

STATE OF MAINE
127TH 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 2015

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

LD 9 An Act To Retain Call Centers in Maine

**Accepted Majority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHORT PATRICK	ONTP OTP-AM	

This bill requires employers that intend to relocate a call center, or a facility or operating unit handling at least 30% of call volume within a call center, from Maine to a foreign country to notify the Commissioner of Labor at least 60 days before the relocation. The Commissioner is required to create a list of these employers, and to update it twice a year. An employer appearing on the list is ineligible for a state grant, loan or tax benefit for two years; however, the Commissioner may allow exceptions for employers that demonstrate that the lack of the grant, loan or tax benefit would result in substantial job loss in the State or harm the environment. The bill also contains a clawback provision that requires an employer on the Commissioner's list to pay back the unamortized value of a direct or indirect state grant, loan or tax benefit previously issued to such an employer. If an employer fails to notify the Commissioner of Labor of the relocation of a call center at least 60 days before the relocation, a fine of \$350 per day may be assessed. The Commissioner may reduce the fine amount for just cause shown.

The bill also requires that call center work for executive branch agencies of the State be performed in the State. Employers that have an existing contract with the State, and that use call centers outside of Maine to do the work for that contract, will have a two-year window to comply with the provisions of the bill.

Committee Amendment "A" (H-214)

The amendment which is the minority report of the committee, adds an appropriations and allocations section.

LD 36 An Act To Increase the Minimum Wage

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EVANGELOS MIRAMANT	ONTP	

This bill raises the minimum wage to \$9.00 per hour beginning October 1, 2015 and to \$10.00 per hour beginning October 1, 2016 and provides that, beginning October 1, 2017, the minimum wage must be adjusted for inflation on October 1st of each year.

LD 52 An Act To Adjust Maine's Minimum Wage

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN R	ONTP	

This bill raises the minimum wage to \$9.50 per hour beginning October 1, 2015.

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LD 61 An Act To Require Tattoo Practitioners To Be at Least 18 Years of Age ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VEROW LIBBY	ONTP	

This bill requires a tattoo practitioner to be at least 18 years of age. It also changes the maximum licensing fee for persons who are not residents of the State.

LD 72 An Act To Increase the Minimum Wage ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HAMANN PATRICK	ONTP	

This bill raises the minimum wage to \$10.10 per hour beginning October 1, 2015 and provides that, beginning October 1, 2016, the minimum wage must be automatically adjusted for inflation on October 1st of each year.

LD 77 An Act To Raise the Minimum Wage ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MIRAMANT EVANGELOS	ONTP	

This bill raises the minimum wage to \$9.75 per hour beginning October 1, 2015.

LD 81 An Act To Amend the Workers' Compensation Laws as They Pertain to Employee Representation Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PATRICK TUCKER	OTP-AM ONTP	

This bill expands the list of statements that are inadmissible in proceedings under the Maine Workers' Compensation Act of 1992 to include statements obtained after continued questioning of an employee by an investigator, employer or an employer's representative after that employee's request to have a representative of the employee's choice present has been denied.

Committee Amendment "A" (S-79)

This amendment, which is the majority report of the committee, clarifies that the representative requested by the employee can include a family member, friend or coworker.

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3. It conforms Maine law to federal law by providing that minors who are younger than 14 years of age may be employed only in the planting, cultivating or harvesting of field crops, or other agricultural employment that does not place them in direct contact with hazardous machinery or hazardous substances.
4. It conforms to federal law the hours that minors who are 16 years of age and 17 years of age may work by extending the permissible time until which such a minor may work on a day preceding a school day.
5. It eliminates the prohibition on minors under 16 years of age working more than six consecutive days.
6. It eliminates the prohibition on minors under 18 years of age working more than 50 hours per week when school is not in session.
7. It specifies that the restrictions on the hours of employment of minors do not apply to:
 - A. Agricultural employment that does not require direct contact with hazardous machinery or hazardous substances;
 - B. Employment or training as a theatrical actor or a film actor;
 - C. The taking or catching of lobsters, fish or other marine organisms, as long as the work does not require direct contact with hazardous machinery or hazardous substances; and
 - D. Work at a business that is solely owned by the minor's parent, as long as the work does not require direct contact with hazardous machinery or hazardous substances.
8. It adds an appropriations and allocations section.

**LD 93 An Act To Amend the Laws Governing Pine Tree Development Zone
Benefits for the Town of Berwick and the City of Sanford**

PUBLIC 336

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'CONNOR COLLINS	OTP-AM	H-128

This bill allows the Town of Berwick in York County to be designated as a Pine Tree Development Zone tier one location in order to allow the town to be eligible for Pine Tree Development Zone benefits.

Committee Amendment "A" (H-128)

This amendment changes the title of the bill and requires the Commissioner of Economic and Community Development to establish a pilot project in the City of Sanford for tourism development, which may include theme park resort facility development. It retains the provision in the bill that allows the Town of Berwick in York County to be designated as a Pine Tree Development Zone tier one location in order to allow the town to be eligible for Pine Tree Development Zone benefits.

Enacted Law Summary

Public Law 2015, chapter 336 requires the Commissioner of Economic and Community Development to establish a pilot project in the City of Sanford for tourism development, which may include theme park resort facility development. It allows the Town of Berwick in York County to be designated as a Pine Tree Development Zone tier one location in order to allow the town to be eligible for Pine Tree Development Zone benefits.

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LD 117 An Act To Require the Prevailing Wage To Be Paid on All Public Works Projects for Which State Funding Is Used Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PATRICK	OTP-AM ONTP	

This bill amends the laws requiring the preference for Maine residents and the payment of prevailing wages in public works contracts to remove the exemption under those laws for contracts in amounts less than \$50,000.

Committee Amendment "A" (S-140)

This amendment, which is the majority report of the committee, extends the bill's requirement for the payment of the prevailing hourly rate of wages and benefits for all public works contracts to include public works funded by a municipality or school district when the State has transferred any amount of funding to the municipality or school district for those purposes. The amendment also changes the bill by retaining the exemption in current law for contracts under \$50,000. The amendment adds an appropriations and allocations section.

LD 121 Resolve, Directing the Department of Professional and Financial Regulation To Conduct a Sunrise Review of the Proposal To License Certain Mechanical Trades Died Between Houses

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

This resolve requires the Commissioner of Professional and Financial Regulation to conduct an independent assessment pursuant to the sunrise review requirements in the Maine Revised Statutes of the proposal to license certain mechanical trades.

LD 125 An Act Extending Workers' Compensation Benefits to Certain Employees of the Office of the State Fire Marshal Who Contract Cancer PUBLIC 373

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DIAMOND MAREAN	OTP-AM	S-76

This bill amends the law allowing for workers' compensation benefits for firefighters who contract cancer by including in the definition of firefighters investigators and sergeants employed by the Office of the State Fire Marshal.

Committee Amendment "A" (S-76)

This amendment changes the bill by adding a requirement that, in order to qualify for the rebuttable presumption that cancer was contracted in the course of employment, an investigator or sergeant in the Office of the State Fire Marshal must represent that the investigator or sergeant used protective equipment in compliance with Office of the State Fire Marshal policies in effect during the course of the investigator's or sergeant's employment.

Enacted Law Summary

Public Law 2015, chapter 373 amends the rebuttable presumption in the workers' compensation laws that

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firefighters who contract cancer did so in the course of employment by including in the definition of firefighters investigators and sergeants employed by the Office of the State Fire Marshal. In order to qualify for the presumption, in addition to the existing eligibility requirements, the investigator or sergeant in the Office of the State Fire Marshal must represent that the investigator or sergeant used protective equipment in compliance with Office of the State Fire Marshal policies in effect during the course of the investigator's or sergeant's employment.

**LD 141 An Act To Amend the Definition of "Health Care Practitioner" in the Accepted Majority
Maine Health Security Act To Include Pharmacists (ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHACE CUSHING	ONTP OTP-AM	

This bill was originally referred to the Joint Standing Committee on Health and Human Services. It adds pharmacists to the definition of "health care practitioner" under the Maine Health Security Act.

Committee Amendment "A" (H-401)

This amendment is the minority report of the committee. It strikes the bill and requires pharmacists that provide counseling services within their scope of their practice to be reimbursed by MaineCare. It also includes a definition of "counseling services" and adds counseling services to the definition of the practice of pharmacy. In addition, it requires the Department of Health and Human Services to adopt routine technical rules to reimburse pharmacists for counseling services.

**LD 163 An Act To Provide Economic Development Assistance to Rural ONTP
Communities**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN J	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. It proposes to provide economic development assistance to rural communities with fewer than 1,500 residents.

LD 164 An Act To Establish the Maine Length of Service Award Program PUBLIC 352

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EVANGELOS DUTREMBLE	OTP-AM ONTP	H-151 H-177 EVANGELOS

This bill establishes the framework for a statewide pension-type program under which "bona fide volunteers" as defined in the United States Internal Revenue Code are paid length of service awards for performing qualified services. "Qualified services" is defined under the United States Internal Revenue Code, Section 457(e)(11) to mean "fire fighting and prevention services, emergency medical services, and ambulance services." Under the program, volunteers have a program account that would be credited with an annual contribution deposited no later than the following July 1st for each year during which the volunteer participated in a minimum required level of volunteer activities set forth by the Maine Length of Service Award Program Board of Trustees established in this bill. Upon the attainment of 65 years of age or after having earned 20 years of service credit before 65 years of age, a volunteer who had attained a vested status in the program by having earned five years of service credit would be paid the contributions credited to that volunteer's program account plus the net investment income earned on those

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contributions. The vested portion of the program account award of a participating volunteer must be paid before the volunteer reaches 65 years of age if the volunteer ceases to perform qualified services for 36 consecutive months. The program account balance of a participating volunteer is also payable before 65 years of age upon death or total and permanent disablement.

This bill authorizes the State, political subdivisions and emergency services providers within the State as well as emergency services volunteers to participate in the funding of this program. Participation in the program funding is optional for any prospective contributor, and the amount contributed may vary from year to year by a contributor based on available funds. If federal funds become available for the program, the program must accept those funds as well.

This bill raises the sales tax on consumer fireworks to 10% and dedicates the revenue from the increase to the program.

Under this bill, the Maine Length of Service Award Program Board of Trustees contracts with private sector firms to provide administration, investment, custodial, trustee and auditing services for the program.

Until the United States Internal Revenue Code is amended to provide that programs under which length of service awards are paid to emergency services volunteers may be treated as United States Internal Revenue Code, Section 457 plans of deferred compensation, the program in this bill must comply with the current applicable sections of the Internal Revenue Code.

Committee Amendment "A" (H-151)

This amendment, which is the majority report of the committee, eliminates the 10% sales tax on consumer fireworks proposed in the bill. The program established in the bill will receive dedicated funding from the State equivalent to 50% of the revenue received from the general sales tax currently imposed on the sale of consumer fireworks as set out in the bill, but the amendment limits this funding to two years.

This amendment adds an appropriations and allocations section to the bill.

House Amendment "A" To Committee Amendment "A" (H-177)

This amendment amends Committee Amendment "A" to eliminate the dedicated funding from the State. This amendment also strikes the appropriations and allocations section added by the committee amendment. This amendment retains the elimination of the 10% sales tax on the value of consumer fireworks by Committee Amendment "A."

The effect of these changes is to remove all funding for the Maine Length of Service Award Program.

Enacted Law Summary

Public Law 2015, chapter 352 establishes the framework for a statewide pension-type program under which "bona fide volunteers" as defined in the United States Internal Revenue Code are paid length of service awards for performing qualified services. "Qualified services" is defined under the United States Internal Revenue Code, Section 457(e)(11) to mean "fire fighting and prevention services, emergency medical services, and ambulance services." Under the program, volunteers have a program account that would be credited with an annual contribution deposited no later than the following July 1st for each year during which the volunteer participated in a minimum required level of volunteer activities set forth by the Maine Length of Service Award Program Board of Trustees established in this bill. Upon the attainment of 65 years of age or after having earned 20 years of service credit before 65 years of age, a volunteer who had attained a vested status in the program by having earned five years of service credit would be paid the contributions credited to that volunteer's program account plus the net investment income earned on those contributions. The vested portion of the program account award of a participating volunteer must be paid before the volunteer reaches 65 years of age if the volunteer ceases to perform qualified services for 36 consecutive months. The program account balance of a participating volunteer is also

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payable before 65 years of age upon death or total and permanent disablement.

It authorizes the State, political subdivisions and emergency services providers within the State as well as emergency services volunteers to participate in the funding of this program. Participation in the program funding is optional for any prospective contributor, and the amount contributed may vary from year to year by a contributor based on available funds. If federal funds become available for the program, the program must accept those funds as well.

Under this law, the Maine Length of Service Award Program Board of Trustees contracts with private sector firms to provide administration, investment, custodial, trustee and auditing services for the program.

Until the United States Internal Revenue Code is amended to provide that programs under which length of service awards are paid to emergency services volunteers may be treated as United States Internal Revenue Code, Section 457 plans of deferred compensation, the program must comply with the current applicable sections of the Internal Revenue Code.

LD 187 Resolve, To Expand Dental Care in the State by Extending the Pilot Program for Dental Hygienists ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK BECK	ONTP	

Under a pilot project that is scheduled to expire on March 15, 2015, independent practice dental hygienists are allowed to expose and process radiographs in areas of the State that have been designated by the United States Department of Health and Human Services as dental health professional shortage areas. This resolve continues the authority of these independent practice dental hygienists to expose and process radiographs for two more years, except that the authorization applies to the entire State for those additional two years.

LD 188 An Act To Protect Employees from Abusive Work Environments Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PATRICK PETERSON	OTP-AM ONTP	

This bill provides legal relief for employees who have been harmed psychologically, physically or economically by exposure to abusive work environments. Employees and employers who subject an employee to an abusive work environment are liable, and employers are vicariously liable for the abusive workplace conduct of their employees, in a private civil action brought by the affected employee. The legal remedies made available by this bill do not limit any other legal rights of an individual, except that workers' compensation benefits received under the Maine Revised Statutes, Title 39-A for the same injury or illness must be reimbursed from compensation that is earned through the legal remedies made available by this bill.

Committee Amendment "A" (S-101)

This amendment, which is the majority report of the committee, strikes the bill and replaces it with a resolve directing the Department of Labor to study the issue of addressing psychological and physical harm to employees due to abusive work environments and to report to the Joint Standing Committee on Labor, Commerce, Research and Economic Development with recommendations and suggested implementing legislation by January 1, 2016. The committee is authorized to report out a bill related to these recommendations in the Second Regular Session of

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the 127th Legislature.

**LD 209 An Act To Support Research and Development at a Marine Field Station ONTP
at the University of Maine at Machias**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GERZOFSKY MAKER	ONTP	

This bill changes the apportionment of the percentage of the Maine Economic Improvement Fund that goes to the University of Maine at Augusta, the University of Maine at Farmington, the University of Maine at Fort Kent, the University of Maine at Machias, the University of Maine at Presque Isle and the Maine Maritime Academy to support research and development by removing the equal apportionment to all of the institutions of a minimum of 3% of the fund. Beginning July 1, 2015, it requires that a minimum of 2% of the fund must be disbursed to the University of Maine at Machias to support a marine field station and a minimum of 1% must be apportioned among the remainder of the institutions.

**LD 248 An Act To Provide Flexibility to the Application of the State Prevailing ONTP
Wage and Benefit Rates**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DECHANT DUTREMBLE	ONTP	

This bill allows flexibility in the minimum hourly wage and benefit rates for workers employed in the construction of public works by the State or persons contracting with the State by allowing any allocation between hourly wage and benefit rates, as long as the sum of the hourly wage and benefit rates equals the sum of the appropriate hourly wage and benefit rates determined by the Department of Labor, Bureau of Labor Standards.

LD 249 An Act To Enable Seniors To Remain in Their Homes CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO	OTP-AM	S-10

This bill establishes the Home Weatherization and Repair for Seniors Program in the Department of Economic and Community Development to assist low-income seniors in remaining in their homes. It also establishes the Home Weatherization and Repair for Seniors Fund and appropriates money to the fund. The department is required to disburse money from the fund to a statewide network that provides weatherization and home repair services, including but not limited to repairs to meet the standards of the federal Americans with Disabilities Act of 1990, to replace substandard fixtures and hardware and to reduce ongoing maintenance and heating costs, to low-income residents of the State.

Committee Amendment "A" (S-10)

This amendment incorporates a fiscal note.

This bill was carried over on the Special Appropriations Table to any special or regular session of the 127th Legislature by joint order, S.P. 555.

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LD 250 An Act To Amend the Laws Regarding Dealers in Secondhand Precious Metals ONTP

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

This bill amends the laws regarding dealers in secondhand precious metals by:

1. Including palladium and platinum as precious metals subject to regulation;
2. Allowing a dealer to take one digital photograph of all the items in a transaction, instead of one digital photograph for each item;
3. Eliminating certain types of information that must be recorded by a dealer about each item;
4. Reducing from 15 days to five business days the amount of time a dealer must wait before selling or altering an item of precious metal received by the dealer;
5. Removing a reference to an electronic database designed to catalog stolen property; and
6. Requiring a dealer to register as a precious metals dealer with the municipality in which the dealer will conduct business, instead of requiring the dealer to obtain a permit issued by the municipality.

LD 277 An Act To License Polysomnography ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING CUSHING	ONTP	

This bill creates a new license category for the practice of polysomnography and establishes the Board of Polysomnography within the Department of Professional and Financial Regulation.

LD 294 An Act To Allow a Home Heating Oil Delivery Driver To Bleed a Home Heating Oil Burner PUBLIC 207

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DIAMOND	OTP-AM ONTP	S-120

This bill allows a home heating oil delivery driver to bleed a home heating oil burner. Current law restricts this practice to apprentice oil burning technicians who are under the direct supervision of a journeyman or master oil burning technician.

Committee Amendment "A" (S-120)

This amendment is the majority report of the committee. It provides that a home heating oil delivery driver may bleed a residential home heating oil burner without direct supervision if the driver has documentation of completion of a training course in bleeding oil burners that has been approved by the Maine Fuel Board.

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Enacted Law Summary

Public Law 2015, chapter 207 provides that a home heating oil delivery driver may bleed a residential home heating oil burner without direct supervision if the driver has documentation of completion of a training course in bleeding oil burners that has been approved by the Maine Fuel Board.

LD 297 An Act To Increase Allowed Investments under the Maine New Markets Capital Investment Program Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LIBBY ROTUNDO	OTP-AM OTP-AM	

This bill increases the maximum aggregate amount of qualified equity investments for which the Finance Authority of Maine may issue tax credit authority under the Maine New Markets Capital Investment Program from \$250,000,000 to \$500,000,000.

Committee Amendment "A" (S-294)

This amendment is the majority report of the committee. It replaces the bill and adds an emergency preamble and clause. It makes the following changes to the Maine New Markets Capital Investment Program and the new markets capital investment credit.

1. It adds new definitions of "sham transaction" and "capital at risk."
2. It requires the State Tax Assessor to recapture new markets capital investment credits issued that are determined to be connected with a sham transaction, including fees charged by an entity to an investor, lender or borrower under the Maine New Markets Capital Investment Program under the Maine Revised Statutes, Title 10, section 1100-Z using the tax credit.
3. It eliminates the eligibility of certain refinancing and ownership transfer transactions as qualified low-income community investments for the credit if those transactions exceed 5% of the investment.
4. It allows the Government Oversight Committee to consider whether a review of the Maine New Markets Capital Investment Program and the new markets capital investment credit and all approved investments made under the program since 2011 is warranted. If the Government Oversight Committee determines that a review is warranted, the committee may assign this review to the Office of Program Evaluation and Government Accountability. If a review is performed, the Government Oversight Committee shall provide a report to the Joint Standing Committee on Labor, Commerce, Research and Economic Development by February 1, 2016. It authorizes the Joint Standing Committee on Labor, Commerce, Research and Economic Development to report out a bill on this topic to the Second Regular Session of the 127th Legislature, whether or not the Joint Standing Committee on Labor, Commerce, Research and Economic Development receives a report from the Government Oversight Committee.
5. It adds an appropriations and allocations section.

Committee Amendment "B" (S-295)

This amendment is the minority report of the committee. The amendment makes the following changes to the Maine New Markets Capital Investment Program.

