

MAINE STATE LEGISLATURE

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STATE OF MAINE
125TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON LABOR, COMMERCE,
RESEARCH AND ECONOMIC DEVELOPMENT**

July 2011

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CAROLYN RUSSO, LEGISLATIVE ANALYST
NATALIE HAYNES, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

* REPLACED LATE IN THE SESSION BY REP. ANDRE E. CUSHING III

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LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 125th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

CARRIED OVER carried over to a subsequent session of the Legislature
CON RES XXX..... chapter # of constitutional resolution passed by both houses
CONF CMTE UNABLE TO AGREE..... Committee of Conference unable to agree; legislation died
DIED BETWEEN HOUSES..... House & Senate disagreed; legislation died
DIED IN CONCURRENCE..... defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX..... chapter # of enacted public Law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 125th Legislature is September 28, 2011. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

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public members appointed to the board by one. This amendment was not adopted.

LD 1475 An Act To Authorize the Training of Expanded Function Dental Assistants within Tribal Territories ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL MCCORMICK	ONTP	

This bill allows a licensed dentist who practices within the territory of a federally recognized Indian tribe to train and certify an expanded function dental assistant to perform dental procedures within the territory of the federally recognized Indian tribe.

LD 1505 An Act To Clarify the Scope of Practice of Licensed Alcohol and Drug Counselors Regarding Tobacco Use PUBLIC 222 EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAIN RECTOR	OTP-AM	H-325

This bill clarifies that treatment for nicotine addiction is within an alcohol and drug counselor's scope of practice but does not require those providing nicotine treatment to be licensed as alcohol and drug counselors.

Committee Amendment "A" (H-325)

This amendment strikes that section of the bill that proposes a new definition of "drug" in the laws governing alcohol and drug counselors but retains the provision allowing a person to engage in nicotine addiction counseling without a license as an alcohol and drug counselor. It also amends the definition of "alcohol and drug counseling services" to include nicotine addiction counseling and treatment services.

Enacted Law Summary

Public Law 2011, chapter 222 amends the definition of "alcohol and drug counseling services" within the laws governing alcohol and drug counselors to include nicotine addiction counseling and treatment services and allows a person to engage in nicotine addiction counseling without a license as an alcohol and drug counselor.

Public Law 2011, chapter 222 was enacted as an emergency measure effective June 3, 2011.

LD 1515 An Act To Clarify the Workers' Compensation Insurance Notification Process for Public Construction Projects PUBLIC 403

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RECTOR	OTP	

This bill clarifies and simplifies the reporting requirement for general contractors for public construction projects by moving the requirement from the various state agencies to a central reporting site at the Workers' Compensation

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Board. It moves the requirement from the Maine Revised Statutes, Title 26 to Title 39-A and complements the current reporting requirement to the Workers' Compensation Board.

Enacted Law Summary

Public Law 2011, chapter 403 clarifies and simplifies the reporting requirement for general contractors for public construction projects by moving the requirement from the various state agencies to a central reporting site at the Workers' Compensation Board. It moves the requirement from the Maine Revised Statutes, Title 26 to Title 39-A and complements the current reporting requirement to the Workers' Compensation Board.

LD 1519 An Act To Allow the Board of Dental Examiners To Issue Dental School Faculty Licenses

PUBLIC 330

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RECTOR	OTP-AM	S-247

This bill provides the Department of Professional and Financial Regulation, Board of Dental Examiners with the authority to issue, upon presentation of satisfactory credentials and other criteria established by rules adopted by the board, faculty licenses to an applicant who teaches dentistry, dental hygiene and denturism in this State as part of accredited or approved clinical and didactic programs for professional education of dental students, dental residents, dental hygiene students, dental hygiene residents and denturism students. An applicant for a faculty license must hold the required current license within the United States or Canada. Faculty licenses expire after 2 years and are renewable by the board. The board may assess a fee of up to \$250 for a faculty license. A faculty license allows the licensee to practice only within the dental school setting and any satellite locations approved by the board.

Committee Amendment "A" (S-247)

This amendment replaces the bill and establishes a dental school faculty license to allow a licensee to practice dentistry, dental hygiene or denturism in this State within the dental school setting only. It provides that in order to be eligible for a dental school faculty license, the applicant must hold a current dental, dental hygiene or denturism license in another state or a Canadian province and demonstrate, to the satisfaction of the Board of Dental Examiners, full compliance with the requirements of that other jurisdiction's dental laws and submit credentials, satisfactory to the board, including a recommendation letter from an employing school of dentistry, dental hygiene or denturism stating why the board should consider the applicant to be qualified under criteria established by rules adopted by the board. It allows the board to assess a fee of up to \$250 for a dental school faculty license and for renewal.

Enacted Law Summary

Public Law 2011, chapter 330 establishes a dental school faculty license to allow a licensee to practice dentistry, dental hygiene or denturism in this State within the dental school setting only. The law provides that in order to be eligible for a dental school faculty license, the applicant must hold a current dental, dental hygiene or denturism license in another state or a Canadian province and demonstrate, to the satisfaction of the Board of Dental Examiners, full compliance with the requirements of that other jurisdiction's dental laws and submit credentials, satisfactory to the board, including a recommendation letter from an employing school of dentistry, dental hygiene or denturism stating why the board should consider the applicant to be qualified under criteria established by rules adopted by the board. The law allows the board to assess a fee of up to \$250 for a dental school faculty license and for renewal.