

STATE OF MAINE  
128<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON LABOR, COMMERCE,  
RESEARCH AND ECONOMIC DEVELOPMENT**

August 2017

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

**LD 13      An Act To Require Certain Licensing Boards To Report Cases of Sexual Abuse of a Patient or Client by a Licensee to a Law Enforcement Agency or the Department of Health and Human Services      ONTP**

| <u>Sponsor(s)</u>   | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| ESPLING E<br>VOLK A | ONTP                    |                           |

This bill requires the Board of Osteopathic Licensure, the Board of Licensure in Medicine, the State Board of Social Worker Licensure, the Board of Counseling Professionals Licensure and the Board of Dental Practice to report to a law enforcement agency or the Department of Health and Human Services known or suspected incidents of sexual abuse of a client or patient by a professional regulated by the board or by an assistant to a professional regulated by the board.

**LD 22      An Act To Repeal the Requirement That Municipalities License Roller-skating Rinks      PUBLIC 12**

| <u>Sponsor(s)</u>   | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| TURNER B<br>MAKER J | OTP                     |                           |

This bill repeals the statute that requires municipal officers to license roller-skating rinks and that makes it a civil offense to operate a roller-skating rink without a license from the municipality where the rink is located.

**Enacted Law Summary**

Public Law 2017, chapter 12 repeals the statute that requires municipal officers to license roller-skating rinks and that makes it a civil offense to operate a roller-skating rink without a license from the municipality where the rink is located.

**LD 37      An Act To Provide a Career and Technical Education Training Option for Plumbers      PUBLIC 4**

| <u>Sponsor(s)</u>        | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------------|-------------------------|---------------------------|
| MILLETT R<br>KORNFIELD T | OTP-AM                  | S-3                       |

This bill allows a person who has completed a plumbing course as a secondary student at an approved career and technical education program and who has passed the journeyman licensing examination to obtain a journeyman-in-training license from the Plumbers' Examining Board.

**Committee Amendment "A" (S-3)**

This amendment makes technical corrections to provide consistency in the statutory language governing the qualifications for obtaining a journeyman-in-training plumbing license.

**Enacted Law Summary**

Public Law 2017, chapter 4 allows a person who has completed a plumbing course as a secondary student at an approved career and technical education program and who has passed the journeyman licensing examination to obtain a journeyman-in-training license from the Plumbers' Examining Board.

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

**LD 65      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 L<br>CUSHING A | ONTP<br>OTP-AM          |                           |

This bill prohibits a person, either in the public or private sector, 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-466)**

This amendment provides funding for one part-time Assistant Attorney General position and one part-time Detective position to investigate and prosecute violations concerning the right to refrain from joining a union.

This amendment was not adopted.

**LD 66      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 L<br>DAVIS P | ONTP<br>OTP             |                           |

This bill prohibits a public employer from collecting service fees or member dues owed by an employee to a collective bargaining agent pursuant to a lawful collective bargaining agreement. Current law expressly allows a public employer to take this deduction without signed authorization from the public employee. This bill also eliminates language from the election statutes that exempts a public employer from the Class C crime of misuse of a state government computer system for deducting dues or other funds from an employee's pay and remitting those funds to the employee's collective bargaining agent.

**LD 67      An Act To Improve Insurance Coverage for First Responders Answering a Call to Duty      Accepted Minority (ONTP) Report**

| <u>Sponsor(s)</u>  | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| DEVIN M<br>BREEN C | OTP-AM<br>ONTP          |                           |

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. It also prohibits an insurer or employer providing self-insurance from limiting benefits for such emergency first responders to personal injuries that occur after the emergency first responder begins travelling on a public way.

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**Committee Amendment "A" (H-43)**

This amendment, which is the majority report, replaces the bill with a resolve directing the Workers' Compensation Board to study shortcomings in workers' compensation insurance coverage for emergency first responders and to report its findings and proposed solutions to the joint standing committee by December 15, 2017. The joint standing committee has authority to report out a bill in response to this report in the Second Regular Session of the 128th Legislature. The amendment also adds an appropriations and allocations section.

This amendment was not adopted.

**LD 84      An Act To Clarify the Contracts Used for Automobile Sales      ONTP**

| <u>Sponsor(s)</u>          | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------------|-------------------------|---------------------------|
| MIRAMANT D<br>MASTRACCIO A | ONTP                    |                           |

This bill requires a motor vehicle dealer to provide a buyer of a motor vehicle with a plain language written summary explaining: the vehicle purchase price; each charge, tax and fee pertinent to the agreement; all interest and other financing costs to be paid pursuant to a financing agreement with or facilitated by the dealer; and the total of all costs, including the total cost over the life of a financing agreement with or facilitated by the dealer. If the dealer fails to obtain the buyer's written acknowledgment on the summary, the sales agreement is void and the buyer may recover all of his or her costs from the dealer.

**LD 86      An Act To Protect Worker Wages and Benefits      INDEF PP**

| <u>Sponsor(s)</u>       | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------------|-------------------------|---------------------------|
| MIRAMANT D<br>KUMIEGA W | OTP<br>ONTP             |                           |

Current law provides that an employee whose employment has ceased is entitled to earned wages from the employer, including unused vacation time when paid vacation was included in the terms of employment, upon a reasonable time after that employee makes a demand for such payment from the employer, and that the employee may bring a civil action against an employer that does not comply with this requirement.

This bill eliminates the requirement that the employee make a demand for the earned compensation with the employer. Instead, earned wages must be paid by the employer within a reasonable amount of time after the cessation of employment, regardless of whether the employee has made a demand for the wages.

**LD 114      An Act To Increase the Number of Suboxone Prescribers      ONTP**

| <u>Sponsor(s)</u>    | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| MADIGAN C<br>BREEN C | ONTP                    |                           |

This bill requires all osteopathic and allopathic physicians and physician assistants whose scope of practice includes prescribing opioid medication to apply to the federal Drug Enforcement Administration for authority to treat opioid dependency using buprenorphine products. The bill also requires the Department of Health and Human Services to increase reimbursement rates under the MaineCare program for buprenorphine-medication-assisted substance abuse

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treatment including prescriptions and accompanying services by 30% no later than January 1, 2018.

**LD 130      An Act To Provide Funding for Costs Associated with Requiring the Licensing of Midwives**

**Died On Adjournment**

| <u>Sponsor(s)</u>   | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| VOLK A<br>ESPLING E | OTP-AM                  | S-9                       |

This bill includes Other Special Revenue Funds allocations totaling \$76,365 in fiscal year 2017-18 and \$26,985 in fiscal year 2018-19 to the Department of Professional and Financial Regulation for the costs associated with requiring individuals practicing midwifery in the State to be licensed by January 1, 2020.

This bill also includes corresponding transfers of funds from the General Fund unappropriated surplus to the Licensing and Enforcement, Other Special Revenue Funds account within the Department of Professional and Financial Regulation in fiscal years 2017-18, 2018-19 and 2019-20 to support these costs.

**Committee Amendment "A" (S-9)**

This amendment eliminates the transfers of funds from the General Fund unappropriated surplus to the Licensing and Enforcement, Other Special Revenue Funds account within the Department of Professional and Financial Regulation in fiscal years 2018-19 and 2019-20 due to anticipated licensing fee revenues from the licensure of individuals practicing midwifery in the State. This amendment also reduces the Other Special Revenue Funds allocations in fiscal years 2017-18 and 2018-19 to the Department of Professional and Financial Regulation based on decreased estimates of the costs of the Board of Complementary Health Care Providers associated with establishing the new licensing requirements.

The revised appropriations and allocations in this amendment are based on an assumption that the Board of Complementary Health Care Providers will be ready to accept and process applications for licensure of individuals practicing midwifery during fiscal year 2017-18 and that 20 individuals will submit applications and fees before June 30, 2018. This amendment also assumes that an additional 16 midwives will apply for licensure in fiscal year 2018-19. The resulting licensing fees will increase dedicated revenues to the Board of Complementary Health Care Providers by an estimated \$13,920 in fiscal year 2017-18 and an estimated \$24,636 in fiscal year 2018-19.

The substance of this bill was included in Part VVVVVV of the Biennial Budget, Public Law 2017, chapter 284 (LD 390).

**LD 132      An Act To Authorize Podiatrists To Perform Certain Routine Procedures**

**PUBLIC 14**

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

This bill amends the definition of "practice of podiatric medicine" to authorize a podiatrist to take the medical histories of and perform physical examinations of the podiatrist's preoperative patients.

**Enacted Law Summary**

Public Law 2017, chapter 14 amends the definition of "practice of podiatric medicine" to authorize a podiatrist to take the medical histories of and perform physical examinations of the podiatrist's preoperative patients.

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**LD 148      An Act To Allow Overhead Garage Door Installers To Install and Repair Dumbwaiters      ONTP**

| <u>Sponsor(s)</u>    | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| CAMPBELL R<br>DILL J | ONTP                    |                           |

This bill allows individuals and companies that install or service overhead garage doors or openers to also install and repair dumbwaiters that are used only for the transportation of inanimate goods without being licensed or registered by the Elevator and Tramway Safety Program.

**LD 163      An Act To Strengthen the Enforcement of Maine's Labor Laws      ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| TUCKER R          | ONTP                    |                           |

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

This bill proposes to enact measures designed to strengthen the enforcement of Maine's laws governing labor and employment.

**LD 165      An Act To Provide Matching Funds for Federal Community Development Block Grants      Died Between Houses**

| <u>Sponsor(s)</u>   | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| MADIGAN J<br>KEIM L | OTP-AM<br>ONTP          |                           |

This bill provides one-time funds to match federal funds that are distributed as grants to local units of government for community projects in areas ranging from infrastructure, housing and downtown revitalization to public facilities and economic development.

**Committee Amendment "A" (H-16)**

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

**LD 285      An Act To Provide Funding for the Maine Coworking Development Fund      CARRIED OVER**

| <u>Sponsor(s)</u>     | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| FECTEAU R<br>CYRWAY S | OTP-AM<br>ONTP          | H-114                     |

This bill provides one-time funds to the Department of Economic and Community Development to support collaborative workspace businesses.

**Committee Amendment "A" (H-114)**

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

This bill was reported out of committee and then carried over to the next special or regular session of the 128th Legislature on the Special Appropriations Table by joint order, S.P. 601.

**LD 313      An Act To Amend the Laws Governing Prior Employees of the Workers' Compensation Board      PUBLIC 29**

| <u>Sponsor(s)</u>      | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|------------------------|-------------------------|---------------------------|
| CUSHING A<br>STEWART H | OTP-AM                  | S-23                      |

Under current law, an advocate or advocate attorney employed by the Workers' Compensation Board may not represent before the board any insurer, self-insurer or third-party administrator for two years after terminating employment with the board. This bill repeals that prohibition.

**Committee Amendment "A" (S-23)**

This amendment replaces the bill and changes the period for which a former advocate or advocate attorney with the Workers' Compensation Board must refrain from representing before the board any insurer, self-insurer or third-party administrator from two years to one year. The amendment also eliminates this restriction for any person who has worked for four or more years as an advocate or attorney advocate.

**Enacted Law Summary**

Public Law 2017, chapter 29 changes the period for which a former advocate or advocate attorney with the Workers' Compensation Board must refrain from representing before the board any insurer, self-insurer or third-party administrator from two years to one year and it eliminates this restriction for any person who has worked for four or more years as an advocate or attorney advocate.

**LD 367      An Act To Implement the Recommendations of the Government Oversight Committee To Develop a Long-range Strategic Plan for Economic Improvement in the State      CARRIED OVER**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
|                   | OTP-AM                  | H-493                     |

This bill provides additional clarity, requirements and resources for the Maine Economic Growth Council's efforts to fulfill its current statutory mandate to develop, monitor and maintain a long-range strategic economic improvement plan for the State. It also includes provisions to support the State's achievement of the goals and objectives in that plan by establishing requirements for the Governor, Legislature and agencies with relevant programs and activities to consider the long-range strategic economic improvement plan and provide information to the Maine Economic Growth Council at the request of the council. This bill would increase the annual General Fund appropriation to the Maine Economic Growth Council from its current \$55,000 to \$175,000 and would provide a one-time additional appropriation of \$150,000 for development of the initial plan in order to meet the timelines required in this bill.

**Committee Amendment "A" (H-493)**

This amendment makes the following changes to the bill.

1. It specifies that membership of the Maine Economic Growth Council must include members with expertise in both large and small business.

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2. It adds educational and science and technology factors to the list of factors that must be addressed by the long-range strategic economic improvement plan.
3. It adds a requirement that the Maine Economic Growth Council must consider the impact of tax policy, energy costs and regulation on competitiveness, the demographic composition of the State's workforce and the optimization of the return on investment in the State when developing the plan.
4. It adds a requirement that the plan include goals and objectives that support economic opportunity for all people in the State and that the plan include actions to accomplish plan benchmarks based upon the best practices in this State, other states and other countries.
5. It authorizes the joint standing committee of the Legislature having jurisdiction over economic development matters to submit to the Legislature any bill it considers necessary to improve the required elements of the strategic plan or the process through which it is developed, maintained or communicated.
6. It directs the Maine Economic Growth Council to develop by January 15, 2018, proposed review criteria suitable for use by the joint standing committees of the Legislature when the committees are considering legislative proposals that may affect the plan developed by the council. The Joint Standing Committee on Labor, Commerce, Research and Economic Development may report out a bill to the Second Regular Session of the 128th Legislature based on the report.

This bill was reported out of committee and then carried over to the next special or regular session of the 128th Legislature on the Special Appropriations Table by joint order, S.P. 601.

**LD 441      An Act To Require Certification under the United States Environmental      Died Between  
Protection Agency's Lead Renovation, Repair and Painting Rule      Houses**

| <u>Sponsor(s)</u>   | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| LIBBY N<br>PIERCE J | OTP-AM<br>ONTP          |                           |

This bill requires the on-site presence of a person certified by the United States Environmental Protection Agency under the federal renovation, repair and painting rule when the following activities are contracted for on a building constructed before 1978: painting, remodeling, maintenance or repair activities. The bill also requires persons performing maintenance on a multi-unit residential building, the owner of which receives public money in the form of a housing subsidy or voucher, to be certified by the United States Environmental Protection Agency.

### **Committee Amendment "A" (S-38)**

This amendment, which is the majority report of the committee, replaces the bill and requires all individuals and business entities that renovate housing constructed prior to 1978 to comply with the United States Environmental Protection Agency's renovation, repair and painting rule, 40 Code of Federal Regulations, Part 745, Subpart E (2016). The amendment also requires the Commissioner of Environmental Protection to prepare guidance materials to explain the renovation, repair and painting rule's requirements.

In addition, the amendment provides a \$100,000 annual appropriation to the Department of Environmental Protection to provide grants to up to 250 individuals and business entities each year to offset the costs associated with obtaining certification from the United States Environmental Protection Agency to engage in renovation of housing constructed prior to 1978. The amendment also adds an appropriations and allocations section to provide funding for the staff necessary to administer the grant program.



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This amendment was not adopted.

**LD 456      An Act To Increase Access to Vaccinations**

**Died On  
Adjournment**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| CHACE P           | ONTP<br>OTP-AM          | H-208<br>S-263 BELLOWS S  |

This bill allows pharmacists to administer vaccines on the recommended vaccination schedule to a person 11 years of age and older, instead of 18 years of age and older as in current law, if the patient has a valid prescription from an authorized Maine practitioner or the pharmacist has a written standing order from an authorized practitioner in this State.

The bill also authorizes pharmacists to provide vaccines to adults based on a written standing order or treatment protocol that the pharmacist has with a practitioner in this State, even in circumstances where the adult has a preexisting relationship with a primary care physician or nurse practitioner.

**Committee Amendment "A" (H-208)**

This amendment, which is the minority report of the committee, replaces the bill and reorganizes the law that allows pharmacists to administer vaccines other than the influenza vaccine. Under the amendment, pharmacists may administer booster vaccines listed on the United States Centers for Disease Control and Prevention's recommended immunization schedule to a person 11 years of age or older and under 18 years of age according to a valid prescription from the person's primary care physician or nurse practitioner as long as the pharmacist notifies the prescriber of the administration within three business days.

This amendment also authorizes pharmacists to administer vaccines on the recommended immunization schedule to adults according to a valid prescription, treatment protocol or written standing order from an authorized practitioner in this State. This amendment retains the requirement in current law that a pharmacist may not administer a vaccine that is not on the recommended immunization schedule unless the adult seeking the vaccine has a valid prescription stating that the vaccine is medically necessary.

**House Amendment "A" To Committee Amendment "A" (H-335)**

This amendment requires that a pharmacist who administers a vaccine to a person who is under 18 years of age report the administration of that vaccine to the Maine Center for Disease Control and Prevention for inclusion in the immunization information system referred to as "ImmPact."

This amendment was not adopted.

**Senate Amendment "B" To Committee Amendment "A" (S-263)**

This amendment is identical to House Amendment "A" to Committee Amendment "A" except that this amendment also adds an appropriations and allocations section to fund the costs to the Department of Health and Human Services, Maine Center for Disease Control and Prevention of having to collect the information provided to it by pharmacists. This fiscal information was provided to the Office of Fiscal and Program Review after House Amendment "A" was produced.

This amendment was not adopted.

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

**LD 466      An Act To Protect Employees from Abusive Work Environments**

**ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| JACKSON T         | 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.

**LD 487      An Act To Promote Keeping Workers in Maine**

**Died Between  
Houses**

| <u>Sponsor(s)</u>      | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|------------------------|-------------------------|---------------------------|
| SCHNECK J<br>BELLOWS S | OTP-AM<br>ONTP          |                           |

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

This bill proposes to regulate the use of so-called noncompete agreements, which are contracts entered into by an employee prohibiting the employee from working in the same or a similar profession within a time certain after leaving employment with the employer and within a specified geographical area. This bill would restrict the use of noncompete agreements by public and private employers by:

1. Prohibiting their use for low-wage employees;
2. Requiring employers to include in any advertisement for a job a statement that the person hired will be required to sign a noncompete agreement;
3. Requiring employers to notify prospective employees of the noncompete requirement and provide a copy of the noncompete agreement before extending a job offer;
4. Requiring employers to provide additional compensation to those employees who agree to sign a noncompete agreement;
5. Restricting the use of noncompete agreements to those situations when they are necessary to protect trade secrets or confidential information held by that employer;
6. Limiting the duration of noncompete agreements so that they would have to be renegotiated and agreed to after a certain period of time; and
7. Allowing an employee harmed by the unlawful use of a noncompete agreement to bring suit against the employer and, if the employee prevails, be awarded damages, attorney's fees and court costs.