1. It prohibits a qualified community development entity from collecting more than half of its fees for services under the Maine New Markets Capital Investment Program under the Maine Revised Statutes, Title 10, section

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1100-Z prior to the last credit allowance date.

- 2. It increases the aggregate amount of qualified equity investments for which tax credit authority may be issued from \$250,000,000 to \$500,000,000, phased in at an additional \$50,000,000 per year over five years.
- 3. It increases the maximum amount for an annual tax credit claim from \$20,000,000 to \$40,000,000.
- 4. It eliminates the eligibility of certain refinancing and ownership transfer transactions as qualified low-income community investments for the new markets capital investment credit if those transactions exceed 5% of the investment.
- 5. It provides that the changes made to the definition of "qualified low-income community investment" apply to applications made to the Finance Authority of Maine after the effective date of this legislation.

LD 299 An Act To Protect Children in School Facilities by Requiring Boiler Inspections PUBLIC 311

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HILL WARD	OTP-AM	S-191 S-303 HAMPER

This bill reestablishes the requirement, eliminated by Public Law 2013, chapter 595, that boilers in schools and boilers owned by municipalities be inspected to ensure their proper performance.

Committee Amendment "A" (S-191)

This amendment removes from the bill the language that subjects boilers owned by municipalities to the State's boiler inspection requirements and removes the requirement in law that boilers be constructed and installed in accordance with rules adopted by the director to be exempt from inspection.

Although this legislation has been identified as a potential state mandate, the State's regulatory oversight of heating boilers and hot water boilers in schools dates back to the 1930's and represents a long-standing safety requirement to ensure the safe operation of boilers in schools, subject only to a brief period of repeal under Public Law 2013, chapter 595.

Senate Amendment "A" To Committee Amendment "A" (S-303)

This amendment adds a mandate preamble.

Enacted Law Summary

Public Law 2015, chapter 311 reestablishes the requirement, eliminated by Public Law 2013, chapter 595, that boilers in schools be inspected to ensure their proper performance.

LD 301 An Act To Improve Insurance Coverage for First Responders Answering a Call to Duty Died Between Houses

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

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This bill creates a rebuttable presumption that a personal injury to a paid or volunteer firefighter or a paid or volunteer emergency medical services person considered an employee within the meaning of the Maine Workers' Compensation Act of 1992 is considered to arise out of and in the course of employment and is compensable under the Act if the personal injury occurs at any time after the firefighter or emergency medical services person receives notice of a fire or emergency and is in the process of responding.

Committee Amendment "A" (S-77)

This amendment, which is the majority report of the committee, incorporates a fiscal note.

LD 361 An Act To Allow Licensed Dental Professionals To Own Dental Practices Accepted Majority (ONTP) Report

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

This bill clarifies that anyone licensed by the Department of Professional and Financial Regulation, Board of Dental Examiners may be a proprietor of a dental practice.

LD 362 An Act To Require Dentists To Disclose the Cost and Origin of Off-site Laboratory Services ONTP

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

This bill requires that a dentist provide a patient with a written disclosure of the cost and origin of all laboratory services billed to that patient.

LD 372 An Act To Enhance the Promotion of Hunting and Fishing Opportunities in Maine by the Office of Tourism ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS BLACK	ONTP	

This bill requires that at least 25% of all advertising by the Department of Economic and Community Development, Office of Tourism must include promotional information related to hunting or fishing.

LD 377 An Act To Continue the Visual and Digital Media Loan Program and the Visual and Digital Media Loan Fund Veto Sustained

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

Current law allows the Commissioner of Economic and Community Development, through the Visual and Digital Media Loan Program, to provide loans to digital media projects or visual media productions of up to \$500,000 per

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project or production. The loans are funded from the Visual and Digital Media Loan Fund, which is maintained by the Finance Authority of Maine. The laws authorizing the Visual and Digital Media Loan Program and the Visual and Digital Media Loan Fund are set to be repealed on December 31, 2015.

This bill delays the repeal of the program and fund until December 31, 2018.

LD 402 *Resolve, To Amend Rules Regarding Proof of Ownership of Logging Equipment and Recruitment by Employers Employing Foreign Laborers To Operate Logging Equipment* ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN J	ONTP	

This resolve directs the Department of Labor to amend its rule regarding proof of ownership of logging equipment and recruitment by employers employing foreign laborers to operate logging equipment in conformance with the provisionally adopted major substantive rule submitted to the 126th Legislature for review, except that the rule must incorporate the changes that were authorized by the 126th Legislature. The resolve provides that the department is not required to hold hearings prior to adoption of the rule and directs the department to implement the rule using existing resources.

LD 403 *An Act To Eliminate the Exception from Minimum Wage Laws for Workers Who Receive Tips* ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COOPER PATRICK	ONTP	

This bill eliminates the “tip credit” provision of Maine’s minimum wage law that allows an employer to offset up to 50% of the minimum wage paid to a service employee who receives tips, provided that the employee receives at least the minimum hourly wage when direct wages and tips are combined.

LD 404 *An Act To Prohibit Public Employers from Acting as Collection Agents for Labor Unions* Accepted Majority (ONTP) Report

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

Current law allows a public employer to deduct service fees owed by an employee to a collective bargaining agent pursuant to a lawful collective bargaining agreement. This bill prohibits a public employer from collecting those fees or collecting member dues.

LD 422 *An Act To Improve Access to Treatments for Lyme Disease* PUBLIC 235

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANDERSON JOHNSON	OTP-AM OTP-AM	H-216

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

This bill prohibits the Board of Licensure in Medicine from disciplining a physician or revoking or suspending a physician's license for prescribing, administering or dispensing long-term antibiotic therapy to a patient with acute, persistent or chronic Lyme disease if the therapy was pursuant to a treatment plan recommended by the United States Department of Health and Human Services, Centers for Disease Control and Prevention that considered the patient's individual circumstance or was in the best judgment of the physician with respect to the particular patient or special clinical situation.

Committee Amendment "A" (H-216)

This amendment is the majority report of the committee. It replaces the bill and provides that a licensed physician may prescribe, administer or dispense long-term antibiotic therapy for a therapeutic purpose to eliminate infection or to control a patient's symptoms upon making a clinical diagnosis that the patient has Lyme disease or displays symptoms consistent with a clinical diagnosis of Lyme disease. It requires the clinical diagnosis and treatment to be documented in the patient's medical record by the prescribing licensed physician. The amendment also defines terms, including "Lyme disease."

Committee Amendment "B" (H-217)

This amendment is the minority report of the committee. It replaces the bill with a resolve that directs the Board of Licensure in Medicine, Board of Osteopathic Licensure and the State Board of Nursing to notify their respective licensees that using nontraditional treatments for diseases, including Lyme disease, will not result in disciplinary action based solely upon the use of nontraditional treatment as long as the medical decision-making, the monitoring of the patient's reaction to the specific treatment and the patient's informed consent to the specific treatment are documented in the patient's medical record.

Enacted Law Summary

Public Law 2015, chapter 235 provides that a licensed physician may prescribe, administer or dispense long-term antibiotic therapy for a therapeutic purpose to eliminate infection or to control a patient's symptoms upon making a clinical diagnosis that the patient has Lyme disease or displays symptoms consistent with a clinical diagnosis of Lyme disease. It requires the clinical diagnosis and treatment to be documented in the patient's medical record by the prescribing licensed physician.

LD 429 An Act To Modify the Disbursement from the Maine Economic Improvement Fund

CARRIED OVER

Sponsor(s)

BURNS
ALLEY

Committee Report

Amendments Adopted

This bill changes the apportionment of the percentage of the Maine Economic Improvement Fund that goes to the University of Maine at Augusta, the University of Maine at Farmington, the University of Maine at Fort Kent, the University of Maine at Machias, the University of Maine at Presque Isle and the Maine Maritime Academy to support applied research and development by removing the apportionment to all institutions of a minimum of 3% of the fund and instead requiring a minimum of 2% of the fund to be disbursed to the University of Maine at Machias to support applied marine research and development at that university's marine field station and a minimum of 1% to be apportioned among the remainder of the institutions.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

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

LD 443 An Act To Help Stabilize Homeless Shelters and Shelters for Victims of Human Trafficking in Maine Died On Adjournment

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND MARTIN J	OTP-AM ONTP	S-273

This bill provides ongoing General Fund appropriations of \$3,500,000 per year beginning in fiscal year 2015-16 to the Maine State Housing Authority to increase funding for homeless shelters.

Committee Amendment "A" (S-273)

This amendment is the majority report of the committee. It allocates \$100,000 for the rehabilitation and operating costs of a building to be used as a shelter for victims of human trafficking and it allocates \$150,000 in fiscal year 2015-16 and in fiscal year 2016-17 for the operating costs of a shelter for victims of human trafficking. It also reduces the ongoing funding proposed in the bill for homeless shelters from \$3,500,000 to \$2,000,000 per year.

LD 445 An Act Regarding the Sick Days of an Employee Who Is Terminated While on Sick Leave Died On Adjournment

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOODSOME	OTP-AM ONTP	S-78

This bill requires an employer who terminates the employment of an employee while that employee is out on compensated sick leave to compensate that employee for all accrued sick leave.

Committee Amendment "A" (S-78)

This amendment, which is the majority report of the committee, adds an appropriations and allocations section to the bill.

LD 447 An Act To Repeal Outdated Statutory Sections Relating to Regional Ride Share Programs PUBLIC 43

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

This bill repeals outdated statutory sections related to regional ride share programs.

Enacted Law Summary

Public Law 2015, chapter 43 repeals outdated statutory sections related to regional ride share programs.

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LD 486 An Act To Require Adequate Rest Breaks for Employees

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHENETTE VALENTINO	ONTP	

This bill repeals a provision of law exempting businesses with fewer than three employees on duty at any one time, when the nature of the work allows for frequent breaks, from having to provide employees 30-minute breaks for every six hours worked.

LD 487 An Act To Provide for an Increase in the Minimum Wage

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHIPMAN JOHNSON	ONTP	

This bill raises the minimum wage to \$8.00 per hour beginning October 1, 2015, \$9.00 per hour beginning January 1, 2017 and \$10.00 per hour beginning January 1, 2018, and it requires the minimum hourly wage to be adjusted for inflation on January 1st of each year, beginning January 1, 2019.

LD 488 An Act To Expand the Scope of Practice for Denturists

PUBLIC 155

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHAW	OTP-AM	H-130 H-169 HERBIG

This bill allows denturists to take x-rays and fit any removable dental prostheses, with the exception of orthodontic appliances.

Committee Amendment "A" (H-130)

This amendment removes provisions of the bill that allow denturists to take x-rays and fit removable prostheses, with the exception of orthodontic appliances, and instead authorizes a licensed denturist to make, place and repair nonorthodontic removable sports mouth guards and provide teeth whitening services.

House Amendment "A" (H-169)

This amendment removes the provision in the bill that provides that the Maine Revised Statutes, Title 32, chapter 16 does not apply to practice by a licensed denturist and it removes the provision in current law that provides that Title 32, chapter 16 does not apply to practice by an independent practice dental hygienist. This amendment provides that practice by a licensed independent practice dental hygienist or a licensed denturist is not a violation of the laws governing the licensing of dentists.

Enacted Law Summary

Public Law 2015, chapter 155 authorizes a licensed denturist to make, place and repair nonorthodontic removable sports mouth guards and provide teeth whitening services. The law also makes a technical statutory correction that clarifies that practice by a licensed independent practice dental hygienist or a licensed denturist is not a violation of the laws governing the licensing of dentists.

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

LD 489 An Act To Ensure the Right To Work without Payment of Dues or Fees to a Labor Union as a Condition of Employment Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LOCKMAN BRAKEY	ONTP OTP-AM	

This bill prohibits a person from being required to join a labor organization or pay any labor organization dues or fees as a condition of employment or continuation of employment, notwithstanding any state law to the contrary. A violation is a Class D crime and is also subject to civil damages and injunctive relief. The Attorney General is responsible for enforcement and is required to prosecute all violations.

Committee Amendment "A" (H-367)

This amendment, which is the minority report of the committee, incorporates a fiscal note.

LD 530 An Act To Improve Public Sector Collective Bargaining Laws Died Between Houses

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

This bill amends the municipal public employees labor relations laws by requiring that all collective bargaining negotiation meetings include a member of the body with final authority to approve the collective bargaining agreement.

LD 540 An Act To Improve Access to Dental Care through the Establishment of the Maine Board of Oral Health Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHAW	ONTP OTP-AM	

This bill amends the laws governing the Board of Dental Examiners.

1. It renames the board the Maine Board of Oral Health, and it reassigns the membership of the board to give equitable representation to the regulated dental professions and adds additional public members. As changed, the board has nine members: two dentists, two dental hygienists, two denturists and three public members.
2. It changes the duties, functions and responsibilities of the board. The board's major roles are to perform administrative duties as a coordinating body for the board's subcommittees and to advise the subcommittees and ratify and carry out the recommendations of the subcommittees including with respect to rules recommended by the subcommittees.
3. It amends the laws governing the board's subcommittees on denturists and dental hygienists and establishes a new subcommittee on dentists. It defines the membership for each subcommittee and its duties, functions and responsibilities.

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

Committee Amendment "A" (H-138)

This amendment is the minority report of the committee. The amendment adds an appropriations and allocations section.

LD 562 An Act To Protect Casino Workers ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PETERSON PATRICK	ONTP	

This bill requires a licensed gambling establishment to provide its service employees that receive tips a detailed accounting of all tip revenue collected by the employer and the distribution of that revenue.

**LD 586 An Act To Amend the Maine Economic Development Venture Capital
Revolving Investment Program PUBLIC 47**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUSHING HERBIG	OTP-AM	S-26

This bill allows the Finance Authority of Maine to transfer uncommitted balances within the Maine Economic Development Venture Capital Revolving Investment Program Fund to the Economic Recovery Program Fund, which is also administered by the Finance Authority of Maine.

Committee Amendment "A" (S-26)

This amendment incorporates a fiscal note.

Enacted Law Summary

Public Law 2015, chapter 47 allows the Finance Authority of Maine to transfer uncommitted balances within the Maine Economic Development Venture Capital Revolving Investment Program Fund to the Economic Recovery Program Fund, which is also administered by the Finance Authority of Maine.

**LD 587 An Act Regarding Contract Indemnification Died Between
Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUSHING NUTTING	OTP-AM ONTP	

This bill prohibits certain indemnification agreements, including those by which a promisee requires a contracting party to indemnify the promisee from the promisee's own negligence or willful misconduct.

Committee Amendment "A" (S-94)

This amendment is the majority report of the committee and incorporates a fiscal note.

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

LD 612 An Act To Require a Large Employer To Provide a Paper Paystub upon Request from an Employee ONTP

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

This bill requires an employer with more than 50 employees to provide upon request to an employee a paper receipt of wages for a pay period.

LD 613 An Act To Allow Certain Businesses To Be Open on Easter Day, Thanksgiving Day and Christmas Day Accepted Majority (ONTP) Report

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

Current law prohibits stores with more than 5,000 square feet of interior customer selling space from being open on Easter Day, Thanksgiving Day and Christmas Day. This bill prohibits stores with more than 10,000 square feet of interior customer selling space from being open on Easter Day, Thanksgiving Day and Christmas Day but allows such a store to be open on those holidays if the store is operated and staffed only by the owner or an immediate family member of the owner.

LD 671 An Act To Allow Independent Practice Dental Hygienists To Take X-rays ONTP

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

Under a pilot project that is scheduled to expire on March 15, 2015, independent practice dental hygienists are allowed to expose and process radiographs in areas of the State that have been designated by the United States Department of Health and Human Services as dental health professional shortage areas. This bill continues the authority of these independent practice dental hygienists to expose and process radiographs indefinitely, under the same restrictions as imposed under the pilot project, except that the authorization applies in the entire State.

LD 672 An Act To Improve Access to Capital PUBLIC 38

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HERBIG VOLK	OTP-AM	H-58

This bill, which takes effect only upon the receipt by the Finance Authority of Maine Loan Insurance Reserve Fund of an appropriation, general obligation bond funding or other funding in the amount of at least \$37,000,000, increases the maximum loan insurance amount available through the Finance Authority of Maine from \$7,000,000 to \$10,000,000.

Committee Amendment "A" (H-58)

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This amendment incorporates a fiscal note.

Enacted Law Summary

Public Law 2015, chapter 38 increases the maximum loan insurance amount available through the Finance Authority of Maine from \$7,000,000 to \$10,000,000. This provision takes effect only upon the receipt by the Finance Authority of Maine Loan Insurance Reserve Fund of an appropriation, general obligation bond funding or other funding in the amount of at least \$37,000,000.

LD 673 An Act To Help Prevent Age Discrimination ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LAJOIE LIBBY	ONTP	

This bill prohibits an employer or an agent of an employer from including on a job application form a question that asks for the year of an applicant's high school graduation. The Department of Labor, Bureau of Labor Standards shall enforce the law with a fine of up to \$500 per violation.

LD 674 An Act To Support Maine's Working Families CARRIED OVER

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

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to explore proactive strategies to raise wages in this State, improve working conditions, increase predictability of scheduling and improve the overall economic security of working people in this State.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

LD 675 An Act To Protect Earned Pay Died Between Houses

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

Under the current law, a person who receives or is scheduled to receive remuneration in the form of vacation pay in excess of four weeks' wages or holiday pay is disqualified from receiving unemployment benefits for the week that remuneration is due. This bill removes those disqualifications.

Committee Amendment "A" (H-215)

This amendment, which is the majority report of the committee, retains the offset eliminated in the bill for unemployment compensation benefits for holiday pay and vacation pay as specified in current law, but limits the offset for vacation pay to vacation pay in excess of 12 weeks instead of four weeks as under current law. The amendment also adds an appropriations and allocations section.

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LD 690 An Act To Ensure the Safety of Home Birth

CARRIED OVER

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

This bill is a concept draft pursuant to Joint Rule 208. The purpose of this bill is to ensure the safety of women who choose to give birth at home or in freestanding birthing centers attended by certified professional midwives.

It proposes to license and regulate certified professional midwives practicing in Maine as follows.

1. It provides criteria for licensure and oversight of certified professional midwives.
2. It establishes a regulatory body including certified professional midwives, clients, certified nurse midwives and physicians to oversee complaint and disciplinary processes.
3. It establishes procedures to allow other health care providers to consult with, collaborate with or accept transfer of care from a licensed certified professional midwife.
4. It includes procedures to allow for protected peer review for licensed certified professional midwives.
5. It provides requirements for data collection and submission for quality improvement purposes.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

**LD 698 An Act To Establish a Presumption of Impairment in the Line of Duty
for Corrections Officers under the Workers' Compensation Laws**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUCKER GERZOFISKY	ONTP	

This bill amends the workers' compensation laws by adding a presumption that heart disease or hypertension suffered by a corrections officer was caused in the course of employment as a corrections officer, similar to the provisions presuming that cancer contracted by a firefighter was caused by exposure to carcinogens through firefighting duties.

**LD 699 An Act To Update Maine Law To Conform to New Federal Occupational
Safety and Health Administration Regulations**

**PUBLIC 138
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HERBIG VOLK	OTP-AM ONTP	H-132

This bill ensures that the Department of Labor, Bureau of Labor Standards is in compliance with recent changes made by the federal Occupational Safety and Health Administration to its injury and illness recordkeeping requirements. The federal Occupational Safety and Health Administration requires state plan states to implement these changes to conform to the new requirements no later than July 1, 2015, or risk a loss of federal reimbursement.

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Under current law, a person in charge of a workplace is required to report in writing or by telephone to the Director of the Bureau of Labor Standards the death of any person in the workplace or a serious physical injury requiring hospitalization sustained by a person in the workplace. This bill replaces the requirement to report in writing or by telephone with a requirement to report by telephone or electronically and provides that the report may be made to the director or the director's designee. It amends the definition of "serious physical injury." It also authorizes the director and any authorized agent of the bureau to enter a public sector workplace for the purpose of examining the safety and health of employees.

Committee Amendment "A" (H-132)

This amendment, which is the majority report of the committee, incorporates a fiscal note.

Enacted Law Summary

Public Law 2015, chapter 138 ensures that the Department of Labor, Bureau of Labor Standards is in compliance with recent changes made by the federal Occupational Safety and Health Administration to its injury and illness recordkeeping requirements. The federal Occupational Safety and Health Administration requires state plan states to implement these changes to conform to the new requirements no later than July 1, 2015, or risk a loss of federal reimbursement.

