

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 490

An Act to Preserve Competition in the Retail Marketing of Motor Fuels

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHOREY	ONTP MAJ	
DUGAY	OTP MIN	

LD 490 proposed to prohibit the retail sales of motor fuel below cost. The bill proposed to establish remedies for actions brought under the provisions of the bill. The bill proposed statutory and compensatory damages for a plaintiff bringing a successful action. The bill also proposed to define "rack price" for motor fuels and to authorize the Attorney General to invoke rule-making authority to establish an alternative means of calculating the rack price.

LD 519

An Act to Amend the Licensing Provisions for Private Investigators

PUBLIC 298

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHIZMAR	OTP-AM	H-186
MARTIN		H-430 RICHARDSON

LD 519 proposed to affect the licensing statutes for private investigators as follows.

1. It would clarify the Commissioner of Public Safety's authority to appoint a designee to deal with licensing matters.
2. It would make consistent the language identifying disqualifying convictions for the license application and refusing to issue, suspending and revoking a private investigator license and would make it clear that the commissioner must provide notice and opportunity for hearing if there are grounds to refuse to issue or renew a license under the chapter pertaining to private investigators.
3. It would amend the section describing prior experience as an investigative assistant to make the section more specific.

Committee Amendment "A" (H-186) proposed to require 1,700 hours of employment as an investigative assistant and would require the 1,700 hours take at least one year and no more than 2 years to complete.

House Amendment "A" to Committee Amendment "A" (H-430), which was enacted, proposed to clarify that the 1,700 hours of employment as an investigative assistant must be accomplished within 2 years after the date of issuance of the investigative assistant license but no earlier than one year after the date of issuance.

Joint Standing Committee on Business and Economic Development

Enacted law summary

Public Law 2001, chapter 298 provides that the Commissioner of Public Safety has authority to appoint a designee to deal with private investigator licensing matters and that the commissioner must provide notice and opportunity for hearing if there are grounds to refuse to issue or renew a private investigator license. This Public Law also requires investigative assistants to obtain 1,700 hours of employment as an investigative assistant before being eligible to be licensed as a private investigator and further requires that those hours be accomplished within 2 years after the date of issuance of the investigative assistant license but no earlier than one year after the date of issuance.

LD 547 **An Act to Provide Support for Impoverished Communities for Economic Development** **ONTP**

<u>Sponsor(s)</u> MCGLOCKLIN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 547, a concept draft pursuant to Joint Rule 208, proposed to establish an ombudsman position at the state level through the State Planning Office to provide assistance and guidance to Maine's poorest counties in seeking creative funding sources. The ombudsman would have helped municipalities procure grants and other alternative funding sources and could have provided research and grant-writing services. Under the proposed bill, criteria to qualify for assistance would have been easily understood and would have been set out by widely publicized rules established by the State Planning Office.

LD 588 **An Act Concerning Nurses in Advanced Practice** **ONTP**

<u>Sponsor(s)</u> BROMLEY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 588, a concept draft pursuant to Joint Rule 208, proposed to revise the licensing laws concerning advanced practice registered nurses.

LD 668 **An Act to Reallocate a Portion of the Calendar Year 1999 Allocation of State Ceiling** **P & S 9
EMERGENCY**

<u>Sponsor(s)</u> SHOREY		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 668 proposed to reallocate the \$10,000,000 of the state ceiling on private activity bonds for calendar year 1999 originally allocated to the Finance Authority of Maine and reallocated to the Maine Educational Loan Authority by the 119th Legislature, back to the Finance Authority of Maine to be used for educational loans.