

## STATE OF MAINE 113TH LEGISLATURE SECOND REGULAR SESSION



# BILL SUMMARY JOINT STANDING COMMITTEE ON BUSINESS LEGISLATION

## MAY 1988

### MEMBERS

Sen. John E. Baldacci \* Sen. Joseph C. Brannigan Sen. R. Peter Whitmore Rep. Carol Allen \* Rep. John A. Aliberti Rep. Norman O. Racine Rep. Carl F. Sheltra Rep. Christopher Scott Gurney Rep. John Telow Rep. Gerald A. Hillock Rep. Catharine K. Lebowitz Rep. Albert G. Stevens Rep. Gary W. Reed

\* Denotes Chair

Staff: Lars Rydell, Legislative Analyst

Office of Policy & Legal Analysis Room 101, State House Sta. 13 Augusta, ME 04333 (207) 289-1670 EN T. GINDER, DIRECTOR EN WHITESIDE, DEP. DIRECTOR ERT W. BREWER ID C. ELLIOTT ) FLATEBO THA E. FREEMAN, SR. ATTY. B. GAUTSCHI LIAM T. GLIDDEN, JR.



JULIE S. JONES JOHN B. KNOX EDWARD POTTER MARGARET J. REINSCH LARS H. RYDELL JOHN R. SELSER CAROLYN J. CHICK, PARALEGAL ROBERT W. DUNN, RES. ASST HARTLEY PALLESCHI, JR. RES. ASST

STATE OF MAINE OFFICE OF POLICY AND LEGAL ANALYSIS

ROOM 101/107/135 STATE HOUSE STATION 13 AUGUSTA, MAINE 04333 TEL.: (207) 289-1670

# ONE HUNDRED AND THIRTEENTH LEGISLATURE FIRST & SECOND SPECIAL SESSIONS SECOND REGULAR SESSION

## JOINT STANDING COMMITTEE BILL SUMMARIES MAY 1988

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The summaries are arranged by LD number under each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action is listed to the right of the title. If final House and Senate action differ, both are listed. Committee Reports and Floor Action are indicated as follows::

| OTP       | Ought to Pass                         |
|-----------|---------------------------------------|
| OTP-ND    | Ought to Pass in New Draft            |
| OTP-ND-NT | Ought to Pass in New Draft, New Title |
| OTP-A     | Ought to Pass as Amended              |
| ONTP      | Ought Not to Pass                     |
| LVWD      | Leave to Withdraw                     |
| INDEF PP  | Indefinitely Postponed                |

Each individual summary was prepared by the analyst assigned, as noted for each committee. But, this document was produced by the efforts of all the office staff, including Secretaries: Charlene Brann, Janet Jean, Earl Knox, Valarie Parlin; Research Assistant Hartley Palleschi. Finally, Secretary Laurette Knox, Legal Assistant Carolyn Chick, and Research Assistant Robert Dunn had special responsibilities in the preparation of the overall document.

Please give us your suggestions and comments on these summaries and tell us of any inaccuracies.

LD An Act to Reform the Pharmacy Laws 2555

COMMITTEE

PUBLIC 710 EMERGENCY

SPONSOR(S) BALDACCI USHER BUSTIN GOULD R R AMENDMENTS ADOPTED S-349 USHER S-378 BUSTIN

### SUMMARY

New Draft Of LD 1581

The new draft recodifies the pharmacy laws and incorporates changes recommended by the Audit Committee. It makes Maine law more compatible with the national uniform act. It also distinguishes between licensing of Maine pharmacists and drug outlets in Maine, registering of out-of-state mail order companies, and registering of out of state manufacturers.

REPORT

It also makes the Pharmacy Board an internal board of the Department of Professional and Financial Regulation.

The two Senate amendments make technical cross reference changes, makes it clear that the commissioner can review the board's budget, clarifies the manner in which generic drugs can be substituted, and replaces the appropriations section with an allocation section.

## LD An Act to Clarify Reporting Requirements Regarding LV/WD 2565 Competency of Health Care Practitioners

| SPONSOR (S) | COMMITTEE | REPORT | AMENDMENTS ADOPTED |
|-------------|-----------|--------|--------------------|
| STEVENS A   | LV/WD     |        |                    |
| BRANNIGAN   |           |        |                    |

#### SUMMARY

Present statutes establish requirements for physicians and professional review committees to report cases of negligence on the part of physicians. This bill would have included other health care professions under the same reporting requirements.

| LD   | RESOLVE, to Study the Need to Increase the Supply of | RESOLVE |
|------|--|---------|
| 2588 | Reimbursable Mental Health Professionals             | 097     |

| SPONSOR (S) | COMMITTEE | REPORT | AMENDMENTS ADOPTED |
|-------------|-----------|--------|--------------------|
| DIAMOND     |           |        |                    |
| PRAY        |           |        |                    |
| PERKINS     |           |        |                    |
| ALLEN       |           | •      |                    |
|             |           | •      |                    |

## SUMMARY

.

New Draft Of LD 1964

The original draft required the Department of Professional and Financial

Regulation to study ways to increase the supply of reimbursable mental health professionals. Special emphasis was placed on expanding the kinds of professionals who may receive third-party reimbursement.

The new draft expanded the study to determine the extent and nature of the need for more mental health care professionals. It also divided the study between the Department of Mental Health and Mental Retardation and the Department of Professional and Financial Regulation. The former is to determine whether there was a need and suggest solutions if needed. The latter is to determine the cost.

LD An Act to Enhance the Voting Rights of Minority Shareholders PUBLIC 2596 681

REPORT

COMMITTEE

EMERGENCY

AMENDMENTS ADOPTED

SPONSOR(S) ALLEN BALDACCI WHITMORE REED

#### SUMMARY

New Draft Of LD 2384

The main intent of both the original bill and the new draft was to limit the possibility of hostile takeovers. The new draft limited the ability of individuals who, after the effective date of this Act, come to own 25% or more of the stock in that company from voting on any new "business combination" proposed for the company. In order to enter into a business combination, 2/3rds of the remaining shareholders in the company would have to approve. The bill also defines affiliate and associate and limits the voting rights of those who are affiliates or associates of a shareholder holding 25% or more of the stock in a company.

LD An Act to Create a Demonstration Project to Provide for INDEF PP 2603 Ladders of Advancement in the Nursing Profession

| SPONSOR (S) | COMMITTEE REPORT      | AMENDMENTS ADOPTED |
|-------------|-----------------------|--------------------|
| ALLEN       | NOT REFERRED TO COMM. |                    |

### SUMMARY

This bill would have provided scholarships for nursing students who enroll in certified nursing assistant (CNA) courses which can be used for advanced placement if the students decide to continue their education toward a practical nurse (PN) degree. It also would have encouraged the Maine Vocational-Technical Institute System to develop coordinated CNA and PN

Office of Policy and Legal Analysis .. Business Legislation

.page 14