Under current law, a person in charge of a workplace is required to report in writing or by telephone to the Director of the Bureau of Labor Standards the death of any person in the workplace or a serious physical injury requiring hospitalization sustained by a person in the workplace. Chapter 138 replaces the requirement to report in writing or by telephone with a requirement to report by telephone or electronically and provides that the report may be made to the director or the director's designee. It amends the definition of "serious physical injury." It also authorizes the director and any authorized agent of the bureau to enter a public sector workplace for the purpose of examining the safety and health of employees.

Public Law 2015, chapter 138 was enacted as an emergency measure effective June 3, 2015.

LD 700 An Act Regarding the Industry Partnership Assistance Collaborative's Grant Program

PUBLIC 156

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

This bill changes the laws governing the Office of the Governor, Industry Partnership Assistance Collaborative's grant program. It changes eligibility requirements for the grant program by reducing the grant program's required private sector matching funding from 50% to 25% and allowing the collaborative discretion to exempt businesses with fewer than 25 employees from the matching funding requirement.

Enacted Law Summary

Public Law 2015, chapter 156 changes the laws governing the Office of the Governor, Industry Partnership Assistance Collaborative's grant program. It changes eligibility requirements for the grant program by reducing the grant program's required private sector matching funding from 50% to 25% and allowing the collaborative discretion to exempt businesses with fewer than 25 employees from the matching funding requirement.

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LD 701 An Act To Modify Unemployment Insurance Successor Law

PUBLIC 107

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HERBIG VOLK	OTP-AM ONTP	H-120

This bill changes the treatment of unemployment contribution rate assignment in successor transactions. In cases when the successor is a newly established employer, and when no substantial common ownership, management or control exists between the purchaser and the predecessor, the successor may opt to retain the predecessor's rate or be assigned the average contribution rate, whichever is lower. In such cases when the successor is an established employer with an existing contribution experience rate, the successor may choose to retain this rate or inherit the experience rate of the purchased business blended with the successor's existing rate to form a new experience rate, whichever is more favorable.

Committee Amendment "A" (H-120)

This amendment, which is the majority report of the committee, incorporates a fiscal note.

Enacted Law Summary

Public Law 2015, chapter 107 changes the treatment of unemployment contribution rate assignment in successor transactions. In cases when the successor is a newly established employer, and when no substantial common ownership, management or control exists between the purchaser and the predecessor, the successor may opt to retain the predecessor's rate or be assigned the average contribution rate, whichever is lower. In such cases when the successor is an established employer with an existing contribution experience rate, the successor may choose to retain this rate or inherit the experience rate of the purchased business blended with the successor's existing rate to form a new experience rate, whichever is more favorable.

LD 702 An Act To Clarify Filing Methods for Quarterly Payroll Reports

PUBLIC 39

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

This bill allows for employers to file separate quarterly state withholding and unemployment tax forms electronically. It also renames the combined unemployment insurance contributions and income tax withholding account within the Unemployment Compensation Fund administered by the Commissioner of Labor the tax deposit account.

Enacted Law Summary

Public Law 2015, chapter 39 allows for employers to file separate quarterly state withholding and unemployment tax forms electronically. It also renames the combined unemployment insurance contributions and income tax withholding account within the Unemployment Compensation Fund administered by the Commissioner of Labor the tax deposit account.

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LD 717 An Act To Establish the Maine Paid Family Leave Insurance Program Leave to Withdraw Pursuant to Joint Rule

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

This bill creates the Maine Paid Family Leave Insurance Program to provide wage-replacement benefits to persons who qualify for family medical leave. The program is funded by employee contributions and provides two-thirds of the employee's average weekly wage for up to six weeks. Employee contributions are collected on a sliding scale based on wages.

LD 739 Resolve, To Establish a Working Group To Evaluate the Benefits and Detriments of Increasing the Minimum Wage ONTP

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

This resolve is a concept draft pursuant to Joint Rule 208.

This resolve proposes to establish a working group to evaluate the benefits and detriments of increasing the minimum wage.

LD 757 An Act To Limit the Amount That May Be Retained on Construction Contracts Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TEPLER THIBODEAU	OTP-AM ONTP	H-238

This bill limits the amount of money that may be retained under a construction contract, pending the completion of contractor or subcontractor performance, to 5% of the contract price.

Committee Amendment "A" (H-238)

This amendment is the majority report of the committee. It provides that the limit in the bill for the amount that may be retained under a construction contract applies only to private contracts and not to contracts entered into by governmental entities. It also specifies that the provision applies to contracts entered into on or after the effective date of the legislation.

LD 758 An Act To Clarify the Definition of "Personal Sports Mobile" for Purposes of the Laws Governing Personal Sports Mobile Dealerships ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN R	ONTP	

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The purpose of this bill is to eliminate any confusion that may exist under the Personal Sports Mobile Business Practices Act regarding whether the definition of "personal sports mobile," which includes all-terrain vehicles, also includes so-called side-by-sides for purposes of allowing side-by-sides to be sold by personal sports mobile dealers. This bill amends the definition of "personal sports mobile" to specifically include a side-by-side, which is a recreational off-road vehicle that features side-by-side seating for at least two persons, a steering wheel and a roll bar.

LD 767 An Act To Create Jobs in Aroostook and Washington Counties

PUBLIC 368

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCELWEE EDGEComb P	OTP-AM	H-302 H-497 MARTIN J

This bill provides an exception to the Pine Tree Development Zone program employee income requirements for call centers located in Aroostook and Washington counties.

Committee Amendment "A" (H-302)

This amendment removes the provision in the bill that proposes to exempt call centers located in Aroostook and Washington counties from the Pine Tree Development Zone program employee income requirements. It also removes the aggregate weekly employment hours threshold from the definition of "call center."

House Amendment "B" To Committee Amendment "A" (H-497)

Current law requires that a qualified employee in a Pine Tree Development Zone or under the Maine Employment Tax Increment Financing Act be paid a wage greater than the annual per capita personal income in the county in which the qualified employee is employed. This amendment changes this requirement to require that such an employee in a call center in Aroostook County or Washington County be paid a weekly wage greater than the average weekly wage in certain counties. With respect to employees in call centers in Aroostook and Washington counties, in a county in which the average annual unemployment rate is greater than the state average, this wage threshold is 90 percent of the average weekly wage in certain counties. Upon approval of the Commissioner of Economic and Community Development, a qualified business qualifies for a phase-in of this wage threshold.

Enacted Law Summary

Public Law 2015, chapter 368 provides an exception to the Pine Tree Development Zone program employee income requirements for call centers located in Aroostook and Washington counties. Upon approval of the Commissioner of Economic and Community Development, a qualified business qualifies for a phase-in of this wage threshold.

LD 768 An Act To Create a Public Option Pension System

ONTP

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

This bill establishes the Maine Secure Choice Retirement Savings Trust within the Department of Labor and does the following.

1. It requires eligible employers to offer a payroll deposit retirement savings arrangement so that eligible employees can contribute a portion of their salary or wages to a retirement savings program account in the Maine Secure Choice Retirement Savings Program, also created by the bill.

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2. It requires an eligible employee to participate in the Maine Secure Choice Retirement Savings Program, unless the employee specifically opts out of the program. The Bureau of Labor Standards within the department is required to provide forms to employers for employees to opt out of the program.
3. It creates the seven-member Maine Secure Choice Retirement Savings Investment Board to administer the trust.
4. It specifies risk management and investment policies that the board must follow in administering the program.
5. It requires a specific percentage of the annual salary or wages of an eligible employee participating in the program to be deposited in the trust, which is divided into a program fund and an administrative fund. It authorizes the board to establish a gain and loss revenue account within the program fund.
6. It requires the board, contingent upon sufficient interest and funding by vendors, to establish a retirement investment clearinghouse on its publicly accessible website and a vendor registration process through which information about employer-sponsored retirement plans and payroll deposit individual retirement accounts and annuities offered by private sector providers is available for consideration by eligible employers.
7. It requires the Department of Labor, Bureau of Labor Standards to assess a penalty on an eligible employer that fails to make the program available to eligible employees.
8. It provides that the State has no liability for the payment of benefits under the program.
9. It directs the board to conduct a market analysis to determine whether the necessary conditions needed to implement the provisions of the trust can be achieved. The analysis may be conducted only when sufficient funding from the nonprofit or private sector or from the State or Federal Government is available. The provisions of the bill establishing the Maine Secure Choice Retirement Savings Investment Board and the trust are repealed December 31, 2017 unless the board reports to the Legislature the board's determination, through the market analysis, that those provisions of the trust are self-sustaining and that funds exist to allow the board to implement the program until sufficient funds become available to make it self-sustaining and the Legislature takes action based on the board's determination. It requires the board to ensure that insurance, annuity or other funding mechanisms are in place to protect the value of individuals' accounts.
10. It prevents the board from implementing the trust if the individual retirement account arrangements offered fail to qualify for favorable federal income tax treatment ordinarily accorded to individual retirement accounts under the Internal Revenue Code or if the program is determined to be an employee benefit plan under the federal Employee Retirement Income Security Act of 1974.

LD 803 Resolve, To Establish the Task Force To Develop Strategies To Protect Towns ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STANLEY PATRICK	ONTP	

This resolve creates the Task Force To Develop Strategies To Protect Towns. The task force will examine ways of assisting municipalities in developing and strengthening their commercial bases. The task force is required to submit a report to the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DILL BLACK	OTP-AM	S-116

This bill makes the following changes to the Maine Veterinary Practice Act.

1. It amends the legislative findings section to update the language.
2. It changes the designation of "animal health assistant" to "veterinary assistant" and fixes cross-references.
3. It defines "patient" as an animal or group of animals examined or treated by a veterinarian.
4. It amends the definition of "practice of veterinary medicine."
5. It establishes a definition of "practice of veterinary technology."
6. Currently, veterinary technicians are registered under state law; this bill requires that veterinary technicians be licensed and fixes cross-references.
7. It eliminates the Maine State Board of Veterinary Medicine's authority to issue a temporary permit to a qualified applicant for a veterinary license pending examination, and it authorizes a licensed veterinarian or a licensed veterinary technician to practice for no more than 30 days in the State upon the request of the state veterinarian.
8. It requires that, in order to take the licensing examination for veterinary technicians, the applicant must have completed the professional education requirements for licensure or be within the final six months of professional study in an approved program of education.
9. It removes the prohibition against a veterinarian's association for the joint practice of veterinary medicine with any person, corporation or partnership not licensed to practice veterinary medicine.
10. It updates language outlining the duties of licensed veterinary technicians and veterinary assistants.

Committee Amendment "A" (S-116)

This amendment clarifies that a veterinarian and veterinary technician licensed in another state may practice in the State for a period not to exceed 30 days without a state license or permit only in emergency situations as determined by the state veterinarian. It also adds a Good Samaritan exception for a licensed veterinarian who in good faith renders emergency care to a patient without being able to establish a veterinarian-client-patient relationship when the veterinarian cannot identify the client. Finally, it makes a technical correction in the section of the bill governing the practice of veterinary technology.

Enacted Law Summary

Public Law 2015, chapter 209 makes the following changes to the Maine Veterinary Practice Act.

1. It amends the legislative findings section to update the language.
2. It changes the designation of "animal health assistant" to "veterinary assistant" and fixes cross-references.
3. It defines "patient" as an animal or group of animals examined or treated by a veterinarian.

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4. It amends the definition of "practice of veterinary medicine."
5. It establishes a definition of "practice of veterinary technology."
6. It requires that veterinary technicians be licensed and fixes cross-references.
7. It eliminates the Maine State Board of Veterinary Medicine's authority to issue a temporary permit to a qualified applicant for a veterinary license pending examination. It authorizes a licensed veterinarian or a licensed veterinary technician to practice for no more than 30 days in the State only in emergency situations as determined by the state veterinarian, provided that the veterinarian or veterinary technician is licensed in another state.
8. It requires that, in order to take the licensing examination for veterinary technicians, the applicant must have completed the professional education requirements for licensure or be within the final six months of professional study in an approved program of education.
9. It removes the prohibition against a veterinarian's association for the joint practice of veterinary medicine with any person, corporation or partnership not licensed to practice veterinary medicine.
10. It updates language outlining the duties of licensed veterinary technicians and veterinary assistants.
11. It includes a Good Samaritan exception for a licensed veterinarian who in good faith renders emergency care to a patient without being able to establish a veterinarian-client-patient relationship when the veterinarian cannot identify the client.

LD 830 An Act To Eliminate the Dual Licensing of Physician Assistants

PUBLIC 242

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MASTRACCIO PATRICK	OTP-AM	H-362

This bill is a concept draft pursuant to Joint Rule 208. It proposes to reduce the regulatory burden on a physician assistant who is currently required to be licensed by both the Board of Licensure in Medicine and the Board of Osteopathic Licensure if that physician assistant is supervised by both allopathic and osteopathic physicians. The bill proposes to require one of the physician licensing boards to issue all the licenses needed by a physician assistant, regardless of which board licenses the supervising physician.

Committee Amendment "A" (H-362)

This amendment replaces the bill and establishes a licensing process for physician assistants by which a qualified applicant may apply for licensure by the board that licenses the applicant's supervising physician, if known. If the applicant does not identify a supervising physician, the applicant may apply to either the Board of Osteopathic Licensure or the Board of Licensure in Medicine. An applicant for physician assistant licensure may be issued a license by only one of the boards, but may practice under the supervision of either an osteopathic physician or an allopathic physician. The amendment allows both boards to jointly adopt rules governing the licensure of physician assistants.

Enacted Law Summary

Public Law 2015, chapter 242 establishes a licensing process for physician assistants by which a qualified applicant may apply for licensure by the board that licenses the applicant's supervising physician, if known. If the applicant does not identify a supervising physician, the applicant may apply to either the Board of Osteopathic Licensure or the Board of Licensure in Medicine. An applicant for physician assistant licensure may be issued a license by only

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one of the boards, but may practice under the supervision of either an osteopathic physician or an allopathic physician. Chapter 242 allows both boards to jointly adopt rules governing the licensure of physician assistants.

LD 834 An Act To Clarify the Use of "M.D." To Represent Achievement of a Graduate Degree by an Individual Not Licensed To Practice Medicine in Maine

PUBLIC 270

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HYMANSON GRATWICK	OTP-AM ONTP	H-350

The bill enables an individual who has earned the graduate degree Doctor of Medicine to use the letters "Dr." or "M.D." prefixed or appended to that individual's name, so long as the individual is not representing to the public that the individual is licensed and authorized to practice medicine in the State.

Committee Amendment "A" (H-350)

This amendment is the majority report of the committee. It allows a person who has received the doctor's degree from a reputable college or university to append the letters "M.D." to that person's name, if that person is not engaged in the practice of medicine or surgery, as long as that person's license to practice has never been revoked by the Board of Licensure in Medicine.

Enacted Law Summary

Public Law 2015, chapter 270 allows a person who has received the degree "Doctor of Medicine" from a reputable college or university but who is not engaged in the practice of medicine or surgery or the treatment of a disease or human ailment, to append the letters "M.D." to that person's name, as long as that person's license to practice has never been revoked by the Board of Licensure in Medicine.

LD 843 An Act To Raise the Minimum Wage and Index It to the National Average Wage

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MELARAGNO BREEN	ONTP	

This bill raises the minimum wage incrementally until it is \$12.00 per hour starting October 1, 2019, and it requires the minimum wage to be adjusted based on the increase in the national average wage index, starting October 1, 2020. It also reduces the tip credit incrementally until it is eliminated starting October 1, 2019.

LD 847 An Act To Permit Hair Braiding without a Barbering or Cosmetology License

**PUBLIC 132
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HASKELL ROTUNDO	OTP-AM	S-82

This bill exempts hair braiding from licensure under the laws governing barbering and cosmetology.

Committee Amendment "A" (S-82)

This amendment adds an emergency preamble and emergency clause to the bill. It also strikes provisions in the bill

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that exclude the practice of hair braiding from the practices of barbering, limited barbering and cosmetology. It retains the provision that allows a person who provides only hair braiding services to be exempt from barbering and cosmetology licensure requirements.

Enacted Law Summary

Public Law 2015, chapter 132 exempts hair braiding from licensure under the laws governing barbering and cosmetology.

Public Law 2015, chapter 132 was enacted as an emergency measure effective June 2, 2015.

LD 855 An Act To Allow Grocery Stores under 10,000 Square Feet To Be Open on Sundays Died Between Houses

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

This bill exempts grocery stores that have no more than 10,000 square feet of interior customer selling space, excluding back room storage, office and processing space, from the law prohibiting a place of business from being open on Sundays.

LD 856 An Act To Amend the Competitive Skills Scholarship Program To Allow for Participation in Early College and Career and Technical Education Programs PUBLIC 257

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LANGLEY WARD	OTP-AM	S-224

This bill expands the Competitive Skills Scholarship Program to include participants who are under 18 years of age if they are full-time secondary students at a public secondary school and enrolled in a career and technical education program at a career and technical education center or a career and technical education region and:

1. Do not have a marketable postsecondary degree;
2. Have income less than 200% of the federal poverty level; and
3. Are applying for education or training for a job in an approved industry.

The bill also directs the Commissioner of Labor to transfer funds from the Competitive Skills Scholarship Fund to cover postsecondary education expenses for secondary students in a dual enrollment career and technical education program established pursuant to statute, also known as a "Bridge Year Program."

The provisions in the bill are repealed on January 1, 2021.

Committee Amendment "A" (S-224)

This amendment strikes and replaces the bill. Like the bill, the amendment expands the Competitive Skills Scholarship Program to include participants who are under 18 years of age if they are full-time students at a public secondary school and enrolled in a career and technical education program at a career and technical education center or a career and technical education region. The amendment requires these participants to meet the other

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eligibility criteria of the program, which require that participants:

1. Not have a marketable postsecondary degree;
2. Have family income less than 200% of the federal poverty level;
3. Be applying for education or training for a job in an approved industry; and
4. Have the aptitude to undertake and complete education or training as determined by the institution providing the education or training.

The amendment caps program expenditures for these students, including administrative and case management costs and the costs for these students if they continue in the program after reaching 18 years of age, at 15% of the annual revenue of the Competitive Skills Scholarship Fund.

The amendment provides that these provisions are repealed January 1, 2020.

The Department of Labor must submit a report to the Legislature regarding these changes to the Competitive Skills Scholarship Program, and the joint standing committee of the Legislature having jurisdiction over workforce training matters is authorized to report out a bill to the First Regular Session of the 129th Legislature.

This amendment also adds an appropriations and allocations section to the bill.

Enacted Law Summary

Public Law 2015, chapter 257 expands the Competitive Skills Scholarship Program to include participants who are under 18 years of age if they are full-time students at a public secondary school and enrolled in a career and technical education program at a career and technical education center or a career and technical education region. It requires these participants to meet the other eligibility criteria of the program, which require that participants:

1. Not have a marketable postsecondary degree;
2. Have family income less than 200% of the federal poverty level;
3. Be applying for education or training for a job in an approved industry; and
4. Have the aptitude to undertake and complete education or training as determined by the institution providing the education or training.

It caps program expenditures for these students, including administrative and case management costs and the costs for these students if they continue in the program after reaching 18 years of age, at 15% of the annual revenue of the Competitive Skills Scholarship Fund.

It also provides that these provisions are repealed January 1, 2020.

The Department of Labor must submit a report to the Legislature regarding these changes to the Competitive Skills Scholarship Program, and the joint standing committee of the Legislature having jurisdiction over workforce training matters is authorized to report out a bill to the First Regular Session of the 129th Legislature.

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LD 869 An Act To Allow Dealers of Antique Autos To Be Open and Operate on ONTP
Sundays

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUTREMBLE HICKMAN	ONTP	

This bill exempts from the law prohibiting the sale of motor vehicles on Sunday the sale of antique autos by antique auto dealers.

**LD 894 An Act Relating to Automatic Contract Renewals Accepted Majority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WARD PATRICK	ONTP OTP-AM	

This bill requires any entity who sells or provides services through an automatic renewal contract to disclose to the consumer the automatic renewal clause clearly and conspicuously in the contract, including the cancellation procedure. The bill also requires that written notice be provided to the consumer no fewer than 30 days and no more than 60 days before the cancellation deadline pursuant to the automatic renewal clause.

