

MAINE STATE LEGISLATURE

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*State Of Maine
120th Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Business and Economic Development*

August 2001

Members:

Sen. Kevin Shorey, Chair

Sen. Lynn Bromley

Sen. Ed Youngblood

Rep. John Richardson, Chair

Rep. Bruce S. Bryant

Rep. Susan Dorr

Rep. Paul R. Hatch

Rep. Marc Michaud

Rep. Jonathan Thomas

Rep. Harold A. Clough

Rep. Thomas W. Murphy, Jr.

Rep. Brian M. Duprey

Rep. John R. Morrison

Staff:

Christopher J. Spruce, Legislative Analyst

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**120th Legislature
First Regular Session**

**Summary Of Legislation Before The Joint Standing Committees
August 2001**

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. 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:

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 **September 21, 2001**.

David E. Boulter, Director
Offices Located in the State House, Rooms 101/107/135

Joint Standing Committee on Business and Economic Development

LD 480

An Act Concerning the State Board of Funeral Service

PUBLIC 169

<u>Sponsor(s)</u> PERRY		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-187
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LD 480 proposed to clarify the jurisdiction of the State Board of Funeral Service to include only funeral services, excluding services provided by cemeteries and crematoriums.

Committee Amendment "A" (H-187) proposed to clarify the jurisdiction of the State Board of Funeral Service to include only funeral services, excluding services provided by cemeteries and crematoriums. The amendment also proposed to exclude the transportation of human remains by an authorized person from the definition of funeral service.

Enacted law summary

Public Law 2001, chapter 169 clarifies the jurisdiction of the State Board of Funeral Service to include only funeral services, excluding services provided by cemeteries, crematoriums, mausoleums or columbariums. This Public Law also clarifies that the practice of funeral services does not include the transportation of human remains by an authorized person.

LD 487

An Act to Allow the Agencies of the Department of Professional and Financial Regulation to Revoke Professional and Occupational Licenses

PUBLIC 167

<u>Sponsor(s)</u> LAVERDIERE SHOREY		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-206
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LD 487 proposed to authorize the agencies and professional and occupational licensing boards within or affiliated with the Department of Professional and Financial Regulation to revoke licenses and registrations issued by the respective boards. The bill also proposed to transfer concurrent jurisdiction over license revocations and suspensions from the District Court to the Superior Court and provided that any nonconsensual disciplinary action would be subject to judicial review exclusively in the Superior Court.

Committee Amendment "A" (H-206) proposed that any nonconsensual revocation of an occupational or professional license could be heard de novo exclusively in the District Court.

Enacted law summary

Public Law 2001, chapter 167 authorizes the agencies and professional and occupational licensing boards within or affiliated with the Department of Professional and Financial Regulation to revoke licenses and registrations issued by the respective boards. This Public Law also provides that an appeal from any nonconsensual revocation of an occupational or professional license may be heard de novo exclusively in the District Court.