

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
128<sup>TH</sup> 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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# STATE OF MAINE

128<sup>TH</sup> 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 128<sup>th</sup> 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 128<sup>th</sup> 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 bill amends the definitions and service descriptions of the Department of Labor, Bureau of Rehabilitation Services in order to conform with the reauthorization of the federal Rehabilitation Services Administration through the Workforce Innovation and Opportunity Act of 2014. It eliminates the use of the term "disadvantaged individuals" and repeals provisions of law regarding personal care services because such services are not provided by the bureau.

### **Enacted Law Summary**

Public Law 2017, chapter 111 amends the definitions and service descriptions of the Department of Labor, Bureau of Rehabilitation Services in order to conform with the reauthorization of the federal Rehabilitation Services Administration through the Workforce Innovation and Opportunity Act of 2014. It eliminates the use of the term "disadvantaged individuals" and repeals provisions of law regarding personal care services because such services are not provided by the bureau.

**LD 1376**

### **An Act To Remove Barriers to Workforce Development in Alcohol and Drug Counseling**

**PUBLIC 265**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRANT G BELLOWS S	OTP-AM	H-422

This bill directs the Department of Health and Human Services to increase the rates of reimbursement under the MaineCare Benefits Manual, rule Chapter 101: Chapters II and III, Sections 13, 17, 23, 28, 65 and 97 by 20% over the rates in June 2016 by October 1, 2017.

The bill also makes the following changes to the laws and rules regulating alcohol and drug counselors.

1. It requires reimbursement under the MaineCare program for the services of a licensed clinical professional counselor at the same rate as a licensed clinical social worker.
2. It creates a public records exception under the Freedom of Access Act to protect the confidentiality of the home addresses of all individuals licensed or certified by the Department of Professional and Financial Regulation, State Board of Alcohol and Drug Counselors.
3. It changes the qualifications for licensure as a licensed alcohol and drug counselor by reducing from 4,000 to 2,000 the number of supervised practice hours required of a graduate of an approved associate or bachelor's degree program and by reducing from 2,000 to 1,000 the number of supervised practice hours required of a graduate of an approved master's degree program.
4. It requires the board to offer qualifying examinations at least once every month and to issue licenses or certifications within 10 business days of an applicant's receipt of a passing examination score. It further allows individuals to submit applications for both the examination and the license at the same time.
5. It directs the board to reduce continuing education requirements and maximize use of distance learning for licensed and certified alcohol and drug counselors.

### **Committee Amendment "A" (H-422)**

This amendment removes the provisions of the bill directing the Department of Health and Human Services to increase certain MaineCare reimbursement rates and directing the Department of Professional and Financial Regulation, State Board of Alcohol and Drug Counselors to change the processes for licensing applications and examinations.

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

The amendment also restores the requirements in current law that an applicant for licensure as a licensed alcohol and drug counselor must complete 4,000 hours of practice in alcohol and drug counseling if the applicant possesses an associate or bachelor's degree from an approved program or must complete 2,000 hours of practice in alcohol and drug counseling if the applicant possesses a master's degree from an approved program. The amendment creates exceptions reducing the clinical practice hour requirements for applicants who complete a specified number of credit hours in addiction counseling course work in the course of obtaining a bachelor's degree or master's degree from an approved program.

### **Enacted Law Summary**

Public Law 2017, chapter 265 makes the following changes to the laws and rules regulating alcohol and drug counselors.

1. It requires reimbursement under the MaineCare program for the services of a licensed clinical professional counselor at the same rate as a licensed clinical social worker.
2. It creates a public records exception under the Freedom of Access Act to protect the confidentiality of the home addresses of all individuals licensed or certified by the Department of Professional and Financial Regulation, State Board of Alcohol and Drug Counselors.
3. It retains the requirement in current law that an applicant for licensure as a licensed alcohol and drug counselor complete 4,000 hours of practice in alcohol and drug counseling if the applicant possesses an associate or bachelor's degree or 2,000 hours of practice in alcohol and drug counseling if the applicant possesses a master's degree, but creates exceptions reducing the clinical practice hour requirements for applicants who complete a specified number of credit hours in addiction counseling course work in the course of obtaining the bachelor's degree or master's degree from an approved program.
4. It directs the board to reduce continuing education requirements and maximize use of distance learning for licensed and certified alcohol and drug counselors.

**LD 1377      An Act To Prohibit Posing as a Governmental Entity in Commerce**

**PUBLIC 228**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNPHY M WHITTEMORE R	OTP-AM	H-324

This bill makes an untrue representation by a person that the person is an official, agent or representative of a governmental entity in the advertisement, offer, sale or distribution of goods or services or that the goods or services are from or approved, authorized or endorsed by a governmental entity a violation of the Maine Unfair Trade Practices Act. The bill also provides that it is a violation of that Act for a person who is not an official, agent or representative of a governmental entity to simulate a summons, complaint, jury notice, tax form or other judicial or administrative process. The bill also requires a notice be placed on every offer of the sale of a governmental document that can be obtained from the applicable governmental entity for free or at a lesser charge informing the consumer and providing the contact information of the governmental entity.

### **Committee Amendment "A" (H-324)**

This amendment replaces the requirement in the bill that a specifically worded notice be displayed on every offer of the sale of a governmental document that can be obtained from the applicable governmental entity for free or at a lesser charge with a more general notice requirement.

### **Enacted Law Summary**