

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH LEGISLATURE
FIRST REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON INNOVATION,
DEVELOPMENT, ECONOMIC ADVANCEMENT
AND BUSINESS**

August 2019

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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 129th 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 129th Legislature is Thursday, September 19, 2019. 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 Innovation, Development, Economic Advancement and Business

LD 3 An Act To Enhance and Increase the Availability of Mental Health Providers in Maine ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HANDY J BELLOWS S	ONTP	

This bill establishes and funds the Maine Mental Health Providers Loan Repayment Program, which provides up to \$5,000 per year, for a period of up to five years, in educational loan repayment assistance to qualified mental health providers. In order to qualify, a provider must be a social worker licensed by the State Board of Social Worker Licensure or a counselor licensed by the Board of Counseling Professionals Licensure. Applicants must commit to practicing for five years in an underserved practice area of the State. The program is to be administered by the Finance Authority of Maine.

The bill also repeals the currently unfunded Social Work Education Loan Repayment Program in the Maine Revised Statutes.

LD 15 An Act To Provide for Municipalities To Allow Grocery Stores up to 10,000 Square Feet To Open on Thanksgiving, Easter and Christmas Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KINNEY M HERBIG E	OTP-AM ONTP	

This bill allows a municipality by ordinance to allow grocery stores with no more than 10,000 square feet of interior customer selling space to be open on Easter Day, Thanksgiving Day and Christmas Day.

Committee Amendment "A" (H-463)

This amendment is the majority report of the Joint Standing Committee on Innovation, Development, Economic Advancement and Business.

This amendment clarifies the language in the bill, creating an exception to the general prohibition on stores with more than 5,000 square feet from opening on Easter Day, Thanksgiving Day or Christmas Day. This amendment allows municipalities to by ordinance allow grocery stores with between 5,000 and 10,000 square feet to be open on Easter Day, Thanksgiving Day or Christmas Day.

This amendment removes the emergency preamble and emergency clause.

This amendment was not adopted.

LD 37 An Act To Allow for the Sale of Nonprescription Drugs through Vending Machines PUBLIC 454

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TERRY M SANBORN L	OTP-AM ONTP	H-466

Joint Standing Committee on Innovation, Development, Economic Advancement and Business

This bill creates a limited exception to the prohibition against the sale of drugs by vending machines to allow for the sale of nonprescription drugs by vending machines.

Committee Amendment "A" (H-466)

This amendment is the majority report of the Joint Standing Committee on Innovation, Development, Economic Advancement and Business. This amendment adds a "vending machine outlet" pharmacy licensing classification and requires that the Maine Board of Pharmacy adopt rules in accordance with certain specified requirements, including the following:

1. A requirement that only nonprescription drugs be dispensed by the vending machine;
2. A requirement that nonprescription drugs dispensed by the vending machine be stored in accordance with manufacturer recommendations, including temperature stable conditions;
3. A requirement that nonprescription drugs dispensed by a vending machine be sold only in the manufacturer's clearly labeled, original, unbroken, tamper-proof and expiration-dated packaging;
4. A requirement that nonprescription drugs dispensed by the vending machine be no older than the manufacturer's expiration date;
5. A limitation that no more than 12 different nonprescription drugs be dispensed by any single vending machine;
6. A requirement that a vending machine through which nonprescription drugs are dispensed have an obvious and legible statement on the machine that identifies the owner of the machine, a toll-free telephone number at which the consumer may contact the owner of the machine, a statement advising the consumer to check the expiration date of the product before using the product and the telephone number of the board of pharmacy;
7. Identification of any nonprescription drugs that cannot be dispensed by a vending machine; and
8. Identification of any locations in which vending machines dispensing nonprescription drugs may not be located, including the following:
 - A. Private schools;
 - B. Public preschool programs;
 - C. Public schools; and
 - D. Child care facilities.

Enacted Law Summary

Public Law 2019, chapter 454 creates a limited exception to the prohibition against the sale of drugs by vending machines to allow for the sale of nonprescription drugs by vending machines. It adds a "vending machine outlet" pharmacy licensing classification and requires that the Maine Board of Pharmacy adopt rules in accordance with certain specified requirements, including the following:

1. A requirement that only nonprescription drugs be dispensed by the vending machine;
2. A requirement that nonprescription drugs dispensed by the vending machine be stored in accordance with

Joint Standing Committee on Innovation, Development, Economic Advancement and Business

manufacturer recommendations, including temperature stable conditions;

3. A requirement that nonprescription drugs dispensed by a vending machine be sold only in the manufacturer's clearly labeled, original, unbroken, tamper-proof and expiration-dated packaging;
4. A requirement that nonprescription drugs dispensed by the vending machine be no older than the manufacturer's expiration date;
5. A limitation that no more than 12 different nonprescription drugs be dispensed by any single vending machine;
6. A requirement that a vending machine through which nonprescription drugs are dispensed have an obvious and legible statement on the machine that identifies the owner of the machine, a toll-free telephone number at which the consumer may contact the owner of the machine, a statement advising the consumer to check the expiration date of the product before using the product and the telephone number of the board of pharmacy;
7. Identification of any nonprescription drugs that cannot be dispensed by a vending machine; and
8. Identification of any locations in which vending machines dispensing nonprescription drugs may not be located, including the following:
 - A. Private schools;
 - B. Public preschool programs;
 - C. Public schools; and
 - D. Child care facilities.

**LD 50 An Act To Implement the Recommendations of the Government
Oversight Committee To Improve the Development of a Long-range
Strategic Plan for Economic Improvement in the State**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MASTRACCIO A HERBIG E	ONTP	

This bill clarifies the role of the Maine Economic Growth Council and provides for additional requirements for the Council. It requires the Council to, by December 31, 2020, develop a long-range strategic economic improvement plan for a sustainable state economy. It requires that the Council review and update the plan by December 31, 2022 and every four years thereafter.

This bill requires that in developing the plan, the Council employ a continuous process with a five to ten year planning horizon; include consideration of industries and jobs with significant growth potential in the state, the state's industrial base, regional, national and international markets, studies and evaluations in the private and public sectors regarding long term economic growth in the state, the quantity and quality and demographic composition of the state's workforce, discrepancies in challenges and opportunities among regions, opportunities and challenges for small businesses, and optimization of the return on investment in the state; use a public and private partnership approach that is objective and nonpartisan; and use a transparent public process that allows for public input.

This bill requires that the plan include goals and objectives for long term economic development; specific, quantifiable and measurable benchmarks against which progress can be measured; strategies and actions to