

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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126TH LEGISLATURE

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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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It also provides that, until such certification is granted by the United States Secretary of Health and Human Services, the board is required to direct residents of the State that request additional information on the safe importation of prescription drugs through Internet pharmacies to organizations that provide consumers with information from a nationwide partnership for prescription assistance and partnership for safe medicines on how to reduce costs associated with prescription drugs and how to ensure the safety of prescription drugs.

It also adds a contingent effective date to the sections of the bill that amend the definition of "mail order prescription pharmacy" and amend provisions regarding reciprocal inspections so that these changes do not take effect unless 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.

Enacted Law Summary

Public Law 2013, chapter 373 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. In addition, it 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.

LD 235

An Act To Improve Insurance Coverage for Volunteer First Responders

DIED IN CONCURRENCE

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOHNSON C LONG	OTP-AM OTP-AM ONTP	S-76 S-333 HILL

This bill clarifies that an injury suffered by a volunteer firefighter or volunteer emergency medical services person that occurs at any time after the firefighter or emergency medical services person receives notice of a fire or emergency and is in the process of responding is compensable under the Maine Workers' Compensation Act of 1992.

Committee Amendment "A" (S-76)

This amendment, which is the majority report of the committee, creates a rebuttable presumption, in place of the absolute right created by the bill regarding personal injuries that are compensable under the Maine Workers' Compensation Act of 1992, and applies the rebuttable presumption to paid firefighters and emergency medical services persons as well as volunteers. The amendment also applies to both paid and volunteer firefighters and emergency medical services persons the bill's prohibition on an employer's or insurer's seeking to limit workers' compensation benefits to only those injuries that occur after the firefighter or emergency medical services person begins traveling on a public way.

Committee Amendment "B" (S-77)

This amendment, which is the minority report of the committee, creates a rebuttable presumption, in place of the absolute right created by the bill regarding personal injuries that are compensable under the Maine Workers'

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Compensation Act of 1992, and applies the rebuttable presumption to paid firefighters and emergency medical services persons as well as volunteers, but limits the application of the rebuttable presumption to an injury that occurs after the firefighter or emergency medical services person is on a public way responding to a call. The amendment also eliminates the provision in the bill prohibiting an employer or insurer from seeking to limit workers' compensation benefits to only those injuries that occur after the firefighter or emergency medical services person begins traveling on a public way.

Senate Amendment "A" To Committee Amendment "A" (S-333)

This amendment adds a mandate preamble.

LD 237 An Act To Establish Uniform Quorum, Meeting and Chair Requirements for Professional and Occupational Licensing Boards PUBLIC 246

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUSHING CAMPBELL J	OTP-AM	S-219

This bill establishes a uniform quorum requirement for the 31 licensing boards within the Department of Professional and Financial Regulation, Office of Professional and Occupational Regulation. The quorum is a majority of the members serving on the board. The bill also repeals provisions in the individual board laws that require a board to meet at least once a year and that authorize the board chair or a majority of the members to convene a meeting of the board. The authority to elect a chair is moved from the individual board laws to the Maine Revised Statutes, Title 10, section 8010.

Committee Amendment "A" (S-219)

The bill repeals provisions concerning meetings, election of board chairs and quorum requirements for 31 licensing boards under the auspices of the Department of Professional and Financial Regulation, Office of Professional and Occupational Regulation. The amendment instead removes only the language from the statutes that deals with the quorum requirements, since the bill establishes uniform quorum requirements for the boards.

Enacted Law Summary

Public Law 2013, chapter 246 establishes uniform quorum requirements for 31 licensing boards under the auspices of the Department of Professional and Financial Regulation, Office of Professional and Occupational Regulation.

LD 246 An Act To Provide for the 2013 and 2014 Allocations of the State Ceiling on Private Activity Bonds P & S 2

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PATRICK HERBIG	OTP-AM	S-9

This bill establishes the allocations of the state ceiling on issuance of tax-exempt private activity bonds for calendar years 2013 and 2014. This bill allocates the state ceiling among the state-level issuers of tax-exempt bonds.

Committee Amendment "A" (S-9)

This amendment incorporates a fiscal note.

Enacted Law Summary

Private and Special Law 2013, chapter 2 establishes the allocations of the state ceiling on issuance of tax-exempt