

MAINE STATE LEGISLATURE

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STATE OF MAINE
119TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
BUSINESS AND ECONOMIC DEVELOPMENT

JULY 2000

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ONE HUNDRED NINETEENTH LEGISLATURE
SECOND REGULAR SESSION

Summary Of Legislation Before The Joint Standing Committees
July 2000

We are pleased to provide this summary of bills that were considered by the Joint Standing and 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 and select 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. 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).

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:

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 Second Regular Session (unless otherwise specified in a particular law) is August 11, 2000.

David E. Boulter, Director
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and Financial Regulation to submit reports on the budgetary impact of their acceptance of credit cards. Finally, it proposed to add an appropriation section and a fiscal note to the bill.

House Amendment "A" (H-1050) was presented on behalf of the Committee on Engrossed Bills to correct a provision to accurately reflect changes to existing law.

Enacted law summary

Public Law 1999, chapter 762 implements the recommendations of the Blue Ribbon Commission to Establish a Comprehensive Internet Policy. It directs the Bureau of Revenue Services and the Department of Professional and Financial Regulation to submit, by January 20, 2001, reports on the budgetary impact of their acceptance of credit cards. It requires state departments and agencies to implement procedures for accepting payment by major credit cards or other electronic means by July 1, 2001. It enacts the Uniform Electronic Transactions Act and the Maine Digital Signature Act. It also authorizes the Blue Ribbon Commission to Establish a Comprehensive Internet Policy to meet to conclude its work following the conclusion of the Second Regular Session of the 119th Legislature.

LD 2558

An Act to Improve the Regulation of Occupations and Professions

PUBLIC 687

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM MAJ	S-593
	ONTP MIN	

LD 2558 proposed to enact the recommendations of the Commissioner of Professional and Financial Regulation to the Joint Standing Committee on Business and Economic Development, pursuant to the report required by Public Law 1999, chapter 16, Part L.

It proposed to revise the Maine Revised Statutes, Title 3, the State Government Evaluation Act, to remove board-by-board sunset review by the committee of jurisdiction. Individual boards would be reviewed as part of the Department of Professional and Financial Regulation, Office of Licensing and Registration.

It proposed to amend Title 5 to standardize the per diem compensation rate for board members of boards within the department and two boards affiliated with the department at \$35 dollars per day. Under the bill, Title 5 would be amended to limit new professional and occupational regulatory boards to a maximum of 9 members, including 2 public members.

It proposed to allow for the sharing of confidential information with the affiliated boards; increase the administrative authorities of the Office of Licensing and Registration, including the power to set fees below a cap and the elimination of separate board accounts; and allow for license recognition between states. The bill also proposed to transfer existing law from Title 32 to Title 10, consolidating all department general authorities into one location.

It proposed to amend individual board statutes. Under the bill, Title 10 would have been amended to remove a requirement that all Manufactured Housing Board licensees receive personal notice of all meetings and hearings and copies of rules. Title 32 would have been amended to allow the Board of Boilers and Pressure Vessels to extend an inspection certificate beyond 14 months. The number of board members on the Board for Licensure of Architects, Landscape Architects and Interior Designers; the

Radiologic Technology Board of Examiners; the Board of Counseling Professionals Licensure; and the Board of Barbering and Cosmetology would have been reduced to 9. Physician members would be removed from the Board of Hearing Aid Dealers and Fitters, the Board of Examiners on Pathology and Audiology and the Radiologic Technology Board of Examiners. All changes in board composition would occur through attrition.

It proposed to appropriate funds for one health board investigator position.

It proposed to direct the joint standing committee of the Legislature having jurisdiction over business and economic development to report out to the First Regular Session of the 120th Legislature a bill to make statutory changes necessary to correct cross-references to sections of law repealed by this Act.

Committee Amendment "A" (S-593) proposed to amend the bill to maintain the provisions of current law that require separate dedicated revenue accounts for each board, commission and regulatory program, as well as the requirement that these boards, commissions and programs be self-supporting. The amendment also proposed to authorize the Director of the Office of Licensing and Registration to establish fees for each program through rulemaking, subject to the individual fee caps established by the Legislature, and to establish a uniform policy with respect to late renewals.

The amendment also proposed to clarify that application review performed by staff of the Office of Licensing and Registration would be done in accordance with criteria established by statute or through rules adopted by a board or commission.

The amendment proposed to move the provisions of the Maine Revised Statutes, Title 32, section 60-C, regarding disposition of fees, to Title 10, section 8003-F.

The amendment also proposed to amend certain provisions of Title 32 governing when inspections of boilers and pressure vessels must be performed.

Finally, the amendment proposed to add an allocation section for one Health Board Investigator position and one Manufactured Housing Board Field Inspector position. The amendment also proposed to add an allocation section and a fiscal note to the bill.

Enacted law summary

Public Law 1999, chapter 687 enacts the recommendations of the Commissioner of Professional and Financial Regulation to the Joint Standing Committee on Business and Economic Development, pursuant to the report required by Public Law 1999, chapter 16, Part L as follows:

1. It revises the State Government Evaluation Act to remove board-by-board sunset review by the committee of jurisdiction. Individual boards will be reviewed as part of the Department of Professional and Financial Regulation, Office of Licensing and Registration.
2. It standardizes, at \$35 dollars per day, the per diem compensation rate for board members of boards within the Department of Professional and Financial Regulation and two boards affiliated with the department. New professional and occupational regulatory boards are limited to a maximum of 9 members, including 2 public members.

3. It allows for the sharing of confidential information with the affiliated boards, and it allows for license recognition between states.
4. It maintains the provisions of current law that require separate dedicated revenue accounts for each board, commission and regulatory program, as well as the requirement that these boards, commissions and programs be self-supporting. It also authorizes the Director of the Office of Licensing and Registration to establish fees for each program through rulemaking, subject to the individual fee caps established by the Legislature, and to establish a uniform policy with respect to late renewals.
5. It allows application review to be performed by staff of the Office of Licensing and Registration in accordance with criteria established by statute or through rules adopted by a board or commission.
6. It amends individual board statutes. Title 10 is amended to remove a requirement that all Manufactured Housing Board licensees receive personal notice of all meetings and hearings and copies of rules. Title 32 is amended to allow the Board of Boilers and Pressure Vessels to extend an inspection certificate beyond 14 months and provisions that govern when inspections of boilers and pressure vessels must be performed are amended. The number of board members on the Board for Licensure of Architects, Landscape Architects and Interior Designers; the Radiologic Technology Board of Examiners; the Board of Counseling Professionals Licensure; and the Board of Barbering and Cosmetology is reduced to 9. Physician members are removed from the Board of Hearing Aid Dealers and Fitters, the Board of Examiners on Pathology and Audiology and the Radiologic Technology Board of Examiners.
7. It provides for an allocation for one Health Board Investigator position and one Manufactured Housing Board Field Inspector position.

LD 2560

An Act to Amend the Acreage Requirements for a Cemetery to Contain a Columbarium

PUBLIC 620

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SULLIVAN LAFOUNTAIN	OTP-AM	H-926

LD 2560 proposed to reduce the number of acres from 20 to 5 that a cemetery must have in order to erect a columbarium, community mausoleum or crematory.

Committee Amendment "A" (H-926) proposed to clarify that the acreage requirement is reduced only to erect a columbarium.

Enacted law summary

Public Law 1999, chapter 620 reduces the number of acres from 20 to 5 that a cemetery must have in order to erect a columbarium.