

MAINE STATE LEGISLATURE

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*State Of Maine
121st Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Business, Research and Economic Development*

July 2003

Members:

Sen. Lynn Bromley, Chair

Sen. Christopher G. L. Hall

Sen. Kevin L. Shorey

Rep. Nancy B. Sullivan, Chair

Rep. Lillian LaFontaine O'Brien

Rep. Guy J. Duprey, Jr.

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Rep. Nancy E. Smith

Rep. Susan M. Austin

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Rep. Lawrence E. Jacobsen

Rep. Christopher Rector

Rep. William T. Rogers, Jr.

Staff:

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Maine State Legislature



Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

121st Maine Legislature First Regular Session

Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint 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>CARRIED OVER PURSUANT TO HP 1212</i>	<i>Bills carried over to the 2nd Regular Session</i>
<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>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 that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

David C. Elliott, Director
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Business, Research and Economic Development

LD 1152

An Act To Authorize Collaborative Practice for Emergency Contraception

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAGGETT RICHARDSON J		

LD 1152 proposes to authorize a pharmacist to initiate emergency contraception drug therapy in accordance with standardized protocols developed by the pharmacist and an authorized prescriber acting within his or her scope of practice. The bill also proposes to require a pharmacist who initiates emergency contraception drug therapy pursuant to these provisions to provide the recipient with a standardized fact sheet developed by the Department of Professional and Financial Regulation, Maine Board of Pharmacy, in consultation with the Department of Human Services, the American College of Obstetricians and Gynecologists, the Maine Pharmacy Association and other health care organizations. Finally, the bill proposes to require that prior to performing this procedure a pharmacist complete a specified training program.

LD 1231

An Act To Restrict Excessive Late Rental Fees for Self-service Storage Facilities

PUBLIC 274

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUPLESSIE BROMLEY	OTP-AM MAJ ONTP MIN	H-292

LD 1231, which was modeled on Ohio and Missouri law, proposed to prohibit operators of self-service storage facilities from imposing excessive rental fees. The bill proposed to require that the amount and the conditions for imposing the late fee be in writing. The bill also proposed to establish as a reasonable late fee \$20 for each late rental payment or 20% of the amount of each late rental payment, whichever is greater, and to authorize the operator and the occupant to contract for a higher late fee as long as the higher amount is reasonable. The bill also proposed to authorize an operator to recover from the occupant reasonable expenses incurred in rent collection or lien enforcement.

Committee Amendment "A" (H-292) was the majority report of the committee and was adopted. The amendment proposed to change the title to reflect that the bill only addresses late fees, to specify that the fees must be included in a written agreement in 12-point type and to delete language that would allow a late fee of greater than \$20 or 20% of a rental payment by rental agreement.

Enacted Law Summary

Public Law 2003, chapter 274 prohibits operators of self-service storage facilities from imposing excessive late rental fees. The law requires that the amount and the conditions for imposing the late fee be included in a written agreement in 12-point type. The law establishes as a reasonable late fee \$20 for each late rental payment or 20% of the amount of each late rental payment, whichever is greater, and authorizes an operator to recover from the occupant reasonable expenses incurred in rent collection or lien enforcement.