioral and Developmental Services, Office of Substance Abuse as the agency administering the prescription monitoring program and allow the office to receive funds from any public or private source;
3. Make implementation of the program contingent on the receipt of sufficient federal or private funding and specify that no general fund appropriation may be made to fund the program;
4. Cover prescriptions dispensed to any person in the State, rather than merely prescriptions actually dispensed in the State;

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

5. Provide a list of items of information from which the office may choose requirements for submission;
6. Provide a dispenser with immunity from liability for disclosure of information if the disclosure was made pursuant to and in accordance with the requirements of the legislation;
7. Direct the office to establish thresholds that, when exceeded, would trigger notification; and
8. Direct the office to purge information after 6 years.

### ***Enacted Law Summary***

Public Law 2003, chapter 483 requires the Office of Substance Abuse within the Department of Behavioral and Developmental Services to establish by January 2, 2004 and to maintain an electronic prescription monitoring program. The program will allow prescribers and dispensers to identify immediately persons engaging in fraud and deception in obtaining schedule II, III and IV prescription drugs and to assist prescribers and dispensers in the safe and appropriate treatment and medication of patients. In addition, the law does the following:

1. It provides for criminal penalties for misuse of the information gathered through the program;
2. It specifies that the intent of the legislation is to detect and prevent substance abuse, not interfere with the legitimate medical use of controlled substances;
3. It allows the Office of Substance Abuse to receive funds from any public or private source for the program, makes implementation of the program contingent on the receipt of sufficient federal or private funding and specifies that no general fund appropriation may be made to fund the program;
4. It provides a list of items of information from which the office may choose requirements for submission;
5. It provides a dispenser with immunity from liability for disclosure of information if the disclosure was made pursuant to and in accordance with the requirements of the legislation;
6. It directs the office to establish thresholds that, when exceeded, will trigger notification; and
7. It directs the office to purge information after 6 years.

**LD 946**

**Resolve, To Establish the Commission To Promote Jobs and Economic Development through Ecotourism**

**ONTP**

Sponsor(s)  
FAIRCLOTH  
BRYANT

Committee Report  
ONTP

Amendments Adopted

LD 946 proposed to establish the Commission to Promote Jobs and Economic Development through Ecotourism.