

MAINE STATE LEGISLATURE

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STATE OF MAINE
117TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
BUSINESS AND ECONOMIC DEVELOPMENT

AUGUST 1995

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**ONE HUNDRED AND SEVENTEENTH LEGISLATURE
FIRST REGULAR SESSION**

**SUMMARY OF LEGISLATION BEFORE
THE JOINT STANDING COMMITTEES**

AUGUST 1995

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees of the Maine Legislature. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries. The publication, History and Final Disposition of Legislative Documents, is helpful in determining to which committee any particular bill was referred.

In this document, the committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. All adopted amendments are listed, by paper number, together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various categories of final action are abbreviated as follows:

<i>CARRIED OVER</i>	<i>Bill carried over to Second 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 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</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT</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>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not to Pass report accepted</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of enacted Resolve</i>
<i>UNSIGNED</i>	<i>Not signed by Governor within 10 days</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

These summaries were prepared by the analyst or analysts assigned to the committee. If more detailed information is needed on a bill, contact the committee analyst.

5581LHS

LD 1481 An Act to Amend the Licensure Requirements for Psychologists

ONTP

SPONSOR(S)

WINN

COMMITTEE REPORT

ONTP

AMENDMENTS ADOPTED**SUMMARY**

This bill removes the discretion of the State Board of Examiners of Psychologists to grant licenses to psychologists licensed in another state. This bill requires that the board grant a license to anyone who is currently licensed to practice psychology under equivalent standards in another state.

LD 1498 An Act to Increase Access to Primary Care Physician Services in Maine

PUBLIC 337

SPONSOR(S)

CAMPBELL

COMMITTEE REPORT

OTP-AM

MAJ

ONTP

MIN

AMENDMENTS ADOPTED

H-429

H-546 ROWE

SUMMARY

Currently, applicants for licensure as a medical doctor must have completed 24 months in a graduate educational program after medical school. Applicants for a licensure as a doctor of osteopathy must have completed 12 months of hospital internship. Medical doctor applicants who are graduates of a medical school may receive temporary educational certificates to act as interns and residents. The certificate grants the medical doctor applicant the rights of a medical doctor.

The original bill allows an applicant for licensure as a medical doctor who is in the last year of medical school and who is enrolled in a joint medical and graduate education program to receive a temporary certificate as a resident.

COMMITTEE AMENDMENT "A" (H-429) is the Majority Report. It makes the same provision for applicants for a license as a doctor of osteopathy that the bill makes for applicants for a license as a medical doctor except that undergraduates are exempted from the program.

HOUSE AMENDMENT "A" (H-546) takes out language in the bill that would allow undergraduates in the combined medical doctor program to take advantage of the provisions of this bill.

LD 1532 Resolve, Requiring a Study of How the State Should Regulate Naturopaths

RESOLVE 49

SPONSOR(S)

MITCHELL JE

COMMITTEE REPORT

OTP-AM

AMENDMENTS ADOPTED

H-508

H-613 ROWE

H-647 ROWE

SUMMARY

This bill provides for the licensure of naturopathic physicians

COMMITTEE AMENDMENT "A" (H-508) replaces the bill and creates a task force to study the issue of how naturopaths should be regulated. The task force is composed of 2 physicians, 2 naturopaths, 1 expert in health care policy, 1 expert in health care education, the Director of the Bureau of Health, a representative of the Department of Professional and Financial Regulation and a consumer.

HOUSE AMENDMENT "A" TO COMMITTEE AMENDMENT "A" (H-613) clarifies that the Task Force on Naturopathy is charged with determining the method by which the State should regulate naturopaths. The method of regulation may include forms of licensure, certification or registration.

30 Business and Economic Development

HOUSE AMENDMENT "B" TO COMMITTEE AMENDMENT "A" (H-647) changes the time for the first meeting of the Task Force on Naturopathy from 15 days after adjournment to 45 days after adjournment.

LD 1549 An Act to Create Uniformity in Laws Governing Various Professional Licensing Boards and Commissions

PUBLIC 397

SPONSOR(S)
VIGUE

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-592

SUMMARY

This bill clarifies the structure of the Department of Professional and Financial Regulation by appropriately assigning boards and commissions under the Division of Licensing and Enforcement.

The bill creates one divisional budget for the Division of Licensing and Enforcement with a separate account for each board and commission and assigns all employees to the division.

The bill provides for the compensation of members of boards and commissions.

The bill further provides uniform language for boards and commissions for disposing of fees, entering into contracts to comply with statutory responsibilities and preparing and administering their respective budgets.

The bill provides uniform language for the Commissioner of Professional and Financial Regulation to appoint employees to carry out the duties of the boards and commissions.

The bill requires boards and commissions to file complaints with the division and provides authority for the division to file allegations of unlicensed practice with the Department of the Attorney General or the local district attorney's office.

The bill uniformly enables all boards and commissions to assess investigative and enforcement costs when there is a finding of a violation and to adopt rules listing violations for which citations may be issued and fines not exceeding \$200 may be levied.

COMMITTEE AMENDMENT "A" (H-592) does the following:

1. Adds licensing of athletic trainers to the functions of the department;
2. Creditors must submit a variety of confidential financial information to the Bureau of Consumer Credit Protection for regulatory purposes. This amendment protects this proprietary information from public disclosure, unless the records become part of a judicial proceeding or administrative hearing;
3. Allows a board or commission, upon finding a violation, to assess the violator for investigatory and enforcement expenses;
4. Amends the pawnbroker laws to make the extension time period consistent with other such periods in the State's pawnbroker laws;
5. Corrects an error made last year when 2 bills amended the same section of the law, resulting in the omission of material from a departmental bill concerning the State Board of Nursing; and
6. Clarifies that a debt collector must be licensed in order to collect a debt incurred between a consumer in this State and a creditor in this State. It addresses a loophole that allows a business in this State to send a delinquent account to its out-of-state headquarters, which then hires an unlicensed collection agency to collect against a consumer of this State.