Committee Amendment "A" (H-184)

This amendment is the minority report of the committee. It excludes entities licensed or regulated under the Maine Revised Statutes, Title 24 or 24-A from regulation under the Automatic Contract Renewal Act enacted by the bill.

LD 895 Resolve, Directing the Real Estate Commission To Convene a Veto Sustained
Stakeholder Group on Real Estate Licensure Requirements

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
POULIOT CUSHING	OTP-AM	H-256

This resolve establishes the Advisory Committee on Real Estate License Law to study establishing a clearinghouse to track continuing education classes and a 100-hour program of study for real estate sales agents.

Committee Amendment "A" (H-256)

This amendment replaces the resolve. It requires the Department of Professional and Financial Regulation, Real Estate Commission to convene a stakeholder group to review the State's real estate sales agent licensure requirements to determine if additional sales agent course hours are necessary to provide for an increase in the standard of demonstrated proficiency in this industry and to review the process for establishing a clearinghouse to track continuing education classes taken by real estate sales agents. The Real Estate Commission is required to submit a report with any recommended legislation to the Joint Standing Committee on Labor, Commerce, Research and Economic Development. Finally, the amendment authorizes the Joint Standing Committee on Labor, Commerce, Research and Economic Development to submit a bill on the subject matter of the report to the Second Regular Session of the 127th Legislature.

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LD 914 An Act To Amend the Public Accountancy Laws

PUBLIC 110

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

This bill amends definitions under Maine's accountancy laws and makes conforming changes to the accountancy laws regarding attest services to reflect the most recent version of the American Institute of Certified Public Accountants and National Association of State Boards of Accountancy Uniform Accountancy Act.

Enacted Law Summary

Public Law 2015, chapter 110 amends definitions under Maine's accountancy laws and makes conforming changes to the accountancy laws regarding attest services to reflect the most recent version of the American Institute of Certified Public Accountants and National Association of State Boards of Accountancy Uniform Accountancy Act.

LD 918 An Act To Allow Licensed Independent Practice Dental Hygienists To Expose and Process Radiographs under Protocols Developed by the Board of Dental Examiners

**PUBLIC 2
EMERGENCY**

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

This bill is reported out by the Joint Standing Committee on Labor, Commerce, Research and Economic Development pursuant to joint order, S.P. 306. Under a pilot project that was scheduled to expire on March 15, 2015, independent practice dental hygienists were allowed to expose and process radiographs in areas of the State that have been designated by the United States Department of Health and Human Services as dental health professional shortage areas.

This bill continues the authority of these independent practice dental hygienists to expose and process radiographs indefinitely, under the same restrictions as imposed under the pilot project, except that the authorization applies statewide. This bill requires the Department of Professional and Financial Regulation, Board of Dental Examiners to adopt routine technical rules by July 30, 2015 for the administration of this authorization. Prior to the adoption of rules, the rules that are in effect for the pilot project apply to independent practice dental hygienists who are authorized pursuant to this legislation to expose and process radiographs, except that the provisions of the rule limiting the authorization to dental health professional shortage areas and requiring an independent practice dental hygienist to notify the board of the intent to expose and process radiographs do not apply. Finally, this law repeals the resolve that created the pilot project, effective on the same day as this legislation.

Enacted Law Summary

Public Law 2015, chapter 2 continues the authority of independent practice dental hygienists to expose and process radiographs indefinitely, under the same restrictions as imposed under a previously authorized pilot project, except that the authorization applies statewide. The law requires the Department of Professional and Financial Regulation, Board of Dental Examiners to adopt routine technical rules by July 30, 2015 for the administration of this authorization. Prior to the adoption of rules, the rules that are in effect for the pilot project apply to independent practice dental hygienists who are authorized pursuant to this legislation to expose and process radiographs, except that the provisions of the rule limiting the authorization to dental health professional shortage areas and requiring an independent practice dental hygienist to notify the board of the intent to expose and process radiographs do not apply. Finally, this law repeals the resolve that created the pilot project, effective on the same day as this

legislation.

Public Law 2015, chapter 2 was enacted as an emergency measure effective March 13, 2015.

LD 921 An Act To Strengthen the Right of a Victim of Sexual Assault or Domestic Violence To Take Necessary Leave from Employment and To Promote Employee Social Media Privacy

PUBLIC 343

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAUGHTRY	OTP-AM OTP-AM	H-240 S-323 HAMPER

This bill expands the law creating the right to a leave of absence for employees who are victims of violence by requiring that a returning employee be placed in the employee's former employment position or a position of equivalent employment status. The bill prohibits discrimination or retaliation against an employee for exercising the right to take a leave of absence or enforcing the provisions of the law and creates a private right of action to enforce the law, and to seek injunctive or equitable relief and compensatory damages.

Committee Amendment "A" (H-239)

This amendment, which is the majority report of the committee, adds an appropriations and allocations section.

Committee Amendment "B" (H-240)

This amendment, which is the minority report of the committee, strikes the bill and replaces it with changes to the penalties that may be assessed for violations of the employment leave for victims of violence law, as follows.

1. It increases the fine from up to \$200 per violation to up to \$1,000 per violation and provides that the fine applies only to denials of leave in violation of the law.
2. It provides that, for denial of leave in violation of the law, the employer must pay the affected individual an amount three times the total assessed fines.
3. It provides that, for termination in connection with exercising a right granted under the law, the affected individual may choose either to receive an amount three times the total assessed fines or reemployment with the employer with back wages.

The amendment also adds an appropriations and allocations section.

Senate Amendment "A" To Committee Amendment "B" (S-323)

This amendment amends Committee Amendment "B" to strike the bill and replace it. Part A changes the penalties that may be assessed for violations of the employment leave for victims of violence law, as follows.

1. It increases the fine from up to \$200 per violation to up to \$1,000 per violation and provides that the fine applies only to denials of leave in violation of the law.
2. It provides that, for denial of leave in violation of the law, the employer must pay the affected individual an amount three times the total assessed fines.
3. It provides that, for termination in connection with exercising a right granted under the law, the affected individual may choose either to receive an amount three times the total assessed fines or reemployment with the employer with back wages.

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Part B incorporates the substance of LD 686, as amended by Committee Amendment "A" to that bill, to protect the social media privacy of employees and applicants for employment.

Part C contains an appropriations and allocations section.

Enacted Law Summary

Public Law 2015, chapter 343, Part A changes the penalties that may be assessed for violations of the employment leave for victims of violence law, as follows.

1. It increases the fine from up to \$200 per violation to up to \$1,000 per violation and provides that the fine applies only to denials of leave in violation of the law.
2. It provides that, for denial of leave in violation of the law, the employer must pay the affected individual an amount three times the total assessed fines.
3. It provides that, for termination in connection with exercising a right granted under the law, the affected individual may choose either to receive an amount three times the total assessed fines or reemployment with the employer with back wages.

Part B of chapter 343 protects the social media privacy of employees and applicants for employment. It provides that generally an employer cannot request or coerce an employee or applicant to disclose any personal social media account information. There is an exception for cases in which the employer reasonably believed the employee's personal social media account information to be relevant to an investigation of allegations of employee misconduct or a workplace violation of applicable laws, rules or regulations and when requiring the disclosure is not otherwise prohibited by law, as long as the information disclosed is accessed and used solely to the extent necessary for the purposes of that investigation or a related proceeding.

Part B makes clear that an employer retains the right to promulgate and maintain lawful workplace policies governing the use of the employer's electronic equipment, including a requirement for an employee to disclose to the employer the employee's user name, password or other information necessary to access employer-issued electronic devices, including but not limited to cellular telephones and computers, or to access employer-provided software or e-mail accounts.

An employer who violates this social media privacy law is subject to a fine imposed by the Department of Labor of not less than \$100 for the first violation, not less than \$250 for the second violation and not less than \$500 for each subsequent violation.

LD 937 An Act Regarding Residential Drinking Water Arsenic Testing

INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO BUCKLAND	OTP-AM ONTP	

This bill requires that a seller of residential real property provide to the purchaser a form that allows the purchaser to formally decline to have the water at the property tested for arsenic. The bill imposes a 3% surcharge on the retail sale of water filters. The proceeds are to be used by the Maine State Housing Authority for the home repair program administered by the authority that provides loans and grants to low-income homeowners for necessary home repairs.

Committee Amendment "A" (S-139)

This amendment is the majority report of the committee. The amendment clarifies that the surcharge of 3% retail

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sale of water filters applies to residential point-of-use and whole house water treatment system filters. It also adds definitions for "point-of-use water treatment system" and "whole house water treatment system." It also removes the provision in the bill that proposes to require a seller of residential real property to provide to the purchaser a form that allows the purchaser to formally decline to have the water at the property tested for arsenic. The amendment also adds an appropriations and allocations section.

LD 952 An Act Regarding the Licensure of Funeral Service Providers

PUBLIC 246

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINI LANGLEY	OTP-AM	H-351

This bill creates a process that allows a holder of a license to practice funeral services in another state with substantially similar licensure requirements as this State who has practiced for at least two consecutive years immediately prior to applying for a license in this State to receive a provisional license to practice funeral services. To obtain a permanent license, the person is required to pass the examination for licensure to practice funeral services within a year of receiving the provisional license.

Committee Amendment "A" (H-351)

This amendment replaces the bill. It allows the State Board of Funeral Service to issue a nonrenewable temporary license to a qualified applicant in order to allow the holder to practice funeral service until the holder has passed the State Law and Rule Examination. The term of a temporary license is six months.

Enacted Law Summary

Public Law 2015, chapter 246 allows the State Board of Funeral Service to issue a nonrenewable temporary license to a qualified applicant in order to allow the holder to practice funeral service until the holder has passed the State Law and Rule Examination. The law provides that the term of a temporary license is six months.

LD 960 An Act To Support Family Caregivers in the Workforce

Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MASTRACCIO BURNS	OTP-AM ONTP	

Under current law, family medical leave may be taken by an employee to care for a child, domestic partner's child, parent, domestic partner, sibling or spouse with a serious health condition. This bill adds to this list "grandparent" and "great-grandparent" and further provides that family medical leave may be taken in connection with the serious health condition experienced by any of these listed individuals related to the employee by blood, adoption, legal custody, marriage or domestic partnership.

Committee Amendment "A" (H-172)

This amendment, which is the majority report of the committee, adds an appropriations and allocations section.

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LD 961 An Act To Support Tourism Development in the City of Sanford ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MASTRACCIO WOODSOME	ONTP	

This bill requires the Commissioner of Economic and Community Development to establish a pilot project in the City of Sanford for tourism development including recreational tourism, experiential tourism, hotel development and theme park resort facility development by a for-profit business.

LD 970 An Act Regarding Advanced Practice Registered Nurse Requirements Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUSHING GIDEON	ONTP OTP-AM	

This bill revises statutory language regarding advanced practice registered nursing. The bill provides for prescriptive authority for all four roles of advanced practice, including certified nurse practitioner, certified nurse midwife, certified registered nurse anesthetist and clinical nurse specialist. Currently, nurse practitioners and certified nurse midwives have prescriptive authority. The bill also requires population-specific practice to prevent the proliferation of specialties within the nurse practitioner and clinical nurse specialist categories. The bill includes a grandfather provision.

Committee Amendment "A" (S-176)

This amendment is the minority report of the committee. It makes changes to the section of the bill that defines the population focus for an advanced practice registered nurse and changes the section of the bill regarding the scope of practice to allow a certified registered nurse anesthetist to prescribe schedule II, III, IIIN, IV and V prescription drugs for a supply of not more than four days to individuals with whom the certified registered nurse anesthetist has established a client or patient record.

LD 974 An Act To Provide Compensation to a Corrections Officer Injured by a Patient or Prisoner ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUCKER BREEN	ONTP	

This bill provides for a supplemental benefit paid to a corrections officer who is injured by the acts of a patient or prisoner of the jail, prison or state correctional facility where the corrections officer works if the injury qualifies the corrections officer for workers' compensation benefits. The amount of the supplemental benefit is the difference between the corrections officer's workers' compensation benefits and the corrections officer's regular salary. In addition, the work time the corrections officer misses is not chargeable against available sick leave credits.

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LD 976 An Act To Eliminate Unnecessary Regulatory Burdens on Motor Vehicle Dealer-to-dealer Transactions ONTP

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

This bill exempts a car rental company acting in the capacity of a dealer and having a location in at least one other state from current law requiring giving or receiving written disclosure statements when selling a used motor vehicle at wholesale to another dealer.

LD 979 Resolve, To Provide for Workforce Development in the Forest Products Industry Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ESPLING THIBODEAU	ONTP OTP-AM	

This resolve directs the Department of Labor to conduct a pilot program to provide funding to employers in the forest products industry who hire high school graduates or holders of general equivalency diplomas 18 to 20 years of age. The program provides an amount equal to 50% of the students' annual salaries or employer-paid stipends for attending a postsecondary education or business training program.

Committee Amendment "A" (H-150)

This amendment, which is the minority report of the committee, strikes and replaces the appropriations and allocations section in the resolve to include funding for a half-time CareerCenter Consultant position to administer the pilot program.

LD 984 An Act To Authorize the Dispensing of Eyeglasses with an Expired Prescription ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRAFTS MASON	ONTP	

This bill requires an optometrist, upon presentation of an expired prescription for ophthalmic lenses by a patient, to dispense without liability prescription glasses pursuant to the expired prescription and to inform the patient of the consequences of not renewing the prescription by receiving a proper eye examination.

LD 1009 An Act To Benefit the Education of Denturism Students PUBLIC 192

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUSHING WARD	OTP-AM	S-160

This bill allows the Board of Dental Examiners to issue a permit to a denturist student to perform limited denturist services similar to the board's current authority to issue a permit to a dental student.

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Committee Amendment "A" (S-160)

This amendment replaces the bill. Like the bill, this amendment authorizes the Board of Dental Examiners to issue a permit to a bona fide denturist student of a school acceptable to the board, after the completion of satisfactory training, to perform limited denturist services in private practice or institutional and public health service programs within the State, commensurate with the student's level of training under the supervision and control of a licensed dentist or denturist or instructional facility acceptable to the board. The amendment differs from the bill in that it requires the board only, rather than the board and the school, prior to the issuance of this permit, to determine that the supervision and control of the services to be performed by the student are adequate and that the performance of those services by the student adds to the student's knowledge and skill in the practice of denturism. The amendment specifies that a permit issued is valid for one year from the date of issuance and may be renewed one time only for the purpose of completing supervised training experience. It also requires the board to adopt routine technical rules to implement this provision.

Enacted Law Summary

Public Law 2015, chapter 192 authorizes the Board of Dental Examiners to issue a permit to a bona fide denturist student of a school acceptable to the board, after the completion of satisfactory training, in order to allow the student to perform limited denturist services in private practice or institutional and public health service programs within the State, commensurate with the student's level of training under the supervision and control of a licensed dentist or denturist or instructional facility acceptable to the board. It requires the board, prior to the issuance of this permit, to determine that the supervision and control of the services to be performed by the student are adequate and that the performance of those services by the student adds to the student's knowledge and skill in the practice of denturism. The law specifies that a permit issued is valid for one year from the date of issuance and may be renewed one time only for the purpose of completing supervised training experience. It also requires the board to adopt routine technical rules to implement this provision.

LD 1010 An Act To Afford Public Employers Flexibility To Achieve Efficiency and Quality in Management

**Died On
Adjournment**

Sponsor(s)

CUSHING
SIROCKI

Committee Report

ONTP
OTP-AM

Amendments Adopted

This bill amends the Municipal Public Employees Labor Relations Law by providing that the use of private contractors by a public employer to perform services for the public employer, and the elimination of employment positions resulting from the use of private contractors, are not subject to negotiation in collective bargaining.

Committee Amendment "A" (S-201)

This amendment, which is the minority report of the committee, specifies that the provision of the bill applies only to the use of contractors for noninstructional services.

LD 1011 An Act To Address Drug Testing in the Workplace and the Effect of Approved Substances on Current Drug Policy

**Leave to Withdraw
Pursuant to Joint
Rule**

Sponsor(s)

CUSHING
WARD

Committee Report

Amendments Adopted

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

Current law requires employers that want to provide a drug-free workplace by testing applicants or employees for substance abuse to develop and file a policy with the Department of Labor. The Bureau of Labor Standards reviews the policies to ensure compliance with state laws and rules. This bill provides employers with a single, consistent model policy. The model policy, which must be established by the Commissioner of Labor and managed by the department, is intended to encourage greater participation by employers to reduce substance abuse in the workplace. The bill requires an employer to adopt the model policy before establishing a substance abuse testing program. It removes the requirements that employers provide an employee assistance program and pay for half of rehabilitation beyond services provided through health care benefits. Employers may offer an employee assistance program if they choose. The bill amends the definition of "probable cause" to provide that a single work-related accident is probable cause to suspect an employee is under the influence of a substance of abuse. This bill requires the Department of Labor and Department of Health and Human Services to develop a policy to address the impact of medical marijuana use in the workplace for submission to the Joint Standing Committee on Labor, Commerce, Research and Economic Development by December 2, 2015.

LD 1015 An Act To Require Large Employers To Report Compensation Information

Died Between Houses

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

This bill requires employers who employ over 100 workers in the State to report annually to the Bureau of Labor Standards within the Department of Labor the total compensation of the chief executive officer of the employer and the total compensation of the full-time employee of the employer with the lowest rate of pay. The bill requires the bureau to submit an annual report including, for each employer required to report under this bill, the employers' information and the ratio of the total compensation of the chief executive officer of the employer to the total compensation of the full-time employee of the employer with the lowest rate of pay to the Legislature and post the report on the department's website.

Committee Amendment "A" (S-141)

This amendment, which is the majority report of the committee, provides that the compensation disclosure and reporting requirements of the bill apply with respect to an employer's highest-paid executive rather than the employer's chief executive officer.

The amendment also adds an appropriations and allocations section.

LD 1028 An Act To Amend the Laws Concerning the Registration of Professional Engineers

**PUBLIC 228
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROTUNDO	OTP-AM	H-303

This bill, retroactive to January 1, 2011, preserves the rights of holders of professional engineer licenses by allowing an engineer whose license has expired to renew that license up to five years after the date of expiration and, as long as the engineer had previously held a license as a professional engineer for at least 10 years, to forgo the licensure requirements otherwise applicable for a former licensee who is seeking license renewal after 90 days have elapsed, which are the same requirements applicable to new applicants.

Committee Amendment "A" (H-303)

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This amendment removes provisions in the bill that propose to allow an engineer whose license has expired to renew that license up to five years after the date of expiration and instead provides the board with the authority to waive additional qualifications upon renewal if the licensee meets specific criteria. The amendment replaces continuing education requirements with professional development requirements and increases the renewal fee cap from \$50 to \$200. It also adds an emergency preamble and emergency clause to the bill.

Enacted Law Summary

Public Law 2015, chapter 228 provides the State Board of Licensure for Professional Engineers with the authority to waive certain additional license renewal criteria if the license renewal application is made within three years from the date of the expiration and the licensee has completed any requisite professional development requirements and has never been subject to discipline in this or any other jurisdiction. The law provides for an increase in the license renewal fee cap from \$50 to \$200. In addition, the law is retroactive in its application to January 1, 2011.

Public Law 2015, chapter 228 was enacted as an emergency measure effective June 22, 2015.

LD 1039 An Act To Amend the Polygraph Examiners Act

PUBLIC 316

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HASKELL	OTP-AM	S-300

The bill contains the following changes to the Polygraph Examiners Act.

1. It defines "polygraph examination."
2. It specifically authorizes a polygraph examiner to disclose information acquired from a polygraph examination to a member of a criminal justice agency if the polygraph examination is conducted in the course of a criminal investigation; another licensed polygraph examiner in a professional consultation; an employee or intern working with the polygraph examiner; or as otherwise provided by law.
3. It provides that statements or disclosures voluntarily made by an examinee that are adverse to the examinee's interests may be used against the examinee in the course of a criminal investigation or prosecution, to the fullest extent permitted by law.
4. It establishes fees for initial and renewal polygraph examiner licenses, and for intern polygraph examiner licenses.
5. It extends the term of a renewal polygraph examiner license from two to four years.
6. It more specifically outlines the qualifications a person must have in order to be eligible to obtain a polygraph examiner license.

