

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH 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 2013

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STATE OF MAINE

126TH LEGISLATURE

FIRST REGULAR SESSION



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 126th 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 126th Legislature is October 9, 2013. 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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establishes that an action brought by the Office of the Attorney General to enforce these provisions does not prevent a person from bringing a civil action to obtain injunctive or equitable relief or damages under the Federal Indian Arts and Crafts Act of 1990.

LD 148 An Act To Amend the Laws Governing Pharmacy Interns

PUBLIC 98

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING CUSHING	OTP-AM	H-83

This bill allows a pharmacist to administer certain vaccines to a person 9 years of age or older according to a valid prescription. Current law allows a pharmacist to administer these vaccines to a person 18 years of age or older. This bill also allows a pharmacy intern to administer drugs and vaccines under the direct supervision of a licensed pharmacist who is certified for the administration of drugs and vaccines.

Committee Amendment "A" (H-83)

This amendment removes the provision that allows a pharmacist to administer certain vaccines to a person 9 years of age or older. It allows a pharmacy intern to administer drugs and vaccines to a person 18 years of age or older under a pharmacist's direct supervision, as long as the pharmacy intern has obtained drug administration training.

Enacted Law Summary

Public Law 2013, chapter 98 allows a pharmacy intern to administer drugs and vaccines to a person 18 years of age or older under a pharmacist's direct supervision, as long as the pharmacy intern has obtained drug administration training.

LD 149 An Act To Make Gold and Silver Coins and Bars Legal Tender

**ACCEPTED
MAJORITY
(ONTP) REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LONGSTAFF TUTTLE	ONTP OTP	

This bill makes gold and silver in coin or bar form legal tender for all transactions as long as the buyer and seller agree as to the fair market value of the gold or silver. This bill also allows the possession of any amount of gold or silver in coin or bar form and exempts from the sales tax the sale of gold or silver in coin or bar form for use as legal tender.

LD 159 An Act Regarding the Laws Governing Unemployment Compensation Benefits for Employees of Temporary Staffing Agencies

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK CUSHING	ONTP	

This bill specifies that, for purposes of unemployment compensation benefit eligibility, the failure of a temporary employee to contact the temporary staffing agency upon completion of a work assignment to seek additional work is considered a voluntary job separation, as long as the temporary staffing agency gives prior written notice of this

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requirement to the individual.

**LD 171 An Act To Facilitate the Personal Importation of Prescription Drugs
from International Mail Order Prescription Pharmacies**

PUBLIC 373

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T TREAT	OTP-AM OTP-AM	S-241

The purpose of this bill is to facilitate the licensing of international mail order prescription pharmacies by the Maine Board of Pharmacy. This bill:

1. Specifies that, for the purposes of the Maine Pharmacy Act, "mail order prescription pharmacy" includes an entity located outside the United States that dispenses prescription medications by mail or carrier from a facility not located in this State to a pharmacy or to a patient who resides in this State; and
2. Authorizes the Maine Board of Pharmacy to enter into reciprocal inspection agreements with any country in which a mail order prescription facility that sells drugs to Maine citizens is located.

Committee Amendment "A" (S-241)

This amendment replaces the bill and is the majority report of the committee. It amends the Maine Pharmacy Act to exempt from the licensure requirements of the Act licensed retail pharmacies that are located in Canada, the United Kingdom of Great Britain and Northern Ireland, the Commonwealth of Australia or New Zealand that meet the respective foreign country's statutory and regulatory requirements, as well as entities that contract to provide or facilitate the exportation of prescription drugs from these licensed retail pharmacies, and authorizes these retail pharmacies and entities to provide prescription drugs by mail or carrier to a resident of this State for that resident's personal use. It also amends the Maine Pharmacy Act to provide that nothing in the Act may be construed to prohibit individuals from ordering or receiving prescription drugs for their personal use from licensed retail pharmacies in the above-mentioned countries or contracting entities or to prohibit such a licensed retail pharmacy or contracting entity from dispensing, providing or facilitating the provision of prescription drugs from outside the United States.

Committee Amendment "B" (S-242)

This amendment is the minority report of the committee. It amends the bill to provide that, if the United States Secretary of Health and Human Services certifies to Congress that the importation of prescription drugs poses no additional risk to the public's health and safety and will result in a significant reduction in the cost of covered products to the American consumer pursuant to 21 United States Code, Section 384 (2013), the Department of Professional and Financial Regulation, Maine Board of Pharmacy is required to establish standards allowing for the personal importation of prescription drugs from Canada by residents of the State. The board is required to establish the standards for reciprocal inspection agreements between the board and licensed retail pharmacies in Canada, subject to the following restrictions:

1. An entity that dispenses prescription drugs for personal use pursuant to these provisions is prohibited from requiring that the consumer or beneficiary waive the right to bring any cause of action against the entity that is available under state or federal law; and
2. An entity that dispenses prescription drugs for personal use pursuant to these provisions is prohibited from requiring that a cause of action by a resident of this State be brought in a jurisdiction other than this State or the United States District Court for the District of Maine. The board is required to assume any liability for prescription drugs dispensed to a resident of this State by a pharmacy authorized to mail prescription drugs into this State as a result of a reciprocal inspection agreement.