

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.

Rep. Edward Pellon

Rep. Nancy E. Smith

Rep. Susan M. Austin

Rep. Robert A. Berube

Rep. Lawrence E. Jacobsen

Rep. Christopher Rector

Rep. William T. Rogers, Jr.

Staff:

James Adolf, Legislative Analyst

Patrick Norton, Deputy Director

Office of Policy and Legal Analysis

13 State House Station

Augusta, ME 04333

(207) 287-1670

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

LD 1589

**An Act To Change Certain Educational Requirements and Make
Title Changes for Licensed Social Workers**

PUBLIC 429

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| O'BRIEN L BRENNAN | OTP-AM | H-454 S-232 BROMLEY |

LD 1589 proposed to reverse changes made by Public Law 2001, chapter 316, which created the position of licensed bachelor social worker and establish standards and educational requirements for the position. The bill also included a retroactivity provision which proposed to reverse those changes to their effective date of September 21, 2001.

Committee Amendment "A" (H-454) proposed to allow for the continued issuance of conditional social work licenses after September 30, 2003 to applicants who have bachelor's degrees in fields other than social work, as did the bill. The amendment also proposed to limit conditional social work licensure in several additional ways:

1. Only applicants with bachelor's degrees in "related fields," a term to be defined by the State Board of Social Worker Licensure, would be eligible for conditional licensure.
2. Beginning January 1, 2004, all conditional licensees would be required to complete consultation requirements. A conditional licensee who is employed by the Department of Human Services would be required to complete no less than 96 hours of consultation, over the first 3,200 hours of social work employment and within 2 to 4 years with a licensed social worker who has been licensed for at least 4 years or a licensed master social worker. A conditional licensee who is not employed by the Department of Human Services would be required to complete no less than 96 hours of consultation, as determined by the board, over the first 3,200 hours of social work employment and within 2 to 4 years.
3. Beginning on January 1, 2004, all conditional licensees would be required to complete contact hours, as defined by the board, in an amount set by the board, within the first 2 years of licensure, of which 6 hours must be on the subject of social work ethics and 6 hours must be on the subject of psychosocial assessment.
4. The amendment also proposed that, once a person is licensed as a social worker, the person must, if not employed by the Department of Human Services, provide documentation of 96 hours of consultation as determined by the board during the first 3,200 hours of social work employment in a period not less than 2 years but not more than 4 years. If the person is employed by the Department of Human Services, the person would be required to provide documentation of either:
 - A. A minimum of 96 hours of consultation with a licensed social worker who has been licensed for at least 4 years or a licensed master social worker, concurrent with the first 3,200 hours of social work employment occurring in a period of not less than 2 years but not more than 4 years; or
 - B. A minimum of 96 hours of consultation concurrent with the person's first 3,200 hours of social work employment occurring in a period of not less than 2 years but not more than 4 years with a licensed social worker who has been licensed for at least 2 years, has been designated by the department as a supervisor trainee and is concurrently receiving 48 hours of consultation with a licensed master social worker.

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Senate Amendment "A" to Committee Amendment "A" (S-232) was a technical amendment that proposed to remove a provision of law concerning consultation that would be in conflict with other changes made by Committee Amendment "A".

House Amendment "A" to Committee Amendment "A" (H-486), which was not adopted, proposed to remove language from the bill and current law that would have allowed different consultation requirements for social workers who are employees of the Department of Human Services.

Enacted Law Summary

Public Law 2003, chapter 429 allows for the continued issuance of conditional social work licenses after September 30, 2003 to applicants who have bachelor's degrees in fields other than social work. The law also limits conditional social work licensure in several additional ways:

1. Only applicants with bachelor's degrees in "related fields," a term to be defined by the State Board of Social Worker Licensure, are eligible for conditional licensure;
2. Beginning January 1, 2004, all conditional licensees must complete consultation requirements. The law specifies consultation requirements for employees of the Department of Human Services and other licensees;
3. Beginning on January 1, 2004, all conditional licensees must complete contact hours, as defined by the board, in an amount set by the board, within the first 2 years of licensure, of which 6 hours must be on the subject of social work ethics and 6 hours must be on the subject of psychosocial assessment; and
4. All licensees must provide documentation of consultation completed in a period not less than 2 years nor more than 4 years. The law specifies consultation requirements for employees of the Department of Human Services and other licensees.

LD 1625

An Act To Provide Affordable Loans for Higher Education

PUBLIC 455

Sponsor(s)
DAGGETT
COLWELL

Committee Report
OTP-AM

Amendments Adopted
S-257

LD 1625 proposed to create the Higher Education Loan Purchase Program to be administered by the Finance Authority of Maine as a secondary market for higher education loans, as provided in Public Law 2003, chapter 112, allowing the Governor to designate a state agency as a secondary market, and Executive Order 16 FY 02/03, dated May 14, 2003, designating the Finance Authority of Maine as the state secondary market for educational loans. The bill also proposed to add the administration of a secondary market for student loans to the general powers of the authority. The authority is authorized to issue tax exempt bonds to finance certain loans.

Committee Amendment "A" (S-257) proposed to limit the Finance Authority of Maine's authority to originate loans to consolidation loans only, unless the authority finds that that limitation is a significant impediment to providing students with the benefits of the loan program. The amendment also proposed to make technical changes to the bill.