

MAINE STATE LEGISLATURE

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*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:

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Maine State Legislature

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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 1190

Resolve, To Study the Establishment of a Controlled Substances Act for the State of Maine

RESOLVE 102

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERRY A	OTP-AM	H-521

LD 1190 proposed to establish the Controlled Substances Board to assist in the regulation of controlled substances. The board would consist of one representative each from the Department of Professional and Financial Regulation, Board of Licensure in Medicine, Board of Pharmacy and Board of Osteopathic Licensure; the advanced practice registered nurse member of the State Board of Nursing; and one representative each from the Department of Public Safety, Maine Drug Enforcement Agency; Department of Health and Human Services, Office of Substance Abuse; and Office of the Attorney General. The board would assist in the regulation of controlled substances through adoption of routine technical rules for the prescribing, labeling and dispensing of controlled substances listed on federal Schedules II through V. This bill proposed to require that the rules be more restrictive than federal requirements regarding benzodiazepines and must place benzodiazepines on a state schedule II.

Committee Amendment "A" (H-521) proposed to replace the bill with a resolve that directs the Director of the Office of Substance Abuse within the Department Health and Human Services to determine, in consultation with the Department of Professional and Financial Regulation, the Office of the Attorney General and interested parties, the feasibility of establishing a controlled substances act. It proposed to direct the director to submit a report, along with any proposed legislation, to the Joint Standing Committee on Health and Human Services by January 30, 2006. The joint standing committee may report out legislation to the Second Regular Session of the 122nd Legislature to establish a controlled substances act.

Enacted law summary

Resolve 2005, chapter 102 directs the Director of the Office of Substance Abuse within the Department Health and Human Services to determine, in consultation with the Department of Professional and Financial Regulation, the Office of the Attorney General and interested parties, the feasibility of establishing a controlled substances act. This resolve requires the director to submit a report, along with any proposed legislation, to the Joint Standing Committee on Health and Human Services by January 30, 2006. The joint standing committee may report out legislation to the Second Regular Session of the 122nd Legislature to establish a controlled substances act.

LD 1205

An Act To Amend the Laws Governing the Board of Dental Examiners

ONTP

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

LD 1205 proposed to eliminate the affiliated status of the Board of Dental Examiners and establish the Board as part of the Department of Professional and Financial Regulation, Office of Licensing and Registration. The bill also proposed to eliminate one dentist member position from the Board of Dental Examiners and adds an additional public member position to the Board of Dental Examiners.