

MAINE STATE LEGISLATURE

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**STATE OF MAINE
119TH LEGISLATURE**

FIRST REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
BUSINESS AND ECONOMIC DEVELOPMENT**

JULY 1999

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ONE HUNDRED NINETEENTH LEGISLATURE
FIRST REGULAR SESSION

Summary Of Legislation Before The Joint Standing and Select Committees
August 1999

We are pleased to provide this summary of all bills that were considered by the Joint Standing and 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 and select committees.

The document is organized for convenient reference to information on bills considered by the committees. It is organized by committees 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:

CARRIED OVER.....Bill carried over to Second Regular Session
CON RES XXX..... Chapter # of Constitutional Resolution passed by both Houses
CONF CMTE UNABLE TO AGREE.....Committee of Conference unable to agree; bill died
DIED BETWEEN BODIES.....House & Senate disagree; bill died
DIED IN CONCURRENCE..... One body accepts ONTP report; the other indefinitely postpones the bill
DIED ON ADJOURNMENT.....Action incomplete when session ended; bill died
EMERGENCY..... Enacted law takes effect sooner than 90 days
ENACTMENT FAILED..... Bill failed to get vote required for enactment or final passage
NOT PROPERLY BEFORE THE BODY..... Ruled out of order by the presiding officers; bill died
INDEF PP.....Bill Indefinitely Postponed
ONTP..... Ought Not To Pass report accepted
OTP ND..... Committee report Ought To Pass In New Draft
OTP ND/NT..... Committee report Ought To Pass In New Draft/New Title
P&S XXX..... Chapter # of enacted Private & Special Law
PUBLIC XXX..... Chapter # of enacted Public Law
RESOLVE XXX..... Chapter # of finally passed Resolve
UNSIGNED.....Bill held by Governor
VETO SUSTAINED.....Legislature failed to override Governor's Veto

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 18, 1999.

Resolve, Regarding Legislative Review of Chapter 5: Standards for Continuing Professional Education for Acupuncturists and Naturopathic Doctors; Chapter 6: Standards Relating to Prescriptive Authorities and Collaborative Relationships; and Chapter 9: Fees, Section 1, Major Substantive Rules of the Department of Professional and Financial Regulation

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM MAJ	H-601
	OTP-AM MIN	

LD 30 proposed to provide for legislative review of Chapter 5: Standards for Continuing Professional Education for Acupuncturists and Naturopathic Doctors; Chapter 6: Standards Relating to Prescriptive Authorities and Collaborative Relationships; and Chapter 9: Fees, Section 1, major substantive rules of the Department of Professional and Financial Regulation.

Committee Amendment "A" (H-96) was the majority report. This amendment proposed to strike the emergency preamble and clause. This amendment also proposed to authorize final adoption of Chapter 5: Standards for Continuing Professional Education for Acupuncturists and Naturopathic Doctors; Chapter 6: Standards Relating to Prescriptive Authorities and Collaborative Relationships; and Chapter 9: Fees, Section 1, provided several amendments were made to the proposed rule by the Department of Professional and Financial Regulation prior to its final adoption. The proposed amendments were to provide that:

1. The reference to Lincomycin in Chapter 6, Section 3, subsection E(4) must be deleted;
2. The reference to Aminophylline in Chapter 6, Section 3, subsection E(8) must be deleted; and
3. The reference to Theophylline in Chapter 6, Section 3, subsection E(8) must be deleted.

This amendment was not enacted.

Committee Amendment "B" (H-97) was the minority report. This amendment proposed to replace the original resolve. This amendment proposed to strike the emergency preamble and emergency clause. This amendment proposed to authorize final adoption of Chapter 5: Standards for Continuing Professional Education for Acupuncturists and Naturopathic Doctors; and Chapter 9: Fees, Section 1. This amendment also proposed to disapprove Chapter 6: Standards Relating to Prescriptive Authorities and Collaborative Relationships because that rule exceeds the scope of prescriptive authority described in the licensing statute. This amendment also proposed to direct the Department of Professional and Financial Regulation to reconvene a subcommittee of the Board of Complementary Health Care Providers to develop a revised rule within the statutory scope of prescriptive authority. This amendment proposed to allow the Department of Professional and Financial Regulation to proceed with licensure of naturopathic doctors, but limit naturopathic doctors' prescriptive authority to nonprescription medications. This amendment also proposed to add an appropriation section and a fiscal note.

This amendment was not enacted.

Committee of Conference Amendment "A" (H-601) was the unanimous report of the Committee of Conference. This amendment proposed to strike the emergency preamble and emergency clause. This amendment proposed to authorize final adoption of Chapter 5: Standards for Continuing Professional Education for Acupuncturists and Naturopathic Doctors; Chapter 6: Standards Relating to Prescriptive Authorities and Collaborative Relationships; and Chapter 9: Fees, Section 1 provided that Chapter 6 was revised to remove the authority for naturopathic doctors to prescribe Lincomycin, Aminophylline, Theophylline, allergy shots and nontopical steroids.

House Amendment "A" to Committee Amendment "B" (H-195) was presented on behalf of the Committee on Bills in the Second Reading to clarify a reference to the Maine Revised Statutes.

This amendment was not enacted.

Enacted law summary

Resolve 1999, chapter 51 authorizes the final adoption of major substantive rules Chapter 5: Standards for Continuing Professional Education for Acupuncturists and Naturopathic Doctors; Chapter 6: Standards Relating to Prescriptive Authorities and Collaborative Relationships; and Chapter 9: Fees, Section 1, provided that Chapter 6 is revised by the Department of Professional and Financial Regulation to remove the authority for naturopathic doctors to prescribe Lincomycin, Aminophylline, Theophylline, allergy shots and nontopical steroids.

LD 31 **Resolve, Regarding Legislative Review of Chapter 8: Fees, Section 1: A Major Substantive Rule of the Board of Veterinary Medicine** **RESOLVE 5 EMERGENCY**

<u>Sponsor(s)</u>		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-32
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LD 31 proposed to provide for legislative review of Chapter 8: Fees, Section 1, a major substantive rule of the Board of Veterinary Medicine.

Committee Amendment "A" (H-32) added a fiscal note to the resolve.

Enacted law summary

Resolve 1999, chapter 5 authorizes the final adoption of major substantive rule Chapter 8: Fees, Section 1, of the Board of Veterinary Medicine.

Chapter 5 was enacted as an emergency measure effective March 29, 1999.

LD 75 **An Act to Create Licensing Requirements for Pipefitters** **ONTP**

<u>Sponsor(s)</u> BOLDUC		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 75 was a concept draft pursuant to Joint Rule 208. This bill proposed to establish licensing requirements for pipefitters.