Committee Amendment "A" (S-300)

This amendment specifies that a person to whom a polygraph examination is administered is considered to have taken the polygraph examination if the person participates to any extent in the formalities of the pre-test phase of the polygraph examination. It also makes clear that nothing prohibits the use of any statements or disclosures voluntarily made in a polygraph examination in the course of a criminal investigation or prosecution, to the fullest extent permitted by law.

Enacted Law Summary

Public Law 2015, chapter 316 contains the following changes to the Polygraph Examiners Act.

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1. It defines "polygraph examination."
2. It specifically authorizes a polygraph examiner to disclose information acquired from a polygraph examination to a member of a criminal justice agency if the polygraph examination is conducted in the course of a criminal investigation; another licensed polygraph examiner in a professional consultation; an employee or intern working with the polygraph examiner; or as otherwise provided by law.
3. It provides that statements or disclosures voluntarily made by an examinee that are adverse to the examinee's interests may be used against the examinee in the course of a criminal investigation or prosecution, to the fullest extent permitted by law.
4. It establishes fees for initial and renewal polygraph examiner licenses, and for intern polygraph examiner licenses.
5. It extends the term of a renewal polygraph examiner license from two to four years.
6. It more specifically outlines the qualifications a person must have in order to be eligible to obtain a polygraph examiner license.
7. It specifies that a person to whom a polygraph examination is administered is considered to have taken the polygraph examination if the person participates to any extent in the formalities of the pre-test phase of the polygraph examination. It also makes clear that nothing prohibits the use of any statements or disclosures voluntarily made in a polygraph examination in the course of a criminal investigation or prosecution, to the fullest extent permitted by law.

LD 1051 An Act To Prohibit Fuel Temperature Compensation When Fuel is Dispensed to Outdoor Tanks ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAUCIER DILL	ONTP	

This bill prohibits a person dispensing refined petroleum products to a holding tank located outside from adjusting the volume of the product being dispensed based on a set temperature.

LD 1062 An Act To Support Housing for Homeless Veterans CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOLDEN MCCORMICK	OTP-AM	H-312

This bill establishes the Homeless Veterans Housing Fund within the Maine State Housing Authority to provide housing for homeless veterans and, for fiscal year 2015-16, directs the Treasurer of State to credit \$1,000,000 derived from the real estate transfer tax to the Homeless Veterans Housing Fund to support, with a three-to-one match by outside sources, the construction by the Volunteers of America of housing for homeless veterans on the grounds of the United States Department of Veterans Affairs medical center in the City of Augusta.

Committee Amendment "A" (H-312)

This amendment adds the following provisions to the bill.

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1. It adds a provision to ensure that the housing provided by the Homeless Veterans Housing Fund will be constructed for homeless veterans and their immediate families.
2. It adds a provision to require that Volunteers of America enter into a service agreement with the United States Department of Veterans Affairs prior to construction that describes the resources and services both entities will provide to homeless veterans receiving housing funded by the fund.
3. It allows Volunteers of America to request funds from the fund, as long as the organization enters into a service agreement with each homeless veteran receiving housing funded by the fund that identifies the resources and services that will be provided to veterans by the United States Department of Veterans Affairs and by Volunteers of America.
4. It authorizes the Director of the Bureau of Maine Veterans' Services within the Department of Defense, Veterans and Emergency Management to conduct quarterly quality control site inspections of the housing constructed for homeless veterans on the grounds of the United States Department of Veterans Affairs medical center in the Town of Chelsea.
5. It adds an annual reporting requirement from Volunteers of America to the Bureau of Maine Veterans' Services and the joint standing committee of the Legislature having jurisdiction over veterans affairs.
6. It includes a provision requiring that Volunteers of America use utility services of the United States Department of Veterans Affairs.
7. It adds an appropriations and allocations section to the bill.

This bill was carried over on the Special Appropriations Table to any special or regular session of the 127th Legislature by joint order, S.P. 555.

LD 1091 An Act To Allow Youth Who Referee Sports To Be Paid Stipends ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAVERS CUSHING	ONTP	

This bill allows a minor 12 years of age or older to referee, umpire or officiate in a youth athletic program for a stipend if the minor referees, umpires or officiates for an age group younger than the minor's own age and an adult representing the youth athletic program is on the premises.

LD 1093 An Act Regarding the Municipalities to Which the Maine Uniform Building and Energy Code Applies ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HIGGINS DAVIS	ONTP	

Under current law, all municipalities of more than 4,000 residents must enforce the Maine Uniform Building and Energy Code. Municipalities with 4,000 or fewer residents are not required to adopt or enforce the Maine Uniform Building and Energy Code, but if such a municipality adopts or enforces a building code, it must be the Maine Uniform Building and Energy Code.

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This bill increases the minimum threshold after which a municipality is required to enforce the Maine Uniform Building and Energy Code to more than 5,000 residents.

LD 1101 An Act To Adopt a Retail Workers' Bill of Rights

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COOPER MIRAMANT	ONTP	

This bill amends the laws regarding the employment practices of employers at retail establishments by requiring the following:

1. Two weeks' prior notice of work schedules to employees, with compensation owed for schedule changes under certain circumstances;
2. Paying part-time employees the same wage as full-time employees;
3. Providing part-time employees the same paid or unpaid time off as full-time employees;
4. Providing part-time employees the same eligibility for promotions as full-time employees; and
5. Offering additional work to part-time employees before hiring new employees or using contractors or temporary staffing services under certain circumstances.

The bill also requires these employers to keep certain business records for at least three years. The Department of Labor, Bureau of Labor Standards may investigate possible violations and receive complaints of possible violations from the public. A fine of \$50 per day is due for any noncompliance. The Attorney General may also file a civil action seeking additional remedies. The Department of Labor may adopt rules to help implement compliance and enforcement of these provisions and must report to the Legislature periodically on violations of the law and its efforts.

**LD 1109 An Act To Facilitate the Completion of Training by Certain
Cosmetology Students**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NADEAU GRATWICK	ONTP	

This bill allows a cosmetology student of the now-closed Mr. Bernard's School of Hair Fashion, Inc., who has at least 1,000 hours of the required 1,500 instruction hours for licensure in cosmetology to fulfill the remaining required instruction hours through experience in the practice of cosmetology as a trainee at a rate of one training hour for every .6 of an instruction hour.

**LD 1119 An Act To Amend the Laws Governing the Filing of Wage Statements
and Other Laws under the Maine Workers' Compensation Act of 1992**

PUBLIC 297

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUSHING WARD	OTP-AM	S-286

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

In response to the Law Court decisions in *Wilson v. Bath Iron Works Corp.*, 2008 ME 47, 942 A.2d 1237 and *Graves v. Brockway Smith Co.*, 2012 ME 128, 55 A.3d 456, this bill amends the law to effectuate results different from those reached by the Court.

Current law provides that a petition under the Maine Workers' Compensation Act of 1992 is barred unless filed within two years after the date of injury or the date that the employer files a required first report of injury, whichever is later. This bill specifies that this provision applies to dates of injury occurring on or after January 1, 1993.

Under current law, if an employer or insurer pays benefits under the Maine Workers' Compensation Act of 1992 within two years after the date of injury or the date that the employer files a required first report of injury, the period during which a petition must be filed is six years from the date of the most recent payment. This bill clarifies that, for dates of injury on or after October 17, 1991, this six-year limitation applies regardless of whether the employer has filed a first report of injury.

This bill also provides that for dates of injury before October 17, 1991, a 10-year limitation applies regardless of whether the employer has filed a first report of injury.

Committee Amendment "A" (S-286)

This amendment replaces the bill and makes various changes in the workers' compensation laws.

1. It maintains the provision in the bill that provides that an employer may report wages of an employee to the Workers' Compensation Board in the same manner as the employee is paid and adds that an employer is not required to report lost time to the Workers' Compensation Board beyond 14 days for an injured employee who has returned to work and subsequently attended medical appointments if the employee did not lose wages for attending such appointments.
2. It requires the Workers' Compensation Board to inform the Maine Insurance Guaranty Association of the association's responsibilities under the Maine Workers' Compensation Act of 1992 within 180 days.
3. It changes the job title of hearing officer to administrative law judge, except for any hearing officer currently serving who is not admitted to the practice of law in Maine.
4. It requires the Workers' Compensation Board to develop rules in regards to the timing and deadlines for independent medical examiner examinations and directs the Workers' Compensation Board to annually report data regarding these examinations to the Legislature.

Enacted Law Summary

Public Law 2015, chapter 297 makes various changes in the workers' compensation laws.

1. It provides that an employer may report wages of an employee to the Workers' Compensation Board in the same manner as the employee is paid and adds that an employer is not required to report lost time to the Workers' Compensation Board beyond 14 days for an injured employee who has returned to work and subsequently attended medical appointments if the employee did not lose wages for attending such appointments.
2. It requires the Workers' Compensation Board to inform the Maine Insurance Guaranty Association of the association's responsibilities under the Maine Workers' Compensation Act of 1992 within 180 days.
3. It changes the job title of hearing officer to administrative law judge, except for any hearing officer currently serving who is not admitted to the practice of law in Maine.

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4. It requires the Workers' Compensation Board to develop rules in regards to the timing and deadlines for independent medical examiner examinations and directs the Workers' Compensation Board to annually report data regarding these examinations to the Legislature.

LD 1120 An Act To Repeal the Maine Uniform Building and Energy Code ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS STANLEY	ONTP	

This bill repeals the laws establishing the Maine Uniform Building and Energy Code and makes adjustments to certain other laws to make them consistent with law that existed prior to the enactment of Public Law 2007, chapter 699, which created the uniform code. This bill does not reenact the Maine Model Building Code or the energy efficiency building standards that were repealed by Public Law 2007, chapter 699 and replaced by the Maine Uniform Building and Energy Code.

LD 1131 An Act To Create a Domestic Division within the Maine International Trade Center ONTP

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

This bill requires the Maine International Trade Center to establish and maintain a domestic division to support, promote and expand trade opportunities with other states and provides funding for two positions at the Maine International Trade Center to staff the domestic division.

LD 1132 An Act To Invest in Maine Companies Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GERZOFSKY DION	ONTP OTP-AM	

This bill creates the Invest in Maine Capital Authority with bonding authority to provide loans or bond funding to major business development projects, which are defined as development projects that have a projected cost of at least \$50,000,000 or are projected to result in the creation or retention of at least 250 full-time employment positions that pay at least 125% of the state annual average weekly wage.

Committee Amendment "A" (S-210)

This amendment is the minority report of the committee and replaces the bill. It authorizes the Finance Authority of Maine to establish the Maine Business Capital Investment Program to provide loans or bond funding to certain eligible business projects. As in the bill, the projects must have projected costs of at least \$50,000,000 or be projected to result in the creation or retention of at least 250 full-time employment positions that pay at least 125% of the state annual average wage. The amendment specifies that the legislation takes effect only upon the receipt by the Finance Authority of Maine for the Maine Business Capital Investment Fund of appropriations, allocations or funds from other funding sources in the amount of at least \$250,000,000.

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LD 1137 An Act To Promote Reemployment of Unemployed Workers

CARRIED OVER

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

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to improve reemployment opportunities for workers who are between jobs in several ways, including:

1. Adjusting orientation and training programs for unemployed workers to prepare those workers to take new jobs in the event their previous jobs may no longer exist due to the transformative nature of economic downturns;
2. Strengthening up-front assessment of worker skills, educational deficits and overall employability for purposes of shaping reemployment plans;
3. Enhancing the Department of Labor's enterprise option program through qualified use of other state programs designed to help innovative entrepreneurs establish businesses;
4. Formulating performance metrics for the unemployment compensation system that emphasize cycle times from job to job, measure the degree of wage restoration over time and assess the efficacy of the unemployment compensation system in placing workers in jobs; and
5. Requiring the Department of Labor to report regularly to the joint standing committee of the Legislature having jurisdiction over unemployment compensation matters on the effectiveness of these changes in helping unemployed workers become reemployed.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

LD 1139 An Act To Provide for the 2015 and 2016 Allocations of the State Ceiling on Private Activity Bonds

**P & S 6
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK HERBIG	OTP-AM	S-59

This bill establishes the allocations of the state ceiling on issuance of tax-exempt private activity bonds for calendar years 2015 and 2016 among the state-level issuers of tax-exempt bonds.

Committee Amendment "A" (S-59)

This amendment incorporates a fiscal note.

Enacted Law Summary

Private and Special Law 2015, chapter 6 establishes the allocations of the state ceiling on issuance of tax-exempt private activity bonds for calendar years 2015 and 2016 among the state-level issuers of tax-exempt bonds.

Private and Special Law 2015, chapter 6 was enacted as an emergency measure effective May 24, 2015.

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LD 1140 An Act To Promote Economic Development

PUBLIC 224

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK HERBIG	OTP-AM ONTP	S-190

This bill increases the maximum loan amount available through the Economic Recovery Program administered by the Finance Authority of Maine from \$1,000,000 to \$2,000,000. It takes effect only upon the receipt by the Economic Recovery Program Fund of an appropriation, general obligation bond funding or other funding in the amount of at least \$13,000,000.

Committee Amendment "A" (S-190)

This amendment is the majority report of the committee and incorporates a fiscal note.

Enacted Law Summary

Public Law 2015, chapter 224 increases the maximum loan amount available through the Economic Recovery Program administered by the Finance Authority of Maine from \$1,000,000 to \$2,000,000. The law takes effect only upon the receipt by the Economic Recovery Program Fund of an appropriation, general obligation bond funding or other funding in the amount of at least \$13,000,000.

LD 1154 An Act To Provide for the Establishment of Benefit Corporations

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HERBIG CUSHING	OTP-AM	H-363

This bill creates a statutory framework that allows a corporation to elect to become a benefit corporation by explicitly stating in its articles of incorporation a general benefit purpose or one or more specific benefit purposes, which are other than maximizing shareholder value. "General public benefit" means a material positive impact on society and the environment, taken as a whole, assessed against a 3rd-party standard, from the business and operations of the benefit corporation. A specific public benefit can be providing goods and services to underserved individuals and communities, the promotion of economic opportunities, protecting the environment, improving human health or other particular benefits to society or the environment. A benefit corporation may be subject to a benefit enforcement proceeding for failing to pursue or create a general public benefit or a specific public benefit as set forth in its articles of incorporation, or for a violation of any obligation, duty or standard of conduct imposed. A benefit corporation must make its annual benefit report available publicly and file it as an annual corporate report with the Secretary of State.

Committee Amendment "A" (H-363)

This amendment removes the provision in the bill that requires a benefit corporation to file its annual benefit report with the Secretary of State. It also clarifies that there may be more than a single general public benefit.

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LD 1156 An Act Regarding the Board of Dental Examiners

**PUBLIC 135
EMERGENCY**

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

Public Law 2011, chapter 581 established dental adjudicatory panels and gave those panels sole authority to hold adjudicatory hearings regarding disciplinary actions for persons licensed by the Board of Dental Examiners. The board retained investigative powers, but all complaints were required to be referred to a dental adjudicatory panel for a disciplinary hearing. The section of law establishing the adjudicatory panels was repealed on September 15, 2014, leaving the board without a means to hold disciplinary hearings. This bill returns to the Board of Dental Examiners the authority to conduct disciplinary hearings.

Enacted Law Summary

Public Law 2011, chapter 581 established dental adjudicatory panels and gave those panels sole authority to hold adjudicatory hearings regarding disciplinary actions for persons licensed by the Board of Dental Examiners. The board retained investigative powers but all complaints were required to be referred to a dental adjudicatory panel for a disciplinary hearing. The section of law establishing the adjudicatory panels was repealed on September 15, 2014, leaving the board without a means to hold disciplinary hearings. Public Law 2015, chapter 135 returns to the Board of Dental Examiners the authority to conduct disciplinary hearings.

Public Law 2015, chapter 135 was enacted as an emergency measure effective June 2, 2015.

LD 1157 An Act To Protect Preemployment Credit Privacy

**Died Between
Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HAMANN PATRICK	ONTP OTP-AM	

This bill prohibits employers from obtaining information regarding the creditworthiness, credit standing, credit capacity, debts or check-writing experience of a prospective employee as part of the hiring process or decision. There are exceptions from this prohibition in the bill for circumstances in which the job requires management of the company's finances or a customer's financial assets, the employer is in the financial services industry or the employer is otherwise required by law to obtain this information. Violation of this prohibition is a civil violation for which a fine from \$500 to \$1,000 for each violation may be adjudged. The prohibition is enforced by the Director of Labor Standards within the Department of Labor.

Committee Amendment "A" (H-213)

This amendment is the minority report of the committee and adds an appropriations and allocations section to the bill.

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**LD 1158 An Act To Improve the Ability of Mental Health Professionals To Assess
the Risk of Suicide**

**Accepted Majority
(ONTP) Report**

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

This bill adds a new requirement for the renewal of professional licenses for social workers, licensed clinical professional counselors and psychologists that each must show proof upon renewal that the licensee has completed a minimum of six hours of course work every 10 years in suicide prevention, evidence-based suicide risk assessment or the treatment and management of suicidal persons, including knowledge of community resources and cultural factors. These courses may be used to satisfy the licensee's other continuing education requirements.

LD 1165 An Act To Enact the Toxic Chemicals in the Workplace Act

**Died Between
Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOODE PATRICK	OTP-AM ONTP	

This bill enacts the Toxic Chemicals in the Workplace Act to create a statutory and regulatory framework designed to prevent harm to employees by reducing exposure to highly toxic chemicals in the workplace and thereby decrease the rates of cancer and other chronic diseases in the State, improve workplace chemical management and safety and ensure safer workplaces and healthier communities.

This bill specifically:

1. Directs the Department of Labor to develop criteria for identifying toxic and highly toxic chemicals, designate all toxic and highly toxic chemicals to be regulated by the Act and publish lists of all regulated toxic and highly toxic chemicals on its publicly accessible website;
2. Requires employers subject to the provisions of the Act to develop and implement a written alternative chemical work plan and designate a transition team to assist in transitioning from highly toxic chemicals in the workplace to safer alternatives;
3. Directs the transition team to inventory all chemicals in the workplace, both toxic and nontoxic, and determine which chemicals have been designated by the department as toxic or highly toxic chemicals;
4. Requires the transition team to develop a priority ranking of all identified highly toxic chemicals, based on a number of criteria, to assist in determining which chemicals will be transitioned to safer alternatives;
5. Directs the transition team, as part of developing the priority ranking, to conduct for each highly toxic chemical an alternatives analysis that includes, among other things, a detailed financial analysis of the costs of substituting an alternative;
6. Requires the transition team to decide which alternatives to highly toxic chemicals are safer alternatives and which safer alternatives should be tested and evaluated for permanent transition. After testing and evaluation of selected safer alternatives, the transition team may elect to transition to a safer alternative on a permanent basis;

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- 7. Allows an employer, at any point after completing the transition to a safer alternative, to discontinue use of the safer alternative and report the basis for discontinuation to the department;
- 8. Stipulates reporting and records retention requirements for the employer, as well as guidelines for access to information by employees and state agencies;
- 9. Directs the development by the employer of employee training and other informational materials;
- 10. Authorizes the department to enforce the provisions of the Act and to issue penalties for violations of the Act;
- 11. Requires the department to adopt all rules necessary to implement the provisions of the Act;
- 12. Stipulates an effective date for the Act of September 1, 2016; and
- 13. Directs the department, by January 1, 2016, to submit for legislative review major substantive rules related to the Act.

Committee Amendment "A" (H-328)

This amendment, which is the minority report of the committee, makes a number of changes to the bill, including the following:

- 1. Expands the definition of "employer" to include employers engaged in employment activities involving the use, handling or storage of chemicals and employers with workplaces constructed of materials or including equipment that release highly toxic chemicals that pose a health risk to employees;
- 2. Removes the requirement for the Department of Labor to designate toxic and highly toxic chemicals to be regulated by the Act, and instead further defines highly toxic chemicals and directs employers to identify them. The department is required to publish on its publicly accessible website lists of online resources that identify highly toxic chemicals;
- 3. Requires an employer to contact chemical suppliers and manufacturers for possible safer chemical alternatives and to implement a process for permanent transition to the safer alternative chemicals. If the employer elects not to use safer alternative chemicals, the employer must submit a report to the Department of Labor detailing the basis for not proceeding with the transition to the safer alternative;
- 4. Requires employers to complete a self-audit for compliance with this Act; and
- 5. Requires annual employee training that follows the United States Department of Labor, Occupational Safety and Health Administration's globally harmonized system of classification and labeling of chemicals.

