

# 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](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:

<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 &amp; 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&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; 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

Private and Special Law 2001, chapter 53 establishes the allocations of the state ceiling on issuance of tax-exempt bonds for calendar years 2002 and 2003. Under federal law, a maximum of \$225,000,000 in tax-exempt bonds benefiting private individuals or entities may be issued in Maine in 2002 and a maximum of \$225,000,000 in tax-exempt bonds benefiting private individuals or entities may be issued in Maine in 2003. This law allocates the state ceiling among the state-level issuers of tax-exempt bonds.

Private and Special Law 2001, chapter 53 was enacted as an emergency measure effective March 12, 2002.

### **LD 2109**                      **An Act to Prevent Price Gouging During Abnormal Market Disruptions**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NORBERT TREAT	ONTP	

LD 2109 proposed to clarify that price gouging is an unfair method of competition. The bill also proposed to make price gouging a Class C crime.

### **LD 2125**                      **Resolve, Regarding Legislative Review of Chapter 50: Variance From Educational Qualifications for Issuance of an Interim Forester License, a Major Substantive Rule of the Department of Professional and Financial Regulation, Office of Licensing and Regulation**                      **RESOLVE 100 EMERGENCY**

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

LD 2125 proposed legislative review of Chapter 50: Variance From Educational Qualifications for Issuance of an Interim Forester License, a major substantive rule of the Department of Professional and Financial Regulation. The provisionally-adopted rules proposed to be reviewed under this resolve were adopted pursuant to Public Laws of 2001, chapter 261. LD 1737, which was enacted as amended by committee amendment “A” in the First Regular Session of the 120<sup>th</sup> Legislature, required the Board of Licensure of Foresters to adopt major substantive rules pursuant to Maine Revised Statutes, Title 5, chapter 375, subchapter II-A to govern the issuance of a variance to a person who does not meet the educational qualifications established in Chapter 50 of the board’s rules. The proposed rules detailed the work experience and supplemental forestry education that an applicant must demonstrate in order to qualify for a variance.

#### ***Enacted law summary***

Resolve 2001, chapter 100 provides for legislative review of Chapter 50: Variance From Educational Qualifications for Issuance of an Interim Forester License, a major substantive rule of the Department of Professional and Financial Regulation. The provisionally adopted rules reviewed under the resolve were adopted pursuant to Public Laws of 2001, chapter 261. The proposed rules detailed the work experience and supplemental forestry education that an applicant must demonstrate in order to qualify for a variance.

# Joint Standing Committee on Business and Economic Development

Resolve 2001, chapter 100 was finally passed as an emergency measure effective March 12, 2002.

**LD 2127**                      **Resolve, Regarding Legislative Review of Chapter 4: Installation Standards, a Major Substantive Rule of the Department of Professional and Financial Regulation**                      **DIED BETWEEN BODIES**

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

LD 2127 proposed to provide for the legislative review of Chapter 4: Installation Standards, a major substantive rule of the Department of Professional and Financial Regulation regarding the provisional adoption of a plumbing code.

**Committee Amendment "A" (H-1031)** proposed to remove the emergency preamble and emergency clause and proposed to add a fiscal note to the resolve.

**LD 2131**                      **An Act to Develop a Controlled Substances Prescription Monitoring and Intervention Program**                      **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ONTP          A OTP-AM      B OTP-AM      C		

LD 2131 proposed the establishment of a controlled substances prescription monitoring and intervention program. Under the proposed bill, the Department of Professional and Financial Regulation and the Maine Board of Pharmacy would have developed the computerized program to track each prescription for a controlled substance listed in schedule II, III or IV that is filled by a pharmacy that is registered with the board. The bill also proposed to establish a fund within the department to be administered by the department for the purpose of funding the implementation and ongoing costs associated with the program. Finally, the bill proposed to require the department to report back to the joint standing committee having jurisdiction over business and economic development matters its recommendations for funding the program along with implementing legislation by January 2, 2003.

**Committee Amendment "A" (S-518)**, which was not adopted, was a minority report and proposed to replace the bill. The amendment proposed to direct the Department of Behavioral and Developmental Services, Office of Substance Abuse to study the feasibility and advisability of establishing a controlled substances prescription monitoring and intervention program. The amendment proposed to direct the Office of Substance Abuse to make recommendations related to the implementation of the program, including the controlled substances to be included in the program, intervention and enforcement issues and confidentiality issues. The amendment also proposed to require the Office of Substance Abuse to report back to the joint standing committee of the Legislature having jurisdiction over business and economic development matters by January 2, 2003 and proposed to authorize the committee to report out a bill during the First Regular Session of the 121st Legislature. The amendment also proposed to add a fiscal note.