

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 1746 An Act To Amend the Licensing Laws of Certain Professions and Occupations

PUBLIC 503

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HERBIG E	OTP-AM OTP-AM	S-303 S-316 HERBIG E

The bill makes the following changes to the licensing laws of certain professions and occupations.

1. It provides authority for the Director of the Office of Professional and Occupational Regulation within the Department of Professional and Financial Regulation to reduce license fees by order.
2. It adds failure by a licensee to provide treatment records to a patient within a reasonable time when requested by the patient in writing as a new ground for discipline.
3. It increases from one to two the number of helper electricians that may be supervised by a master, journeyman or limited electrician at any one time and corrects an error in hours of work experience required for a journeyman-in-training to apply for a master electrician license.
4. It repeals current license requirements for real estate appraisers and replaces them with less stringent license requirements adopted by rule by the federally authorized appraiser qualifications board.
5. It authorizes the issuance of licenses to speech-language pathology assistant applicants who have a degree higher than an associate degree and exempts temporary licensees, speech-language pathology assistants and trainee licensees from continuing education requirements at the time of license renewal.

Committee Amendment "A" (S-303)

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

This amendment does the following.

1. It removes the increase from one to two of the number of helper electricians that a journeyman, master and limited electrician may supervise, retaining the limit at one.
2. It changes the language that allows an office, board or commission to discipline a licensee for failure to provide treatment records in a reasonable amount of time to instead reference the Maine Revised Statutes, Title 22, section 1711 and Title 22, section 1711-B.
3. It amends Title 22, section 1711 and Title 22, section 1711-B to reference the requirements of the federal Health Insurance Portability and Accountability Act of 1996 regarding access to patient records.

Committee Amendment "B" (S-304)

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

This amendment does the following.

1. It changes the language that allows an office, board or commission to discipline a licensee for failure to provide

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

treatment records in a reasonable amount of time to instead reference the Maine Revised Statutes, Title 22, section 1711 and Title 22, section 1711-B.

2. It amends Title 22, section 1711 and Title 22, section 1711-B to reference the requirements of the federal Health Insurance Portability and Accountability Act of 1996 regarding access to patient records.

This amendment was not adopted.

House Amendment "A" (H-626)

This amendment removes the authority, as proposed in the bill, for the Director of the Office of Professional and Occupational Regulation within the Department of Professional and Financial Regulation to reduce license fees by order.

This amendment was not adopted.

Senate Amendment "A" (S-316)

This amendment removes the authority, as proposed in the bill, for the Director of the Office of Professional and Occupational Regulation within the Department of Professional and Financial Regulation to reduce license fees by order.

Enacted Law Summary

Public Law 2019, chapter 503 does the following.

1. It adds failure by a licensee to provide treatment records in accordance with the requirements of Maine Revised Statutes, Title 22, section 1711 or Title 22, section 1711-B a new ground for discipline by a licensing board.
2. It amends Title 22, section 1711 and Title 22, section 1711-B to reference the requirements of the federal Health Insurance Portability and Accountability Act of 1996 regarding access to patient records.
3. It increases from one to two the number of helper electricians that may be supervised by a master, journeyman or limited electrician at any one time and corrects an error in hours of work experience required for a journeyman-in-training to apply for a master electrician license.
4. It repeals current license requirements for real estate appraisers and replaces them with less stringent license requirements adopted by rule by the federally authorized appraiser qualifications board.
5. It authorizes the issuance of licenses to speech-language pathology assistant applicants who have a degree higher than an associate degree and exempts temporary licensees, speech-language pathology assistants and trainee licensees from continuing education requirements at the time of license renewal.

**LD 1751 An Act To Amend and Clarify the Laws Concerning American Sign
Language Interpreters**

PUBLIC 284

<u>Sponsor(s)</u> FECTEAU R	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-418
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This bill amends the laws governing American Sign Language interpreters to do the following:

1. Add definitions of “accredited”, “American Sign Language proficiency interview,” “Director”; and “National