LD 1182 An Act To Exempt Certain Agricultural Buildings from the Maine Uniform Building and Energy Code

PUBLIC 126

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

This bill requires the Department of Public Safety, Office of the State Fire Marshal, Technical Building Codes and Standards Board, the entity responsible for maintenance of the Maine Uniform Building and Energy Code, to exempt buildings used to house livestock or harvested crops from the code.

Enacted Law Summary

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Public Law 2015, chapter 126 requires the Department of Public Safety, Office of the State Fire Marshal, Technical Building Codes and Standards Board, the entity responsible for maintenance of the Maine Uniform Building and Energy Code, to exempt buildings used to house livestock or harvested crops from the code.

LD 1187 An Act To Specify the Record-keeping Requirements for Social Workers ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOODE KATZ	ONTP	

This bill amends the laws governing social workers by adding new client record-keeping requirements for persons licensed as social workers by the State as well as public and client notice requirements in the event a person licensed by the State discontinues practice.

LD 1188 An Act To Implement a Rental Assistance Program for Low-income Households and Individuals ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FREY PATRICK	ONTP	

This bill directs the Maine State Housing Authority to implement a rental assistance program for low-income households and individuals that allocates assistance throughout the State based upon the local area's availability, affordability, condition and cost burden of housing. Under the bill, 100% of available funds are awarded to participants with incomes at or below 30% of the median income of the local area.

LD 1191 An Act To Remove the Municipal Mandate To Enforce the Maine Uniform Building and Energy Code Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THIBODEAU	OTP-AM ONTP	

Under current law, all municipalities of more than 4,000 residents must enforce the Maine Uniform Building and Energy Code. Municipalities with 4,000 or fewer residents are not required to adopt or enforce the Maine Uniform Building and Energy Code, but if such a municipality adopts or enforces a building code, it must be the Maine Uniform Building Code, the Maine Uniform Energy Code or the Maine Uniform Building and Energy Code.

This bill allows, but does not require, a municipality of more than 4,000 residents to adopt and enforce a building code, but it restricts the code that may be adopted or enforced by that municipality to the Maine Uniform Building and Energy Code.

Committee Amendment "A" (S-161)

This amendment is the majority report of the committee and strikes and replaces the bill. Beginning on November 1, 2015, it authorizes a municipality that has more than 4,000 but less than 10,000 residents to vote under its home rule authority to exempt the municipality from the Maine Uniform Building and Energy Code enforcement requirements pursuant to the municipal voting requirements under the Maine Revised Statutes, Title 30-A, chapter 121.

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LD 1195 An Act To Amend the Laws Governing Workers' Compensation

ONTP

Sponsor(s)

CUSHING
WARD

Committee Report

ONTP

Amendments Adopted

This bill makes the following changes to the laws governing workers' compensation and the Workers' Compensation Board, or "board."

1. It repeals language requiring the board to hire qualified persons to serve as hearing officers, and instead requires hearing officers to be appointed by the Governor and confirmed by the Senate.
2. Current law authorizes the board to establish the terms of hearing officers by rule; this bill instead provides that the initial term of a hearing officer is three years and subsequent terms are five years.
3. It provides that if a violation of the Maine Workers' Compensation Act of 1992 results in a de minimus alteration to a calculation of benefits, a report to the Attorney General is not required.
4. It requires that a person appointed to investigate circumstances surrounding an industrial injury or to conduct an audit must submit a report of the investigation or audit to the Superintendent of Insurance as well as to the board.
5. It eliminates authorization for the board to audit the Maine Insurance Guaranty Association.
6. It authorizes the disclosure of audit working papers to the Superintendent of Insurance.
7. It provides that an employee who has received a personal injury arising out of and in the course of employment and who has returned to work on a full-time basis is entitled to compensation for time spent attending medical appointments related to the injury that occur during hours that the employee is customarily at work.
8. It specifies that for a first failure to pay benefits, the penalty for delay of \$50 per day may not be more than \$500, and that for a second failure to pay, the penalty for delay of \$50 per day may not be more than \$1,000.
9. It eliminates language identifying the Maine Insurance Guaranty Association as an employer or insurance carrier for purposes of assessing penalties for delay in payment.
10. It specifies that wage statements must report wages of the employee in the same manner as wages are paid.
11. It requires that if an independent medical examiner is assigned by the board, the assignment must be made within 30 days of the request.
12. It requires that the independent medical examiner submit a written report of findings within a reasonable time following the examination. If a report is not filed within 60 days following the examination, the hearing officer is directed to follow up with the independent medical examiner.
13. It requires the board to annually publish its findings regarding the quality and timeliness of the submission of medical findings by independent medical examiners.
14. It requires hearing officers to render decisions within 60 days of the close of evidence of a hearing unless the executive director authorizes the hearing officer to take additional time to render the decision.

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- 15. It specifies that the law governing the determination of attorney's fees for lump-sum settlements applies to injuries occurring after January 1, 2015; that the computation of the amount is based on the indemnity benefits of the settlement; and that a fee may not be assessed for the amount of any settlement intended to pay for current or future medical costs.
- 16. It specifies that a de minimus error in the calculation of average weekly wage may not be considered in the calculation of a penalty.
- 17. It specifies that, if after an audit the board determines that an assessment in the aggregate could equal or exceed the amount of compensation, interest, penalty or other obligations, a hearing must be held before a panel composed of the executive director of the board, the Superintendent of Insurance and a hearing officer appointed by the board.
- 18. It authorizes the Superintendent of Insurance, rather than the board, to assess civil penalties if it is found that an employer, insurer or 3rd-party administrator for an employer has engaged in a pattern of questionable claims-handling techniques or repeated unreasonable contested claims.
- 19. It requires the board to annually report the results of its monitoring program to the joint standing committee of the Legislature having jurisdiction over workers' compensation matters.
- 20. It directs the board to conduct a study regarding psychological injury and impairment arising out of injuries sustained by employees in the course of employment.

LD 1199 An Act To Clarify the Laws Governing the Bureau of Rehabilitation Services

PUBLIC 141

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

This bill changes the laws governing the Department of Labor, Bureau of Rehabilitation Services by:

- 1. Repealing the laws governing the blind-made products program, a program that no longer exists;
- 2. Changing references to the Federal Rehabilitation Act to the federal Rehabilitation Act of 1973;
- 3. Specifying the Department of Labor as the designated state agency to provide rehabilitation services under the federal Rehabilitation Act of 1973 and naming the Division of Vocational Rehabilitation and the Division for the Blind and Visually Impaired as the designated state units;
- 4. Defining "gainful employment" as it pertains to the different standards within the Division of Vocational Rehabilitation and the Division for the Blind and Visually Impaired;
- 5. Changing the phrase "handicapped or disadvantaged individual" to "person with a disability"; and
- 6. Reducing the number of members on the Commission for the Deaf, Hard of Hearing and Late Deafened from 24 members and three at large members to up to 23 members to reflect the bylaws voted on by the commission. It also provides that members serve three-year terms and may serve multiple terms without limit.

Enacted Law Summary

Public Law 2015, chapter 141 changes the laws governing the Department of Labor, Bureau of Rehabilitation Services by:

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1. Repealing the laws governing the blind-made products program, a program that no longer exists;
2. Changing references to the Federal Rehabilitation Act to the federal Rehabilitation Act of 1973;
3. Specifying the Department of Labor as the designated state agency to provide rehabilitation services under the federal Rehabilitation Act of 1973 and naming the Division of Vocational Rehabilitation and the Division for the Blind and Visually Impaired as the designated state units;
4. Defining "gainful employment" as it pertains to the different standards within the Division of Vocational Rehabilitation and the Division for the Blind and Visually Impaired;
5. Changing the phrase "handicapped or disadvantaged individual" to "person with a disability"; and
6. Reducing the number of members on the Commission for the Deaf, Hard of Hearing and Late Deafened from 24 members and three at large members to up to 23 members to reflect the bylaws voted on by the commission. It also provides that members serve three-year terms and may serve multiple terms without limit.

LD 1201 An Act To Standardize and Simplify the Process for Employers To Have a Drug-free Workplace Policy ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUSHING WARD	ONTP	

Current law requires employers that want to provide a drug-free workplace by testing applicants or employees for substance abuse to develop and file a policy with the Department of Labor. The Bureau of Labor Standards reviews the policies to ensure compliance with state laws and rules. This bill provides employers with a single, consistent model policy. The model policy, which is established by the Commissioner of Labor and managed by the department, is intended to encourage greater participation by employers to reduce substance abuse in the workplace. The bill requires an employer to adopt the model policy before establishing a substance abuse testing program. It removes the requirements that employers provide an employee assistance program and pay for half of rehabilitation beyond services provided through health care benefits. Employers may offer an employee assistance program if they choose. The bill amends the definition of "probable cause" to provide that a single work-related accident is probable cause to suspect an employee is under the influence of a substance of abuse. The bill requires the Department of Health and Human Services and the Department of Labor to work together to adopt rules to establish the model policy by July 1, 2016. The bill also requires the Commissioner of Labor to convene a study group to study issues related to the legalization of marijuana and the model policy. The bill directs the commissioner to report to the Joint Standing Committee on Labor, Commerce, Research and Economic Development and authorizes the joint standing committee to report out a bill to the Second Regular Session of the 127th Legislature related to the commissioner's report.

LD 1210 Resolve, Directing the Department of Professional and Financial Regulation To Study the Dental Practice Laws and Recommend Changes To Streamline the Licensure and Scope of Practice Provisions Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SIROCKI	OTP-AM	H-129

This resolve directs the Commissioner of Professional and Financial Regulation to convene a work group to propose changes to the laws pertaining to dental practitioners. The joint standing committee of the Legislature having

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jurisdiction over labor, commerce, research and economic development matters is authorized to report out a bill related to the work group's work to the First Regular Session of the 128th Legislature.

Committee Amendment "A" (H-129)

This amendment replaces the resolve and changes the title. It adds an emergency preamble and emergency clause and directs the Commissioner of Professional and Financial Regulation to study laws pertaining to dental practitioners, recommend changes that streamline the licensure and scope of practice provisions and submit any recommendations from the study to the Joint Standing Committee on Labor, Commerce, Research and Economic Development on or before February 15, 2016. It authorizes the committee to report out a bill related to the commissioner's report to the Second Regular Session of the 127th Legislature.

LD 1211	An Act To Provide Rule-making Powers and Increased Authority over Dental Hygienists to the Subcommittee on Dental Hygienists	Accepted Majority (ONTP) Report
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SIROCKI	ONTP OTP-AM	

Under current law, the Board of Dental Examiners, Subcommittee on Dental Hygienists performs an initial review of complaints regarding dental hygienists and applications and continuing education requirements for dental hygienists. Following its review, the subcommittee makes a recommendation to the board and the board acts on the subcommittee's recommendation.

This bill provides the subcommittee with exclusive jurisdiction over licensing, continuing education and disciplinary matters regarding dental hygienists, independent practice dental hygienists, dental hygiene therapists, registered dental hygienists and dental hygienists with public health supervision status and provides the subcommittee with rule-making authority regarding these matters. The bill also changes the composition of the subcommittee by replacing one of the dentists with a dental hygienist who is involved in the training and education of dental hygienists at an accredited school of dental hygiene and removing the requirement that the existing two dental hygienists are qualified denturists.

Committee Amendment "A" (H-313)

This amendment is the minority report of the committee. It makes the following changes to the bill.

1. It increases the number of dental hygienists and removes the dentists on the Board of Dental Examiners, Subcommittee on Dental Hygienists.
2. It requires the subcommittee to review all nitrous oxide and local anesthesia permits.
3. It changes the number of continuing education hours required for the renewal of a dental hygiene therapist license from 35 to 30.
4. It allows a dental hygienist with public health supervision status and 3,000 hours of clinical practice under general supervision of a dentist to apply for licensure as an independent practice dental hygienist.
5. It adds taking impressions and fabricating teeth whitening trays and dispensing teeth whitening solution to the scope of practice for an independent practice dental hygienist.
6. It requires the Commissioner of Professional and Financial Regulation to provide oversight over the subcommittee's routine technical rule-making process.

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7. It adds an appropriations and allocations section.

LD 1217 An Act To Require at Least 2 Weeks' Advance Notice of the Work Schedule for Hourly Employees at Certain Businesses ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MELARAGNO GERZOFKY	ONTP	

This bill requires employers who employ 100 or more employees in the State to provide hourly employees at least two weeks' prior notice of the employees' work schedules, with compensation owed for schedule changes under certain circumstances. The bill also requires these employers to keep certain business records for at least three years.

The bill provides that the Department of Labor, Bureau of Labor Standards may investigate possible violations and receive complaints of possible violations from the public. A fine of \$50 per day is due for any noncompliance. The Attorney General may also file a civil action seeking additional remedies. The department may adopt rules regarding compliance with and enforcement of these provisions, and the bureau must report to the Legislature periodically on violations of the law and the bureau's efforts.

LD 1218 An Act Regarding the Administration of Vaccines by Pharmacists PUBLIC 211

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING CUSHING	OTP-AM	H-379

This bill amends the law authorizing a pharmacist to administer influenza shots to a person nine years of age or older to allow a licensed pharmacist who has received training to administer vaccines to persons seven years of age or older.

Committee Amendment "A" (H-379)

This amendment replaces the bill, which allows a pharmacist to administer vaccines licensed and recommended by the United States Food and Drug Administration. Current law allows a pharmacist to administer an influenza vaccine to a person nine years of age or older. The amendment lowers that age to seven years of age.

Enacted Law Summary

Public Law 2015, chapter 211 allows a pharmacist to administer vaccines licensed and recommended by the United States Food and Drug Administration. Current law allows a pharmacist to administer an influenza vaccine to a person nine years of age or older. The law lowers that age to seven years of age.

LD 1240 An Act To Phase Out the Payment of Subminimum Wages to Workers with Disabilities CARRIED OVER

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

Currently the State Government and Federal Government may issue special certificates permitting an employer to pay an individual with a physical or mental disability a wage less than the State's minimum wage based on the

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individual's ability to perform the duties required for that employment in comparison to the ability of a person who does not have a physical or mental disability to perform the same duties. This bill prohibits the issuance of such certificates. Existing special certificates authorizing payment of less than the minimum wage remain in effect until the earlier of their expiration date and November 1, 2018. After the expiration of a previously issued certificate, an individual who was covered by such certificate may apply to the Director of the Bureau of Labor Standards within the Department of Labor for a special work permit authorizing the payment of wages at less than the minimum wage rate by a certain employer.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

LD 1271 An Act To Protect Patients Who Need Eye Care

PUBLIC 173

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK MASTRACCIO	OTP-AM	S-115

This bill regulates the use of kiosks as a means of performing eye examinations. It defines "kiosk" as automated equipment or an application designed to be used on a phone, computer or Internet-based device that can be used either in person or remotely to provide refractive data or information. The bill provides that a person or entity may not dispense ophthalmic lenses or contact lenses to a patient without a valid prescription from an optometrist or ophthalmologist after an eye examination except that a prescription is not required to dispense so-called over-the-counter reading glasses. It also provides that a prescription for ophthalmic lenses or contact lenses may not be made solely on the data generated by a kiosk and it provides administrative enforcement provisions related to kiosks.

Committee Amendment "A" (S-115)

This amendment strikes contact lenses from the section of the bill that allows a person or entity to dispense reading glasses without a prescription to clarify that the provision applies only to spectacle lenses.

Enacted Law Summary

Public Law 2015, chapter 173 regulates the use of kiosks as a means of performing eye examinations. It defines "kiosk" as automated equipment or an application designed to be used on a phone, computer or Internet-based device that can be used either in person or remotely to provide refractive data or information. The law provides that a person or entity may not dispense ophthalmic lenses or contact lenses to a patient without a valid prescription from an optometrist or ophthalmologist after an eye examination, except that a prescription is not required to dispense so-called over-the-counter reading glasses. It also provides that a prescription for ophthalmic lenses or contact lenses may not be made solely on the data generated by a kiosk and it provides administrative enforcement provisions related to kiosks.

LD 1278 An Act Regarding the Purchase of Essential Tools for the Repair of Motor Vehicles

Leave to Withdraw Pursuant to Joint Rule

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

This bill allows a motor vehicle manufacturer to require a dealer to purchase an essential tool either from the manufacturer or a third party designated by the manufacturer.

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LD 1288 An Act To Attract Skilled Professionals and Young Families to Maine

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND ESPLING	ONTP	

This bill creates and capitalizes the New American Start-up Fund administered by the Department of Economic and Community Development to provide loans to assist immigrants and refugees to start or expand businesses and to provide operational support to a nonprofit corporation that assists low-income immigrants and refugees in starting and developing businesses.

LD 1300 An Act To Create and Sustain Jobs through Development of Cooperatives

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHAPMAN LANGLEY	OTP-AM ONTP	H-396

This bill supports employee-owned businesses and cooperatives in the following ways.

1. It requires the Treasurer of State to place 1% of deposited state funds in institutions devoted to meeting the borrowing needs of cooperatives.
2. It creates the Employee Ownership Program and Employee Ownership Program Administrator under the Department of Economic and Community Development, Maine Small Business and Entrepreneurship Commission to promote employee ownership of businesses.
3. It requires the Commissioner of Economic and Community Development to give preference in Department of Economic and Community Development programs to cooperatives or businesses seeking to convert to cooperatives.
4. It requires the Commissioner of Agriculture, Conservation and Forestry to give preference in Department of Agriculture, Conservation and Forestry marketing and advertising programs to cooperatives or businesses seeking to convert to cooperatives.
5. It requires that employee-owned businesses or businesses seeking to become employee-owned be given priority in the Small Enterprise Growth Program.
6. It requires the Finance Authority of Maine to give preference in authority programs to organizations that are employee-owned or cooperatives or organizations seeking to become employee-owned or cooperatives.
7. It creates the Cooperative Development Grants Program.
8. It subtracts from the Maine income tax the amount of gain recognized by a business owner in transferring the business to an employee stock ownership plan or eligible worker-owner cooperative.
9. It requires the Department of Agriculture, Conservation and Forestry, the Department of Economic and Community Development, the Department of Labor, the Finance Authority of Maine and the University of Maine System to identify and make best efforts to pursue federal sources of funding for development of cooperatives and to cooperate with the Employee Ownership Program Administrator in pursuit of federal funding for development of

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cooperatives.

Committee Amendment "A" (H-396)

This amendment is the majority report of the committee. It replaces the bill and does the following to support employee-owned businesses and cooperatives.

1. It permits the Treasurer of State to place 1% or more of deposited state funds in institutions that meet the borrowing needs of cooperatives.
2. It requires the Maine Small Business and Entrepreneurship Commission to ensure that the State's small business development centers receive training and provide information on employee ownership and cooperative development.
3. It requires the Commissioner of Economic and Community Development to ensure equal access to Department of Economic and Community Development programs for employee-owned businesses and cooperatives, as well as businesses seeking to convert to employee ownership or cooperative organization.
4. It requires the Commissioner of Agriculture, Conservation and Forestry to ensure equal access to Department of Agriculture, Conservation and Forestry programs for employee-owned businesses and cooperatives, as well as businesses seeking to convert to employee ownership or cooperative organization.
5. It creates the Cooperative Development Grants Program.
6. It modifies the exemption from registration for certain membership securities issued by cooperatives.
7. It subtracts from the Maine income tax the amount of gain recognized by a business owner in transferring the business to an employee stock ownership plan or eligible worker-owner cooperative.
8. It requires the Department of Agriculture, Conservation and Forestry, the Department of Economic and Community Development, the Department of Labor, the Finance Authority of Maine and the University of Maine System to identify and make best efforts to pursue federal sources of funding for advancement of employee ownership and development of cooperatives.
9. It requires the Maine Small Business and Entrepreneurship Commission to ensure, to the extent feasible, that each small business development center receives training on issues relating to employee ownership and cooperative development. It requires the commission to provide a report to the joint standing committee of the Legislature having jurisdiction over labor, commerce, research and economic development matters on the commission's implementation of this provision.
10. It adds an appropriations and allocations section.

