

MAINE STATE LEGISLATURE

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*State Of Maine
120th Legislature*

Second Regular Session

Bill Summaries

*Joint Standing Committee
on
Judiciary*

May 2002

Members:

Sen. Anne M. Rand, Chair

Sen. Michael J. McAlevey

Sen. Norman K. Ferguson, Jr.

Rep. Charles C. LaVerdiere, Chair

Rep. Thomas D. Bull

Rep. Patricia T. Jacobs

Rep. Charles E. Mitchell

Rep. Christopher T. Muse

Rep. Deborah L. Simpson

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Rep. G. Paul Waterhouse

Rep. Stavros J. Mendros

Rep. Roger L. Sherman

Rep. Donna M. Loring

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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 Judiciary

LD 2105 **An Act to Enact the Maine Professional Service Corporation Act** **ONTP**

<u>Sponsor(s)</u>		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 2105 proposed to repeal the Professional Service Corporation Act and replace it with a new chapter of law governing professional service corporations. The substance of LD 2105 was folded into LD 361, which was enacted as Public Law 2001, chapter 640.

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

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LD 2131 was jointly referred to the Joint Standing Committees on Business and Economic Development and Judiciary, pursuant to Joint Order SP 769. The bill proposed the establishment of a controlled substances prescription monitoring and intervention program, including a 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 Maine Board of Pharmacy.

Committee Amendment "A" (S-518), a minority report, 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. (Not adopted)

Committee Amendment "B" (S-519), a minority report, proposed to remove the controlled substances prescription monitoring and intervention program from the Department of Professional and Financial Regulation and place it with the Department of Behavioral and Developmental Services, Office of Substance Abuse. This amendment also proposed to require the Office of Substance Abuse and the Department of Professional and Financial Regulation, Maine Board of Pharmacy to develop the program by January 1, 2004. (Not adopted)

House Amendment "A" to Committee Amendment "B" (H-1067) proposed to provide that the Office of Substance Abuse develop and administer the controlled substances prescription monitoring and intervention program. (Not adopted)