

MAINE STATE LEGISLATURE

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*State Of Maine
120th Legislature*

Second Regular Session

Bill Summaries

*Joint Standing Committee
on
Business and Economic Development*

May 2002

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Maine State Legislature
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120th Legislature
Second Regular Session

Summary Of Legislation Before The Joint Standing Committees
May 2002

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 arranged alphabetically by committee name 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:

<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i>	<i>Committee report Ought To Pass In New Draft/New Title</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PASSED</i>	<i>Joint Order passed in both bodies</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is July 25, 2002.

Patrick T. Norton, Interim Director
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Business and Economic Development

Committee Amendment "A" (S-411), which was not adopted, proposed to replace the bill and extend the deadline for when new educational requirements became effective to September 30, 2003. It also proposed to add a fiscal note to the bill.

This bill was recommitted to the Joint Standing Committee on Business and Economic Development Committee, which reported out committee amendment B.

Committee Amendment "B" (S-435), which was adopted, proposed to replace the bill and extended the deadline for when new educational requirements became effective to September 30, 2003. It also proposed to add a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 542 modifies Public Law 2001, chapter 316, which created the position of licensed bachelor social worker and established standards and educational requirements for that position, by extending the deadline for when the new educational requirements become effective to September 30, 2003.

LD 1914

An Act to Clarify the Application of the Freedom of Access Laws to Certain Proceedings and Records of the Maine Technology Institute

PUBLIC 562

Sponsor(s)
SHOREY
BRYANT

Committee Report
OTP-AM

Amendments Adopted
H-915 RICHARDSON
S-452

LD 1914 proposed to protect the confidentiality of Maine Technology Institute clients by exempting the institute's proceedings and records from the requirements of Maine's public records and proceedings statutes. It also proposed to protect the confidentiality of the applied technology development centers and their tenants by exempting the centers and their tenants' records and proceedings from the requirements of Maine's public records and proceedings statutes.

Committee Amendment "A" (S-452), which was adopted, proposed to change the title of the bill. The amendment also proposed to strike and replace section 2 of the bill. It also declared that the proceedings and records of the Maine Technology Institute are subject to the freedom of access laws and specifies which records and documents are exempt from the provisions of Title 1, chapter 13 and are thus confidential. Generally, the proposed exemptions relate to documents that contain proprietary information and trade secrets the disclosure of which could be competitively harmful to a business that is an applicant for financial support or a recipient of financial support from the institute. The amendment also proposed to specify which institute information is available to the public on request. Finally, the amendment proposed to strike a reference to the tenants of the applied technology development centers in section 3 of the bill.

House Amendment "A" to Committee Amendment "A" (H-915), which was adopted, proposed to make grammatical changes in the conjunctions to reflect the intent of the legislation.

Joint Standing Committee on Business and Economic Development

Enacted law summary

Public Law 2001, chapter 562 declares that the proceedings and records of the Maine Technology Institute are subject to the freedom of access laws and specifies which records and documents are exempt from the provisions of Maine Revised Statutes, Title 1, chapter 13 and are thus confidential. Generally, the exemptions relate to documents that contain proprietary information and trade secrets the disclosure of which could be competitively harmful to a business that is an applicant for financial support or a recipient of financial support from the institute. The law also specifies which institute information is available to the public on request.

LD 1917 **An Act to Increase the Licensing Fee Cap for the Maine Board of Pharmacy** **ONTP**

<u>Sponsor(s)</u> SHOREY RICHARDSON		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1917 proposed to increase the licensing fee cap for the Maine Board of Pharmacy.

LD 1935 **An Act Concerning the State Board of Funeral Service** **PUBLIC 505**

<u>Sponsor(s)</u> MAYO BROMLEY		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-788
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LD 1935 proposed to amend the law governing funeral establishments and practitioners of funeral services to eliminate the requirement that a sanitation inspection be conducted every 3 years and to instead permit the State Board of Funeral Service to conduct inspections in response to complaints or alleged violations of the board's laws or rules, or as otherwise may be needed in the discretion of the board. The bill also proposed to provide the board with the authority to review financial records to determine compliance with the laws and rules applicable to prearranged funeral services or plans, also known as mortuary trust accounts.

Committee Amendment "A" (H-788), which was adopted, proposed to clarify the scope of investigation of funeral establishments and add an appropriations and allocations section and a fiscal note to the bill.

Enacted law summary

Public Law 2001, chapter 505 removes the requirement that State Board of Funeral Services conduct inspections of funeral establishments and practitioners of funeral services every 3 years and replaces it with language that gives the board discretion to conduct inspections as needed. It also provides the board with the authority to review financial records to determine compliance with the laws and rules applicable to prearranged funeral services or plans.