

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

STATE OF MAINE
127TH 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**

August 2015

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

MEMBERS:

SEN. AMY F. VOLK, CHAIR
SEN. ANDRE E. CUSHING III
SEN. JOHN L. PATRICK

REP. ERIN D. HERBIG, CHAIR
REP. PAUL E. GILBERT
REP. ANNE-MARIE MASTRACCIO
REP. DILLON BATES
REP. RYAN M. FECTEAU
REP. LAWRENCE E. LOCKMAN
REP. SUSAN M. W. AUSTIN
REP. JOEL R. STETKIS
REP. KARLETON S. WARD
REP. JAMES J. CAMPBELL, SR.

STATE OF MAINE

127TH 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 127th 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. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

<i>CARRIED OVER</i>	<i>carried over to a subsequent session of the Legislature</i>
<i>CON RES XXX</i>	<i>chapter # of constitutional resolution passed by both houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; legislation died</i>
<i>DIED BETWEEN HOUSES</i>	<i>House & Senate disagreed; legislation died</i>
<i>DIED IN CONCURRENCE</i>	<i>defeated in each house, but on different motions; legislation died</i>
<i>DIED ON ADJOURNMENT</i>	<i>action incomplete when session ended; legislation died</i>
<i>EMERGENCY</i>	<i>enacted law takes effect sooner than 90 days after session adjournment</i>
<i>FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE</i>	<i>emergency failed to receive required 2/3 vote</i>
<i>FAILED, ENACTMENT or FINAL PASSAGE</i>	<i>failed to receive final majority vote</i>
<i>FAILED, MANDATE ENACTMENT</i>	<i>legislation proposing local mandate failed required 2/3 vote</i>
<i>HELD BY GOVERNOR</i>	<i>Governor has not signed; final disposition to be determined at subsequent session</i>
<i>LEAVE TO WITHDRAW</i>	<i>sponsor's request to withdraw legislation granted</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>ruled out of order by the presiding officer; legislation died</i>
<i>INDEF PP</i>	<i>indefinitely postponed; legislation died</i>
<i>ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X</i>	<i>ought-not-to-pass report accepted; legislation died</i>
<i>P&S XXX</i>	<i>chapter # of enacted private & special law</i>
<i>PUBLIC XXX</i>	<i>chapter # of enacted public law</i>
<i>RESOLVE XXX</i>	<i>chapter # of finally passed resolve</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's veto</i>

The effective date for non-emergency legislation enacted in the First Regular Session of the 127th Legislature is October 15, 2015. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

LD 814 **An Act To Update the Maine Veterinary Practice Act**

PUBLIC 209

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DILL BLACK	OTP-AM	S-116

This bill makes the following changes to the Maine Veterinary Practice Act.

1. It amends the legislative findings section to update the language.
2. It changes the designation of "animal health assistant" to "veterinary assistant" and fixes cross-references.
3. It defines "patient" as an animal or group of animals examined or treated by a veterinarian.
4. It amends the definition of "practice of veterinary medicine."
5. It establishes a definition of "practice of veterinary technology."
6. Currently, veterinary technicians are registered under state law; this bill requires that veterinary technicians be licensed and fixes cross-references.
7. It eliminates the Maine State Board of Veterinary Medicine's authority to issue a temporary permit to a qualified applicant for a veterinary license pending examination, and it authorizes a licensed veterinarian or a licensed veterinary technician to practice for no more than 30 days in the State upon the request of the state veterinarian.
8. It requires that, in order to take the licensing examination for veterinary technicians, the applicant must have completed the professional education requirements for licensure or be within the final six months of professional study in an approved program of education.
9. It removes the prohibition against a veterinarian's association for the joint practice of veterinary medicine with any person, corporation or partnership not licensed to practice veterinary medicine.
10. It updates language outlining the duties of licensed veterinary technicians and veterinary assistants.

Committee Amendment "A" (S-116)

This amendment clarifies that a veterinarian and veterinary technician licensed in another state may practice in the State for a period not to exceed 30 days without a state license or permit only in emergency situations as determined by the state veterinarian. It also adds a Good Samaritan exception for a licensed veterinarian who in good faith renders emergency care to a patient without being able to establish a veterinarian-client-patient relationship when the veterinarian cannot identify the client. Finally, it makes a technical correction in the section of the bill governing the practice of veterinary technology.

Enacted Law Summary

Public Law 2015, chapter 209 makes the following changes to the Maine Veterinary Practice Act.

1. It amends the legislative findings section to update the language.
2. It changes the designation of "animal health assistant" to "veterinary assistant" and fixes cross-references.
3. It defines "patient" as an animal or group of animals examined or treated by a veterinarian.

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

4. It amends the definition of "practice of veterinary medicine."
5. It establishes a definition of "practice of veterinary technology."
6. It requires that veterinary technicians be licensed and fixes cross-references.
7. It eliminates the Maine State Board of Veterinary Medicine's authority to issue a temporary permit to a qualified applicant for a veterinary license pending examination. It authorizes a licensed veterinarian or a licensed veterinary technician to practice for no more than 30 days in the State only in emergency situations as determined by the state veterinarian, provided that the veterinarian or veterinary technician is licensed in another state.
8. It requires that, in order to take the licensing examination for veterinary technicians, the applicant must have completed the professional education requirements for licensure or be within the final six months of professional study in an approved program of education.
9. It removes the prohibition against a veterinarian's association for the joint practice of veterinary medicine with any person, corporation or partnership not licensed to practice veterinary medicine.
10. It updates language outlining the duties of licensed veterinary technicians and veterinary assistants.
11. It includes a Good Samaritan exception for a licensed veterinarian who in good faith renders emergency care to a patient without being able to establish a veterinarian-client-patient relationship when the veterinarian cannot identify the client.

LD 830 An Act To Eliminate the Dual Licensing of Physician Assistants

PUBLIC 242

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MASTRACCIO PATRICK	OTP-AM	H-362

This bill is a concept draft pursuant to Joint Rule 208. It proposes to reduce the regulatory burden on a physician assistant who is currently required to be licensed by both the Board of Licensure in Medicine and the Board of Osteopathic Licensure if that physician assistant is supervised by both allopathic and osteopathic physicians. The bill proposes to require one of the physician licensing boards to issue all the licenses needed by a physician assistant, regardless of which board licenses the supervising physician.

Committee Amendment "A" (H-362)

This amendment replaces the bill and establishes a licensing process for physician assistants by which a qualified applicant may apply for licensure by the board that licenses the applicant's supervising physician, if known. If the applicant does not identify a supervising physician, the applicant may apply to either the Board of Osteopathic Licensure or the Board of Licensure in Medicine. An applicant for physician assistant licensure may be issued a license by only one of the boards, but may practice under the supervision of either an osteopathic physician or an allopathic physician. The amendment allows both boards to jointly adopt rules governing the licensure of physician assistants.

Enacted Law Summary

Public Law 2015, chapter 242 establishes a licensing process for physician assistants by which a qualified applicant may apply for licensure by the board that licenses the applicant's supervising physician, if known. If the applicant does not identify a supervising physician, the applicant may apply to either the Board of Osteopathic Licensure or the Board of Licensure in Medicine. An applicant for physician assistant licensure may be issued a license by only