

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH LEGISLATURE
SECOND REGULAR SESSION



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

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

May 2014

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

The *Digest* is arranged 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.

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 HOUSESHouse & 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
EMERGENCYenacted 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 Second Regular Session of the 126th Legislature is August 1, 2014. 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

nitrous oxide analgesia; preventive services; management of dental trauma and suturing; medications; radiographs; and other related services and functions.

3. It requires an applicant for a dental hygiene therapy license to meet specific education requirements, including obtaining an associate degree in dental hygiene prior to successfully completing at least four semesters of dental hygiene therapy training, which may be done at the same time as or consecutively with obtaining a Bachelor of Science degree in dental hygiene.
4. It requires the dental hygiene therapy education program to be accredited by the American Dental Association Commission on Dental Accreditation. Until that accreditation is obtained, the Board of Dental Examiners may approve the dental hygiene therapy education program.
5. It requires 2,000 hours of supervised clinical practice in order to obtain a dental hygiene therapy license and allows the number of hours spent in supervised clinical practice while completing the four-semester dental hygiene therapy training to be included in the calculation.
6. It prohibits an applicant for a license as a dental hygiene therapist who fails the clinical examination twice from taking the examination again until after the applicant has received more education and training, as specified by the Board of Dental Examiners.
7. It specifies that rules adopted by the Board of Dental Examiners are routine technical rules and requires the board to consult with dentists, dental hygienists and others before adopting the rules.
8. It amends the laws governing MaineCare coverage, health insurance contracts and group and blanket health insurance to provide for dental coverage and reimbursement for services performed by licensed dental hygiene therapists.
9. It includes an application section to provide that the requirements of the bill relating to insurance reimbursement apply to all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed on or after January 1, 2015 in this State.

LD 1310

An Act To Improve Access to Dental Care through Empowering the Denturist Subcommittee of the Board of Dental Examiners

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PATRICK	OTP-AM ONTP	S-418

This bill was carried over from the First Regular Session of the 126th Legislature.

It amends the laws governing the Board of Dental Examiners as follows.

1. It renames the board the Maine Board of Oral Health, and it reassigns the membership of the board to give equitable representation to the regulated dental professions and adds additional public members. As changed, the board has nine members: two dentists, two dental hygienists, two denturists and three public members.
2. It changes the duties, functions and responsibilities of the board. The board's major roles are to perform administrative duties as a coordinating body for the board's subcommittees and to advise the subcommittees and ratify and carry out the recommendations of the subcommittees including rules recommended by the subcommittees.
3. It amends the laws governing the board's subcommittees on denturists and dental hygienists and establishes a new subcommittee on dentists. It defines the membership for each subcommittee and its duties, functions and

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responsibilities.

Committee Amendment "A" (S-418)

This amendment is the majority report of the committee and replaces the bill. It changes the composition of the Board of Dental Examiners by removing the dental hygienists from the board and adding two denturists to the board. It allows the Governor to accept nominations for the positions of dentist and denturist on the board from statewide associations of dentists and denturists, as well as from other organizations and individuals. It changes the composition of the Subcommittee on Denturists by reducing from two to one the number of dentists on the subcommittee and adding a public member. It also requires that any rule adopted by the board that relates to denturist licensure, including interviews for licensing and renewal, continuing education, discipline and inactive licensure status, must be proposed by the Subcommittee on Denturists and requires the board either to proceed with the rule-making process as proposed by the subcommittee's recommendation or, by a vote of more than 2/3 of the board members present and voting, to reject that recommendation. To reject the recommendation, the board must make a specific finding that the recommendation is beyond the jurisdiction of the subcommittee, places an undue financial burden upon the board or is not supported by the record. The amendment provides that the board must adopt the subcommittee's recommended disposition with respect to a complaint involving a denturist or an application for licensure or submission relating to continuing education unless more than 2/3 of the board members who are present and voting vote to reject the subcommittee's recommended disposition and the board makes a specific finding that the recommendation is beyond the jurisdiction of the subcommittee, places an undue financial burden upon the board or is not supported by the record.

It requires the Subcommittee on Denturists to submit its budgetary requirements to the board and requires the subcommittee's budget to be fully funded from revenue generated from denturist licensing fees. It requires the board to compensate the subcommittee for any necessary expenditures incurred by the subcommittee in performing its duties. It also eliminates the Subcommittee on Dental Hygienists. It adds an application section and staggers the terms for the two new denturist appointments to the board.

LD 1328 An Act To License Home Building and Improvement Contractors

Leave to Withdraw Pursuant to Joint Rule

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

This bill was carried over from the First Regular Session of the 126th Legislature.

It creates the Maine Home Contractor Licensing Act to establish licensing standards of practice and continuing education requirements for home contractors and home contractor salespersons.

LD 1458 Resolve, To Establish the Commission To Study Business Format Franchising

INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HERBIG PATRICK	OTP-AM OTP-AM ONTP	H-669

This bill was carried over from the First Regular Session of the 126th Legislature.