**Committee Amendment "A" (H-49)**

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This amendment is the majority report of the committee. It replaces the bill and prohibits an employer from requiring or entering into a so-called noncompete agreement with an employee earning wages that are at or below 300% of the federal poverty level. A noncompete agreement is defined as a contract or contract provision that prohibits an employee or prospective employee from working in the same or similar profession or in a specified geographic area for a certain period of time following termination of employment. If an employer requires a noncompete agreement for a position of employment, the employer must disclose that requirement in any advertisement for that position, and an employer must provide an employee or prospective employee with a copy of a noncompete agreement at least three business days before requiring that employee or prospective employee to sign the agreement. The terms of a noncompete agreement, except for a noncompete agreement with a physician, are not in effect until after an employee has been employed with the employer for at least one year or a period of six months has passed, whichever is later. An employer that violates this law commits a civil violation for which a fine of not less than \$5,000 may be adjudged. The Department of Labor is responsible for enforcement of the law. The amendment also adds an appropriations and allocations.

This amendment was not adopted.

**LD 488      An Act To Provide for Municipalities To Allow Grocery Stores up to 10,000 Square Feet To Open on Thanksgiving, Easter and Christmas      Veto Sustained**

| <u>Sponsor(s)</u>   | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| GILLWAY J<br>VOLK A | OTP<br>ONTP             |                           |

This bill allows a municipality to enact an ordinance allowing grocery stores with up to 10,000 square feet of interior customer selling space to be open on Easter Day, Thanksgiving Day and Christmas Day.

**LD 489      An Act To Ensure Firefighters Receive Cancer Treatment Pursuant to the Maine Revised Statutes, Title 39-A      ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| SEAVEY S          | ONTP                    |                           |

Under current law, there is a rebuttable presumption that if a firefighter meeting certain requirements contracts cancer, the cancer was contracted in the course of that employment and as a result of that employment. This bill amends that provision of law to establish the presumption as conclusive, rather than rebuttable.

**LD 490      An Act To Exempt Chiropractic Assistants from Being Required To Hold Licenses as Radiographers, Nuclear Medicine Technologists or Radiation Therapists      ONTP**

| <u>Sponsor(s)</u>       | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------------|-------------------------|---------------------------|
| WADSWORTH N<br>HAMPER J | ONTP                    |                           |

Under current law, dental hygienists are not required to be licensed under the laws governing radiography to take x-rays. This bill provides the same exemption to chiropractic assistants.

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

**LD 503      An Act To Continue the Doctors for Maine's Future Scholarship Program**

**CARRIED OVER**

| <u>Sponsor(s)</u>    | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| KATZ R<br>HYMANSON P | OTP-AM<br>ONTP          | S-31                      |

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

This bill proposes to make a one-time General Fund appropriation in fiscal year 2018-19 to the Finance Authority of Maine for the establishment of an endowment to continue the Doctors for Maine's Future Scholarship Program under the Maine Revised Statutes, Title 20-A, section 12103-A.

**Committee Amendment "A" (S-31)**

This amendment is the majority report of the committee. This amendment replaces the bill, which is a concept draft, and provides for a one-time General Fund appropriation of \$16,000,000 to establish an endowment to continue the Doctors for Maine's Future Scholarship Program under the Maine Revised Statutes, Title 20-A, section 12103-A.

The funding requested in this bill was partially provided in Part LLLLLLL of the Biennial Budget, Public Law 2017, chapter 284 (LD 390), which requires the State Controllor to make one payment of \$400,000 by June 30, 2018 and a second payment of \$400,000 by June 30, 2019 from the General Fund unappropriated surplus to the Finance Authority of Maine to be deposited in the Doctors for Maine's Future Scholarship Fund. To offset the funds deposited in the Doctor's For Maine's Future Scholarship Fund, Part LLLLLLL requires that \$320,000 from the Board of Licensure in Medicine's Other Special Revenue Funds account and \$80,000 from the Board of Osteopathic Licensure's Other Special Revenue Funds account be transferred to the General Fund unappropriate surplus by June 30, 2018 and that a second set of identical transfers be made by June 30, 2019.

This bill was reported out of committee and then carried over to the next special or regular session of the 128th Legislature on the Special Appropriations Table by joint order, S.P. 601.

**LD 538      An Act To Allow Advanced Practice Registered Nurses Who Have Attained Certain Degrees To Use the Title of Doctor**

**Accepted Majority (ONTP) Report**

| <u>Sponsor(s)</u>  | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| PERRY A<br>MAKER J | ONTP<br>OTP-AM          |                           |

This bill permits an advanced practice registered nurse who has attained a doctor of nursing practice degree to use the prefix "Doctor" or "Dr." as long as the suffix "DNP" follows the person's name and an advanced practice registered nurse who has attained a doctor of philosophy in nursing degree to use the prefix "Doctor" or "Dr." as long as the suffix "Ph.D." follows the person's name.

**Committee Amendment "A" (H-50)**

This amendment is the minority report of the committee and strikes and replaces the bill. The amendment retains the language of the bill, which allows an advanced practice register nurse to use the prefix "Doctor" or "Dr.," but moves the language to the existing statute that authorizes other licensed professionals to use the prefixes "Doctor" and "Dr."

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

This amendment was not adopted.

**LD 554      An Act To Require Paid Parental Leave for Employees**

**ONTP**

| <u>Sponsor(s)</u>    | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| CASAS O<br>BELLOWS S | ONTP                    |                           |

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

This bill proposes to require employers to create a parental leave policy to provide certain full-time employees who become parents through child birth or adoption with additional flexibility and time to be with their new children, adjust to new family situations and balance professional obligations. Employees who are eligible under the federal Family and Medical Leave Act would be entitled to paid parental leave, with certain exceptions and restrictions.

**LD 563      An Act To Protect Earned Pay**

**Died On  
Adjournment**

| <u>Sponsor(s)</u>   | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| HERBIG E<br>MAKER J | OTP-AM<br>ONTP          | H-72                      |

Under 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-72)**

This amendment is the majority report of the committee. It provides funds to the Department of Labor for the costs associated with updating the employment benefit system to reflect the changes made in the bill. The amendment also adds an appropriations and allocations section.

**LD 572      An Act To Amend the Laws Governing the Practice of Pharmacy**

**Died Between  
Houses**

| <u>Sponsor(s)</u>   | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| VOLK A<br>FECTEAU R | ONTP<br>OTP-AM          |                           |

This bill specifies that a "pharmacist" is a "provider of health care services" and that the "practice of pharmacy" is the "provision of health care services."

**Committee Amendment "A" (S-124)**

This amendment, which is the minority report of the committee, clarifies that the revisions to the definitions of "pharmacist" and "practice of pharmacy" in the bill are not intended to affect the definition of "health care provider" in other provisions of law, including the Maine Health Security Act.

This amendment was not adopted.

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

**LD 593      An Act To Update the Licensure Renewal Provision of the Board of  
Licensure in Medicine**

**PUBLIC 63**

| <u>Sponsor(s)</u>     | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| BELLOWS S<br>AUSTIN S | OTP                     |                           |

This bill eliminates the statutory requirement that the Board of Licensure in Medicine mail three separate written notices to each licensed physician whose license is about to expire or has expired and instead requires only that the board send one notice to each licensee at least 60 days prior to the license expiration date. In addition, the bill extends from 30 days to 90 days the time after license expiration during which an individual may submit to the board an application, renewal fee and late fee seeking reinstatement of the expired license.

**Enacted Law Summary**

Public Law 2017, chapter 63 eliminates the statutory requirement that the Board of Licensure in Medicine mail three separate written notices to each licensed physician whose license is about to expire or has expired and instead requires only that the board send one notice to each licensee at least 60 days prior to the license expiration date. In addition, Public Law 2017, c. 63 extends from 30 days to 90 days the time after license expiration during which an individual may submit to the board an application, renewal fee and late fee seeking reinstatement of the expired license.

**LD 612      An Act To Improve Vocational Rehabilitation under the Maine Workers'  
Compensation Act of 1992**

**PUBLIC 53**

| <u>Sponsor(s)</u>   | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| FECTEAU R<br>VOLK A | OTP-AM                  | H-44                      |

This bill provides that if an employee is actively participating in a rehabilitation plan ordered by the Workers' Compensation Board or entered into voluntarily with the employer, there is a conclusive presumption that work is unavailable to the employee for as long as the employee continues to actively participate in employment rehabilitation, and during the employee's active participation in the rehabilitation plan, benefits must be paid to the employee.

**Committee Amendment "A" (H-44)**

This amendment replaces the bill. The amendment repeals the presumption in the workers' compensation laws that work is unavailable to an injured employee who is participating in employment rehabilitation. In place of the presumption, the amendment enacts a new provision that provides that an injured employee participating in employment rehabilitation has a right to benefits except under three circumstances in which benefits may be reduced: when the employee has returned to work with or received an increase in pay from the employer; when the employer has reduced benefits based on documented earnings of the employee; and when the employee has reached the durational limit of partial incapacity benefits.

**Enacted Law Summary**

Public Law 2017, chapter 53 repeals the presumption in the workers' compensation laws that work is unavailable to an injured employee who is participating in employment rehabilitation. In place of the presumption, it enacts a new provision that provides that an injured employee participating in employment rehabilitation has a right to benefits except under three circumstances in which benefits may be reduced: when the employee has returned to work with or received an increase in pay from the employer; when the employer has reduced benefits based on documented

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earnings of the employee; and when the employee has reached the durational limit of partial incapacity benefits.

**LD 613      An Act To Protect Job Applicants from Identity Theft      Veto Sustained**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| RILEY C           | OTP-AM<br>OTP-AM        | H-117                     |

This bill prohibits an employer from requesting a social security number from a prospective employee on an employment application or during the application process for employment. This bill does not apply to the intake of information for substance abuse testing or a preemployment background check or after the employee is hired as required for tax withholding and other necessary purposes.

**Committee Amendment "A" (H-116)**

This amendment is the majority report of the committee. It replaces the bill with language to clarify the intent to prohibit the request of a social security number from a prospective employee by an employer on an employment application or during the application process. An employer may still request a social security number from a prospective employee for purposes of a substance abuse test or preemployment background check. The amendment further clarifies that an employer is not prohibited from asking for a social security number from an individual for any reason after the individual has been hired.

This amendment was not adopted.

**Committee Amendment "B" (H-117)**

This amendment is the minority report of the committee. It replaces the bill with language to clarify that the existing law that prohibits a person, corporation or other entity from denying goods or services to a person who refuses to provide a social security number also applies to the denial of benefits, including, but not limited to, employment.

**LD 614      An Act To Establish a Presumption of Heart Disease or Hypertension in      ONTP**  
**the Line of Duty for Corrections Officers under the Workers'**  
**Compensation Laws**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| TUCKER R          | 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 in the course of the firefighter's firefighting duties.

**LD 615      Resolve, To Establish a Work Group To Update the Maine Pharmacy      ONTP**  
**Act**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| CHACE P           | ONTP                    |                           |

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

This bill requires the Department of Professional and Financial Regulation, Maine Board of Pharmacy to convene a work group to propose updates to the Maine Pharmacy Act and submit a report to the Joint Standing Committee on Labor, Commerce, Research and Economic Development. The joint standing committee may report out a bill concerning the report to the Second Regular Session of the 128th Legislature.

### **LD 656      An Act To Improve the Ability of Maine Companies To Manufacture and Market Biobased Products      CARRIED OVER**

| <u>Sponsor(s)</u>   | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| DILL J<br>TIPPING R | OTP-AM<br>ONTP          | S-43                      |

The bill provides a one-time appropriation of \$1,500,000 to the Maine Technology Institute to provide competitive grants for the development, production and marketing of bioplastics.

#### **Committee Amendment "A" (S-43)**

This amendment is the majority report of the committee. It specifies that the grants are for the development, production and marketing of biobased products.

This bill was reported out of committee and then carried over to the next special or regular session of the 128th Legislature on the Special Appropriations Table by joint order, S.P. 601.

### **LD 661      An Act Regarding the Chain of Custody in Crematories      PUBLIC 101**

| <u>Sponsor(s)</u>     | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| JACKSON T<br>MARTIN J | OTP-AM                  | S-60                      |

This bill requires crematories to prepare signed and dated certificates of cremation certifying the identity of the human remains and to present this certificate to the funeral director or other authorized person. The bill further requires crematories to label the container containing human remains with the name of the person who was cremated.

#### **Committee Amendment "A" (S-60)**

This amendment:

1. Retains the requirement in the bill that crematories label the container containing cremated remains with the name of the deceased person;
2. Retains the requirement in the bill that crematories prepare a certificate of cremation in order to identify the remains that were cremated but allows crematories to rely on the funeral director or authorized person's identification of the remains prior to cremation; and
3. Requires, whenever cremated remains are buried in a public burying ground, that the person in charge of the public burying ground endorse and provide the date that the cremated remains were buried on the permit for final disposition issued by the State Registrar of Vital Statistics or the clerk of the municipality in which the public burial ground is located.

#### **Enacted Law Summary**



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Public Law 2017, chapter 101 requires, whenever cremated remains are buried in a public burying ground, that the person in charge of the public burying ground endorse and provide the date that the cremated remains were buried on the permit for final disposition issued by the State Registrar of Vital Statistics or the clerk of the municipality in which the public burial ground is located.

Public Law 2017, chapter 101 also requires crematories to prepare signed and dated certificates of cremation identifying the remains that were cremated and to label the container containing cremated remains with the name of the deceased person.

**LD 669      An Act To Address the Unmet Workforce Needs of Employers and To      CARRIED OVER**  
**Improve the Economic Future of Workers**

| <u>Sponsor(s)</u>  | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| KATZ R<br>PIERCE J |                         |                           |

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

This bill proposes to enact a comprehensive package of proposals designed to address the unmet workforce needs of employers and to improve the economic future of workers. These proposals may include, but are not limited to, proposals to:

1. Identify workforce needs;
2. Connect businesses with trained workers;
3. Maximize the benefits of educational assessment funding by focusing the funds on the students;
4. Provide incentives for educational institutions receiving state training funds to place graduates into the employment or school of the graduates' choice;
5. Strengthen the ability of the Maine Quality Centers, established in the Maine Revised Statutes, Title 20-A, section 12725, to fulfill their mission of meeting the workforce education and training needs of new and expanding businesses in the State and providing new employment and career advancement opportunities for Maine people;
6. Design diverse programs to meet the needs of Maine employers;
7. Prepare untrained workers to meet immediate and long-term needs;
8. Allow military training to count towards required training for certain certifications and licenses;
9. Establish a clearinghouse to connect workers with employers;
10. Identify educational programs necessary for specific types of employment and create a process to preemploy prospective workers while they are being trained;
11. Provide to people receiving public assistance the opportunity to permanently leave poverty behind by providing skills training that offers academic degrees, certifications or credentials and leads to employment with wages that can sustain families;
12. Establish workforce training programs targeted exclusively at individuals who are on public assistance or whose incomes meet certain criteria and provide transitional benefits including child care, health care, transportation

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supports and educational supports;

13. Align Maine's system of learning results with technical skills for current employment needs, support technical courses in high schools and integrate those courses with the high school curriculum and identify for middle school and secondary school students career paths that include alternatives that do not require college educations;

14. Identify barriers to the reentry by older citizens into the workforce;

15. Establish a program to identify and eliminate unfavorable tax policies with respect to retirement income and pensions and tax policies that discourage older citizens and retirees from returning to the workforce; and

16. Promote education to allow seniors to develop new skills.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

**LD 673 An Act To Restore the Tip Credit to Maine's Minimum Wage Law**

**PUBLIC 272**

| <u>Sponsor(s)</u>   | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| KATZ R<br>HUBBELL B | OTP-AM<br>ONTP          | S-209<br>H-518 FECTEAU R  |

This bill eliminates the scheduled increases in the minimum wage applicable to service employees and starting January 1, 2018, establishes the tip credit in the minimum wage laws at 50% of the general minimum hourly wage.

**Committee Amendment "A" (S-209)**

This amendment keeps the provisions in the bill restoring the tip credit in the minimum wage laws, and it makes the following additional changes to current law.

1. It clarifies that for purposes of the tip credit, wages must be measured in the context of the seven-day work week.
2. It clarifies that an employer may not deduct any amount from employee tips charged to a credit card, including, but not limited to, service fees assessed to the employer in connection with the credit card transaction.
3. It adopts the current requirements in federal law, found at 29 Code of Federal Regulations, Section 531.54 and 29 Code of Federal Regulations, Section 531.59(b), requiring an employer to provide notice to employees affected by the employer's use of a tip credit and the employer's use of a tip pooling arrangement.

The amendment also adds an emergency preamble and clause.

**House Amendment "A" To Committee Amendment "A" (H-518)**

This amendment removes the emergency preamble and emergency clause.

**Enacted Law Summary**

Public Law 2017, chapter 272 eliminates the scheduled increases in the minimum wage applicable to service employees and starting January 1, 2018, establishes the tip credit in the minimum wage laws at 50% of the general minimum hourly wage.

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It also makes the following additional changes to current law.

1. It clarifies that for purposes of the tip credit, wages must be measured in the context of the seven-day work week.
2. It clarifies that an employer may not deduct any amount from employee tips charged to a credit card, including, but not limited to, service fees assessed to the employer in connection with the credit card transaction.
3. It adopts the current requirements in federal law, found at 29 Code of Federal Regulations, Section 531.54 and 29 Code of Federal Regulations, Section 531.59(b), requiring an employer to provide notice to employees affected by the employer's use of a tip credit and the employer's use of a tip pooling arrangement.

## LD 699 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> |
|--------------------------|-------------------------|---------------------------|
| COLLINGS B<br>GRATWICK G | OTP-AM<br>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 employers to identify highly toxic chemicals and directs the Department of Labor to publish lists of online resources that identify highly toxic chemicals;
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 as 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 employer, with the transition team, may elect to transition to a safer alternative on a permanent basis;
7. Requires an employer to contact chemical suppliers and manufacturers for possible safer alternatives and to implement a process for permanent transition to the safer alternatives. If the employer elects not to use safer alternatives, the employer must submit a report to the Department of Labor detailing the basis for not proceeding

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with the transition to the safer alternatives;

- 8. Requires employers to complete self-audits for compliance with this Act;
- 9. Stipulates reporting and records retention requirements for the employer, as well as guidelines for access to information by employees and state agencies;
- 10. 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;
- 11. Requires the Department of Labor to enforce the provisions of the Act and authorizes the department to issue penalties for violations of the Act;
- 12. Requires the Department of Labor to adopt all rules necessary to implement the provisions of the Act;
- 13. Stipulates an effective date for the Act of September 1, 2018; and
- 14. Directs the Department of Labor, by January 1, 2018, to submit for legislative review major substantive rules related to the Act.

**Committee Amendment "A" (H-135)**

This amendment is the majority report of the committee. It replaces the bill with a resolve directing the Commissioner of Labor to convene a task force to develop procedures and guidelines to assist nonagricultural employers in implementing a program for the substitution of highly toxic and hazardous chemicals in the workplace. The commissioner must submit a report of the task force's findings and recommendations to the committee no later than December 15, 2017.

This amendment was not adopted.

