

# 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*

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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](http://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 692**                      **An Act Regarding Minimum Prices for Cigarettes**                      **ONTP**

<u>Sponsor(s)</u> MICHAEL	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 692 proposed to require dealers and distributors of tobacco products to set minimum prices below which their products could not be sold.

**LD 707**                      **Resolve, to Explore the Feasibility of Establishing a Dental Residency Program**                      **DIED ON ADJOURNMENT**

<u>Sponsor(s)</u> FULLER MITCHELL B	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-107
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LD 707 proposed to direct the Finance Authority of Maine to undertake a study of methods of relieving the shortage of dentists in Maine, including the feasibility of establishing an accredited dental residency program. The bill, as amended by Committee Amendment "A," was not removed by the Senate from its Special Appropriations Table and died on adjournment of the First Regular Session. However, funds for the study were included in the Part 2 budget (LD 855, Public Law 2001, chapter 439, Part NNN).

**Committee Amendment "A" (H-107)** proposed to amend the original resolve by making the study described in the resolve contingent on funding. The amendment also proposed to add an emergency preamble, an emergency clause and a fiscal note to the original resolve.

**LD 758**                      **An Act Concerning the Training of Personnel Who Administer Medications in Schools**                      **PUBLIC 451**

<u>Sponsor(s)</u> HUTTON EDMONDS	<u>Committee Report</u> OTP-AM    MAJ ONTP        MIN	<u>Amendments Adopted</u> S-346
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LD 758 proposed to restrict the administration of medication by school and corrections facility personnel to those persons who are licensed physicians, physician's assistants, nurses, nurse practitioners or medical technicians or persons who have received training and certification to administer medication from the department of jurisdiction.

**Committee Amendment "A" (H-464)**, which was not adopted, removes existing language in the laws governing the administration of medication by a sheriff or deputy and adds an appropriation section and a fiscal note to the bill.

## Joint Standing Committee on Business and Economic Development

**Committee Amendment "A" (S-346)** was the report of the Committee of Conference on L.D. 758 and was adopted. It proposed to strike and replaces the original bill. The amendment also proposed to amend the current law that requires the Commissioner of Education to adopt rules for administration of medication in schools, including the training of unlicensed personnel who administer medication. The amendment would require the commissioner to describe how the department will provide training directly to such personnel at the local level. It also proposed to amend current law to make the rules developed for the administration of medication in schools major substantive rules. Finally, it proposed to require the commissioner to submit the provisionally adopted rules to the Joint Standing Committee on Business and Economic Development no later than February 28, 2002.

**House Amendment "A" (H-541)** proposed to clarify that an unlicensed person may administer medication if that person receives training and certification from the Department of Education. This amendment proposed to remove language from the bill that was erroneously left intact by Committee Amendment "A" regarding the administration of medication to prisoners, thus making the bill applicable only to the administration of medication in schools. This amendment was not adopted.

### *Enacted law summary*

Public Law 2001, chapter 451 amends the current law that requires the Commissioner of Education to adopt rules for administration of medication in schools, including the training of unlicensed personnel who administer medication. The law requires the commissioner to describe how the department will provide training directly to such personnel at the local level. It also amends current law to make the rules developed for the administration of medication in schools major substantive rules. Finally, the law requires the commissioner to submit the provisionally adopted rules to the Joint Standing Committee on Business and Economic Development by February 28, 2002.

**LD 772**                      **An Act to Require Explicit Statutory Authority for Expenditure of Certain Public Money for Lobbying Purposes and Private Enterprise and for Private For-profit Gain**                      **ONTP**

<u>Sponsor(s)</u> LONGLEY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 772 proposed to require the Maine Educational Loan Authority to obtain legislative approval before hiring lobbyists or making financial or other assistance available to a private enterprise.

**LD 780**                      **An Act to Promote Economic Growth in the Penobscot Valley**                      **ONTP**

<u>Sponsor(s)</u> CATHCART STANLEY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 780 proposed to appropriate funds to employ an economic development specialist and to construct a building to attract a private employer to northern Penobscot County.