

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINETEENTH LEGISLATURE

SECOND REGULAR SESSION
January 5, 2000 to May 12, 2000

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 11, 2000

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
2000

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect 30 days after approval.

Effective May 3, 2000.

CHAPTER 618

H.P. 1108 - L.D. 1567

An Act to Help Farmers to Protect the Quality of Milk

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 7 MRSA §2903-B is enacted to read:

§2903-B. Testing of samples for resolving disputed test results

The commissioner shall develop a process for obtaining and testing a sample of milk when a milk producer disputes the result of a test or a component analysis performed by an employee of a milk plant that is used to determine acceptance of milk by the milk plant or payment to the milk producer.

See title page for effective date.

CHAPTER 619

H.P. 1738 - L.D. 2444

An Act to Clarify the Law on Ownership of Certified Public Accounting Firms and to Establish a Peer Review Program

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 32 MRSA §12201, sub-§6-A is enacted to read:

6-A. Peer review. "Peer review" means a study, appraisal or review of one or more aspects of the professional work of a certified public accountancy firm that provides a defined service by a person or persons who are licensed as certified public accountants and who are not affiliated with the certified public accountancy firm being reviewed.

Sec. 2. 32 MRSA §12252, sub-§3, as repealed and replaced by PL 1999, c. 200, §1, is amended to read:

3. Firm permits required. ~~The Notwithstanding Title 13, section 710 and Title 31, section 611, the~~

following provisions apply to the issuance of ~~individual~~ firm permits.

A. An applicant for initial issuance or renewal of a permit to practice under this section shall show that a simple majority of the ownership of the firm, in terms of financial interests and voting rights of all partners, officers, shareholders, members or managers, belongs to holders of certificates who are licensed in a state and that all partners, officers, shareholders, members or managers whose principal place of business is in this State and who perform professional services in this State hold valid individual permits issued by the board. At least a simple majority of the ownership of a public accounting firm, in terms of financial interests and voting rights, must belong to holders of permits issued by the board. Firms may include nonlicensee owners in accordance with paragraph B.

B. A certified public accountancy firm or public accountancy firm may include nonlicensee owners as long as:

- (1) All nonlicensee owners are individuals who actively participate in the certified public accountancy firm or public accountancy firm; and
- (2) The firm complies with such other requirements as the board may impose by rule.

Sec. 3. 32 MRSA §12252, sub-§8 is enacted to read:

8. Peer review for certified public accountancy firms. Effective January 1, 2001, the board shall require, as a condition to the granting or renewal of permits to certified public accountancy firms, that each applicant that provides a defined service other than compilations successfully participate in an approved peer review program. Participation in such a program is governed by the following.

A. If the firm provides a defined service other than compilations as of the date of the initial granting or first renewal of a certified public accountancy firm's permit following December 15, 2000, a peer review must be completed within 18 months after the initial granting or first renewal of the permit following December 15, 2000. After December 15, 2000, the firm must undergo a peer review every 3 years for as long as it provides a defined service other than compilations. The firm may satisfy this requirement by showing evidence of the satisfactory completion of a peer review within 18 months prior to January 1, 2001.