

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.

Joint Standing Committee on Labor, Commerce, Research and Economic Development

LD 554 **Resolve, Requiring the Department of Economic and Community Development To Market the Positive Attributes of the State of Maine** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAVERS CLEVELAND	ONTP	

This resolve requires that, when promoting the State on its publicly accessible website and in preparing marketing materials, the Department of Economic and Community Development include as prominent factors recent independent analyses identifying the State's positive attributes for business development and quality of life.

LD 555 **Resolve, Directing the Commissioner of Professional and Financial Regulation To Convene a Working Group To Consider Reforms of the Practices of the Nursing Home Administrators Licensing Board** **VETO SUSTAINED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANDERSON HAMPER	OTP-AM	H-241

This resolve directs the Department of Professional and Financial Regulation, Nursing Home Administrators Licensing Board to amend its rules regarding educational requirements for the licensing of administrators and continuing education requirements.

First, it permits a licensed registered nurse who has at least 5 years' experience as a director of nursing at a licensed nursing facility to be provisionally licensed as a nursing home administrator for up to 5 years, if that licensed registered nurse provides evidence satisfactory to the board that the licensed registered nurse is pursuing a course of action to fulfill the educational requirements in the board's rules and is reasonably likely to fulfill these requirements within this 5-year time frame.

Second, it removes the limit currently placed on the number of continuing education credits that a licensed nursing home administrator may earn at a conference or program as long as each credit separately qualifies under the board's standards for awarding credit. It provides for determinations regarding the approval and allowability of continuing education credits within 30 days of the filing of required information. The board may approve online seminars for continuing education credits. A licensed nursing home administrator who is denied approval of continuing education credits by board staff may seek review of such a denial by the board.

Committee Amendment "A" (H-241)

This amendment replaces the resolve. It requires the Commissioner of Professional and Financial Regulation to establish a working group to consider reforms of the Nursing Home Administrators Licensing Board's practices regarding the licensure of nursing home administrators and administration of continuing education requirements and report its findings to the Joint Standing Committee on Labor, Commerce, Research and Economic Development. It also enables the committee to introduce legislation in the Second Regular Session of the 126th Legislature to implement the findings and recommendations of the working group.