**LD 700      An Act To Give Flexibility to Employees and Employers for Temporary Layoffs      CARRIED OVER**

| <u>Sponsor(s)</u>    | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| PARRY W<br>BELLOWS S |                         |                           |

This bill creates an exemption from the eligibility requirements for unemployment benefits dealing with work search for an individual otherwise eligible for unemployment benefits when that individual has been temporarily laid off with a definite recall date of not more than 12 weeks from the date of the individual's temporary layoff.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

**LD 701      An Act To Establish the Maine Paid Family Leave Insurance Program      ONTP**

| <u>Sponsor(s)</u>       | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------------|-------------------------|---------------------------|
| DAUGHTRY M<br>MILLETT R | ONTP                    |                           |

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

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a person's average weekly wage or 100% of the state average weekly wage, whichever is lower, for up to six weeks in any 12-month period. Employee contributions are collected on a sliding scale based on wages.

**LD 702      An Act To Restore the Tip Credit to Maine Employees      ONTP**

| <u>Sponsor(s)</u>     | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| GUERIN S<br>LANGLEY B | ONTP                    |                           |

This bill restores the tip credit in the minimum wage laws.

**LD 772      An Act To Ensure Transparency in Public Union Negotiations      Accepted Majority (ONTP) Report**

| <u>Sponsor(s)</u>       | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------------|-------------------------|---------------------------|
| WADSWORTH N<br>BRAKEY E | ONTP<br>OTP-AM          |                           |

This bill amends the Freedom of Access Act by making collective bargaining meetings between public employers and a collective bargaining unit conducted pursuant to the municipal public employees labor relations laws, the state employees labor relations laws or the judicial employees labor relations laws public proceedings under the Act and therefore subject to the open meeting and notice requirements of the Act.

**Committee Amendment "A" (H-306)**

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

This amendment was not adopted.

**LD 774      An Act To Create a Training Wage      ONTP**

| <u>Sponsor(s)</u>         | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------------|-------------------------|---------------------------|
| TIMBERLAKE J<br>CUSHING A | ONTP                    |                           |

This bill provides a minimum hourly training wage of \$1.00 above the federal minimum wage for a person who is 20 years of age or under and is a student at a secondary or postsecondary school.

**LD 775      An Act To Prohibit the Minimum Wage from Exceeding the New England Average      ONTP**

| <u>Sponsor(s)</u>   | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| HARVELL L<br>KATZ R | ONTP                    |                           |

This bill provides that the minimum wage may not exceed the average minimum wage paid in the New England states, as determined by the Commissioner of Labor.

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**LD 776      An Act To Promote Fairness for Rural Maine Residents by Regulating Fuel Prices      ONTP**

| <u>Sponsor(s)</u>   | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| MCCREA D<br>MAKER J | ONTP                    |                           |

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

This bill proposes to prevent large fluctuations based on geographical location in the retail price of gasoline and other motor fuel sold at service stations throughout the State. The bill proposes to prohibit a service station from charging more than a set amount for a gallon of motor fuel. The retail price per gallon would be determined weekly and would be based on the average cost of a gallon of that motor fuel for the State, as determined by the Governor's Energy Office, plus an allowance for transportation and staffing based on the geographical area in which the service station is located.

**LD 777      An Act To Establish a Conditional Presumption of Compensability for Corrections Employees in Cases of Impairment from Hypertension or Heart Disease      Accepted Majority (ONTP) Report**

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

This bill amends the workers' compensation laws by adding a presumption that heart disease or hypertension suffered by a state or county corrections employee was caused in the course of that employment, as long as the employee had successfully passed a physical examination upon entry into or during the course of that employment that failed to reveal any evidence of that condition.

**Committee Amendment "A" (H-81)**

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

This amendment was not adopted.

**LD 778      An Act To Eliminate the Indexing of the Minimum Wage to Inflation      Died Between Houses**

| <u>Sponsor(s)</u>  | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| HARVELL L<br>DOW D | ONTP<br>OTP-AM          |                           |

This bill eliminates the indexing of the minimum wage to inflation, which under current law is scheduled to begin on January 1, 2021.

**Committee Amendment "A" (H-356)**

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

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**LD 801      An Act To Allow a Physical Therapist To Administer Certain  
Coagulation Tests in a Patient's Home**

**PUBLIC 80  
EMERGENCY**

| <u>Sponsor(s)</u>          | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------------|-------------------------|---------------------------|
| MASTRACCIO A<br>WOODSOME D | OTP-AM                  | H-136                     |

This bill authorizes a licensed physical therapist to perform finger stick blood testing in a person's home in order to collect a blood sample.

**Committee Amendment "A" (H-136)**

This amendment adds an emergency preamble and adds to the provisions of the bill by clarifying that a licensed physical therapist must communicate the results of a finger stick blood test to a health care practitioner, who will interpret the test results, determine whether a change is needed in the person's plan of care and make decisions with respect to medication adjustments.

**Enacted Law Summary**

Public Law 2017, chapter 80 authorizes a licensed physical therapist to perform finger stick blood testing in a person's home in order to collect a blood sample. The physical therapist must communicate the results of the blood test to a health care practitioner, who will interpret the test results, determine whether a change is needed in the person's plan of care and make decisions with respect to medication adjustments.

Public Law 2017, chapter 80 was enacted as an emergency measure effective May 26, 2017.

**LD 810      An Act To Allow Funeral Homes To Own and Operate Crematories**

**ONTP**

| <u>Sponsor(s)</u>    | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| MAKER J<br>STEWART H | ONTP                    |                           |

This bill authorizes funeral establishments to own and operate crematories and exempts these funeral-establishment-owned crematories from the law prohibiting operating a crematory on a for-profit basis. The bill also exempts funeral-establishment-owned crematories from the law requiring crematories to be located within cemeteries and instead requires only that these crematories meet state and municipal zoning and environmental standards.

**LD 811      An Act Regarding Continuing Education for Persons Engaged in the  
Practice of Funeral Service**

**ONTP**

| <u>Sponsor(s)</u>    | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| MAKER J<br>STEWART H | ONTP                    |                           |

This bill allows persons licensed by the Maine State Board of Funeral Service to meet the biennial 12-hour continuing education requirement in whole or in part through approved programs or courses that are conducted online.

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**LD 831      An Act To Base the Minimum Wage on a New England State Average  
and To Restore the Tip Credit**

**Died Between  
Houses**

| <u>Sponsor(s)</u>  | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| DOW D<br>SIROCKI H | ONTP<br>OTP-AM          |                           |

This bill provides that starting January 1, 2018 the minimum hourly wage is the average minimum hourly wage in the New England states of New Hampshire, Vermont, Massachusetts, Connecticut and Rhode Island on July 1st of the previous year, as determined annually by the Commissioner of Labor. It also restores the tip credit starting January 1, 2018.

**Committee Amendment "A" (S-210)**

This amendment is the minority report of the committee. It replaces the title and the bill and provides that the minimum wage may not exceed the average minimum wage paid in the New England states, as determined by the Commissioner of Labor.

This amendment was not adopted.

**LD 848      An Act To Support Law Enforcement Officers and First Responders  
Diagnosed with Post-traumatic Stress Disorder**

**PUBLIC 294**

| <u>Sponsor(s)</u>  | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| GOLDEN J<br>VOLK A | OTP-AM                  | H-448                     |

This bill establishes a rebuttable presumption under the laws governing workers' compensation that when a law enforcement officer, firefighter, corrections officer or emergency medical services worker is diagnosed by a licensed physician specializing in psychiatry or a licensed psychologist as having post-traumatic stress disorder, the post-traumatic stress disorder is presumed to have arisen out of and in the course of the worker's employment.

**Committee Amendment "A" (H-448)**

This amendment changes the rebuttable presumption in the workers' compensation laws created by the bill by requiring that a psychiatrist or psychologist must diagnose the employee as having post-traumatic stress disorder resulting from work stress that was extraordinary and unusual and that the work stress and not some other source of stress was the predominant cause of the post-traumatic stress disorder. The amendment also eliminates corrections officers from the classes of employees that are eligible for the presumption. This amendment directs the Workers' Compensation Board to submit a report to the joint standing committee of the Legislature having jurisdiction over labor matters by January 1, 2022, analyzing the number of claims brought as a result of the provisions of the bill, the portion of those claims that resulted in a settlement or award of benefits and the effect of the provisions of the bill on costs to the State and its subdivisions. The Department of Administrative and Financial Services, Bureau of Human Resources and the Department of Public Safety are directed to assist the board in developing the report, and the board is required to seek the input of an association, the membership of which consists exclusively of counties, municipalities and other political or administrative subdivisions, in the development of the report. This amendment also repeals the new rebuttable presumption October 1, 2022, and adds a mandate preamble.

**Enacted Law Summary**

Public Law 2017, chapter 294 establishes a rebuttable presumption under the laws governing workers' compensation that when a law enforcement officer, firefighter or emergency medical services worker is diagnosed by a psychiatrist



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or psychologist as having post-traumatic stress disorder resulting from work stress that was extraordinary and unusual and that the work stress and not some other source of stress was the predominant cause of the post-traumatic stress disorder. The rebuttable presumption is repealed October 1, 2022.

This law also directs the Workers' Compensation Board to submit a report to the joint standing committee of the Legislature having jurisdiction over labor matters by January 1, 2022, analyzing the number of claims brought as a result of the provisions of the bill, the portion of those claims that resulted in a settlement or award of benefits and the effect of the provisions of the bill on costs to the State and its subdivisions. The Department of Administrative and Financial Services, Bureau of Human Resources and the Department of Public Safety are directed to assist the board in developing the report, and the board is required to seek the input of an association, the membership of which consists exclusively of counties, municipalities and other political or administrative subdivisions, in the development of the report.

**LD 872      An Act To Establish Requirements Related to the Practice of Dry Needling      ONTP**

| <u>Sponsor(s)</u>      | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|------------------------|-------------------------|---------------------------|
| FECTEAU R<br>LANGLEY B | ONTP                    |                           |

This bill specifies that licensed physical therapists may use dry needling in accordance with rules adopted by the Board of Examiners in Physical Therapy that require, at a minimum, that these physical therapists: possess a doctoral degree in physical therapy; complete a minimum of 120 classroom hours in dry needling theory and techniques; complete a minimum of 80 hours of clinical instruction in dry needling; complete infection control instruction; and register as biomedical waste generators. The bill also prohibits a licensed physical therapist from professing to practice acupuncture unless the therapist holds an acupuncturist license from the Board of Complementary Health Care Providers.

**LD 873      An Act To Adopt Tiny House Standards in the Maine Uniform Building and Energy Code      Leave to Withdraw Pursuant to Joint Rule**

| <u>Sponsor(s)</u>     | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| BERRY S<br>WOODSOME D |                         |                           |

This bill requires the Technical Building Codes and Standards Board to ensure that tiny house construction is permissible under the Maine Uniform Building and Energy Code. The bill also requires that the Technical Building Codes and Standards Board adopt standards for tiny house construction consistent with the Tiny House Appendix to the International Residential Code, as approved by the International Code Council in December 2016.

**LD 884      An Act To Exempt Small Bottlers from the Bottling Plant Requirements      ONTP**

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

This bill exempts beverage plants that bottle no more than 10,000 gallons of beverages per year from the law imposing specific sanitation, machinery and equipment requirements on beverage plants that prepare, manufacture

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and bottle non-alcoholic drinks.

**LD 911 An Act To Prohibit Certain Gifts to Health Care Practitioners**

**PUBLIC 267**

| <u>Sponsor(s)</u>      | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|------------------------|-------------------------|---------------------------|
| HAMANN S<br>GRATWICK G | OTP-AM                  | H-481                     |

This bill amends the Maine Pharmacy Act to prohibit a person engaged in the manufacture of prescription drugs or a person who buys prescription drugs for resale and distribution to persons other than consumers from giving a gift to an individual who is licensed, registered or otherwise authorized in the appropriate jurisdiction to prescribe and administer drugs in the course of that individual's professional practice. As defined in the bill, "gift" does not include samples of prescription drugs to be given to patients for free, items with a total value of less than \$50 over a calendar year, payments to sponsors of educational programs, honoraria and payments of expenses incurred at an educational conference or meeting, compensation for genuine research projects, publications or educational materials and salaries or other benefits paid to employees.

**Committee Amendment "A" (H-481)**

This amendment strikes and replaces the bill. The amendment prohibits a licensed manufacturer or wholesaler of prescription drugs, or an agent of a licensed manufacturer or wholesaler of prescription drugs, from giving or offering to give gifts to an individual who is licensed, registered or otherwise authorized to prescribe and administer drugs in the course of professional practice.

The amendment contains three exceptions to this prohibition, allowing a licensed manufacturer or wholesaler of prescription drugs to give:

1. Noncash gifts of minimal value that will directly benefit the prescriber's patients;
2. Funding to support the participation of health care students, residents and fellows in professional and educational meetings; and
3. Reasonable honoraria and payment for reasonable expenses of a practitioner at a professional or educational conference or meeting.

**Enacted Law Summary**

Public Law 2017, chapter 267 prohibits a licensed manufacturer or wholesaler of prescription drugs, or an agent of a licensed manufacturer or wholesaler of prescription drugs, from giving or offering to give gifts to an individual who is licensed, registered or otherwise authorized to prescribe and administer drugs in the course of professional practice.

Public Law 2017, chapter 267 also contains three exceptions to this prohibition, allowing a licensed manufacturer or wholesaler of prescription drugs to give:

1. Noncash gifts of minimal value that will directly benefit the prescriber's patients;
2. Funding to support the participation of health care students, residents and fellows in professional and educational meetings; and
3. Reasonable honoraria and payment for reasonable expenses of a practitioner at a professional or educational conference or meeting.

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**LD 912      An Act To Clarify the Scope of Practice of Certain Licensed Professionals Regarding Conversion Therapy      CARRIED OVER**

| <u>Sponsor(s)</u>     | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| FECTEAU R<br>BRAKEY E |                         |                           |

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

This bill proposes to amend the current law to establish that practices or treatments that seek to change an individual's sexual orientation or gender identity are prohibited for certain professionals licensed under the Maine Revised Statutes, Title 32 and to establish penalties for that conduct.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

**LD 913      An Act Regarding Workers' Compensation Insurance Rates for Small Businesses      ONTP**

| <u>Sponsor(s)</u>     | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| GINZLER P<br>HAMPER J | ONTP                    |                           |

This bill charges the Superintendent of Insurance with developing a modification factor to reduce the workers' compensation insurance rates for employers with fewer than 50 employees based on an assessment of the relative risk to the insurer and the relative cost burden of the insurance on such small business employers. The small business employer modification factor applies to workers' compensation insurance policies issued or renewed on or after January 1, 2018.

**LD 927      An Act To Establish a Presumption of Impairment of Health in the Line of Duty for Corrections Employees under the Workers' Compensation Laws      ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| TUCKER R          | ONTP                    |                           |

This bill amends the workers' compensation laws by adding a presumption that a condition of impairment of health caused by an infectious disease resulting in total or partial disability or death of a corrections employee is presumed to have been suffered in the line of duty, unless the contrary is shown by competent evidence.

**LD 942      An Act To Prohibit a Prospective Employer from Asking a Prospective Hire about the Person's Compensation History until after a Job Offer Is Made      ONTP**

| <u>Sponsor(s)</u>   | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| BRYANT M<br>BREEN C | ONTP                    |                           |

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This bill prohibits an employer from inquiring about a prospective employee's prior compensation history until after an offer of employment that includes all terms of compensation has been negotiated and made to the prospective employee. The bill also prohibits an employer from requiring that a prospective employee's prior compensation history meet certain criteria. An employer that violates this law is subject to a fine of not less than \$100 and not more than \$500 per violation and is also subject to a civil right of action that may be brought by or on behalf of an affected prospective employee by the Department of Labor or the affected employee.

**LD 943      An Act Regarding the Cancellation of Subscription Services**

**Veto Sustained**

| <u>Sponsor(s)</u>       | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------------|-------------------------|---------------------------|
| DAUGHTRY M<br>BELLOWS S | OTP<br>ONTP             |                           |

This bill requires a business that makes an automatic renewal subscription offer of an online magazine, journal or periodical, online media player, mobile app, social networking service or Internet game service to present a consumer in this State with an easily accessible disclosure of the methods that consumer may use to cancel the subscription, which must include online cancellation.

The bill only applies to agreements entered into or renewed after January 1, 2018, and does not apply to an entity that provides the host platform on the website of an Internet game service.

**LD 944      An Act To Prohibit the State from Asking a Prospective Hire about the  
Person's Compensation History until after a Job Offer Is Made**

**ONTP**

| <u>Sponsor(s)</u>          | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------------|-------------------------|---------------------------|
| BRYANT M<br>DESCHAMBAULT S | ONTP                    |                           |

This bill prohibits the State, as an employer, from inquiring about a prospective employee's prior compensation history until after an offer of employment that includes all terms of compensation has been negotiated and made to the prospective employee. The bill also prohibits the State from requiring that a prospective employee's prior compensation history meet certain criteria. A state government entity that violates this law is subject to a fine of not less than \$100 and not more than \$500 per intentional violation.

**LD 954      An Act To Make Certain Contraception Available over the Counter**

**ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| BRAKEY E          | ONTP                    |                           |

This bill authorizes pharmacists to prescribe and dispense hormonal contraceptive patches and self-administered oral hormonal contraceptives to a person who has evidence of a previous prescription from a practitioner for a hormonal contraceptive patch or self-administered oral hormonal contraceptive.

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**LD 958      An Act To Enact the Uniform Emergency Volunteer Health Practitioners Act      CARRIED OVER**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| DION M            | REFERRED TO LCED        |                           |

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

This bill proposes to adopt a law that is based on the Uniform Emergency Volunteer Health Practitioners Act, a copy of the text of which may be found here:

<http://legislature.maine.gov/uploads/originals/uniform-emergency-volunteer-health-practitioners-act.pdf>. In addition to any substantive changes to the uniform act that may be adopted by the Legislature, the basic numbering system, the mechanical structure and the internal organization of the law recommended by the National Conference of Commissioners on Uniform State Laws will be altered to conform to the numbering, structure and organization of the Maine Revised Statutes.

This bill was originally referred to the Health and Human Services Committee, which reported the bill with a recommendation that it be re-referred to the Labor, Commerce Research and Economic Development Committee; the bill was so referred. This bill was then carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

**LD 962      An Act Regarding Unemployment Compensation for Workers Involved in Certain Seasonal Occupations      ONTP**

| <u>Sponsor(s)</u>     | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| JACKSON T<br>HERBIG E | ONTP                    |                           |

This bill amends the unemployment compensation laws to provide that an individual who works in the construction industry has worked for at least 20 weeks in the 12 months prior to making a claim for benefits and has a date to return to work for a previous employer is not required to engage in work search efforts. It also provides that an individual who works in the logging industry is not required to engage in work search efforts from April 1st to June 1st.

