

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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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

LD 1948

An Act to Clarify the Method of Sale for Heating Oil and Retail Motor Fuels

PUBLIC 491

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RICHARDSON SAWYER	OTP-AM	H-777

LD 1948 proposed to establish methods of sales of commodities that require labeling and the publishing of prices that will provide adequate information for consumers to make value price comparisons among companies selling heating oil or retail motor fuels using temperature-compensating technology and those using a traditional 231-cubic-inch-per-gallon measurement.

Committee Amendment "A" (H-777), which was adopted, proposed to amend the original bill by allowing a seller of commodities in liquid form to obtain approval from the State Sealer for regional use of temperature compensators in lieu of equipping the seller's entire fleet of vehicles with temperature compensators.

Enacted law summary

Public Law 2001, chapter 491 establishes methods of sales of commodities that require labeling and the publishing of prices that will provide adequate information for consumers to make value price comparisons among companies selling heating oil or retail motor fuels using temperature-compensating technology and those using a traditional 231-cubic-inch-per-gallon measurement. The law also allows a seller of commodities in liquid form to obtain approval from the State Sealer for regional use of temperature compensators in lieu of equipping the seller's entire fleet of vehicles with temperature compensators.

LD 1972

An Act Regarding Trial Offers

ONTP

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

LD 1972 proposed to allow merchants to provide consumers who had already agreed over the telephone to be charged for a good or service after a trial period with a written notice. Under the proposed bill, the written notice would have detailed the specific steps for cancellation of the purchase using a toll-free telephone number.

LD 1990

An Act to Regulate Professional Boxing

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RICHARDSON	ONTP MAJ OTP-AM MIN	

LD 1990 proposed to repeal the Maine Revised Statutes, Title 32, chapter 115, which governs the Maine Athletic Commission and proposed to establish an alternative form of regulation under which the Commissioner of Professional and Financial Regulation would act as the State's boxing commission for the purposes of the federal Professional Boxing Safety Act of 1996, 15 United States Code, Sections 6301 to 6313. This bill also proposed to

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authorize the commissioner to contract with other states, other state agencies and the Association of Boxing Commissions, or its successor organization, to carry out the purposes of the Maine Revised Statutes, Title 32, chapter 115-A proposed in this bill, including the registration of professional boxers and the supervision of professional boxing events in this State.

Committee Amendment "A" (H-958) was the minority report and proposed to require the Commissioner of Professional and Financial Regulation to appoint members of the Maine Athletic Committee to advise and assist the commissioner on the inspection and regulation of amateur and professional boxing and kick-boxing events and professional wrestling events. Under the proposed amendment, commissioners of the former Maine Athletic Commission would have been entitled to serve on the athletic committee. The amendment also proposed to impose a 5% gate tax on all boxing or kick-boxing contests or exhibitions and all professional wrestling matches, shows or exhibitions held in the State to support the activities of the athletic committee. In addition, the amendment proposed to reenact the section of the bill that proposed to prohibit "ultimate fighting" and "toughman" competitions.

The amendment also proposed to add an appropriations and allocations section and a fiscal note to the bill.

LD 2017

**An Act to Increase the Licensing Fee Caps of the Board of
Osteopathic Licensure**

PUBLIC 492

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RICHARDSON	OTP-AM MAJ ONTP MIN	H-779

LD 2017 proposed to increase the fee caps for the Board of Osteopathic Licensure and proposed to provide the board with the authority to adopt a renewal schedule by rule. The bill also proposed to authorize the board to adopt, by rule, a one-time special assessment not to exceed \$100 if the board's revenues are insufficient to meet its obligations. Under the proposed bill, the authority for the special assessment would have expired on December 31, 2003.

Committee Amendment "A" (H-779), which was adopted, proposed to reduce the fee cap for certain licenses from \$750 to \$600 and remove the authorization for the Board of Osteopathic Licensure to assess a one-time fee by rule. The amendment also added a fiscal note.

Enacted law summary

Public Law 2001, chapter 492 increases the fee caps for the Board of Osteopathic Licensure and provides the board with the authority to adopt a renewal schedule by rule.