

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH 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 2017

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*Committee member for a portion of the session

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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 128th 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 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 128th Legislature is Wednesday, November 1, 2017. 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

This amendment was not adopted.

LD 1165 An Act To Amend the Laws Regarding Licensure for Professional Engineers ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK A FECTEAU R	ONTP	

This bill makes technical and substantive changes to the laws regarding licensure for professional engineers, including:

1. Amending the definition of the "technology accreditation commission," which accredits education programs, to provide that it is an engineering technology accreditation commission;
2. Replacing provisions that exempt from licensure nonresidents licensed in another state who have applied for a Maine license or who practice no more than 30 days per calendar year in Maine with a provision permitting these individuals to obtain a temporary Maine license;
3. Updating references to codes and standards governing the design of minor construction;
4. Removing the requirement that licensees complete 30 hours of continuing professional education biennially;
5. Requiring the State Board of Licensure for Professional Engineers to post the roster of active licensed professional engineers on its publicly accessible website;
6. Allowing the board to grant licenses to applicants licensed in another state or foreign country with substantially equivalent licensure qualifications; if the applicant has been licensed for at least 10 years and not subject to disciplinary action, other licensure qualifications may be waived by the board; and
7. Removing the requirement for four years of engineering work experience prior to taking the national examination on the principles and practices of engineering as well as the requirement that individuals who fail the exam three times must, before sitting for the examination, reapply and provide proof of further experience or study.

LD 1166 An Act Regarding Anesthesia Care in Rural Maine PUBLIC 188

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUSHING A FECTEAU R	OTP-AM	S-108

This bill permits certified registered nurse anesthetists (CRNAs) in critical access hospitals and hospitals located in rural areas, when authorized by the facility and under rules to be adopted by the State Board of Nursing, to engage in the following activities without being supervised by a licensed physician or dentist:

1. Formulate and implement a patient-specific plan of anesthesia care, including by conducting a preanesthetic assessment; verifying informed consent; and ordering appropriate pre-operative and post-operative lab tests and diagnostic imaging tests; and
2. Order and prescribe post-operative prescription drugs, except that a CRNA may only prescribe drugs on DEA Schedules III, IIIN, IV and V if the CRNA has established a client or patient record at the time of the prescription

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and prescribes no more than a four-day supply of the drug with no refills.

Committee Amendment "A" (S-108)

This amendment allocates to the Maine Revised Statutes the language in the bill granting rulemaking authority to the State Board of Nursing.

Enacted Law Summary

Public Law 2017, chapter 188 permits certified registered nurse anesthetists (CRNAs) in critical access hospitals and hospitals located in rural areas, when authorized by the facility and under rules to be adopted by the State Board of Nursing, to engage in the following activities without being supervised by a licensed physician or dentist:

1. Formulate and implement a patient-specific plan of anesthesia care, including by conducting a preanesthetic assessment; verifying informed consent; and ordering appropriate pre-operative and post-operative lab tests and diagnostic imaging tests; and
2. Order and prescribe post-operative prescription drugs, except that a CRNA may only prescribe drugs on DEA Schedules III, IIIN, IV and V if the CRNA has established a client or patient record at the time of the prescription and prescribes no more than a four-day supply of the drug with no refills.

LD 1200 An Act Relating to the Licensure of Physicians

PUBLIC 189

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HYMANSON P	OTP-AM	H-206

This bill specifies that nothing in the chapters of law governing the licensure of osteopathic and allopathic physicians may be construed to require a maintenance of certification as a condition of licensure, reimbursement, employment or admitting privileges at a hospital in Maine. The bill defines "maintenance of certification" as a process, subsequent to initial board certification, that requires periodic recertification examinations to maintain specialty medical board certification.

Committee Amendment "A" (H-206)

This amendment prohibits the Board of Osteopathic Licensure and the Board of Licensure in Medicine from requiring a physician to obtain osteopathic continuous certification or maintenance of certification from a specialty medical board as a condition of initial licensure or license renewal. This amendment removes the provisions of the bill related to physician reimbursement, physician employment and hospital admitting privileges.

Enacted Law Summary

Public Law 2017, chapter 189 prohibits the Board of Osteopathic Licensure and the Board of Licensure in Medicine from requiring a physician to obtain osteopathic continuous certification or maintenance of certification from a specialty medical board as a condition of initial licensure or license renewal.

LD 1217 An Act To Implement the Recommendations of the Government Oversight Committee To Improve the Efficiency and Effectiveness of Evaluations of the State's Investments in Economic Development

PUBLIC 264

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-445