

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH 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 2016

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STATE OF MAINE

127TH LEGISLATURE

SECOND 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 Second 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.

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 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 127th Legislature is July 29, 2016. 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

5. It removes the requirement that a dental hygiene therapist practice under the direct supervision of a dentist.

Committee Amendment "A" (H-593)

This amendment is the majority report of the committee. It changes the terms "dental hygiene therapist" and "dental hygiene therapy" to "dental therapist" and "dental therapy", respectively, throughout the Maine Revised Statutes. It reorganizes the dental therapist education and examination requirements and corrects a cross-reference in the provisional dental therapy license section of the bill. It eliminates the provision of the bill allowing licensure of dental therapists by endorsement. It requires an applicant for a dental therapy license to have previously engaged in not only 2,000 hours of supervised clinical practice but also at least two years of supervised clinical practice. It clarifies that a dental therapist must practice under the general supervision of a dentist licensed in the State and limits to five the number of dental therapists that a single dentist may supervise.

Committee Amendment "B" (H-594)

This amendment is the minority report of the committee. It changes the terms "dental hygiene therapist" and "dental hygiene therapy" to "dental therapist" and "dental therapy", respectively, throughout the Maine Revised Statutes. It reorganizes the dental therapist education and examination requirements and corrects a cross-reference in the provisional dental therapy license section of the bill. It eliminates the provision of the bill allowing licensure of dental therapists by endorsement. It requires dental therapists to practice under the direct supervision of a dentist licensed in the State and limits to five the number of dental therapists that a single dentist may supervise.

This amendment was not adopted.

House Amendment "A" To Committee Amendment "A" (H-654)

This amendment, which is identical in substance to the majority report of the committee, corrects conflicts created by the enactment of Public Law 2015, chapter 429, which repealed and replaced the laws governing dental professionals.

This amendment was not adopted.

Senate Amendment "A" To Committee Amendment "A" (S-524)

This amendment incorporates the substantive provisions of Committee Amendment "A" with corrected citations to reflect enactment of Public Law 2015, chapter 429, which repealed and replaced the laws governing dental professionals. This amendment makes the following additional changes to the substance of Committee Amendment "A".

1. It requires an applicant for authority to practice as a dental therapist to possess a master's degree in a dental therapy education program that is accredited by either the Board of Dental Practice or the American Dental Association Commission on Dental Accreditation or a successor organization or that meets the requirements for a dental therapy education program adopted by the Board of Dental Practice.

2. It increases the number of hours of supervised clinical practice that an applicant for dental therapist authority must complete from 2,000 to 2,500 but removes the requirement that the applicant have engaged in at least two years of supervised clinical practice.

LD 1538

An Act To Amend the Quorum Requirements That Apply to the Citizen Trade Policy Commission

PUBLIC 400

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

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

This bill changes the minimum number of Citizen Trade Policy Commission members necessary to hold a meeting from 11 to nine and the minimum number of commission members necessary for purposes of voting from nine to seven.

Enacted Law Summary

Public Law 2015, chapter 400 changes the minimum number of members of the Citizen Trade Policy Commission necessary to hold a meeting from 11 to nine and the minimum number of commission members necessary for purposes of voting from nine to seven.

**LD 1549 An Act To Amend the Laws Governing Oversight of and Responsibility PUBLIC 412
for the Kim Wallace Adaptive Equipment Loan Program Fund**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PETERSON M KATZ R	OTP-AM	H-536

This bill changes the entity with whom funds from the Kim Wallace Adaptive Equipment Loan Program must be deposited from the Finance Authority of Maine to the Treasurer of State. The bill also eliminates the Kim Wallace Adaptive Equipment Loan Program Board and authorizes the Treasurer of State to select a program administrator both to administer the program and to decide whether to approve applications for loan funds. The bill authorizes the Treasurer of State to select a new program administrator through an RFP process if loan performance is poor. The bill permits, but does not require, the program administrator to establish an advisory board and to select board members, of whom a majority must be Maine citizens with disabilities.

Committee Amendment "A" (H-536)

This amendment replaces the bill. It authorizes the Kim Wallace Adaptive Equipment Loan Program Fund Board to contract with appropriate entities, including a financial services provider, for assistance in administering the program. The board or financial services provider, if one has been selected, may approve or deny a loan application based on its determination whether the application meets the purposes of the fund and satisfies the underwriting guidelines approved by the board. Individuals whose applications are denied by the financial services provider may appeal to the board for reconsideration.

Enacted Law Summary

Public Law 2015, chapter 412 authorizes the Kim Wallace Adaptive Equipment Loan Program Fund Board to contract with appropriate entities, including a financial services provider, for assistance in administering the program. The board or financial services provider, if one has been selected, may approve or deny a loan application based on a determination whether the application meets the purposes of the fund and satisfies the underwriting guidelines approved by the board. Individuals whose applications are denied by the financial services provider may appeal to the board for reconsideration.

LD 1553 An Act To Improve the Workers' Compensation System PUBLIC 469

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	S-399

This bill makes the following changes to the Maine Workers' Compensation Act of 1992.

1. It transfers the predetermination of independent contractor status process to the Department of Professional and