

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:

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Maine State Legislature
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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 1291

An Act to Prohibit the Importation of Wreaths Made in Canada

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLLINS SHOREY	ONTP	

LD 1291 proposed to provide that a person could not import a wreath made in Canada into this State. Under the proposed bill, a person who violated this provision would have committed a civil violation for which a forfeiture of \$100 and \$10 per wreath for a first offense and \$500 and \$50 per wreath for a 2nd and each succeeding offense would have been adjudged.

LD 1299

An Act to Amend the Laws Governing the Licensure of Dental Hygienists

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LOVETT TURNER	ONTP	

LD 1299 proposed to amend the laws governing the licensure of dental hygienists by:

1. Setting standards for the licensure of dental hygienists by the Board of Dental Examiners; and
2. Increasing the number of hours of continuing education that a dental hygienist must successfully complete as a condition of renewal of a license to practice.

LD 1305

An Act to Consolidate the Laws Regulating Transient Sellers and Door-to-door Home Repair Transient Sellers

PUBLIC 324

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLOUGH SHOREY	OTP	

LD 1305 proposed to consolidate laws pertaining to transient sellers into the laws governing door-to-door home repair transient sellers for ease of administration. It also proposed to repeal the Maine Revised Statutes, Title 32, chapter 69-A and to incorporate provisions from that chapter into Title 32, chapter 128, subchapter II. In addition, the bill proposed to clarify that the registration requirement for door-to-door home repair sellers is in addition to the licensure requirements for a trade, occupation or profession for which a license is required.

The bill also proposed to clarify that investment securities that are registered, or exempt from registration, under the Revised Maine Securities Act, Maine Revised Statutes, Title 32, chapter 105 are excluded from the definition of merchandise because they are subject to regulation by the Maine Securities Division and the Securities and Exchange Commission.

Joint Standing Committee on Business and Economic Development

Enacted law summary

Public Law 2001, chapter 324 consolidates laws pertaining to transient sellers into the laws governing door-to-door home repair transient sellers for ease of administration. It repeals the Maine Revised Statutes, Title 32, chapter 69-A and incorporates provisions from that chapter into Title 32, chapter 128, subchapter II. In addition, the law clarifies that the registration requirement for door-to-door home repair sellers is in addition to the licensure requirements for a trade, occupation or profession for which a license is required.

PL 2001, chapter 324 also clarifies that investment securities that are registered, or exempt from registration, under the Revised Maine Securities Act, Maine Revised Statutes, Title 32, chapter 105 are excluded from the definition of merchandise because they are subject to regulation by the Maine Securities Division and the Securities and Exchange Commission.

LD 1320

An Act Relating to the Office of Substance Abuse

PUBLIC 194

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCALEVEY BLANCHETTE	OTP-AM	S-120

LD 1320 proposed to move the operation of the State Board of Alcohol and Drug Counselors from the Department of Professional and Financial Regulation to the Office of Substance Abuse, which is part of the Department of Mental Health, Mental Retardation and Substance Abuse Services. Current board members would continue to serve their respective current terms on the board. This bill also proposed changes the position of Director of the Office of Substance Abuse to an associate commissioner of the Department of Mental Health, Mental Retardation and Substance Abuse Services.

Committee Amendment "A" (S-120) proposed to remove the licensing provisions of the bill, provide that the Director of the Office of Substance Abuse reports directly to the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services and deletes the requirement that the appointment of a person to that position be reviewed by the joint standing committee of the Legislature having jurisdiction over human services matters prior to taking office.

Enacted law summary

Public Law 2001, chapter 194 requires that the Director of the Office of Substance Abuse report directly to the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services and removes the requirement that the appointment of a director be reviewed by the joint standing committee of the Legislature having jurisdiction over human services matters prior to that director taking office.