**LD 970      An Act To End Homelessness by Expanding Housing Support Services      Veto Sustained**

| <u>Sponsor(s)</u>     | <u>Committee Report</u> | <u>Amendments Adopted</u>  |
|-----------------------|-------------------------|----------------------------|
| JORGENSEN E<br>DION M | OTP-AM<br>ONTP          | H-209<br>S-330    HAMPER J |

This bill establishes the Housing First Assistance Program. The program is established in and administered by the Maine State Housing Authority. The authority is required to work with emergency shelters and other crisis responders in the neediest areas of the State to provide permanent housing and support services for chronically homeless individuals and families and to homeless individuals addicted to opiates. The program must meet the core elements for a "Housing First" program as delineated by the United States Interagency Council on Homelessness, including not disqualifying or evicting a resident due to alcohol or substance abuse, a criminal record, poor financial history or lack of an income. The authority may contract with outside entities to operate the housing units and award grants to those entities under a competitive bid process.

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This bill provides ongoing funding necessary to fund 30 housing units and provide support services at those units for chronically homeless individuals including opiate-addicted homeless individuals.

### **Committee Amendment "A" (H-209)**

This amendment, which is the majority report of the committee, reduces the funding for the Housing First Assistance Program established in the bill from \$675,000 to \$300,000 per fiscal year.

### **Senate Amendment "A" To Committee Amendment "A" (S-330)**

This amendment eliminates the General Fund appropriation of \$300,000 per year beginning in fiscal year 2017-18 to a newly created Housing First Assistance Program within the Maine State Housing Authority.

This amendment provides a one-time Other Special Revenue Funds allocation of \$300,000 in fiscal year 2017-18 to the Housing First Assistance Program, Other Special Revenue Funds account within the Maine State Housing Authority by transferring \$300,000 of revenue in fiscal year 2017-18 from the real estate transfer tax that would otherwise be deposited into the Housing Opportunity for Maine Fund within the Maine State Housing Authority.

### **LD 971      An Act To Exempt Certain Employees from the Minimum Wage Laws      ONTP**

| <u>Sponsor(s)</u>       | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------------|-------------------------|---------------------------|
| SAMPSON H<br>WOODSOME D | ONTP                    |                           |

This bill exempts from the minimum wage laws an employee who has not attained 18 years of age, is claimed as a dependent on the income tax return of another person or is employed by a seasonal employer.

### **LD 984      An Act To Separate the Authorities under the Licenses for Property and      PUBLIC 152 Casualty Insurance Adjusters and Workers' Compensation Insurance Adjusters**

| <u>Sponsor(s)</u>            | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|------------------------------|-------------------------|---------------------------|
| WHITTEMORE R<br>PICCHIOTTI J | OTP-AM                  | S-149                     |

This bill separates the authorities under the licenses for property and casualty insurance adjusters and workers' compensation insurance adjusters, beginning October 1, 2017.

### **Committee Amendment "A" (S-149)**

This amendment replaces the bill. It separates the authorities under the licenses for property and casualty insurance adjusters and workers' compensation insurance adjusters, beginning January 1, 2018. It removes the five-year experience requirement in the bill for property and casualty insurance adjusters to be deemed workers' compensation insurance adjusters and provides that those individuals licensed as property and casualty insurance adjusters on January 1, 2018, will be granted both property and casualty and workers' compensation authorities. This amendment also extends the exemption in current law applicable to licensure for property and casualty insurance adjusters who are employees of insurers to include workers' compensation insurance adjusters.

### **Enacted Law Summary**

Public Law 2017, chapter 152 separates the authorities under the licenses for property and casualty insurance adjusters and workers' compensation insurance adjusters, beginning January 1, 2018. It removes the five-year

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experience requirement in the bill for property and casualty insurance adjusters to be deemed workers' compensation insurance adjusters and provides that those individuals licensed as property and casualty insurance adjusters on January 1, 2018, will be granted both property and casualty and workers' compensation authorities. It also extends the exemption in current law applicable to licensure for property and casualty insurance adjusters who are employees of insurers to include workers' compensation insurance adjusters.

**LD 985 An Act To Promote Medical Care for Visiting Athletic Teams**

**PUBLIC 119**

| <u>Sponsor(s)</u>    | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| BREEN C<br>FECTEAU R | OTP-AM                  | S-71                      |

This bill allows a physician who holds a license to practice allopathic or osteopathic medicine in another state who accompanies an athletic team from that other state to provide medical services to members and supporting personnel of the team without a license from this State but restricts the person from providing medical services in a health care facility in the State.

**Committee Amendment "A" (S-71)**

This amendment clarifies that the bill applies to a physician accompanying an athletic team while the team is traveling to or from or is participating in a sporting event in this State.

**Enacted Law Summary**

Public Law 2017, chapter 119 allows a physician who holds a license to practice allopathic or osteopathic medicine in another state who accompanies an athletic team from that other state to provide medical services to members and supporting personnel of the team without a license from this State. This authority applies while the team is traveling to or from or is participating in a sporting event in this State and as long as those medical services are not provided within a health care facility.

**LD 991 An Act To Establish a Minimum Wage for Minors**

**Died Between Houses**

| <u>Sponsor(s)</u>   | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| CYRWAY S<br>FOLEY R | OTP-AM<br>OTP-AM        |                           |

This bill establishes a minimum hourly wage for minors that is 75% of the general minimum hourly wage.

**Committee Amendment "B" (S-249)**

This amendment is the minority report of the committee. It changes the amount in the bill that an employer may pay a person who is under 18 years of age to a minimum hourly wage that is 80% of the minimum hourly wage instead of 75% as proposed in the bill.

This amendment was not adopted.

**Committee Amendment "A" (S-248)**

This amendment is the majority report of the committee. It strikes the bill and makes a number of changes relating to the employment of minors, including the following.

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1. It prohibits all employment for minors under 14, except for agricultural employment in the planting, cultivating or harvesting of field crops or other agricultural employment not in direct contact with hazardous machinery or hazardous substances. It maintains an exception for employment in a business solely owned by the minor's parents, as long as it is not hazardous employment prohibited under Department of Labor rules or federal law.
2. It adds establishments that cultivate, produce or sell marijuana or products in which marijuana is an ingredient and recreational marijuana social clubs to the list of employment and occupations not suitable for minors that the Department of Labor must prohibit by rulemaking.
3. It changes the laws relating to minors 14 and 15 years of age to allow them to work in bowling alleys and movie theaters and to clarify their employment in bakeries, hotels and rooming houses.
4. It moves the occupational restrictions for minors 16 and 17 years of age to the section with occupational restrictions for minors 14 and 15 years of age.
5. It clarifies that graduates of vocational, career and technical or cooperative education programs approved by the Department of Education who are under 18 years of age can work in the occupations for which they were trained.
6. It updates a provision regarding work permits for minors by deleting language dealing with triplicate permits and a master permit system, allowing for use of electronic permit submission and approval and changing the approval of the permit form from approval by the Attorney General to approval by the Office of the Attorney General.
7. It grants the Department of Labor, Bureau of Labor Standards authority to revoke a work permit for violations of the laws regarding employment of minors.
8. It directs the Department of Labor to study the potential effects of implementing a lower minimum wage applicable to minors under 18 years of age and to report back to the Joint Standing Committee on Labor, Commerce, Research and Economic Development with the department's findings by January 15, 2018.

This amendment was not adopted.

### **LD 1004     An Act To Increase Reporting on Wage and Hour Violations**

**PUBLIC 268**

| <u>Sponsor(s)</u>      | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|------------------------|-------------------------|---------------------------|
| GOLDEN J<br>MIRAMANT D | OTP-AM                  | H-389                     |

This bill amends the law regarding employment practices by increasing the fine for a violation of certain state wage and benefits laws to \$500 for the first violation and \$2,500 for each subsequent violation and by providing a private right of action for a person aggrieved of such a violation.

#### **Committee Amendment "A" (H-389)**

This amendment replaces the bill. It requires the Department of Labor to issue an annual report to the joint standing committee of the Legislature having jurisdiction over labor matters concerning complaints received by the department regarding violations of state wage and hour laws that resulted in final action by the department.

#### **Enacted Law Summary**

Public Law 2017, chapter 268 requires the Department of Labor to issue an annual report to the joint standing committee of the Legislature having jurisdiction over labor matters concerning complaints received by the department regarding violations of state wage and hour laws that resulted in final action by the department.



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**LD 1005 An Act Regarding Minimum Wage Increases**

**ONTP**

| <u>Sponsor(s)</u>   | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| STEWART H<br>VOLK A | ONTP                    |                           |

This bill eliminates the \$1 per hour increases in the minimum wage scheduled for each of the next three years and eliminates increases in the minimum wage based on the increase in the cost of living starting in 2021. It also restores the tip credit to the minimum wage laws.

**LD 1006 An Act Regarding Housing Insecurity of Older Citizens**

**CARRIED OVER**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| TALBOT ROSS R     | OTP-AM<br>ONTP          | H-210                     |

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

This bill proposes to establish a statewide commission to study housing insecurity in the context of aging in place. The commission created under this bill would be tasked with exploring:

1. The long-term implications associated with the State's aging population;
2. The status of available affordable housing options in the State;
3. The availability of weatherization and repair programs that would allow older individuals to remain in their homes;
4. Various models of affordable and appropriate housing opportunities for older citizens that are in place in other states; and
5. The establishment of a statewide program facilitating the building for older persons of small accessory dwelling units that are located on the same grounds as, or attached to, a primary residence belonging to a family member of the older person.

**Committee Amendment "A" (H-210)**

This amendment is the majority report of the committee. The amendment replaces the bill, which is a concept draft. This amendment establishes the Advisory Council on Senior Housing to study the unmet need for affordable housing units for elderly residents of the State as well as the financial burden of home modifications and repairs necessary to enable the State's elderly residents to remain in their homes. The council is directed to make recommendations to the director of the Maine State Housing Authority for the development by January 1, 2023, of a strategic housing plan enabling elderly residents of the State to live in affordable, safe housing as they age. The director is directed to report to the joint standing committee of the Legislature having jurisdiction over housing matters on the development or implementation of the strategic housing plan by March 15th of the first regular session of each Legislature. The amendment also adds an appropriations and allocations section.

This bill was reported out of committee and then carried over to the next special or regular session of the 128th

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Legislature on the Special Appropriations Table by joint order, S.P. 601.

**LD 1036      Resolve, To Study Repeal of Occupational Licensing Requirements for  
Certain Occupations** **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| BRAKEY E          | ONTP                    |                           |

This resolve directs the Department of Professional and Financial Regulation to submit a report with proposed legislation to remove licensing requirements for 24 specific occupations to the Joint Standing Committee on Labor, Commerce, Research and Economic Development by December 1, 2017. The committee is authorized to report out a bill related to the department's recommendations to the Second Regular Session of the 128th Legislature.

**LD 1037      An Act To Provide for the 2017 and 2018 Allocations of the State Ceiling  
on Private Activity Bonds** **P & S 5  
EMERGENCY**

| <u>Sponsor(s)</u>   | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| VOLK A<br>FECTEAU R | OTP-AM                  | S-44                      |

This bill establishes the allocations of the state ceiling on issuance of tax-exempt private activity bonds for calendar years 2017 and 2018 among the state-level issuers of tax-exempt bonds.

**Committee Amendment "A" (S-44)**

This amendment incorporates a fiscal note.

**Enacted Law Summary**

Private and Special Law 2017, chapter 5 establishes the allocations of the state ceiling on issuance of tax-exempt private activity bonds for calendar years 2017 and 2018 among the state-level issuers of tax-exempt bonds.

Private and Special Law 2017, chapter 5 was enacted as an emergency measure effective May 12, 2017.

**LD 1056      An Act To Protect Homeowners from Workers' Compensation Claims** **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MOONEN M          | ONTP                    |                           |

This bill requires that an insurer that is authorized to provide basic property and casualty insurance in this State provide, in connection with that insurance, workers' compensation insurance that covers any domestic worker of the insured.

**LD 1072      An Act To Amend the Laws Regarding Dealers in Secondhand Precious  
Metals** **PUBLIC 126**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| SAVIELLO T        | OTP-AM                  | S-129                     |

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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 the requirement that a dealer maintain a record of the consideration paid to a seller for an item of precious metals;
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 metals 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.

### **Committee Amendment "A" (S-129)**

This amendment, which is the unanimous report of the committee, eliminates the portion of the bill that reduces the amount of time a dealer must wait before selling or altering an item containing precious metals received by the dealer. The amendment also limits the number and type of items containing precious metals that may be grouped together in one digital photograph. The amendment also allows municipalities to continue issuing permits for dealers rather than registering dealers if they choose to do so.

### **Enacted Law Summary**

Public Law 2017, chapter 126 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 digital photographs of groups of up to five substantially similar items in a transaction, instead of one digital photograph for each item;
3. Eliminating the requirement that a dealer maintain a record of the consideration paid to a seller for an item of precious metals; and
4. Requiring a dealer either to register as a precious metals dealer with the municipality in which the dealer will conduct business or, if required by the municipality, to obtain a permit issued by the municipality in which the dealer will conduct business.

**LD 1085      An Act To Amend the Requirements for Licensure as an Independent  
Practice Dental Hygienist**

**PUBLIC 139  
EMERGENCY**

Sponsor(s)  
RYKERSON D

Committee Report  
OTP-AM

Amendments Adopted  
H-119

This bill removes the time restriction within which an applicant for independent practice dental hygienist authority must have completed his or her 2,000 hours of clinical practice (if applicant possesses an bachelor's degree) or 5,000 hours of clinical practice (if applicant possesses an associate degree). The bill also creates an alternative pathway, allowing a dental hygienist who has engaged in at least five years of full-time or part-time clinical practice

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while under the supervision of a dentist to apply for independent practice dental hygienist authority.

### **Committee Amendment "A" (H-119)**

This amendment adds an emergency preamble and emergency clause to the bill and requires all applicants for independent practice dental hygienist authority to complete 2,000 hours of clinical practice. This amendment also removes the timeframe in which those clinical practice hours must be obtained and removes the distinction in current law between applicants with a bachelor's degree in dental hygiene and applicants with an associate degree in dental hygiene.

### **Enacted Law Summary**

Public Law 2017, chapter 139 requires all applicants for independent practice dental hygienist authority to complete 2,000 hours of clinical practice, regardless of whether the applicant holds a bachelor's degree in dental hygiene or an associate degree in dental hygiene. It also removes the timeframe prior to filing an application in which these 2,000 hours of clinical practice must have been obtained.

Public Law 2017, chapter 139 was enacted as an emergency measure effective June 7, 2017.

**LD 1088      An Act To Require That Employees Be Informed of Potential Eligibility      Died Between  
for the Earned Income Tax Credit      Houses**

Sponsor(s)

VITELLI E  
POULIOT M

Committee Report

OTP-AM  
ONTP

Amendments Adopted

This bill requires the Department of Labor, Bureau of Labor Standards to provide a poster or notice to employers that states that employees may be eligible for the earned income tax credit. This bill requires employers to post the poster or notice in a place that is accessible to the employer's employees.

### **Committee Amendment "A" (S-125)**

This amendment is the majority report of the committee. It replaces the bill with a requirement that the Department of Labor, Bureau of Labor Standards publish the maximum income eligibility amount for the earned income tax credit under the Maine Revised Statutes, Title 36, section 5219-S for the most current calendar year and provide employers a notice regarding the state and federal earned income tax credit. An employer, in turn, must provide this notice to all employees who may be eligible for the earned income tax credit. The amendment also adds an appropriations and allocations section.

This amendment was not adopted.

**LD 1116      An Act To Improve the Unemployment Compensation System      INDEF PP**

Sponsor(s)

JACKSON T

Committee Report

Amendments Adopted

This bill was not referred to committee.

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

This bill proposes to change the Employment Security Law to make improvements to the unemployment

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compensation system to ensure the accumulation of funds is adequate to pay benefits during periods of unemployment, the highest skills of unemployed workers are used and the serious social consequences of unemployment are limited.

**LD 1117      *Resolve, To Establish the Commission To Study the Phase-out of Subminimum Wage***

**Died Between Houses**

| <u>Sponsor(s)</u>     | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| JACKSON T<br>PARKER J | OTP-AM<br>ONTP          |                           |

This resolve establishes the Commission To Study the Phase-out of the Subminimum Wage for the purpose of determining the effect of the law that requires the minimum cash wage paid to a tipped service employee to be increased by \$1 each year until it reaches the same amount as the minimum wage.

**Committee Amendment "A" (S-190)**

This amendment is the majority report of the committee. It changes the provision in the resolve regarding staffing for the Commission To Study the Phase-out of Subminimum Wage. Instead of the Legislative Council providing all staffing for the commission, the Legislative Council is only authorized to provide staffing when the Legislature is not in session. The Legislative Council is authorized to contract for necessary staff support when the Legislature is in session. This amendment also provides funds for the operating costs of the commission and for contracted staff support.

This amendment was not adopted.

**LD 1140      *An Act To Preserve the Economic Viability of Maine's Historic Properties***

**Died Between Houses**

| <u>Sponsor(s)</u>   | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| GUERIN S<br>LIBBY N | OTP-AM<br>ONTP          |                           |

This bill provides that if a historic property occupied by a business is found to be out of compliance with the Maine Uniform Building and Energy Code or the fire safety codes during an inspection, the property must only meet the standards of the version of the relevant code adopted most recently after the business first received its license. The property owner must incrementally improve the property to meet the next subsequent version of the applicable code over each three-year period after the inspection until the property satisfies current code standards. The bill defines "historic property" as a property listed on the National Register of Historic Places or designated as a historic property by a certified municipal historic preservation ordinance.

**Committee Amendment "A" (H-345)**

This amendment, which is the majority report of the committee, replaces the bill and authorizes the owner of a historic property being operated as a lodging place to appeal the decision of a municipal inspection officer that the property does not meet the standards of the fire and life safety codes adopted by the Commissioner of Public Safety or a provision in locally adopted fire and life safety codes that is identical to a provision in the fire and life safety codes adopted by the commissioner within 30 days. The appeal must be submitted in writing to the Office of the State Fire Marshal. If an informal hearing is requested, it must be conducted within 30 days and may be held at the site of the affected property. The Office of the State Fire Marshal must issue a written decision within 30 days of the appeal or hearing, whichever is later, explaining the reasons for affirming or reversing the municipal

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enforcement decision. The decision of the Office of the State Fire Marshal constitutes final agency action and may be appealed to the Superior Court. The amendment also adds an appropriations and allocations section.

This amendment was not adopted.

**LD 1152      An Act To Encourage the Hiring of Skilled Immigrants through Flexible Certification      ONTP**

| <u>Sponsor(s)</u>     | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| CASAS O<br>CHENETTE J | ONTP                    |                           |

This bill requires each board, commission, office and agency under the oversight of or affiliated with the Department of Professional and Financial Regulation to adopt a process allowing a work-authorized immigrant who possesses a professional license in another state or country to obtain a time-limited license by endorsement or a temporary license while participating in an education program designed to meet the qualifications for professional licensure in this State.

**LD 1155      An Act To Improve the Lives of Working Families      ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| JACKSON T         | ONTP                    |                           |

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

This bill proposes to develop and implement methods of improving the lives of income-earning households in the State.