This bill was carried over on the Special Appropriations Table to any special or regular session of the 127th Legislature by joint order, S.P. 555.

LD 1319 An Act To Ensure That Wages and Benefits of Maine State Employees Serve a Public Purpose

**Accepted Majority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WARD CUSHING	ONTP OTP-AM	

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This bill prohibits a public employer from compensating an employee covered under public sector collective bargaining laws for participating in an activity involving the employee's collective bargaining agent, except through regularly accrued vacation or compensatory time.

Committee Amendment "A" (H-346)

This amendment, which is the minority report of the committee, replaces the bill with a resolve that establishes the Study Commission on State Union Leave to study the impact of the practice of state-compensated leave for an employee to participate in activities related to the employee's collective bargaining agent, both in terms of overall financial cost to the State and in terms of lost employee time, and to also study the benefits of such leave to the State. The study commission must report back on its findings and recommendations by December 2, 2015, and the Joint Standing Committee on Labor, Commerce, Research and Economic Development may report out a bill related to the report.

LD 1332 An Act To Attract Entrepreneurs to the State

PUBLIC 362

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND	ONTP	S-228
GOODE	OTP-AM	S-250 ALFOND

This bill establishes the Maine Coworking Development Fund within the Department of Economic and Community Development. The fund is established to strengthen opportunities for entrepreneurship, stimulate innovation in the State by increasing the availability of collaborative workspace environments and address a regional market demand for affordable work environments that support communication, information sharing and networking opportunities. The fund will match public and private funds to create collaborative workspaces in order to foster innovative communities and spur creative business growth and economic activity. The bill includes an appropriations and allocations section that provides for a \$250,000 General Fund appropriation to the fund for fiscal year 2015-16 and fiscal year 2016-17.

Committee Amendment "A" (S-228)

This amendment is the minority report of the committee and it makes the following changes to the bill.

1. It adds new definitions for "participant" and "tenant."
2. It provides additional criteria for collaborative workspaces to receive awards from the Maine Coworking Development Fund by the Department of Economic and Community Development.
3. It adds additional duties for a collaborative workspace business that receives assistance from the fund.
4. It adds additional annual reporting requirements for the department.

This amendment also replaces the appropriations and allocations section in the bill.

Senate Amendment "A" To Committee Amendment "A" (S-250)

This amendment reduces from \$250,000 to \$100,000 the amount appropriated in each of the fiscal years 2015-16 and 2016-17 to support collaborative workspace businesses.

Enacted Law Summary

Public Law 2015, chapter 362 establishes the Maine Coworking Development Fund within the Department of Economic and Community Development. The fund is established to strengthen opportunities for entrepreneurship,

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stimulate innovation in the State by increasing the availability of collaborative workspace environments and address a regional market demand for affordable work environments that support communication, information sharing and networking opportunities. The fund will match public and private funds to create collaborative workspaces in order to foster innovative communities and spur creative business growth and economic activity. The law includes an appropriations and allocations section that provides for a \$100,000 General Fund appropriation to the fund for fiscal year 2015-16 and fiscal year 2016-17.

LD 1333 An Act To Ensure Economic Stability in Washington County ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BURNS TUELL	ONTP	

This bill provides ongoing funds to the Washington County Development Authority for the rehabilitation and renovation of the former Cutler naval base in Washington County, including but not limited to costs associated with project management, grant writing, bookkeeping, oversight, maintenance and support.

LD 1345 An Act To Provide Funding for Incubators for Business Start-ups ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FECTEAU DUTREMBLE	ONTP	

This bill enacts the Small Business Incubator Program under the direction of the Department of Economic and Community Development to provide loans, loan guarantees and grants for the establishment, operation and administration of small business incubators in Maine. It also establishes a small business incubator tax credit to provide incentives to Maine taxpayers to make contributions of private funds to be used to establish small business incubators.

LD 1351 An Act To Ensure that Membership of Public Employees in Unions is Voluntary ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STETKIS VOLK	ONTP	

This bill amends the State's labor laws to ensure that each public sector union represents only those public employees who voluntarily are members of that union.

This bill also requires a public employee union annually to determine or certify the bargaining agent for that union.

LD 1353 An Act To Prohibit Mandatory Membership in a Union or Payment of Agency Fees as a Condition of Employment ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUSHING WARD	ONTP	

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This bill prohibits a person from being required to join a labor organization or pay any labor organization dues or fees as a condition of employment or continuation of employment, notwithstanding any state law to the contrary. A violation is a Class D crime and is also subject to civil damages and injunctive relief. The Attorney General is responsible for enforcement and is required to prosecute all violations.

LD 1358 An Act To Support Innovation and Entrepreneurship in Maine through the Start Maine Up Program ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLETT HERBIG	ONTP	

This bill establishes the Start Maine Up Program in the Department of Economic and Community Development to encourage and promote economic development by providing tax-free economic incentives for approved businesses that create operations in, expand within or relocate in designated areas of vacant land located at state university campuses or community college campuses in the State as long as the businesses demonstrate future positive community and economic benefits for the State. The department is responsible for administering the program in conjunction with the University of Maine System, the Maine Maritime Academy and the Maine Community College System.

LD 1361 An Act To Promote Minimum Wage Consistency Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUSHING	ONTP OTP-AM	

This bill prohibits a municipality or any other political subdivision of the State from enacting an ordinance governing the minimum wage that an employer must pay an employee.

Committee Amendment "A" (S-142)

This amendment, which is the minority report of the committee, incorporates a fiscal note.

LD 1364 An Act To Expand Opportunities for Economic Development in Maine Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUSHING LOCKMAN	ONTP OTP-AM	

This bill makes the following changes to the laws governing Pine Tree Development Zones.

1. Current law authorizes Pine Tree Development Zone businesses whose primary purpose is to support the State's working waterfront to apply for adjustments based on a catastrophic occurrence. This bill eliminates the restriction that the business be within the working waterfront industry, and allows such affected businesses to apply for an extension of their certification period of up to two years. This bill authorizes the Department of Economic and Community Development, after consultation with the Governor, to grant extensions of certification.

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- 2. Current law defines a qualified Pine Tree Development Zone employee as an employee for whom group health insurance is provided. This bill eliminates the requirement that group health insurance be provided.
- 3. Current law defines a qualified Pine Tree Development Zone employee as one whose income is greater than the most recent annual per capita personal income in the county in which the qualified employee is employed. Under this bill, the income of a qualified employee is greater than the average weekly wage for the most recent calendar year as derived from the Quarterly Census of Employment and Wages. The calculation of the average weekly wage must include data from the counties of Androscoggin, Aroostook, Franklin, Hancock, Kennebec, Knox, Lincoln, Oxford, Penobscot, Piscataquis, Sagadahoc, Somerset, Waldo and Washington.
- 4. It amends the laws governing employment tax increment financing reimbursement to reflect the revised definition of "qualified employee" under the Pine Tree Development Zone laws.

Committee Amendment "A" (S-198)

This amendment is the minority report of the committee. The amendment incorporates a fiscal note.

LD 1371 An Act To Encourage Greater Efficiency in the Unemployment Insurance System

Died Between Houses

Sponsor(s)

VOLK
WARD

Committee Report

ONTP
OTP-AM

Amendments Adopted

This bill makes the following changes to the laws governing the Maine Unemployment Insurance Commission. It provides that:

- 1. The members of the commission who are representatives of employers and labor are employed on a per diem basis in the amount of \$100 for up to four hours of services provided in relation to hearings and \$100 for each consecutive period of up to four hours of services provided in relation to hearings thereafter, with mileage and tolls reimbursed at the legislative rate pursuant to the Maine Revised Statutes, Title 3, section 2;
- 2. The Governor may remove a member of the commission for inefficiency, willful neglect of duty or malfeasance in office with the review and concurrence of the joint standing committee of the Legislature having jurisdiction over labor matters upon hearing in executive session or by impeachment. Before removing a member, the Governor must notify the President of the Senate and the Speaker of the House of Representatives of the removal and the reasons for the removal; and
- 3. The chair of the commission may render preliminary or ancillary decisions related to processing of commission cases.

Committee Amendment "A" (S-189)

This amendment, which is the minority report of the committee, adds an appropriations and allocations section to the bill.

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LD 1372 An Act To Encourage the Redevelopment of Upper Floors of Buildings in Downtowns and on Main Streets

PUBLIC 349

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL R BREEN	OTP-AM	H-311 S-329 HAMPER

This bill is a concept draft pursuant to Joint Rule 208. It proposes to enact measures to encourage municipalities to review and reassess municipal regulations that create barriers to development in downtowns and on main streets. As part of a review and reassessment, a municipality shall consider:

1. Assessing current community needs and environmental impacts of the regulations;
2. Lessening the impact of excessive parking requirements for buildings in downtowns and on main streets; and
3. Extending so-called grandfather provisions relating to the reuse of upper floors of buildings in downtowns and on main streets.

Committee Amendment "A" (H-311)

This amendment strikes and replaces the concept draft. It encourages municipalities to develop policies in the comprehensive planning process that assess community needs and environmental effects of municipal regulations, lessen the effect of excessive parking requirements for buildings in downtowns and on main streets and provide for alternative approaches for compliance relating to the reuse of upper floors of buildings in downtowns and on main streets.

Senate Amendment "A" To Committee Amendment "A" (S-329)

This amendment adds a mandate preamble.

Enacted Law Summary

Public Law 2015, chapter 349 encourages municipalities to develop policies in the comprehensive planning process that assess community needs and environmental effects of municipal regulations, lessen the effect of excessive parking requirements for buildings in downtowns and on main streets and provide for alternative approaches for compliance relating to the reuse of upper floors of buildings in downtowns and on main streets.

LD 1373 An Act To Create the Put ME To Work Program

INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EVES CUSHING	OTP-AM OTP-AM	

This bill assists Maine residents to obtain highly skilled, high-demand, livable-wage jobs by creating a new jobs training program and improving and funding existing jobs training programs.

Part A establishes the Put ME to Work Program in the Maine Quality Centers to facilitate the establishment of job training programs at postsecondary institutions of higher education in this State by working with private businesses and postsecondary institutions of higher education to provide training to prepare workers for jobs in high-demand fields. In order to participate in the program, a business or group of businesses is required to provide at least 50% of the cost of the program, which may be through in-kind contributions. Part A provides \$250,000 for needs-based

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tuition assistance, scholarships and grants for students in the program and \$650,000 to match funding or in-kind contributions by businesses participating in the program.

Part A also provides \$100,000 to the Industry Partnership Assistance Collaborative to fund a position and associated costs within the collaborative.

Part B allows employers to make voluntary donations to the Competitive Skills Scholarship Fund. These donations would be in addition to the required employer contributions and would be used for the Competitive Skills Scholarship Program.

Committee Amendment "A" (H-442)

This amendment, which is the majority report of the committee, eliminates the \$100,000 funding in the bill for the Industry Partnership Assistance Collaborative and instead adds it to the appropriation for the Maine Community College System's Maine Quality Centers for a total of \$1,000,000 in each year of the fiscal biennium. The Maine Quality Centers appropriation is consolidated to include use both for tuition assistance for individuals participating in workforce training and to match funding and contributions from participating businesses.

The amendment directs the Board of Trustees of the Maine Community College System to adopt necessary policies and procedures for the Maine Quality Centers, including consideration of at least five specific factors. It also requires program participants to use existing financial aid resources available through their sponsoring postsecondary education institution before using program resources, which may be used only for unmet expenses for tuition, fees or books.

Additionally, the amendment requires participating employers under the Put ME to Work Program to hire successful trainees at a rate at least \$2.50 per hour more than the minimum hourly wage rate as set in Maine statute and to pay incumbent worker trainees an hourly wage that meets or exceeds the median wage for that occupation as identified by the Center for Workforce Research and Information within the Department of Labor.

The amendment eliminates the provision of the bill that allows employers to make voluntary donations to the Competitive Skills Scholarship Fund.

This amended version of the bill was incorporated into the Biennial Budget, Public Law 2015, chapter 267, Part A, section A-11 and Part AAAA.

Committee Amendment "B" (H-443)

This amendment, which is the minority report of the committee, strikes the bill and replaces it with a workforce training program to be administered jointly by the Department of Labor and the State Workforce Investment Board.

The amendment replaces the requirement in the bill that participating businesses provide at least 50% of the cost of the program with a preference for such businesses when granting applications. Additionally, for industry partnership applicants, seven factors are also taken into account when reviewing applications.

The amendment requires participating employers to hire trainees at a rate at least \$2.50 per hour more than the state-mandated minimum hourly wage rate and to pay incumbent worker trainees with an hourly wage that meets or exceeds the median wage for that occupation as identified by the Center for Workforce Research and Information within the Department of Labor.

The amendment eliminates the \$100,000 funding per fiscal year in the bill for the Industry Partnership Assistance Collaborative and the \$900,000 per fiscal year funding in the bill for the Maine Community College System's Maine Quality Centers. Funding is instead directed to the State Workforce Investment Board at a level of \$500,000 in the first fiscal year and \$750,000 in the second fiscal year. This funding is to be used to match contributions of participating businesses and to support a portion of the cost of one Labor Program Specialist position to manage the

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Put ME to Work Program.

**LD 1384 An Act To Improve Workplace Safety by Simplifying and Improving
Employers' Substance Abuse Policy Requirements**

CARRIED OVER

Sponsor(s)
STETKIS

Committee Report

Amendments Adopted

This bill makes the following changes to the laws governing employment practices concerning substance abuse testing.

1. It specifies that employers may establish policies or rules related to the possession or use of substances of abuse by employees and for employee impairment by substances of abuse at the workplace.
2. It repeals a section of law that addresses nuclear power plants since there are no operating nuclear power plants in this State.
3. It authorizes an employer that has employees subject to a federally mandated substance abuse testing program to extend its federal drug testing activities to its entire workforce in order to maintain a single testing program and specifies that the employer must maintain the privacy protections that Maine statute affords all other Maine employees.
4. Current law prohibits a single work-related accident from forming the basis of probable cause to believe that an employee may be under the influence of a substance of abuse. This bill amends the law to provide that a single work-related accident that results in injury or significant property damage may be probable cause to suspect an employee is under the influence of a substance of abuse.
5. It eliminates the current requirement that, prior to establishing a substance abuse testing program, an employer with over 20 full-time employees have a functioning employee assistance program.
6. It directs the Commissioner of Labor to develop model policy templates with adequate flexibility so as to facilitate the ability of the employers' substance abuse testing programs and policies to meet the requirements of the Maine Revised Statutes, Title 26, chapter 7, subchapter 3-A to develop new policies or update existing policies.
7. It expands the number of establishments that can undertake companywide random substance abuse testing from those with 50 or more employees to those with 10 or more employees.
8. It eliminates the requirement that employers share an employee's rehabilitation costs not covered by group health insurance and clarifies that rehabilitation costs not covered by a group health insurance program are the responsibility of the employee.
9. It specifies that testing at the point of collection of saliva or urine is permissible for both applicants for employment and for employees.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

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LD 1388 An Act To Clarify the Used Car Information Laws

PUBLIC 167

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

This bill adds to the laws regarding used car information definitions of "livery service," "rideshare" and "vehicle history report." The bill also exempts a car dealer from liability for providing a consumer a vehicle service history report that the dealer did not prepare if the dealer also provides the consumer with a disclosure. Finally, this bill increases the minimum amount of damage required to be disclosed from \$2,000 to \$3,000.

Enacted Law Summary

Public Law 2015, chapter 167 adds to the laws regarding used car information definitions of "livery service," "rideshare" and "vehicle history report." The law also exempts a car dealer from liability for providing a consumer a vehicle service history report that the dealer did not prepare if the dealer also provides the consumer with a disclosure. In addition, the law increases the minimum amount of damage required to be disclosed from \$2,000 to \$3,000.

LD 1389 An Act To Conform Maine Law to Federal Law Regarding Closings and Mass Layoffs and To Strengthen Employee Severance Pay Protections

CARRIED OVER

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

This bill clarifies and strengthens the laws governing severance pay. It adds definitions for "closing," "mass layoff," "part-time employee," "employment loss" and "gross earnings." It provides that ambiguous language of an employer regarding the duration and nature of an employment loss may not be construed to prevent potential liability for payment of severance. The bill changes the circumstances that mitigate liability for severance pay by adding the closing of a covered establishment that is necessitated by the final order of a federal, state or local government agency, including an adjudication of bankruptcy. It amends the laws governing advance notice of a closing so they conform to the federal Worker Adjustment and Retraining Notification Act, also known as the WARN Act, 29 United States Code, Sections 2101 to 2109 (2014) and changes the designation of rules from major substantive to routine technical.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

LD 1393 An Act Regarding the Work Permitting Process for Minors

Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STETKIS	ONTP OTP-AM	

The purpose of this bill is to clarify the laws governing the employment of minors and to conform the State's laws to federal law, thus expanding work opportunities for minors.

1. It changes Maine law to conform to federal law, providing that minors who are younger than 14 years of age may

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be employed only in the planting, cultivating or harvesting of field crops, or other agricultural employment that does not place them in direct contact with hazardous machinery or hazardous substances.

2. It conforms to federal law the hours that minors who are 16 and 17 years of age may work, by extending the permissible time until which such a minor may work on a day preceding a school day from 10:15 pm to 11:00 pm.
3. It eliminates the prohibition on minors who are 16 and 17 years of age from working more than 10 hours in any day when the minor's school is not in session.
4. It eliminates the prohibition on minors under 16 years of age working more than 6 consecutive days.
5. It eliminates the prohibition on minors under 18 years of age working more than 50 hours per week when school is not in session.
6. It specifies that the restrictions on the hours of employment of minors does not apply to:
 - A. Agricultural employment that does not require direct contact with hazardous machinery or hazardous substances;
 - B. Employment or training as a theatrical actor or a film actor;
 - C. The taking or catching of lobsters, fish or other marine organisms, as long as the work does not require direct contact with hazardous machinery or hazardous substances; and
 - D. At a business that is solely owned by the minor's parent, as long as the work does not require direct contact with hazardous machinery or hazardous substances.
7. It specifies that superintendents of school administrative units issue work permits to minors and copy the Department of Labor, Bureau of Labor Standards; the bureau develops the blank permits, furnishes them to the superintendents and serves as a resource for superintendents regarding federal and state law.
8. It maintains the authority of the bureau to revoke work permits if state or federal law has been violated.
9. It repeals obsolete language dealing with triplicate permits and a master permit system.

Committee Amendment "A" (H-437)

This amendment, which is the minority report of the committee, strikes language in the bill giving the superintendent of a school administrative unit the authority to issue work permits to minors and instead retains the current law, which provides the issuing authority to the Department of Labor, Bureau of Labor Standards, subject to prior certification and approval from the superintendent of a school administrative unit.

**LD 1403 An Act To Require Licensed Mental Health Professionals To Receive
Training in Suicide Risk Assessment**

**Leave to Withdraw
Pursuant to Joint
Rule**

Sponsor(s)

MALABY

Committee Report

Amendments Adopted

This bill amends the laws governing the licensure renewal requirements for mental health clinicians, including professional counselors and social workers, to require six continuing education hours in suicide risk assessment and

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treatment of suicidal persons as a requirement for license renewal.

LD 1404 Resolve, Directing the Department of Professional and Financial Regulation To Conduct a Sunrise Review of the Proposal To License Court Reporters and Legal Recorders ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KATZ DION	ONTP	

This resolve requires the Commissioner of Professional and Financial Regulation to conduct an independent assessment pursuant to the sunrise review requirements in the Maine Revised Statutes of the proposal to license court reporters and legal recorders.

LD 1405 An Act To Amend the Licensing Laws of the Maine Fuel Board PUBLIC 169

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUSHING	OTP-AM	S-229

This bill amends the provisions of law regarding the Maine Fuel Board by:

1. Clarifying that there is a separate license and scope of practice for a master oil burner technician, master solid fuel technician, journeyman oil burner technician, journeyman solid fuel technician, apprentice oil burner technician and apprentice solid fuel technician;
2. Specifying that the installation, cleaning, repairing and servicing of pellet-fired central heating appliances is included within the scope of practice of oil burner technicians if that person holds a pellet-fired central heating appliances authority;
3. Removing the authority of the Maine Fuel Board to authorize pilot projects relating to emerging fuel fired heating technology; and
4. Upgrading the technical training required to obtain a propane and natural gas technician license.

