

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

*State Of Maine  
122nd Legislature*

*First Regular Session and  
First Special Session*

*Bill Summaries*

*Joint Standing Committee  
on*

*Business, Research and Economic Development*

*August 2005*

*Members:*

*Sen. Lynn Bromley, Chair*

*Sen. Barry J. Hobbins*

*Sen. Dana L. Dow*

*Rep. Nancy E. Smith, Chair*

*Rep. Lillian LaFontaine O'Brien*

*Rep. Stephen R. Beaudette*

*Rep. Charles Earl Crosby, III*

*Rep. David W. Farrington*

*Rep. Christopher Rector*

*Rep. Susan M. Austin*

*Rep. Robert A. Berube*

*Rep. Lawrence E. Jacobsen*

*Rep. John C. Robinson*

*Staff:*

*Natalie Haynes, Legislative Analyst*

*Office of Policy and Legal Analysis*

*13 State House Station*

*Augusta, ME 04333*

*(207) 287-1670*



Maine State Legislature

OFFICE OF POLICY & LEGAL ANALYSIS

13 State House Station, Room 215 Cross State Office Building
Augusta, Maine 04333-0013
Telephone: (207) 287-1670
Fax: (207) 287-1275

122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 organized 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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included 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:

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

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 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

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

**LD 1078**                      **Resolve, Directing the Department of Economic and Community Development To Develop Guidelines To Create Urban Enterprise Zones**                      **ONTP**

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

LD 1078 proposed to direct the Department of Economic and Community Development to develop guidelines and criteria for the creation of urban enterprise zones and to report back to the Joint Standing Committee on Business, Research and Economic Development by January 15, 2006.

**LD 1083**                      **Resolve, To Direct the State Board of Funeral Service To Consider the Need To Amend Its Rules with Regard to Licensed Funeral Establishments**                      **RESOLVE 106**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS J	OTP-AM    MAJ ONTP        MIN	H-525

LD 1083 proposed to amend the definition of "funeral establishment" to make the definition more specific and proposed to direct the State Board of Funeral Service to adopt rules for the creation of satellite or branch facilities of funeral establishments.

**Committee Amendment "A" (H-525)** was the majority report of the committee. The amendment proposed to replace the bill with a resolve. It proposed to direct the Department of Professional and Financial Regulation, State Board of Funeral Service to review the regulation of and the nature of public disclosures required to be made by licensed funeral establishments and branches and whether the current rules adequately address these public disclosure requirements.

*Enacted law summary*

Resolve 2005, chapter 106 directs the Department of Professional and Financial Regulation, State Board of Funeral Service to review the regulation and nature of public disclosures required to be made by licensed funeral establishments and branches, as well as whether the current rules adequately address these public disclosure requirements.

**LD 1135**                      **An Act To Safeguard Federalism in Trade**                      **CARRIED OVER**

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

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

LD 1135 proposed to require that two legislative points of contact be appointed at the beginning of each legislative session to serve as the State’s official liaison for all federal trade agreement matters. The bill proposed to require legislative approval before the State signs on to any trade agreement and would require the Attorney General to notify the United States Trade Representative of the provisions of this bill along with the leadership of the Legislature and the State's congressional delegation.

This bill was carried over by H.P. 1203 to the next special or regular session of the 122<sup>nd</sup> Legislature.

**LD 1139**                      **An Act To Identify the Benefits and Costs of Adjustments to Building Codes**                      **ONTP**

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

LD 1139 proposed to require the Commissioner of Public Safety to report to the Legislature on the costs and benefits of any proposed rule or legislation that would affect or enact a building code administered by the State Fire Marshal.

**LD 1167**                      **An Act To Ensure the Health and Safety of All Maine Citizens by Licensing Drug Wholesalers**                      **ONTP**

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

LD 1167 proposed to create a licensing structure for wholesale distributors of prescription drugs to be regulated by the Maine Board of Pharmacy. Provisions of this licensing structure would include:

1. Definitions;
2. Licensing requirements for wholesale distributors of prescription drugs;
3. Restrictions on transactions for wholesale distributors of prescription drugs;
4. Requirements for pedigrees for prescription drugs;
5. Enforcement and authority for the Maine Board of Pharmacy to issue an order to cease distribution of a prescription drug; and
6. Prohibited acts and penalties for violations of the provisions of this bill.