**LD 1159      An Act To Support Healthy Workplaces and Healthy Families by Providing Paid Sick Leave to Certain Employees      Died Between Houses**

| <u>Sponsor(s)</u>      | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|------------------------|-------------------------|---------------------------|
| MILLETT R<br>FECTEAU R | OTP-AM<br>ONTP          |                           |

This bill creates a right to paid sick leave for employees not covered by a collective bargaining agreement who are employed by an employer that employs 50 or more employees. It also creates a right to unpaid sick leave for employees of an employer that employs fewer than 50 employees. This bill takes effect January 1, 2019.

**Committee Amendment "A" (S-126)**

This amendment is the majority report of the committee. It amends the bill by allowing an employer to satisfy the requirement to offer paid sick leave or unpaid sick leave by offering leave that may be used by the employee for either sick leave or vacation time, as long as that leave accrues at the same rate. The amendment clarifies that accrued sick leave provided in accordance with this bill is not considered wages that would be due to an employee after leaving employment with the employer. It also changes the type of rules the Department of Labor is authorized to adopt in order to implement and enforce the bill from routine technical to major substantive. The amendment also adds an appropriations and allocations section.

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This amendment was not adopted.

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

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

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

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

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

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

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

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

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

**Committee Amendment "A" (S-108)**

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

**Enacted Law Summary**

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

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

**LD 1200 An Act Relating to the Licensure of Physicians**

**PUBLIC 189**

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

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

**Committee Amendment "A" (H-206)**

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

**Enacted Law Summary**

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

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

**PUBLIC 264**

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



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This bill was reported by the Government Oversight Committee pursuant to the Maine Revised Statutes, Title 3, section 997, subsection 2. It implements a number of changes around the requirements in current law requiring the Department of Economic and Community Development to conduct an independent evaluation of research and development activities and a separate evaluation of economic development incentives that are not covered in the research and development evaluation. This bill combines the statutory provisions related to both these evaluations into a requirement for conducting and funding one independent evaluation that encompasses both. The bill changes the required cycle for evaluation from every two years, with results reported to the Legislature during second regular sessions, to every four years, with results reported to the Legislature during first regular sessions. This bill also establishes the objectives for the evaluation and ties those objectives and any recommendations made to the State's long-term economic plan developed by the Maine Economic Growth Council pursuant to the Maine Revised Statutes, Title 10, section 929-A, subsection 1.

The bill requires the Commissioner of Economic and Community Development to present the results of the evaluation to the joint standing committee of the Legislature having jurisdiction over labor, commerce, research and economic development matters, and to report to the committee and the Governor on actions planned by the department and other entities to address the recommendations made in the evaluation with periodic updates on the implantation of the planned actions. It requires a recipient of state funding for research and development activities or economic development incentives, including General Fund appropriations, dedicated revenue, tax expenditures and general obligation bond proceeds for economic development, to collect, maintain and provide data as requested by the Department of Economic and Community Development. Similar to the current payments required of agencies and private entities that receive more than \$250,000 in economic development incentives, the bill also adds a requirement for agencies or private entities that receive General Fund appropriations or general obligation bonds of \$500,000 or more for research and development activities in any fiscal year to contribute an amount not to exceed 0.8% of the General Fund appropriations or general obligation bond proceeds to be applied to the Maine Economic Development Evaluation Fund.

### **Committee Amendment "A" (H-445)**

This amendment adds an appropriations and allocations section.

### **Enacted Law Summary**

Public Law 2017, chapter 264 implements a number of changes around the requirements in current law requiring the Department of Economic and Community Development to conduct an independent evaluation of research and development activities and a separate evaluation of economic development incentives that are not covered in the research and development evaluation. This law combines the statutory provisions related to both these evaluations into a requirement for conducting and funding one independent evaluation that encompasses both. The law changes the required cycle for evaluation from every two years, with results reported to the Legislature during second regular sessions, to every four years, with results reported to the Legislature during first regular sessions. It also establishes the objectives for the evaluation and ties those objectives and any recommendations made to the State's long-term economic plan developed by the Maine Economic Growth Council pursuant to the Maine Revised Statutes, Title 10, section 929-A, subsection 1.

The law requires the Commissioner of Economic and Community Development to present the results of the evaluation to the joint standing committee of the Legislature having jurisdiction over labor, commerce, research and economic development matters, and to report to the committee and the Governor on actions planned by the department and other entities to address the recommendations made in the evaluation with periodic updates on the implantation of the planned actions. It requires a recipient of state funding for research and development activities or economic development incentives, including General Fund appropriations, dedicated revenue, tax expenditures and general obligation bond proceeds for economic development, to collect, maintain and provide data as requested by the Department of Economic and Community Development. Similar to the current payments required of agencies and private entities that receive more than \$250,000 in economic development incentives, this law also adds a requirement for agencies or private entities that receive General Fund appropriations or general obligation

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bonds of \$500,000 or more for research and development activities in any fiscal year to contribute an amount not to exceed 0.8% of the General Fund appropriations or general obligation bond proceeds to be applied to the Maine Economic Development Evaluation Fund.

**LD 1222     An Act To Address the Policies Relating to Substance Use in the Workplace**

**Died Between Houses**

| <u>Sponsor(s)</u>     | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| CUSHING A<br>GUERIN S |                         |                           |

This bill was not referred to committee.

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

1. It replaces the phrase "substance abuse test" and "substance abuse testing" with "substance use test" and "substance use testing" to reflect current usage.
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 use testing program to extend federal drug testing activities to its entire workforce in order to maintain a single testing program and specifies that the employer must prepare a substance use testing plan for employees who are not federally regulated, provide a copy of the plan to the employees and the Department of Labor before testing, follow federal notification and procedural protocols for such employees and annually report the results of testing to the department.
4. It streamlines the current substance use testing policy approval by requiring the Department of Labor to develop a uniform impairment and substance use testing policy applicable to all employers. Employers must certify their adoption of the policy and be approved by the Department of Labor prior to conducting substance use testing.
5. It removes the "probable cause" standard and replaces it with an "impairment detection" standard required before the employer may conduct substance use testing. For employers authorized to conduct substance use testing, only an employer or employee approved for impairment detection by the Department of Labor or a medical person may make an impairment detection. Among other things, this detection may be based on a single work-related accident, unlike the "probable cause" standard under current law. The employer may immediately remove the employee from the workplace pending resolution of the impairment detection.
6. It adds an "impairment determination" process that may be used as an alternative or in addition to a substance use test. Under this process, an occupational health care provider conducts a medical review in order to confirm the impairment detection, which may include a substance use test that includes testing for prescription drugs. If the impairment is confirmed, the employer may take employment action including firing or disciplining the employee, subject to any limitations under the Maine Human Rights Act and any other state or federal law. If the occupational health care provider finds that the employee was not impaired or that such impairment did not pose a safety risk, the employee is entitled to full reinstatement to the employee's position.
7. It adds a violation of an established drug-free workplace policy as grounds for employment action.
8. It adds a first impairment determination to the requirement, applicable to an initial confirmed positive substance use test, that the employer must provide the employee with an opportunity to participate in a treatment program

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before discharging or disciplining the employee. The time frame for completing the treatment program is reduced from six months to 12 weeks, and an employer with between 20 and 50 full-time employees is no longer required to pay half of the costs of the treatment program. An employer with more than 50 full-time employees must pay half of treatment costs not covered by a group health insurance plan when the treatment program is required of the employee.

9. It modifies the current requirement that, prior to establishing a substance use testing program, an employer with over 20 full-time employees have a functioning employee assistance program, instead requiring the program of employers with over 50 full-time employees.

10. It expands the number of establishments that may undertake company-wide random substance use testing by authorizing such testing for companies with 10 or more employees instead of with 50 employees, as is the current standard.

11. It provides that a confirmed positive substance use test may be reported to the employee only by a medical review officer and allows an employee to provide a legitimate medical explanation for a positive test result for legally obtained medications, preventing the medical review officer from reporting a positive test for that substance to the employer.

12. It allows testing laboratories to use federal testing standards to encourage testing of biological samples beyond urine and blood.

13. It adds a new civil violation for any employer noncompliance with the substance use testing laws, for which a fine of not more than \$500 for the first violation, \$750 for the second violation and \$1,000 for third and subsequent violations may be adjudged.

**LD 1243      An Act Regarding the Maine Length of Service Award Program Board of Trustees**

**Died On Adjournment**

| <u>Sponsor(s)</u>    | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| HERBIG E<br>CYRWAY S | OTP-AM<br>ONTP          |                           |

This bill amends the laws governing the Maine Length of Service Award Program Board of Trustees to require the chair of the Maine Fire Protection Services Commission to appoint initial members to the board of trustees if those appointments have not been made within 30 days of the effective date of this legislation. The bill also requires the chair of the Maine Fire Protection Services Commission to make an appointment to fill a vacancy on the board of trustees if the appointment is not made within 60 days of the vacancy.

**Committee Amendment "A" (H-428)**

This amendment is the majority report of the committee. It changes the bill by designating the Board of Trustees of the Maine Public Employees Retirement System as the alternate appointing authority when the Governor does not make timely appointments to the Maine Length of Service Award Program Board of Trustees.

This amendment was not adopted.

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**LD 1244 An Act To Support Small Manufacturers in the State**

**CARRIED OVER**

| <u>Sponsor(s)</u>  | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| HERBIG E<br>VOLK A |                         |                           |

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

This bill proposes to enact measures to support small manufacturers in the State.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

**LD 1259 An Act Regarding Pay Equality**

**Veto Sustained**

| <u>Sponsor(s)</u>   | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| BREEN C<br>TEPLER D | OTP-AM<br>ONTP          | S-173                     |

This bill amends the Maine Human Rights Act to provide that evidence of discrimination with respect to compensation includes an employer seeking information about a prospective employee's prior wage history before an offer of employment, including all compensation, to the prospective employee has been made. It provides that this discrimination is also evidenced by an employer requiring that a prospective employee's prior compensation history meet certain criteria. The bill broadens a provision in the current equal pay law to prohibit an employer from preventing employees from discussing or disclosing other employees' wages and makes the practice evidence of discrimination with respect to compensation under the Maine Human Rights Act as well.

**Committee Amendment "A" (S-173)**

This amendment is the majority report of the committee. It qualifies that the exception in the bill for instances when a prospective employee has voluntarily disclosed wage history information applies only to those instances when a prospective employee voluntarily discloses wage history without any prompting by the employer or employment agency.

**LD 1263 Resolve, To Increase the Affordability of Safe Drinking Water for Maine Families**

**RESOLVE 28**

| <u>Sponsor(s)</u>   | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| MAKER J<br>HERBIG E | OTP-AM<br>ONTP          | S-109<br>S-327 HAMPER J   |

This resolve provides one-time appropriations totaling \$500,000 from the General Fund for treatment of contaminated private drinking water wells. The resolve directs the Maine State Housing Authority to distribute \$300,000 of these funds to organizations and agencies to identify at-risk individuals in homes with contaminated wells and to connect those individuals to appropriate resources and financial assistance; individuals need not meet the eligibility criteria for the home repair program to receive this assistance. The resolve directs the remaining \$200,000 to the authority's home repair program to assist eligible low-income homeowners with the purchase of well water treatment systems.

**Committee Amendment "A" (S-109)**

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This amendment, which is the majority report of the committee, provides for a one-time appropriation of \$500,000 from the General Fund to the Maine State Housing Authority for treatment of contaminated private drinking water wells for families with household incomes no greater than 120% of the area median income. The amendment limits the portion of the funds that can be used for marketing and outreach to \$50,000 and authorizes the authority to use up to 15% of the total funds for program administration. The amendment strikes from the bill a separate appropriation of funds to the Maine Home Repair Program.

### **Senate Amendment "A" To Committee Amendment "A" (S-327)**

This amendment requires the State Controller to transfer \$500,000 by June 30, 2018 from the Medical Use of Marijuana Fund to the unappropriated surplus of the General Fund to offset the one-time General Fund appropriation of \$500,000 in this resolve.

### **Enacted Law Summary**

Resolve 2017, chapter 28 provides for a one-time appropriation of \$500,000 from the General Fund to the Maine State Housing Authority for treatment of contaminated private drinking water wells for families with household incomes no greater than 120% of the area median income. Resolve 2017, chapter 28 also requires the State Controller to transfer \$500,000 by June 30, 2018, from the Medical Use of Marijuana Fund to the unappropriated surplus of the General Fund to offset the one-time General Fund appropriation of \$500,000. The authority may use up to 15% of the total funds for program administration and up to \$50,000 of the funds for targeted marketing and outreach to connect households with contaminated well water to appropriate professional services for assessing and installing well water treatment systems.

## **LD 1280 An Act To Require Drug Manufacturers To Comply with Federal Law**

**CARRIED OVER**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u>          |
|-------------------|-------------------------|------------------------------------|
| JACKSON T         | OTP-AM                  | S-153                              |
| GATTINE D         | ONTP                    | S-297 JACKSON T<br>S-309 JACKSON T |

This bill amends the Maine Pharmacy Act to require that a drug distributed in this State must be made available for sale in this State to a person seeking to develop an application for the approval of the drug under the Federal Food, Drug, and Cosmetic Act or the licensing of a biological product under the federal Public Health Service Act. It establishes disciplinary actions for noncompliance.

### **Committee Amendment "A" (S-153)**

This amendment, which is the majority report of the committee, clarifies that the bill's requirement that a drug distributed in this State be made available for sale to an eligible product developer applies only to manufacturers and wholesalers of drugs licensed in this State under the Maine Pharmacy Act. The amendment further requires sale of a drug distributed in this State to eligible product developers at a fair market price for purposes of supporting the eligible product developer's application for approval of a drug under the Federal Food, Drug, and Cosmetic Act, Section 505(b) or 505(j) or the licensing of a biological product under the federal Public Health Service Act, Section 351. The licensed manufacturer or wholesaler may not impose any restriction on the sale that would block or delay the eligible product developer's application in a manner inconsistent with Section 505-1(f)(8) of the Federal Food, Drug, and Cosmetic Act, 21 United States Code, Section 355-1(f)(8) (2016).

### **Senate Amendment "B" To Committee Amendment "A" (S-297)**

The bill, as amended by Committee Amendment "A," requires that a drug distributed in this State be made available for sale to an eligible product developer by a manufacturer or wholesaler of drugs licensed in this State under the Maine Pharmacy Act. This amendment provides that a manufacturer or wholesaler is not liable for injuries alleged

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to have been caused by the failure to include adequate safety warnings on a product's label or by a defect in the product's design if that product was not manufactured or sold by that manufacturer or wholesaler.

### **Senate Amendment "D" To Committee Amendment "A" (S-309)**

This amendment requires a drug manufacturer or wholesaler to make a drug available for sale at a price no greater than the wholesale acquisition cost rather than at the fair market price as provided in Committee Amendment "A" and limits the price charged to customers for the drug obtained pursuant to this requirement to no more than the wholesale acquisition cost. This amendment also adds an intent section.

This bill was reported out of committee and then carried over to the next special or regular session of the 128th Legislature on the Special Appropriations Table by joint order, S.P. 601.

### **LD 1306 An Act To Create a Small Communities Tourism Grant Program**

**Veto Sustained**

| <u>Sponsor(s)</u>     | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| HERBIG E<br>BELLOWS S | OTP-AM<br>ONTP          | H-227                     |

This bill establishes the Small Communities Tourism Fund in the Department of Economic and Community Development, Office of Tourism to issue grants to small communities to promote tourism and events.

### **Committee Amendment "A" (H-227)**

This amendment, which is the majority report of the committee, replaces the bill. The amendment creates a small communities tourism grant program to issue matching grants to small communities to promote tourism and events. The \$10,000 annual funding for this program derives from the tax revenues received by the Tourism Marketing Promotion Fund.

### **LD 1307 An Act To Ensure Fair Employment Opportunity for Maine Citizens and Legal Residents**

**Died Between Houses**

| <u>Sponsor(s)</u>    | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| GINZLER P<br>MAKER J | ONTP<br>OTP-AM          |                           |

This bill requires an employer, before employing a person or referring a person for employment, to make a good faith inquiry as to whether that person is a United States citizen or an alien, and, if the inquiry reasonably indicates that the person is an alien, the employer must use the E-Verify program operated by the United States Department of Homeland Security to verify the employment eligibility of that person.

### **Committee Amendment "A" (H-400)**

This amendment is the minority report of the committee. It replaces the bill and requires every public employer and public contractor to register with and use the E-Verify program to determine the work eligibility status of new employees physically performing services within the State.

This amendment was not adopted.

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**LD 1308      Resolve, To Expedite the Processing of Applications for Certification  
under the Work Opportunity Tax Credit**

**CARRIED OVER**

| <u>Sponsor(s)</u>           | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------------|-------------------------|---------------------------|
| TALBOT ROSS R<br>WOODSOME D | OTP-AM<br>ONTP          | H-118                     |

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

This bill proposes to implement programs to facilitate the transition of persons from rehabilitation for drug or alcohol addiction or economic dependency to self-sufficiency by providing employment opportunities while allowing their employers to reduce their tax liability. This bill would create a program, modeled on the federal Work Opportunity Tax Credit program operated by the United States Department of Labor, to encourage employers to hire from certain population segments, such as MaineCare and Medicare recipients, veterans, persons in the Temporary Assistance for Needy Families program or receiving general assistance, persons convicted of a crime who have been released from prison, persons recently out of residential treatment or detoxification for substance use disorder or who recently began medication-assisted treatment and disadvantaged teens. The incentives would consist of tax credits based on the wages paid to qualified persons and financial assistance for training costs.

**Committee Amendment "A" (H-118)**

This amendment replaces the bill with a resolve that directs the Department of Labor to establish a new permanent position in the Bureau of Employment Services to expedite the processing of employer applications for certification required for the federal work opportunity tax credit under Section 51 of the United States Internal Revenue Code. The amendment also requires the Department of Labor to submit a report to the Joint Standing Committee on Labor, Commerce, Research and Economic Development with information concerning applications submitted by employers in 2017, including information on the extent of any backlog in application processing, by February 1, 2018. The amendment adds an appropriations and allocations section.

This bill was reported out of committee and then carried over to the next special or regular session of the 128th Legislature on the Special Appropriations Table by joint order, S.P. 601.

**LD 1324      An Act To Support Innovation, Entrepreneurship and Maine's  
Economic Future**

**PUBLIC 109**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| GROHMAN M         | OTP-AM                  | H-207                     |

This bill expands the powers of the Maine Technology Institute by allowing the institute to administer technology centers that support early-stage development of technology-based businesses that are currently administered by the Department of Economic and Community Development; create a program to encourage the establishment of incubators and accelerators to support entrepreneurs through competitive grants and other financial assistance; establish a competitive summer internship program in the entrepreneurial support system with the University of Maine System; establish a program with the Maine Innovation Economy Advisory Board to support technology transfer at postsecondary institutions and nonprofit research institutes in the State; and establish a program of education and assistance on the patenting process with the University of Maine School of Law to support commercialization of innovations. The bill provides that the administrative costs of these new programs and activities are not considered management and related operating costs of the institute subject to the 10% statutory cap in the Maine Revised Statutes, Title 5, section 15305.