Committee Amendment "A" (S-229)

This amendment strikes those sections of the bill that increase training requirements for propane and natural gas technician licenses.

Enacted Law Summary

Public Law 2015, chapter 169 amends the provisions of law regarding the Maine Fuel Board by:

1. Clarifying that there is a separate license and scope of practice for a master oil burner technician, master solid fuel technician, journeyman oil burner technician, journeyman solid fuel technician, apprentice oil burner technician and apprentice solid fuel technician;
2. Specifying that the installation, cleaning, repairing and servicing of pellet-fired central heating appliances is included within the scope of practice of oil burner technicians if that person holds a pellet-fired central heating appliances authority;

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- 3. Removing the authority of the Maine Fuel Board to authorize pilot projects relating to emerging fuel fired heating technology; and
- 4. Upgrading the technical training required to obtain a propane and natural gas technician license.

LD 1422 An Act To Allow Maine Residents To Personally Import Medications as Permitted under the Federal Food, Drug, and Cosmetic Act Died Between Houses

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

Under the Federal Food, Drug, and Cosmetic Act, the importation of unapproved new prescription drugs, including foreign-made versions of prescription drugs that have been approved by the federal Food and Drug Administration, is prohibited. However, the Food and Drug Administration has developed guidance that allows the personal importation of certain drugs.

This bill, using the guidance developed by the Food and Drug Administration, enacts the Maine Pharmaceutical Drug Safety Act to allow an individual in Maine to import prescription drugs from Canada or certain member countries of the European Union for use by that individual or a member of that individual's immediate family. The country from which the prescription drug is to be imported must meet specific criteria regarding regulation of its pharmacies and pharmacists, as determined by the United States Secretary of State. The prescription drug to be imported must also meet specific requirements. The importation of controlled substances and prescription drugs for sale or resale is specifically prohibited.

LD 1423 An Act To Expand Access to Workforce Development at Brunswick Landing Died On Adjournment

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GERZOFSKY HERBIG	ONTP OTP-AM	S-225

This bill provides ongoing General Fund appropriations of \$1,300,000 per year beginning in fiscal year 2015-16 to the Governor's Jobs Initiative Program to increase economic development and provide support for operations and key educational programs at the Maine Advanced Technology and Engineering Center at Brunswick Landing.

Committee Amendment "A" (S-225)

This amendment, which is the minority report of the committee, changes the bill by providing ongoing General Fund appropriations of \$1,300,000 per year, beginning in fiscal year 2015-16, directly to Southern Maine Community College to fund operations at its new Midcoast Campus at Brunswick Landing instead of directing the funding through the Governor's Jobs Initiative Program. The amendment also clarifies that funding will support public-private partnerships for academic programming and ensure student success through support services for workforce development.

This amended version of the bill was partially incorporated into the Biennial Budget, Public Law 2015, chapter 267, Part A, section A-11. Funding is reduced to one-time funding of \$410,982 in Fiscal Year 2015-16.

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LD 1431 An Act To Help Facilitate New Career Opportunities and Attract Major Private Investment

Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUSHING	ONTP OTP-AM	

The purpose of this bill is to improve Maine's overall competitiveness and ability to attract major private investment to the State by creating a mechanism for competing for major business expansion and creation projects, referred to as transformational business expansion projects, which are the construction, development, rehabilitation, expansion, modernization or acquisition of any building, structure, system, machinery, equipment or facility in a military redevelopment zone that has a projected cost of \$25,000,000 or more and the operation of which is projected to result in a net gain of at least 500 job opportunities. An applicant who is certified by the Commissioner of Economic and Community Development as a transformational business expansion project is eligible for the following incentives and benefits:

1. A 20-year corporate income tax credit that includes a 100% credit for the first 10 years that the project is in operation and a 50% credit for the next 10 years that the project is in operation;
2. A sales tax exemption and reimbursement for expenditures made for the project for up to 20 years;
3. An annual reimbursement for up to five years from the Efficiency Maine Trust for electric rates that exceed the national average industrial rate as determined by the United States Energy Information Administration and certified by the Public Utilities Commission;
4. Employment tax increment financing benefits for qualified investments. The reimbursement is equal to 80% of Maine income tax withheld each year for which reimbursement is requested and attributed to qualified employees for a period of no more than 10 years. For years of operation beginning after the 10th year until the 20th year, the certified applicant is eligible for a reimbursement of 50% of Maine income tax withheld each year for which reimbursement is requested. This benefit expires after December 31, 2034;
5. Access to a pool of up to \$400,000,000 in loans and up to \$100,000,000 in bond funding for transformational business expansion projects to provide long-term, credit-enhanced financing at taxable bond rates. Financing assistance for a single project may not exceed \$400,000,000;
6. Access to workforce development assistance, training and recruitment by the Commissioner of Economic and Community Development and the Commissioner of Labor, who are required to work with agencies across State Government involved in employment or skill training to identify and marshal financial resources to help a transformational business expansion project recruit and train workers; and
7. Access to the benefits available under the Governor's Jobs Initiative Program, including access to funds from the Competitive Skills Scholarship Program.

Additionally, this bill prohibits requiring a person, as a condition of employment or continuation of employment at a transformational business expansion project, to join a labor organization or pay any labor organization dues or fees and establishes, in a manner similar to laws governing the shipbuilding facility credit, a preference for Maine workers, companies and bidders as part of the contractual inducement for the qualified applicant to make a qualified investment and for the State to provide the incentives.

Committee Amendment "A" (S-255)

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This amendment, which is the minority report of the committee, clarifies that the Finance Authority of Maine retains its current authority to determine whether an applicant for long-term, credit-enhanced financing pursuant to the Maine Revised Statutes, Title 10, chapter 110, subchapter 3 may receive such financing. The amendment also adds an appropriations and allocations section.

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SUBJECT INDEX

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Enacted

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LD 1182	An Act To Exempt Certain Agricultural Buildings from the Maine Uniform Building and Energy Code	PUBLIC 126
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LD 1271	An Act To Protect Patients Who Need Eye Care	PUBLIC 173
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LD 1372	An Act To Encourage the Redevelopment of Upper Floors of Buildings in Downtowns and on Main Streets	PUBLIC 349
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LD 1388	An Act To Clarify the Used Car Information Laws	PUBLIC 167
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Not Enacted

LD 587	An Act Regarding Contract Indemnification	Died Between Houses
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LD 613	An Act To Allow Certain Businesses To Be Open on Easter Day, Thanksgiving Day and Christmas Day	Majority (ONTP) Report
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LD 757	An Act To Limit the Amount That May Be Retained on Construction Contracts	Veto Sustained
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LD 758	An Act To Clarify the Definition of "Personal Sports Mobile" for Purposes of the Laws Governing Personal Sports Mobile Dealerships	ONTP
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LD 855	An Act To Allow Grocery Stores under 10,000 Square Feet To Be Open on Sundays	Died Between Houses
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LD 869	An Act To Allow Dealers of Antique Autos To Be Open and Operate on Sundays	ONTP
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LD 976	An Act To Eliminate Unnecessary Regulatory Burdens on Motor Vehicle Dealer-to-dealer Transactions	ONTP
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LD 1051	An Act To Prohibit Fuel Temperature Compensation When Fuel is Dispensed to Outdoor Tanks	ONTP
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LD 1120	An Act To Repeal the Maine Uniform Building and Energy Code	ONTP
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Not Enacted

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LD 1393	An Act Regarding the Work Permitting Process for Minors	Died Between Houses

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Not Enacted

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LD 1351	An Act To Ensure that Membership of Public Employees in Unions is Voluntary	ONTP

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LD 422	An Act To Improve Access to Treatments for Lyme Disease	PUBLIC 235
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LD 1131	An Act To Create a Domestic Division within the Maine International Trade Center	ONTP
LD 1333	An Act To Ensure Economic Stability in Washington County	ONTP

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Enacted

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LD 767	An Act To Create Jobs in Aroostook and Washington Counties	PUBLIC 368
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LD 1332	An Act To Attract Entrepreneurs to the State	PUBLIC 362

Not Enacted

LD 163	An Act To Provide Economic Development Assistance to Rural Communities	ONTP
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LD 429	An Act To Modify the Disbursement from the Maine Economic Improvement Fund	CARRIED OVER
LD 803	Resolve, To Establish the Task Force To Develop Strategies To Protect Towns	ONTP
LD 961	An Act To Support Tourism Development in the City of Sanford	ONTP
LD 1132	An Act To Invest in Maine Companies	Died Between Houses
LD 1288	An Act To Attract Skilled Professionals and Young Families to Maine	ONTP
LD 1345	An Act To Provide Funding for Incubators for Business Start-ups	ONTP
LD 1358	An Act To Support Innovation and Entrepreneurship in Maine through the Start Maine Up Program	ONTP
LD 1364	An Act To Expand Opportunities for Economic Development in Maine	Died Between Houses
LD 1431	An Act To Help Facilitate New Career Opportunities and Attract Major Private Investment	Majority (ONTP) Report

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Enacted

LD 921	An Act To Strengthen the Right of a Victim of Sexual Assault or Domestic Violence To Take Necessary Leave from Employment and To Promote Employee Social Media Privacy	PUBLIC 343
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Not Enacted

LD 188	An Act To Protect Employees from Abusive Work Environments	Died Between Houses
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LD 445	An Act Regarding the Sick Days of an Employee Who Is Terminated While on Sick Leave	Died On Adjournment
LD 486	An Act To Require Adequate Rest Breaks for Employees	ONTP
LD 612	An Act To Require a Large Employer To Provide a Paper Paystub upon Request from an Employee	ONTP
LD 673	An Act To Help Prevent Age Discrimination	ONTP
LD 960	An Act To Support Family Caregivers in the Workforce	Died Between Houses
LD 1011	An Act To Address Drug Testing in the Workplace and the Effect of Approved Substances on Current Drug Policy	Leave to Withdraw
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LD 1157	An Act To Protect Preemployment Credit Privacy	Died Between Houses
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LD 1217	An Act To Require at Least 2 Weeks' Advance Notice of the Work Schedule for Hourly Employees at Certain Businesses	ONTP
LD 1384	An Act To Improve Workplace Safety by Simplifying and Improving Employers' Substance Abuse Policy Requirements	CARRIED OVER
LD 1389	An Act To Conform Maine Law to Federal Law Regarding Closings and Mass Layoffs and To Strengthen Employee Severance Pay Protections	CARRIED OVER

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Not Enacted

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LD 443	An Act To Help Stabilize Homeless Shelters and Shelters for Victims of Human Trafficking in Maine	Died On Adjournment
LD 937	An Act Regarding Residential Drinking Water Arsenic Testing	INDEF PP

LD 1062	An Act To Support Housing for Homeless Veterans	CARRIED OVER
LD 1188	An Act To Implement a Rental Assistance Program for Low-income Households and Individuals	ONTP

Individuals with Disabilities Employment

Enacted

LD 1199	An Act To Clarify the Laws Governing the Bureau of Rehabilitation Services	PUBLIC 141
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Not Enacted

LD 1240	An Act To Phase Out the Payment of Subminimum Wages to Workers with Disabilities	CARRIED OVER
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Insurance

Not Enacted

LD 717	An Act To Establish the Maine Paid Family Leave Insurance Program	Leave to Withdraw
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Labor Relations

Not Enacted

LD 404	An Act To Prohibit Public Employers from Acting as Collection Agents for Labor Unions	Majority (ONTP) Report
LD 489	An Act To Ensure the Right To Work without Payment of Dues or Fees to a Labor Union as a Condition of Employment	Majority (ONTP) Report
LD 530	An Act To Improve Public Sector Collective Bargaining Laws	Died Between Houses
LD 1319	An Act To Ensure That Wages and Benefits of Maine State Employees Serve a Public Purpose	Majority (ONTP) Report
LD 1353	An Act To Prohibit Mandatory Membership in a Union or Payment of Agency Fees as a Condition of Employment	ONTP

Miscellaneous

Not Enacted

LD 9	An Act To Retain Call Centers in Maine	Majority (ONTP) Report
LD 674	An Act To Support Maine's Working Families	CARRIED OVER
LD 1015	An Act To Require Large Employers To Report Compensation Information	Died Between Houses
LD 1422	An Act To Allow Maine Residents To Personally Import Medications as Permitted under the Federal Food, Drug, and Cosmetic Act	Died Between Houses

Occupational and Professional Regulation

Enacted

LD 91	An Act To Allow Dental Hygienists To Prescribe Fluoride Dentifrice and Antibacterial Rinse	PUBLIC 326
LD 294	An Act To Allow a Home Heating Oil Delivery Driver To Bleed a Home Heating Oil Burner	PUBLIC 207
LD 488	An Act To Expand the Scope of Practice for Denturists	PUBLIC 155
LD 814	An Act To Update the Maine Veterinary Practice Act	PUBLIC 209
LD 830	An Act To Eliminate the Dual Licensing of Physician Assistants	PUBLIC 242
LD 834	An Act To Clarify the Use of "M.D." To Represent Achievement of a Graduate Degree by an Individual Not Licensed To Practice Medicine in Maine	PUBLIC 270
LD 847	An Act To Permit Hair Braiding without a Barbering or Cosmetology License	PUBLIC 132 EMERGENCY
LD 918	An Act To Allow Licensed Independent Practice Dental Hygienists To Expose and Process Radiographs under Protocols Developed by the Board of Dental Examiners	PUBLIC 2 EMERGENCY
LD 952	An Act Regarding the Licensure of Funeral Service Providers	PUBLIC 246
LD 1009	An Act To Benefit the Education of Denturism Students	PUBLIC 192
LD 1028	An Act To Amend the Laws Concerning the Registration of Professional Engineers	PUBLIC 228 EMERGENCY
LD 1039	An Act To Amend the Polygraph Examiners Act	PUBLIC 316
LD 1156	An Act Regarding the Board of Dental Examiners	PUBLIC 135 EMERGENCY
LD 1218	An Act Regarding the Administration of Vaccines by Pharmacists	PUBLIC 211
LD 1405	An Act To Amend the Licensing Laws of the Maine Fuel Board	PUBLIC 169

Not Enacted

LD 61	An Act To Require Tattoo Practitioners To Be at Least 18 Years of Age	ONTP
LD 121	Resolve, Directing the Department of Professional and Financial Regulation To Conduct a Sunrise Review of the Proposal To License Certain Mechanical Trades	Died Between Houses
LD 141	An Act To Amend the Definition of "Health Care Practitioner" in the Maine Health Security Act To Include Pharmacists	Majority (ONTP) Report
LD 187	Resolve, To Expand Dental Care in the State by Extending the Pilot Program for Dental Hygienists	ONTP
LD 250	An Act To Amend the Laws Regarding Dealers in Secondhand Precious Metals	ONTP
LD 277	An Act To License Polysomnography	ONTP

LD 361	An Act To Allow Licensed Dental Professionals To Own Dental Practices	Majority (ONTP) Report
LD 362	An Act To Require Dentists To Disclose the Cost and Origin of Off-site Laboratory Services	ONTP
LD 540	An Act To Improve Access to Dental Care through the Establishment of the Maine Board of Oral Health	Majority (ONTP) Report
LD 671	An Act To Allow Independent Practice Dental Hygienists To Take X-rays	ONTP
LD 690	An Act To Ensure the Safety of Home Birth	CARRIED OVER
LD 895	Resolve, Directing the Real Estate Commission To Convene a Stakeholder Group on Real Estate Licensure Requirements	Veto Sustained
LD 970	An Act Regarding Advanced Practice Registered Nurse Requirements	Died Between Houses
LD 984	An Act To Authorize the Dispensing of Eyeglasses with an Expired Prescription	ONTP
LD 1109	An Act To Facilitate the Completion of Training by Certain Cosmetology Students	ONTP
LD 1158	An Act To Improve the Ability of Mental Health Professionals To Assess the Risk of Suicide	Majority (ONTP) Report
LD 1187	An Act To Specify the Record-keeping Requirements for Social Workers	ONTP
LD 1210	Resolve, Directing the Department of Professional and Financial Regulation To Study the Dental Practice Laws and Recommend Changes To Streamline the Licensure and Scope of Practice Provisions	Veto Sustained
LD 1211	An Act To Provide Rule-making Powers and Increased Authority over Dental Hygienists to the Subcommittee on Dental Hygienists	Majority (ONTP) Report
LD 1403	An Act To Require Licensed Mental Health Professionals To Receive Training in Suicide Risk Assessment	Leave to Withdraw
LD 1404	Resolve, Directing the Department of Professional and Financial Regulation To Conduct a Sunrise Review of the Proposal To License Court Reporters and Legal Recorders	ONTP

Occupational Safety

Enacted

LD 699	An Act To Update Maine Law To Conform to New Federal Occupational Safety and Health Administration Regulations	PUBLIC 138 EMERGENCY
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Not Enacted

LD 1165	An Act To Enact the Toxic Chemicals in the Workplace Act	Died Between Houses
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Prevailing Wage and Benefits

Not Enacted

LD 117	An Act To Require the Prevailing Wage To Be Paid on All Public Works Projects for Which State Funding Is Used	Died Between Houses
LD 248	An Act To Provide Flexibility to the Application of the State Prevailing Wage and Benefit Rates	ONTP

Retirement

Enacted

LD 164	An Act To Establish the Maine Length of Service Award Program	PUBLIC 352
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Not Enacted

LD 768	An Act To Create a Public Option Pension System	ONTP
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Unemployment Compensation

Enacted

LD 701	An Act To Modify Unemployment Insurance Successor Law	PUBLIC 107
LD 702	An Act To Clarify Filing Methods for Quarterly Payroll Reports	PUBLIC 39

Not Enacted

LD 675	An Act To Protect Earned Pay	Died Between Houses
LD 1137	An Act To Promote Reemployment of Unemployed Workers	CARRIED OVER
LD 1371	An Act To Encourage Greater Efficiency in the Unemployment Insurance System	Died Between Houses

Wages

Not Enacted

LD 36	An Act To Increase the Minimum Wage	ONTP
LD 52	An Act To Adjust Maine's Minimum Wage	ONTP
LD 72	An Act To Increase the Minimum Wage	ONTP
LD 77	An Act To Raise the Minimum Wage	ONTP
LD 92	An Act To Increase the Minimum Wage to \$8.00 per Hour	Died Between Houses
LD 403	An Act To Eliminate the Exception from Minimum Wage Laws for Workers Who Receive Tips	ONTP
LD 487	An Act To Provide for an Increase in the Minimum Wage	ONTP
LD 562	An Act To Protect Casino Workers	ONTP
LD 739	Resolve, To Establish a Working Group To Evaluate the Benefits and Detriments of Increasing the Minimum Wage	ONTP

LD 843	An Act To Raise the Minimum Wage and Index It to the National Average Wage	ONTP
LD 1361	An Act To Promote Minimum Wage Consistency	Died Between Houses

Workers' Compensation

Enacted

LD 125	An Act Extending Workers' Compensation Benefits to Certain Employees of the Office of the State Fire Marshal Who Contract Cancer	PUBLIC 373
LD 1119	An Act To Amend the Laws Governing the Filing of Wage Statements and Other Laws under the Maine Workers' Compensation Act of 1992	PUBLIC 297

Not Enacted

LD 81	An Act To Amend the Workers' Compensation Laws as They Pertain to Employee Representation	Died Between Houses
LD 301	An Act To Improve Insurance Coverage for First Responders Answering a Call to Duty	Died Between Houses
LD 698	An Act To Establish a Presumption of Impairment in the Line of Duty for Corrections Officers under the Workers' Compensation Laws	ONTP
LD 974	An Act To Provide Compensation to a Corrections Officer Injured by a Patient or Prisoner	ONTP
LD 1195	An Act To Amend the Laws Governing Workers' Compensation	ONTP

Workforce Investment

Enacted

LD 700	An Act Regarding the Industry Partnership Assistance Collaborative's Grant Program	PUBLIC 156
LD 856	An Act To Amend the Competitive Skills Scholarship Program To Allow for Participation in Early College and Career and Technical Education Programs	PUBLIC 257

Not Enacted

LD 979	Resolve, To Provide for Workforce Development in the Forest Products Industry	Majority (ONTP) Report
LD 1373	An Act To Create the Put ME To Work Program	INDEF PP
LD 1423	An Act To Expand Access to Workforce Development at Brunswick Landing	Died On Adjournment