

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**

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STAFF:

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

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STATE OF MAINE

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.

therapy management pursuant to a collaborative practice agreement with an authorized practitioner. It provides that the collaborative practice agreement must be with a practitioner who is treating the patient and that all actions must be reported to the practitioner in a timely manner according to rules jointly adopted by the Maine Board of Pharmacy and the Board of Licensure in Medicine. The law also requires a pharmacist to submit a copy of the collaborative practice agreement to the board and the board that licenses the practitioner. Further, it requires that a collaborative practice agreement must include a provision that states that activity in the initial 3 months is limited to monitoring drug therapy. After the initial 3 months, the practitioner and pharmacist are required to meet to review the agreement and determine its scope, which may after the initial 3-month period include a pharmacist's initiating, monitoring, modifying and discontinuing a patient's drug therapy and reporting to the practitioner in a timely manner as determined by rule. The law requires the Board of Pharmacy and the Board of Licensure in Medicine to jointly adopt rules to implement the subchapter on collaborative drug therapy management. Finally, the law includes a provision to clarify that the subchapter on collaborative drug therapy management does not limit the scope of practice of a pharmacist under the Maine Pharmacy Act or prohibit a pharmacist that is employed by a hospital from participating in a collaborative practice agreement with the hospital solely for treatment of inpatients.

LD 1137

An Act To Facilitate Veterans' and Their Spouses' Access to Employment, Education and Training

PUBLIC 311

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| GRAHAM CAIN | OTP-AM | H-321 |

This bill requires each board, commission and agency under the oversight of or affiliated with the Department of Professional and Financial Regulation to adopt a process to facilitate qualified returning military veterans and qualified spouses of returning military veterans or of active duty service members to qualify for professional licenses granted by those boards, commissions or agencies in an expeditious manner. The bill also provides that nonresident students receiving certain federal assistance with education costs for veterans must be considered eligible for in-state tuition for purposes of the state waiver.

Committee Amendment "A" (H-321)

This amendment removes the rule-making requirements in the bill for the Department of Professional and Financial Regulation and requires the Director of the Office of Professional and Occupational Regulation and each licensing board within or affiliated with the Department of Professional and Financial Regulation to, upon presentation of satisfactory evidence by an applicant for professional or occupational licensure, accept education, training or service completed by the applicant as a member of the Armed Forces of the United States or Reserves of the United States, the national guard of any state, the military reserves of any state or the naval militia of any state toward the qualifications to receive the license. It also amends the provisions in the bill governing acceptance of military credentials to permit a returning military veteran whose military training qualifies the veteran for a license in a profession or occupation that requires a license in this State to acquire a temporary license until a license is issued and permits the board, commission, office or agency to allow for a full or partial exemption from continuing education requirements for a returning military veteran or the spouse of a returning military veteran or of an active duty service member. It clarifies that a returning military veteran must have been honorably discharged from active duty. The amendment removes the 12-month time frame for a person who has been discharged from active duty to be considered a returning military veteran.

Enacted Law Summary

Public Law 2013, chapter 311 requires each board, commission and agency under the oversight of or affiliated with the Department of Professional and Financial Regulation to adopt a process to facilitate qualified returning military veterans and qualified spouses of returning military veterans or of active duty service members to qualify for professional licenses granted by those boards, commissions or agencies in an expeditious manner. The law requires the Director of the Office of Professional and Occupational Regulation and each licensing board within or affiliated

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with the Department of Professional and Financial Regulation to, upon presentation of satisfactory evidence by an applicant for professional or occupational licensure, accept education, training or service completed by the applicant as a member of the Armed Forces of the United States or Reserves of the United States, the national guard of any state, the military reserves of any state or the naval militia of any state toward the qualifications to receive the license. In addition, the law permits a returning military veteran whose military training qualifies the veteran for a license in a profession or occupation that requires a license in this State to acquire a temporary license until a license is issued and permits the board, commission, office or agency to allow for a full or partial exemption from continuing education requirements for a returning military veteran or the spouse of a returning military veteran or of an active duty service member. The law further provides that nonresident student veterans receiving certain federal assistance with education costs must be considered eligible for in-state tuition for purposes of the state waiver.

LD 1149 An Act To Establish a Rebuttable Presumption Regarding a Corrections Employee That Contracts Hypertension or Cardiovascular Disease ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| DECHANT | ONTP | |

This bill establishes a rebuttable presumption that if a corrections employee contracts hypertension or cardiovascular disease, the disease arises out of and in the course of employment for workers' compensation purposes.

The bill also establishes a similar rebuttable presumption for the purposes of determining eligibility for disability retirement benefits in the Maine Public Employees Retirement System.

LD 1150 An Act To Continue Certain Position Distributions in the Department of Labor and to Amend the Competitive Skills Scholarship Program PUBLIC 422 EMERGENCY

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| DECHANT | OTP-AM ONTP | H-418 S-351 HILL |

This bill amends the laws requiring the payment of prevailing wages in public works contracts to remove the exemption under those laws for contracts in amounts less than \$50,000.

Committee Amendment "A" (H-418)

This amendment, which is the majority report of the committee, extends the bill's requirement for the payment of the prevailing hourly rate of wages and benefits for all public works contracts to include public works funded by a municipality or school district when the State has transferred any amount of funding to the municipality or school district for those purposes. The amendment also changes the bill by retaining the exemption in current law for contracts under \$50,000. The amendment also adds an appropriations and allocations section to the bill.

Senate Amendment "A" To Committee Amendment "A" (S-351)

This amendment adds an emergency clause and replaces the title and all of the provisions of Committee Amendment "A," with provisions that amend the Competitive Skills Scholarship Program by:

1. Limiting the amount of revenue deposited in the Competitive Skills Scholarship Fund that may be used for administrative costs and career counseling; and
2. Requiring the Department of Labor to enroll participants in the so-called supplemental nutrition assistance program in the Competitive Skills Scholarship Program as long as those participants meet the eligibility