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## Committee Amendment "A" (H-207)

This amendment clarifies that the new powers granted to the Maine Technology Institute through the bill are not exclusive in nature.

### Enacted Law Summary

Public Law 2017, chapter 109 expands the powers of the Maine Technology Institute by allowing the institute to administer technology centers that support early-stage development of technology-based businesses that are currently administered by the Department of Economic and Community Development. The law further authorizes the institute to establish and operate programs, including but not limited to, a program to encourage the establishment of incubators and accelerators to support entrepreneurs through competitive grants and other financial assistance; a competitive summer internship program in the entrepreneurial support system with the University of Maine System; a program with the Maine Innovation Economy Advisory Board to support technology transfer at postsecondary institutions and nonprofit research institutes in the State; and a program of education and assistance on the patenting process with the University of Maine School of Law to support commercialization of innovations. The administrative costs of these new programs and activities are not considered management and related operating costs of the institute subject to the 10% statutory cap in the Maine Revised Statutes, Title 5, section 15305.

### LD 1327     **An Act To Allow Former Military Medical Personnel To Perform Certain Medical Services**

**CARRIED OVER**

| <u>Sponsor(s)</u>       | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------------|-------------------------|---------------------------|
| FARRIN B<br>THIBODEAU M |                         |                           |

This bill allows a former United States Army medic, United States Air Force medical technician, United States Navy corpsman or United States Coast Guard health services technician to perform medical services that reflect the person's medical training and experience under the supervision of a person licensed by the Board of Osteopathic Licensure, Board of Licensure in Medicine or Board of Licensure of Podiatric Medicine or under the supervision of a health care facility that is itself supervised by a licensee. The medical services must be delegated to the person by the supervising licensee and set forth in a medical practice agreement approved by the relevant board.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

### LD 1340     **An Act To Amend the Laws Governing the Maine State Housing Authority**

**PUBLIC 234**

| <u>Sponsor(s)</u>   | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| VOLK A<br>FECTEAU R | OTP-AM<br>OTP-AM        | S-243                     |

This bill updates the laws governing the Maine State Housing Authority by:

1. Reducing the number of annual, biennial or one-time reports required by statute, by eliminating the following: the annual report on the allocation of the state ceiling on tax-exempt bonds; the annual report on the low-income energy assistance program; a one-time report due in 2005 on housing for young professionals and young families; reports by municipalities and school districts on land or buildings suitable for construction of affordable housing; biennial reports on the adequacy of data collection regarding Maine's housing stock; automatic annual reports on the Maine Energy, Housing and Economic Recovery Fund; a one-time report due in 1989 on a plan for the use of state-owned land; and a biennial report on the surplus land trust;



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2. Repealing the laws creating several authority programs, including the Natural Disaster Home Assistance Program; the Overboard Discharge Assistance Fund; a program to hold surplus state property in trust for development of housing; a program to award matching grants and loans to municipalities for the development of affordable housing; the Office of Nonprofit Housing; a program for low-interest loans to municipalities to acquire or preserve land for affordable housing; and a program to create demonstration housing opportunity zones;
3. Providing that funds remaining in any revolving fund administered by the authority for more than 10 years lapse to the Housing Opportunities for Maine Program and eliminating the following funds: a nonlapsing revolving loan fund for municipalities; the Maine Affordable Housing Land Trust Fund; and the Municipal Land Acquisition Revolving Fund;
4. Clarifying the jurisdiction of the authority and of municipal housing authorities with respect to the administration of federal housing choice vouchers;
5. Eliminating the requirement that the authority meet with municipalities in anticipation of a proposed housing project and instead requiring the authority to provide municipalities the opportunity to review and discuss proposed housing development projects prior to the approval process;
6. Specifying that the personnel files of authority employees are confidential and not subject to disclosure under the Freedom of Access Act;
7. Granting the authority the power to perform all functions necessary or useful for carrying out any of its powers, duties or purposes;
8. Eliminating the following duties of the authority: to create affirmative housing action plans for consideration by regional planning commissions and local planning boards; to expand access to housing for young professionals and young families; and to develop guidelines for energy improvements that may be made with proceeds of home improvement notes;
9. Permitting the authority to refinance single-family mortgage loans held by the authority in order to lower mortgage payments or make home improvements for persons with low income; exempting the authority from using an escrow agent if the authority finances 60% or more of a construction loan for low-income housing; and extending the right of first refusal time period for the authority or local housing authorities to purchase property containing a low-income housing project;
10. Decreasing from two years to one year the period during which a former employee or commissioner of the authority may not accept employment with or acquire an interest in a project over which that person exercised control, responsibility or decisions during employment or tenure; and
11. Eliminating the requirement that the Governor, the President of the Senate and the Speaker of the House appoint members to the Statewide Homeless Council nominated by regional homeless councils and instead requiring only due consideration of regional homeless council nominations.

### **Committee Amendment "A" (S-243)**

This amendment, which is the majority report of the committee, amends the bill by:

1. Clarifying that only specific items within the personnel files of Maine State Housing Authority employees are confidential;
2. Requiring municipal housing authorities to meet at least annually with the legislative bodies of the municipalities for which they are created;

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3. Authorizing the Maine State Housing Authority to provide an arsenic abatement program to homeowners with private well water that shows evidence of arsenic contamination, including individuals whose homes are located on land owned by an immediate family member; and
4. Eliminating the provisions of the bill that propose to change the process for appointing members of the Statewide Homeless Council.

### **Committee Amendment "B" (S-244)**

This amendment, which is the minority report of the committee, amends the bill by:

1. Clarifying that only specific items within the personnel files of Maine State Housing Authority employees are confidential;
2. Authorizing the Maine State Housing Authority to provide an arsenic abatement program to homeowners with private well water that shows evidence of arsenic contamination, including individuals whose homes are located on land owned by an immediate family member; and
3. Eliminating the provisions of the bill that propose to change the process for appointing members of the Statewide Homeless Council.

This amendment was not adopted.

### **Enacted Law Summary**

Public Law 2017, chapter 234 updates the laws governing the Maine State Housing Authority by:

1. Reducing the number of annual, biennial or one-time reports required by statute, by eliminating the following: the annual report on the allocation of the state ceiling on tax-exempt bonds; the annual report on the low-income energy assistance program; a one-time report due in 2005 on housing for young professionals and young families; reports by municipalities and school districts on land or buildings suitable for construction of affordable housing; biennial reports on the adequacy of data collection regarding Maine's housing stock; automatic annual reports on the Maine Energy, Housing and Economic Recovery Fund; a one-time report due in 1989 on a plan for the use of state-owned land; and a biennial report on the surplus land trust;
2. Repealing the laws creating several authority programs, including the Natural Disaster Home Assistance Program; the Overboard Discharge Assistance Fund; a program to hold surplus state property in trust for development of housing; a program to award matching grants and loans to municipalities for the development of affordable housing; the Office of Nonprofit Housing; a program for low-interest loans to municipalities to acquire or preserve land for affordable housing; and a program to create demonstration housing opportunity zones;
3. Providing that funds remaining in any revolving fund administered by the authority for more than 10 years lapse to the Housing Opportunities for Maine Program and eliminating the following funds: a nonlapsing revolving loan fund for municipalities; the Maine Affordable Housing Land Trust Fund; and the Municipal Land Acquisition Revolving Fund;
4. Clarifying the jurisdiction of the authority and of municipal housing authorities with respect to the administration of federal housing choice vouchers;
5. Eliminating the requirement that the authority meet with municipalities in anticipation of a proposed housing project and instead requiring the authority to provide municipalities the opportunity to review and discuss proposed housing development projects prior to the approval process;
6. Specifying that specific items within the personnel files of authority employees are confidential and not subject

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to disclosure under the Freedom of Access Act;

7. Granting the authority the power to perform all functions necessary or useful for carrying out any of its powers, duties or purposes;

8. Eliminating the following duties of the authority: to create affirmative housing action plans for consideration by regional planning commissions and local planning boards; to expand access to housing for young professionals and young families; and to develop guidelines for energy improvements that may be made with proceeds of home improvement notes;

9. Permitting the authority to refinance single-family mortgage loans held by the authority in order to lower mortgage payments or make home improvements for persons with low income; exempting the authority from using an escrow agent if the authority finances 60% or more of a construction loan for low-income housing; and extending the right of first refusal time period for the authority or local housing authorities to purchase property containing a low-income housing project;

10. Decreasing from two years to one year the period during which a former employee or commissioner of the authority may not accept employment with or acquire an interest in a project over which that person exercised control, responsibility or decisions during employment or tenure;

11. Authorizing the Maine State Housing Authority to provide an arsenic abatement program to homeowners with private well water that shows evidence of arsenic contamination, including individuals whose homes are located on land owned by an immediate family member; and

12. Requiring municipal housing authorities to meet at least annually with the legislative bodies of the municipalities for which they are created.

**LD 1341 An Act To Clarify Eligibility for Unemployment Benefits during Labor Disputes**

**Died Between Houses**

Sponsor(s)

VOLK A  
VACHON K

Committee Report

ONTP  
OTP-AM

Amendments Adopted

This bill removes the provision of law affecting the disqualification for unemployment benefits of employees at an establishment at which there is a labor dispute and at which there would have been a work stoppage but for the employer's maintaining substantially normal operations through the use of other personnel. It also broadens the disqualification from unemployment benefits in current law for unemployment that is due to a stoppage of work caused by a labor dispute by eliminating the requirement that there be a stoppage of work. Instead, unemployment that is due to a labor dispute is sufficient grounds for a denial of benefits. It also updates the language of the exceptions to this disqualification in current law to reflect the elimination of the stoppage of work requirement.

**Committee Amendment "A" (S-165)**

This amendment incorporates a fiscal note.

This amendment was not adopted.

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**LD 1343 An Act To Promote Downtown Revitalization by Creating the Locating  
Businesses Downtown Loan Program**

**CARRIED OVER**

| <u>Sponsor(s)</u>       | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------------|-------------------------|---------------------------|
| CHENETTE J<br>FECTEAU R | OTP-AM<br>ONTP          | S-152                     |

This bill establishes the Locating Businesses Downtown Loan Program, within the Communities for Maine's Future Program, to provide forgivable loans for businesses seeking to initially locate or to relocate in a downtown area, village area or along a main street within the State. Applications for loans under the program are evaluated by the Department of Economic and Community Development in conjunction with a loan review panel. Successful applicants must execute a loan agreement prepared by the department specifying the terms and conditions of the loan, including the length of time that a business must remain in the downtown area, village area or along a main street within the State for the loan to be forgiven.

**Committee Amendment "A" (S-152)**

This amendment is the majority report of the committee. It changes the appointing authority for one member of the Locating Businesses Downtown Loan Review Panel established by the bill. Instead of one representative from a statewide organization that advocates for economic development that preserves the quality of life in local communities being jointly appointed by the President of the Senate and the Speaker of the House, this panel member is appointed by the Maine Development Foundation.

This bill was reported out of committee and then carried over to the next special or regular session of the 128th Legislature on the Special Appropriations Table by joint order, S.P. 601.

**LD 1348 An Act To Expand the Rights of Public Employees under the Maine  
Labor Laws**

**Accepted Majority  
(ONTP) Report**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| SYLVESTER M       | ONTP<br>OTP-AM          |                           |

This bill allows public employees, including municipal and county employees, state and legislative employees, university, academy and community college employees and judicial employees, to strike pursuant to the official procedures of the employees' employee organization or under a process in which an affirmative vote to strike is held. The bill requires that notice be given to the public employer stating the dates upon which the strike will begin and end. The bill also provides that the employee organization or public employer may call for emergency bargaining within three days of the start of the strike.

**Committee Amendment "A" (H-354)**

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

This amendment was not adopted.

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**LD 1349 An Act Regarding the Licensure of Appraisal Management Companies**

**PUBLIC 270**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| FECTEAU R         | OTP-AM                  | H-467                     |

This bill enacts the Appraisal Management Company Registration Act. Under the bill, appraisal management companies must obtain registration by the Board of Real Estate Appraisers. Appraisal management companies are entities that provide appraisal management services to creditors or secondary mortgage market participants with appraisers who are employees of the entity or part of an appraiser panel made up of independent contractors, that provide services in connection with valuing a consumer's principal dwelling as security for a consumer credit transaction or incorporating such transactions into securitizations and that oversee appraiser panels in one or more states. Appraisal management services provided by appraisal management companies include recruiting, selecting and retaining appraisers; contracting with appraisers to perform appraisal assignments; managing the process of having an appraisal performed; and reviewing and verifying the work of appraisers.

**Committee Amendment "A" (H-467)**

This amendment, which is the unanimous report of the committee, clarifies that appraisal management companies must be licensed, not registered, by the Board of Real Estate Appraisers. The amendment makes several changes to the bill to comply with the federal Dodd-Frank Wall Street Reform and Consumer Protection Act as well as to provide appropriate cross-references to the laws governing licensing boards within the Department of Professional and Financial Regulation, Office of Professional and Occupational Regulation in the Maine Revised Statutes, Title 10, chapter 901.

The amendment adds a provision repealing the requirement for licensure of appraisal management companies on March 15, 2018. The Board of Real Estate Appraisers is required to submit a report to the Joint Standing Committee on Labor, Commerce, Research and Economic Development by January 1, 2018, indicating whether the federal Dodd-Frank Wall Street Reform and Consumer Protection Act has been repealed or substantially amended. The committee may report out a bill related to the report.

**Enacted Law Summary**

Public Law 2017, chapter 270 enacts the Appraisal Management Company Licensing Act. Under the Act, appraisal management companies must be licensed by the Board of Real Estate Appraisers. Appraisal management companies are entities that provide appraisal management services to creditors or secondary mortgage market participants in connection with valuing a consumer's principal dwelling as security for a consumer credit transaction with appraisers who part of an appraiser panel made up of independent contractors. Appraisal management services provided by appraisal management companies include recruiting, selecting and retaining appraisers; contracting with appraisers to perform appraisal assignments; managing the process of having an appraisal performed; and reviewing and verifying the work of appraisers.

Public Law 2017, chapter 270 is repealed on March 15, 2018. The Board of Real Estate Appraisers is required to submit a report to the Joint Standing Committee on Labor, Commerce, Research and Economic Development by January 1, 2018, indicating whether the federal Dodd-Frank Wall Street Reform and Consumer Protection Act has been repealed or substantially amended. The committee may report out a bill related to the report.

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**LD 1353 An Act To Establish the Maine Domestic Trade Center**

**ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| CARPENTER M       | ONTP                    |                           |

This bill establishes the Maine Domestic Trade Center, a private nonprofit corporation with a public purpose. The center is charged with helping Maine businesses, particularly small businesses, to innovate, grow and create new jobs by providing and enhancing services to facilitate the export of goods and services from Maine to other states. The center will have a board of directors and the International Trade Director at the Department of Economic and Community Development shall serve as the president of the center. The center will share staffing support and facilities with the International Trade Center, but may hire its own staff and secure its own facilities upon approval of the board of directors.

**LD 1358 An Act To Improve Public Sector Labor Relations**

**Died Between Houses**

| <u>Sponsor(s)</u>        | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------------|-------------------------|---------------------------|
| JACKSON T<br>SYLVESTER M | OTP-AM<br>ONTP          |                           |

This bill amends the labor relations laws governing municipal public employees and University of Maine System employees to provide that determinations by arbitrators with respect to controversies over all subjects, including salaries, pensions and insurance, are final and binding on the parties. It also amends the labor relations laws governing state employees, and the labor relations laws governing judicial employees, to provide that, with respect to controversies over salaries, an arbitrator's determinations are final and binding on the parties.

**Committee Amendment "A" (S-232)**

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

This amendment was not adopted.

**LD 1359 An Act To Adopt the Interstate Medical Licensure Compact**

**PUBLIC 253**

| <u>Sponsor(s)</u>      | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|------------------------|-------------------------|---------------------------|
| GRATWICK G<br>TUCKER R | OTP-AM                  | S-208                     |

This bill enacts the Interstate Medical Licensure Compact. The compact provides a mechanism by which a physician licensed in one member state may voluntarily apply for and receive an expedited license in another member state.

**Committee Amendment "A" (S-208)**

This amendment grants the Board of Osteopathic Licensure and the Board of Licensure in Medicine the authority to request state and national criminal history information, including fingerprint-based criminal history information, for physicians who request expedited licensure under the Interstate Medical Licensure Compact. The State may not participate in the Interstate Medical Licensure Compact unless the boards have the authority to obtain and review

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this information. The results of background checks received by the Board of Osteopathic Licensure or the Board of Licensure in Medicine are for official use only and may not be disseminated outside the boards. An applicant whose license has expired and who has not applied for renewal may request in writing that the State Bureau of Identification remove the applicant's fingerprints from the bureau's fingerprint file. The amendment also makes a technical change to the bill regarding the process for an appeal on the determination of eligibility.

### **Enacted Law Summary**

Public Law 2017, chapter 253 enacts the Interstate Medical Licensure Compact. The compact provides a mechanism by which a physician licensed in one member state may voluntarily apply for and receive an expedited license in another member state. Physicians who choose to request an expedited license through the compact must submit to fingerprint-based state and national criminal history background checks.

### **LD 1360 An Act To Conform the State Workforce Board and Workforce Development Programs to the Federal Workforce Innovation and Opportunity Act**

**PUBLIC 110**

| <u>Sponsor(s)</u>   | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| VOLK A<br>FECTEAU R | OTP                     |                           |

This bill replaces all references to the federal Workforce Investment Act of 1998 with the federal reauthorization of that act, the Workforce Innovation and Opportunity Act, and changes the name of the State Workforce Investment Board to the State Workforce Board. The bill updates the duties and responsibilities of the State Workforce Board to conform to those articulated in the Workforce Innovation and Opportunity Act. It replaces the current workforce development reporting requirements to the Legislature with a reporting requirement that mirrors the information reported to the Federal Government under the Workforce Innovation and Opportunity Act. It replaces the requirement that the Industry Partnership Assistance Collaborative annually create a list of statewide and regional high-priority occupations critical to the success of the targeted industry clusters with a requirement that the Center for Workforce Research and Information publish a list of high-wage priority occupations, by the same process currently used for the Competitive Skills Scholarship Program.

### **Enacted Law Summary**

Public Law 2017, chapter 110 replaces all references to the federal Workforce Investment Act of 1998 with the federal reauthorization of that act, the Workforce Innovation and Opportunity Act, and changes the name of the State Workforce Investment Board to the State Workforce Board. The law updates the duties and responsibilities of the State Workforce Board to conform to those articulated in the Workforce Innovation and Opportunity Act. It replaces the current workforce development reporting requirements to the Legislature with a reporting requirement that mirrors the information reported to the Federal Government under the Workforce Innovation and Opportunity Act. It replaces the requirement that the Industry Partnership Assistance Collaborative annually create a list of statewide and regional high-priority occupations critical to the success of the targeted industry clusters with a requirement that the Center for Workforce Research and Information publish a list of high-wage priority occupations, by the same process currently used for the Competitive Skills Scholarship Program.

