

MAINE STATE LEGISLATURE

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**STATE OF MAINE
114TH LEGISLATURE
FIRST REGULAR SESSION**



**BILL SUMMARY
JOINT STANDING COMMITTEE
ON
BUSINESS LEGISLATION**

JULY 1989

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Sen. R. Peter Whitmore

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ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
AUGUST 1989

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The summaries are arranged by LD number for each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action is listed to the right of the title. If final House and Senate action differ, both are listed. Committee Reports and Floor Action are abbreviated as follows:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-A	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

Each individual summary was prepared by the analyst assigned, as noted for each committee. But, this document was produced by the efforts of all the office staff, including Research Assistant Barbara McGinn, and secretaries: Charlene Brann, and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

Please give us your suggestions and comments on these summaries and tell us of any inaccuracies.

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
REED	OTP-AM MAJ	H-181 ALLEN
ALLEN	ONTP MIN	H-51 MAJ REP

SUMMARY

The Department of Professional and Financial Regulation, Division of Licensing and Enforcement is authorized to investigate complaints against persons licensed by the boards and commissions within the department. This bill makes investigative files of the department confidential. The bill establishes limited exceptions to the confidentiality rule for investigative files, among which are disclosure to the licensee when it has been decided to hold an adjudicatory hearing or when suspension or revocation is sought in administrative court, and disclosure at the commissioner's discretion to avoid imminent and serious harm. The provision of current law authorizing disclosure of the disposition of a complaint would not be changed by this bill.

Committee Amendment "A" makes clear that complaint records of the Department of Professional and Financial Regulation are to be confidential only until the investigation is conducted. It also makes clear that records of the Attorney General will continue to be confidential even if provided to the Department of Professional and Financial Regulation.

House Amendment "A" to Committee Amendment "A" adds additional exceptions for facts in the public domain and for disclosure to the person being investigated, unless the commissioner determines that such disclosure would prejudice the investigation.

LD 325 An Act to Increase the Compensation of the Board of Dental
Examiners and Secretary-Treasurer of the Board

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
COLLINS	OTP-AM	S-45
THERIAULT		S-80 BALDACCI
RUHLIN		

SUMMARY

This bill raises the per diem of the Board of Dental Examiners from \$35 to \$125 a day and the compensation of the secretary-treasurer of the board from \$2,500 to \$3,600 per year.

Committee Amendment "A" sets the per diem at the legislative per diem and allows the board to determine the salary of the secretary-treasurer.

Senate Amendment "A" adds an allocation section to the bill.