### **LD 1362 An Act To Update the Operations of the Bureau of Rehabilitation Services and To Conform to the Federal Workforce Innovation and Opportunity Act of 2014**

**PUBLIC 111**

| <u>Sponsor(s)</u>   | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| VOLK A<br>FECTEAU R | OTP                     |                           |

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

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

### **Enacted Law Summary**

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

### **LD 1376 An Act To Remove Barriers to Workforce Development in Alcohol and Drug Counseling**

**PUBLIC 265**

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

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

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

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

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

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



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

### **Enacted Law Summary**

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

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

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

**PUBLIC 228**

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

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

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

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

### **Enacted Law Summary**

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Public Law 2017, chapter 228 makes the following activities by a person who is not an official, agent or representative of a governmental entity a violation of the Maine Unfair Trade Practices Act:

1. Making an untrue representation that the person is an official, agent or representative of a governmental entity in the advertisement, offer, sale or distribution of goods or services;
2. Simulating a summons, complaint, jury notice, tax form or other judicial or administrative process; or
3. Offering to sell a governmental document that can be obtained from the applicable governmental entity for free or at a lesser charge without informing the consumer of that free availability in a manner that is clearly visible to a consumer.

**LD 1378      Resolve, Directing the State Workforce Investment Board To Create the      Veto Sustained**  
**Maine Family First Employer Program**

| <u>Sponsor(s)</u>  | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| HERBIG E<br>VOLK A | OTP-AM                  | H-390                     |

This bill creates the Maine Family First Employer Program under the Department of Labor to award employers that provide family-friendly workplaces that provide, for all full-time employees, advancement and leadership opportunities; the same pay rates for similar work; stipends or assistance for child care; paid leave for child birth or adoption and medical care for the employee or family member; flexible work accommodations for other important family obligations; and health insurance and retirement plan options. The awards are presented by the Governor and come with a logo that a designated employer may use for promotional purposes.

**Committee Amendment "A" (H-390)**

This amendment strikes the bill and replaces it with a resolve directing the State Workforce Investment Board to create the Maine Family First Employer Program to award businesses whose policies and practices address the unique needs of working families in the State with a Family First Employer designation.

**LD 1392      An Act To Allow Municipalities To Opt Not To Enforce the Maine      Accepted Majority**  
**Uniform Building and Energy Code      (ONTP) Report**

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

This bill requires a municipality that has more than 4,000 residents to adopt and enforce one of the following: the Maine Uniform Building Code, the Maine Uniform Energy Code or the Maine Uniform Building and Energy Code.

**Committee Amendment "A" (H-211)**

This amendment, which is the minority report of the committee, replaces the bill and changes the title. The amendment allows a municipality that has more than 4,000 residents to affirmatively opt out of the Maine Uniform Energy Code by adopting the Maine Uniform Building Code.

This amendment was not adopted.

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

**LD 1393      Resolve, Establishing the Commission To Create a Statewide Economic Development Plan      ONTP**

| <u>Sponsor(s)</u>   | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| TEPLER D<br>LIBBY N | ONTP                    |                           |

This resolve establishes the Commission To Develop a Statewide Economic Development Plan, tasked with creating a strategic, regionally focused economic development plan for the State.

**LD 1402      An Act Regarding Payroll Deductions      ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| JACKSON T         | ONTP                    |                           |

This bill authorizes public employees to authorize payroll deductions for the cost of insurance or an employee benefit offered by the employee's bargaining agent or for a contribution to a political action committee. The bill requires public employers to deduct funds from a public employee's pay as authorized by the employee and transmit those funds to the specified recipient.

**LD 1409      An Act To Reduce Regulations for Small Nonalcoholic Beverage Producers      PUBLIC 113 EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| CHIPMAN B         | OTP-AM                  | S-110                     |

This bill allows small nonalcoholic beverage producers that manufacture or bottle no more than 50,000 gallons of beverages a year to clean and sanitize reusable beverage containers by washing by hand and bottle and carbonate the containers by hand as long as all other statutory cleaning and sanitizing requirements for beverage manufacturing and bottling plants are met.

**Committee Amendment "A" (S-110)**

This amendment adds an emergency preamble and emergency clause to the bill. Unlike the bill, which applies to producers that manufacture or bottle no more than 50,000 gallons of beverages annually, the amendment gives small nonalcoholic beverage producers that manufacture or bottle no more than 10,000 gallons of beverages annually flexibility in the method by which they clean and sanitize reusable glass beverage containers, as long as they use the required 3% caustic alkali sanitizing solution. The amendment also permits small nonalcoholic beverage producers to bottle and carbonate their products by hand, rather than through the use of machinery, as long as all other statutory sanitary requirements for beverage manufacturing and bottling plants are met.

**Enacted Law Summary**

Public Law 2017, chapter 113 gives small nonalcoholic beverage producers that manufacture or bottle no more than 10,000 gallons of beverages annually flexibility in the method by which they clean and sanitize reusable glass beverage containers, as long as they use the required 3% caustic alkali sanitizing solution. Public Law 2017, chapter 113 also permits small nonalcoholic beverage producers to bottle and carbonate their products by hand, rather than through the use of machinery, as long as all other statutory sanitary requirements for beverage manufacturing and bottling plants are met.

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Public Law 2017, chapter 113 was enacted as an emergency measure effective June 1, 2017.

**LD 1410 An Act To Adopt the Nurse Licensure Compact**

**PUBLIC 258**

| <u>Sponsor(s)</u>   | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| VOLK A<br>FECTEAU R | OTP-AM                  | S-215                     |

This bill adopts the model act for the multistate nurse licensure compact endorsed by the National Council of State Boards of Nursing and adds a federal fingerprint background check for new licensees as required by the compact.

**Committee Amendment "A" (S-215)**

This amendment makes technical changes to the bill to authorize the State Board of Nursing to obtain national and state fingerprint-based criminal history record information for all applicants for initial licensure and licensure by endorsement by the board, including applicants for multistate licensure. The amendment replaces the appropriations and allocations section of the bill.

**Enacted Law Summary**

Public Law 2017, chapter 258 adopts the model act for the multistate nurse licensure compact endorsed by the National Council of State Boards of Nursing and, as required by the compact, authorizes the State Board of Nursing to obtain national and state fingerprint-based criminal history record information for all applicants for initial licensure and licensure by endorsement, including applicants for multistate licensure.

**LD 1420 An Act Regarding Work Permits for Minors under 16 Years of Age**

**ONTP**

| <u>Sponsor(s)</u>     | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| STETKIS J<br>CYRWAY S | ONTP                    |                           |

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 clarifies 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.
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.
3. It eliminates the prohibition on minors under 16 years of age working more than six consecutive days.
4. It eliminates the prohibition on minors under 18 years of age working more than 50 hours per week when school is not in session.
5. 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

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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.

6. It allows the parent or legal guardian of a minor under 16 years of age to sign a work permit for the minor and removes school superintendents from the work permit process. It requires copies of the minor's signed permit and proof of age to be kept at the minor's place of employment. It authorizes the Department of Labor, Bureau of Labor Standards to revoke a work permit.

7. It maintains the authority of the bureau to revoke work permits if state or federal law has been violated.

8. It repeals obsolete language dealing with triplicate permits and a master permit system.

**LD 1443 An Act To Update Professional and Occupational Licensing Laws**

**PUBLIC 210**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| VOLK A            | OTP-AM                  | S-216                     |

This bill makes the following changes to professional and occupational licensing laws.

1. It updates technical terminology in the laws governing warranties applicable to the manufacture and sale of manufactured homes; exempts up to two modular homes built by students annually in each secondary or post-secondary educational program from the jurisdiction of the Manufactured Housing Board; changes the terms “mobile home” and “mobile home park” to the terms “manufactured home” and “manufactured housing community”; clarifies the type of manufactured home that a licensed mechanic may service and a licensed installer may install; clarifies that a license is required to manufacture, broker, distribute, sell, install or service manufactured housing in Maine, regardless of the destination of the housing; and makes other technical changes to the laws governing manufactured housing.

2. It removes a residency requirement for licensed funeral practitioners and other licensees of the Board of Funeral Service and clarifies the requirements for a practitioner trainee to receive credit toward licensure through the Maine Apprenticeship Program.

3. It repeals the provisions for licensure of companies by the Plumbers' Examining Board; creates an exemption from plumbing licensure for pump installers who are licensed by the Department of Health and Human Services, Maine Water Well Commission; clarifies that the board may discipline licensees for violation of rules adopted by the board and a municipality may penalize licensees who violate municipal ordinances; eliminates the requirement that an individual apply for a trainee license within ten business days of commencing work as a trainee plumber; and allows candidates for plumbing licensing examinations to retake the examination without paying a reexamination fee and to take the examination more than once time per year, regardless of the score received on the examination.

4. It repeals a transition provision added to the laws governing licensure of social workers in 1987, which is no longer relevant.

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5. In the laws governing the Real Estate Commission, it authorizes the commission to deny or refuse to renew a license if the applicant had a professional or occupational license suspended or revoked for disciplinary reasons at any time in the past, not just in the past three years as in current law; it requires the designated broker of a brokerage agency to notify the commission when a licensee leaves the agency, but eliminates the requirement that the designated broker to return the license to the commission; clarifies that a designated broker may delegate functions only to an individual affiliated with the agency; authorizes nonresidents to apply for licensure if they hold licenses in any other jurisdiction, not just in their places of legal residence; and removes references to the obsolete term "branch office manager."
6. It removes provisions that require individuals to submit a photograph with an application for licensure as a transient seller as well as the dates of birth and social security numbers of their employees.
7. It makes technical corrections to the laws governing licensure of boiler and pressure vessel operators, including by repealing a reference to an examination committee that no longer exists.
8. It requires that secondary and post-secondary oil burner and solid fuel technician courses be approved by the Maine Fuel Board; allows propane and natural gas technicians to obtain more than one type of specialty authority; requires all applicants for propane and natural gas technician licenses to pass an examination approved by the board; and removes the term "limited" from certain license categories including energy auditors, tank installers and wood pellet technicians.
9. It restores language that was inadvertently omitted from a comprehensive revision of the laws governing dental practice enacted in the Second Regular Session of the 127th Legislature authorizing the Board of Dental Practice to file a complaint in District Court for suspension or revocation of a license.

### **Committee Amendment "A" (S-216)**

In addition to making several technical changes to the language of the bill, this amendment:

1. Expands the exemption from the laws governing the Manufactured Housing Board for student-built modular homes to education programs that build more than two modular homes annually in accordance with board rules;
2. Clarifies that a practitioner trainee licensed by the State Board of Funeral Service must register with the Department of Labor's Maine Apprenticeship Program; and
3. Clarifies that a trainee plumber licensed by the Plumbers' Examining Board may work under the direct supervision of more than one licensed journeyman or master plumber and may be employed by either a master plumber or an entity that also employs at least one licensed master plumber.

### **Enacted Law Summary**

Public Law 2017, chapter 210 makes the following changes to professional and occupational licensing laws.

1. It updates technical terminology in the laws governing warranties applicable to the manufacture and sale of manufactured homes; exempts modular homes built by students in secondary or post-secondary educational programs in accordance with rules adopted by the Manufactured Housing Board from the definition of "manufactured housing"; where appropriate, changes the terms "mobile home" and "mobile home park" to the terms "manufactured home" and "manufactured housing community"; clarifies the type of manufactured home that a licensed mechanic may service and a licensed installer may install; clarifies that a license is required to manufacture, broker, distribute, sell, install or service manufactured housing in Maine, regardless of the destination of the housing; and makes other technical changes to the laws governing manufactured housing.
2. It removes a residency requirement for licensed funeral practitioners and other licensees of the Board of Funeral

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Service and clarifies the requirements for a practitioner trainee to receive credit toward licensure through the Maine Apprenticeship Program.

3. It repeals the provisions for licensure of companies by the Plumbers' Examining Board; clarifies that a trainee plumber licensed by the board may work under the direct supervision of more than one licensed journeyman or master plumber and may be employed by either a master plumber or an entity that also employs at least one licensed master plumber; creates an exemption from plumbing licensure for pump installers who are licensed by the Department of Health and Human Services, Maine Water Well Commission; clarifies that the board may discipline licensees for violation of rules adopted by the board and a municipality may penalize licensees who violate municipal ordinances; eliminates the requirement that an individual apply for a trainee license within ten business days of commencing work as a trainee plumber; and allows candidates for plumbing licensing examinations to retake the examination without paying a reexamination fee and to take the examination more than once time per year, regardless of the score received on the examination.

4. It repeals a transition provision added to the laws governing licensure of social workers in 1987, which is no longer relevant.

5. In the laws governing the Real Estate Commission, it authorizes the commission to deny or refuse to renew a license if the applicant had a professional or occupational license suspended or revoked for disciplinary reasons at any time in the past, not just in the past three years as in current law; it requires the designated broker of a brokerage agency to notify the commission when a licensee leaves the agency, but eliminates the requirement that the designated broker to return the license to the commission; clarifies that a designated broker may delegate functions only to an individual affiliated with the agency; authorizes nonresidents to apply for licensure if they hold licenses in any other jurisdiction, not just in their places of legal residence; and removes references to the obsolete term "branch office manager."

6. It removes provisions that require individuals to submit a photograph with an application for licensure as a transient seller as well as the dates of birth and social security numbers of their employees.

7. It makes technical corrections to the laws governing licensure of boiler and pressure vessel operators, including by repealing a reference to an examination committee that no longer exists.

8. It requires that secondary and post-secondary oil burner and solid fuel technician courses be approved by the Maine Fuel Board; allows propane and natural gas technicians to obtain more than one type of specialty authority; requires all applicants for propane and natural gas technician licenses to pass an examination approved by the board; and removes the term "limited" from certain license categories including energy auditors, tank installers and wood pellet technicians.

9. It restores language that was inadvertently omitted from a comprehensive revision of the laws governing dental practice enacted in the Second Regular Session of the 127th Legislature authorizing the Board of Dental Practice to file a complaint in District Court for suspension or revocation of a license.

**LD 1463      An Act To Amend the Laws Relating to Motor Vehicle Dealers**

**PUBLIC 217**

Sponsor(s)  
VOLK A  
HERBIG E

Committee Report  
OTP-AM

Amendments Adopted  
S-267

This bill clarifies the standard of review in disputes between motor vehicle dealers and manufacturers regarding succession of motor vehicle dealerships and prohibits franchisors from denying dealer's incentive payment claims due to clerical errors or other technicalities, provided that the dealer corrects the clerical error or technicality. This

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bill also makes the following actions by motor vehicle manufacturers or distributors unfair trade practices:

1. Using unreasonable performance standards, including by failing to consider local market factors, in assessing dealer compliance with franchise agreements; the manufacturer bears the burden to show its performance standards are reasonable by clear and convincing evidence;
2. Prohibiting dealers from selling new motor vehicles subject to a do not sell or drive directive or other manufacturer notice unless a remedy and parts are available to fix the problem; the manufacturer must compensate the dealer at least 1.7% of the dealer invoice price per month for each affected vehicle if the parts required to remediate the vehicle are not available within 15 days of the order;
3. Prohibiting dealers from selling used motor vehicles subject a do not sell or drive directive or other manufacturer notice unless a remedy and parts are available to fix the problem; the manufacturer must compensate the dealer at least 2.5 % of the vehicle's retail value per month for each affected vehicle if the parts required to remediate the vehicle are not available within 15 days of the order;
4. Using sales performance statistics against dealers during the time and 90 days thereafter in which used motor vehicles are subject to a recall, stop sale or do not drive directive if there is no remedy or the remedy exists but the parts are unavailable; dealers may also apply to manufacturers for an adjustment to sales performance standards during a similar period of time affecting new motor vehicles;
5. Preventing a dealer from providing manufacturer-created information to consumers related to conditions that might affect a vehicle's safety, durability, reliability or performance; and
6. Reducing payments to dealers for dealer-performed warranty repairs or required recall repairs, even if the dealer discovered the need for the repairs during the course of a separate repair request by the consumer or directly through a recall notice from the federal government.

### **Committee Amendment "A" (S-267)**

This amendment retains the provisions of the bill that clarify the standard of review in succession planning for motor vehicle dealers and that prevent a manufacturer from denying claims due to clerical errors or technicalities. The amendment also makes it an unfair and deceptive trade practice for a motor vehicle manufacturer:

1. To use unreasonable performance standards in assessing motor vehicle dealer compliance with franchise agreements;
2. To fail to compensate a motor vehicle dealer for all of the reconditioning expenses and for all labor and costs associated with performing a recall repair on a new or used vehicle;
3. To fail to compensate dealers at a rate of 1.5% of the average vehicle trade-in value per month when a used motor vehicle in the dealer's inventory is subject to a do not drive order or a stop sale order based on a safety defect or violation of an emissions standard and no remedy exists or the parts are unavailable to remedy the defect or violation within 30 days;
4. To compete with a motor vehicle dealer by opening a dealership of any line make in the State without first obtaining a determination from the Maine Motor Vehicle Franchise Board that there is no dealer within the relevant market area available to own and operate a dealership of that line make; and
5. To deny a claim for a warranty repair or a recall repair on a vehicle when the need for the repair was discovered by the dealer during the course of a separate repair requested by the customer.

The amendment also enacts a provision that mirrors federal law by requiring a manufacturer to compensate a dealer



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when a new motor vehicle in the dealer's inventory is subject to a do not drive order or a stop sale order based on a safety defect and there is a delay before the necessary remedy and parts are made available to the dealer to repair the vehicle.

**Enacted Law Summary**

Public Law 2017, chapter 217 clarifies the standard of review in disputes between motor vehicle dealers and manufacturers regarding succession of motor vehicle dealerships and prohibits franchisors from denying dealer's incentive payment claims due to clerical errors or other technicalities, provided that the dealer corrects the clerical error or technicality. Public Law 2017, chapter 2017 also makes it an unfair and deceptive trade practice for a motor vehicle manufacturer:

1. To use unreasonable performance standards in assessing motor vehicle dealer compliance with franchise agreements;
2. To fail to compensate a motor vehicle dealer for all of the reconditioning expenses and for all labor and costs associated with performing a recall repair on a new or used vehicle;
3. To fail to compensate dealers at a rate of 1.5% of the average vehicle trade-in value per month when a used motor vehicle in the dealer's inventory is subject to a do not drive order or a stop sale order based on a safety defect or violation of an emissions standard and no remedy exists or the parts are unavailable to remedy the defect or violation within 30 days;
4. To compete with a motor vehicle dealer by opening a dealership of any line make in the State without first obtaining a determination from the Maine Motor Vehicle Franchise Board that there is no dealer within the relevant market area available to own and operate a dealership of that line make; and
5. To deny a claim for a warranty repair or a recall repair on a vehicle when the need for the repair was discovered by the dealer during the course of a separate repair requested by the customer.

Public Law 2017, chapter 217 also enacts a provision that mirrors federal law by requiring a manufacturer to compensate a dealer when a new motor vehicle in the dealer's inventory is subject to a do not drive order or a stop sale order based on a safety defect and there is a delay before the necessary remedy and parts are made available to the dealer to repair the vehicle.

**LD 1464      An Act Regarding Unemployment Compensation for Full-time Seasonal Workers      ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| VOLK A<br>WARD K  | ONTP                    |                           |

This bill allows an unemployed individual to receive unemployment benefits without registering for work, seeking employment or receiving required training if the individual has a verifiable guarantee to return to employment from the individual's most recent employer and the individual is available for recall and is receiving full-time yearly benefits but is not receiving vacation pay. An individual receiving unemployment benefits pursuant to this new exemption would lose benefits if the individual either refuses a recall to work from the employer or seeks employment from another employer.



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This bill amends the law to specify the roles and responsibilities of the Department of Labor and the Maine Human Rights Commission in the development, execution and enforcement of the existing workplace training requirements for sexual harassment. It requires the commission to provide its sexual harassment poster to employers at no charge and requires the commission to develop and annually update the content of the sexual harassment training. It adds penalties for employers who have not met the posting, notification, education and training requirements. It also provides that department determinations of employer compliance or other completed enforcement actions are considered final and may not be challenged by the commission.

### **Committee Amendment "A" (H-344)**

This amendment makes the following changes to the bill.

1. It provides that the Maine Human Rights Commission may provide its sexual harassment workplace poster at no cost to employers, instead of being required to do so.
2. It replaces the requirement that the Maine Human Rights Commission provide employers with a training guide and instead directs the Department of Labor to develop a compliance checklist and post it on the department's website. Employers must use the checklist to develop their required sexual harassment training program. Employers must keep a record of the training, including a record of employees who have received the required training, must maintain training records for three years and must make such records available to the department for inspection.
3. It removes the provision that would have prevented the Maine Human Rights Commission from challenging a determination or completed enforcement action by the Department of Labor related to the sexual harassment training requirements and provides that such actions do not limit or affect the authority or jurisdiction of the commission.

### **Enacted Law Summary**

Public Law 2017, chapter 162 amends the law to specify the roles and responsibilities of the Department of Labor and the Maine Human Rights Commission in the development, execution and enforcement of the existing workplace training requirements for sexual harassment. It provides that the commission may provide its sexual harassment poster to employers at no charge. This law directs the Department of Labor to develop a compliance checklist for the required sexual harassment training and post it on the department's website. It requires employers to use the checklist to develop their required sexual harassment training program and to keep a record of the training, including a record of employees who have received the required training. Training records must be maintained for three years and employers must make such records available to the department for inspection. This law also adds penalties for employers who have not met the posting, notification, education and training requirements.

### **LD 1478      An Act To Provide Support for Sustainable Economic Development in Rural Maine**

**PUBLIC 174  
EMERGENCY**

| <u>Sponsor(s)</u>  | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| HERBIG E<br>DILL J | OTP-AM                  | H-391                     |

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

This bill proposes to provide funding to the Maine Rural Development Authority in the amount of \$10,000,000.

### **Committee Amendment "A" (H-391)**

This amendment replaces the bill, which is a concept draft, and adds an emergency preamble and an emergency clause. The amendment establishes the Rural Manufacturing and Industrial Site Redevelopment Program within the

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Maine Rural Development Authority to provide technical assistance, planning grants and implementation grants for the redevelopment and marketing of nonproductive industrial or manufacturing sites in rural communities. The authority may use funds from the Commercial Facilities Development Program established in the Maine Revised Statutes, Title 5, section 13120-P to fund the activities of the Rural Manufacturing and Industrial Site Redevelopment Program.

The amendment also requires the authority, in consultation with the Department of Economic and Community Development, Office of Business Development, to conduct an inventory of all nonproductive manufacturing and industrial sites in the State that may be eligible for assistance.

### **Enacted Law Summary**

Public Law 2017, chapter 174 establishes the Rural Manufacturing and Industrial Site Redevelopment Program within the Maine Rural Development Authority to provide technical assistance, planning grants and implementation grants for the redevelopment and marketing of nonproductive industrial or manufacturing sites in rural communities. The authority may use funds from the Commercial Facilities Development Program established in the Maine Revised Statutes, Title 5, section 13120-P to fund the activities of the Rural Manufacturing and Industrial Site Redevelopment Program.

Public Law 2017, chapter 174 also requires the authority, in consultation with the Department of Economic and Community Development, Office of Business Development, to conduct an inventory of all nonproductive manufacturing and industrial sites in the State that may be eligible for assistance.

Public Law 2017, chapter 174 was enacted as an emergency measure effective June 12, 2017.

|                |   |                            |
|----------------|---|----------------------------|
| <b>LD 1500</b> | <b>An Act To Modernize Data Collection and Reporting and Information Access for the Department of Labor</b> | <b>Died Between Houses</b> |
|----------------|---|----------------------------|

| <u>Sponsor(s)</u>  | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| VOLK A<br>VACHON K | ONTP<br>OTP             |                           |

This bill conforms the laws identifying the responsibilities of the Commissioner of Labor relating to the collection and use of data with the Department of Labor's current practices of collecting and publishing data and allows for this information as well as information on labor laws to be made available in various formats, including in electronic formats. The bill adds the Director of the Bureau of Unemployment Compensation to the list of employees who are appointed by the Commissioner of Labor and who serve at the commissioner's pleasure. The bill repeals sections of law regarding the availability of information to trainees. The bill also repeals the Nontraditional Occupation Act.

|                |   |             |
|----------------|---|-------------|
| <b>LD 1501</b> | <b>An Act To Increase Success and Promote Growth among Maine Small Businesses</b> | <b>ONTP</b> |
|----------------|---|-------------|

| <u>Sponsor(s)</u>     | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| VITELLI E<br>PIERCE J | ONTP                    |                           |

This bill makes the following changes to the laws governing the Maine Microenterprise Initiative Fund.

1. It changes the name of the Maine Microenterprise Initiative Fund to the Maine Small Business Initiative Fund.

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2. It requires that a community-based organization have a demonstrated ability to leverage existing community-based resources and have a plan to promote collaboration and connection among entrepreneurs and community resources in order to be eligible to receive a grant from the fund.
3. It defines "small business" as a business located in the State that produces goods or provides services and has 20 or fewer full-time equivalent employees, including, but not limited to, contractors and independent consultants, particularly those in trades and technology industries; family-owned small businesses whose founders are nearing retirement; small businesses undergoing change of ownership; and small businesses engaged in agriculture, forestry or fishing.
4. It authorizes the Department of Economic and Community Development to award a grant from the fund to a community-based organization to aid that organization in providing training to small businesses that show a high potential for growth, including training to provide them with the network, resources and motivation required to build a sustainable business of size and scale. To be eligible for training, a small business with a high potential for growth must have been established for at least three years and have annual revenue between \$200,000 and \$5,000,000 per year.
5. It requires the department, when making grants from the fund, to give priority to applications that target aid to areas with a higher percentage of small businesses with five or fewer employees and low median household incomes.
6. It requires that an applicant for a grant to provide training to small businesses that show a high potential for growth must demonstrate a proven ability to increase the growth of small business training participants.
7. It requires that technical assistance and training must address issues of regulatory compliance, personnel training and support, including wages, hours, benefits, health and wellness and environmental and safety issues, and other issues that affect performance, management and legal obligations of small business owners.
8. It requires a community-based organization that receives a grant from the fund to provide a 50% match in the form of cash, staff time and overhead expense directly attributable to small business training and technical assistance.

**LD 1503      An Act To Amend Criteria for Issuing a Certificate of Approval for  
Certain Projects under the Finance Authority of Maine Act**

**PUBLIC 95  
EMERGENCY**

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

This bill amends a provision in the Finance Authority of Maine Act related to bond financing for energy projects to require as part of the Finance Authority of Maine's approval criteria that a borrower demonstrate a strong likelihood instead of a reasonable likelihood of the borrower's ability to repay the bonds through project revenues or other revenues and collateral, to match other authority moral obligation bond program requirements.

**Enacted Law Summary**

Public Law 2017, chapter 95 amends a provision in the Finance Authority of Maine Act related to bond financing for energy projects to require as part of the Finance Authority of Maine's approval criteria that a borrower demonstrate a strong likelihood instead of a reasonable likelihood of the borrower's ability to repay the bonds through project revenues or other revenues and collateral, to match other authority moral obligation bond program requirements.

Public Law 2017, chapter 95 was enacted as an emergency measure effective May 26, 2017.

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**LD 1518 An Act To Formalize the Governance of the Maine Educational and Attainment Research Navigation System, a Longitudinal Data Series for Workforce Information**

**Died Between Houses**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| VACHON K          | ONTP<br>OTP-AM          |                           |

This bill establishes in statute the Maine Educational and Attainment Research Navigation System, a longitudinal data series of education and training outcomes, within the Department of Labor and creates the Maine Educational and Attainment Research Navigation System Executive Council to provide oversight. It repeals the provisions establishing the State Education and Employment Outcomes Task Force, which currently develops procedures for the data series.

**Committee Amendment "A" (H-346)**

This amendment is the minority report of the committee. It reduces funding no longer needed as the result of eliminating the State Education and Employment Outcomes Task Force.

This amendment was not adopted.

**LD 1529 An Act To Protect Consumers during Residential Construction**

**PUBLIC 166**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| LANGLEY B         | OTP-AM                  | S-166                     |

This bill amends the laws governing home construction contracts in the following ways.

1. It increases the threshold upon which a written home construction contract is required from \$3,000 to \$5,000.
2. It repeals the provision in current law that allows homeowners or lessees and home construction contractors to exempt themselves from the home construction contract requirements by mutual consent.
3. It requires a home construction contractor to deposit funds received from a home construction contract into a business account that is separate from any account used for personal use by the contractor. A home construction contractor who violates this requirement commits a misapplication of home construction funds, a new Class E crime established by the bill, which also subjects the contractor to the escrow requirements established by the bill and a fine of not less than \$100 nor more than \$1,000.
4. If a home construction contractor has been convicted of misapplication of home construction funds or home repair fraud in the State, or any similar crime in another jurisdiction, the bill requires the contractor to put funds received in an escrow account or obtain an indemnity contract or surety bond. A person who violates these requirements is subject to a civil violation that carries a fine of not less than \$100 nor more than \$1,000. A person who violates these requirements and causes a homeowner or lessee to suffer a financial loss that is more than \$1,000 but not more than \$10,000 commits a Class D crime and commits a Class C crime when that financial loss is more than \$10,000.

**Committee Amendment "A" (S-166)**

This amendment strikes and replaces the bill. The amendment expands the crime of home repair fraud in Maine

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Revised Statutes Title 17-A, section 908 to include fraud that occurs in connection with initial construction of a residence.

## **Enacted Law Summary**

Public Law 2017, chapter 166 expands the crime of home repair fraud in Maine Revised Statutes Title 17-A, section 908 to include fraud that occurs in connection with initial construction of a residence.

### **LD 1530 An Act To Amend the Laws Governing Unemployment Compensation**

**PUBLIC 117**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| LANGLEY B         | OTP                     |                           |

The purpose of this bill is to bring consistency to Maine's employment security law and bring it into compliance with changes in federal law. The bill:

1. Repeals outdated provisions;
2. Provides that nominal fees or stipends paid to a volunteer are excluded from the definition of wages and specifies that a volunteer does not meet the definition of "employee";
3. Clarifies the status of workers with specific disabilities who are not eligible for unemployment in order to be consistent with changes to state and federal wage and hour laws;
4. Reflects changes to a program name in the federal law;
5. Specifies that unemployment benefits will not be awarded to an employee during a mutually agreed-upon leave or sabbatical leave from the employee's employer;
6. Provides that a reduction in hours initiated by the employee and agreed upon by the employee and employer does not qualify the employee for unemployment benefits;
7. Amends the requalification amount specified under the provision governing absence from work due to incarceration so as to align with the requalification amount specified in provisions governing discharge from work due to misconduct;
8. Amends the definition of "intermittent employment" to specify that employees who have the same reduction in hours of work each year due to the cyclical nature of their employers' business are not eligible for work-sharing benefits; and
9. Specifies that an employer's experience rating may not be charged when an employee has requested an unpaid, voluntary reduction in hours.

## **Enacted Law Summary**

Public Law 2017, chapter 117 makes the following changes to Maine's employment security law:

1. It repeals outdated provisions;
2. It provides that nominal fees or stipends paid to a volunteer are excluded from the definition of wages and specifies that a volunteer does not meet the definition of "employee";

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3. It clarifies the status of workers with specific disabilities who are not eligible for unemployment in order to be consistent with changes to state and federal wage and hour laws;
4. It reflects changes to a program name in the federal law;
5. It specifies that unemployment benefits will not be awarded to an employee during a mutually agreed-upon leave or sabbatical leave from the employee's employer;
6. It provides that a reduction in hours initiated by the employee and agreed upon by the employee and employer does not qualify the employee for unemployment benefits;
7. It amends the requalification amount specified under the provision governing absence from work due to incarceration so as to align with the requalification amount specified in provisions governing discharge from work due to misconduct;
8. It amends the definition of "intermittent employment" to specify that employees who have the same reduction in hours of work each year due to the cyclical nature of their employers' business are not eligible for work-sharing benefits; and
9. It specifies that an employer's experience rating may not be charged when an employee has requested an unpaid, voluntary reduction in hours.

**LD 1542     An Act To Support Lead Abatement in Older Residential Properties**

**CARRIED OVER**

| <u>Sponsor(s)</u>   | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| GOLDEN J<br>LIBBY N |                         |                           |

This bill establishes a residential housing lead abatement program, administered by the Maine State Housing Authority. The purpose of the program is to provide grants to municipalities that have administered a lead abatement program and to housing units and housing projects that meet specified eligibility standards. Priority for lead abatement projects funded by the program is given to residences occupied by children who have tested positive for lead poisoning. The program is funded by a real estate transfer tax surtax of \$0.30 per \$500 of the value of property transferred by deed or property in which a controlling interest is transferred.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

**LD 1553     An Act To Protect the Rights of Public Employees To Determine Their Collective Bargaining Agent**

**Accepted Majority (ONTP) Report**

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

This bill makes the following changes to the municipal public employees labor relations laws, the state employees labor relations laws and the judicial employees labor relations laws.

1. It adds a new requirement for recertification elections, which must start within three years of the effective date of the provision and must be held every even-numbered year after that, to ensure that a majority of the employees in the collective bargaining unit support their current collective bargaining agent. If the bargaining agent does not



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receive votes from a majority of the employees in the bargaining unit, the bargaining agent is decertified and will no longer represent the bargaining unit.

2. It permits employees who have decertified a bargaining agent pursuant to the new recertification election process to certify a new bargaining agent at any time, regardless of whether a collective bargaining agreement is still in effect.
3. It permits an employee to cast a ballot for a period of seven days from the commencement of a collective bargaining election.
4. It adds a requirement that the Maine Labor Relations Board adopt rules to preserve the integrity of collective bargaining recertification elections and the secrecy of the ballot, including a determination of acceptable methods for submitting a ballot. These rules may also establish a fee schedule applicable to an organization under consideration for bargaining agent in a recertification election for the purpose of funding such elections.

**Committee Amendment "A" (S-233)**

This amendment is the minority report of the committee. It provides funds for the rule-making process required by the bill.

This amendment was not adopted.

**LD 1564     An Act To Conform State Law to Federal Law While Promoting Safe Working Environments for Minors**

**PUBLIC 286  
EMERGENCY**

| <u>Sponsor(s)</u>       | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------------|-------------------------|---------------------------|
| LANGLEY B<br>FREDETTE K | ONTP<br>OTP-AM          | S-251<br>S-279 VOLK A     |

This bill amends laws relating to minors 14 and 15 years of age to allow them to work in bowling alleys and movie theaters and to clarify their employment in bakeries, hotels and rooming houses. It updates a provision regarding work permits for minors by deleting language dealing with triplicate permits and a master permit system and allowing for use of electronic permit submission and approval. It moves the occupational restrictions for minors 16 and 17 years of age to the section with occupational restrictions for minors 14 and 15 years of age. It also clarifies that graduates of vocational programs who are under 18 years of age can work in the occupations for which they were trained.

**Committee Amendment "A" (S-251)**

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

1. It adds establishments that cultivate, produce or sell marijuana or products in which marijuana is an ingredient and recreational marijuana social clubs to the list of employment and occupations not suitable for minors that the Department of Labor must prohibit by rule.
2. It retains the provision in current law that prohibits employment of a minor 14 years of age or older and under 16 years of age when the distance between the workplace and the home of the minor, or any other factor, necessitates the minor's remaining away from home overnight.
3. It replaces the term "a minor 14 years of age or older and under 16" with the phrase "a minor under 16" for greater consistency with the age category for which the occupational restrictions apply in current law.
4. It adds "recreational areas" to the areas of a hotel or rooming house approved for employment of minors 14 and

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15 years of age, and it adds "housekeeping" to the list of tasks explicitly prohibited for minors under 16 years of age.

5. It strikes a provision in the bill that allows an exception to the work hour restrictions for minors 16 and 17 years of age when the minor is employed in a business solely owned by the minor's parents.

6. It specifies that the exception to occupational restrictions applicable to a minor who has graduated from a vocational cooperative education program applies to a vocational, career and technical or cooperative education program approved by the Department of Education.

7. It strikes a section of the bill that replaces the term "a minor under 16 years of age" with "a minor 14 years of age or older and under 16 years of age" for greater consistency with the age category for which the work hour restrictions apply in current law.

8. It adds violations of the laws regarding employment of minors under 14 years of age and hazardous employment of minors under 18 years of age to the new provision in the bill providing the authority for the Department of Labor, Bureau of Labor Standards to revoke a work permit.

9. It restores a provision in current law stricken in the bill that requires approval by the Attorney General of the form used by the Department of Labor for work permits for minors, but amends it to refer to the Office of the Attorney General.

### **Senate Amendment "A" (S-279)**

This amendment adds an emergency preamble and emergency clause to the bill.

### **Enacted Law Summary**

Public Law 2017, chapter 286 makes a number of changes to the laws governing the employment of minors, including the following.

1. It prohibits all employment for minors under 14, except for agricultural employment in the planting, cultivating or harvesting of field crops or other agricultural employment not in direct contact with hazardous machinery or hazardous substances. It maintains an exception for employment in a business solely owned by the minor's parents, as long as it is not hazardous employment prohibited under Department of Labor rules or federal law.

2. It adds establishments that cultivate, produce or sell marijuana or products in which marijuana is an ingredient and recreational marijuana social clubs to the list of employment and occupations not suitable for minors that the Department of Labor must prohibit by rulemaking.

3. It changes the laws relating to minors 14 and 15 years of age to allow them to work in bowling alleys and movie theaters and to clarify their employment in bakeries, hotels and rooming houses.

4. It moves the occupational restrictions for minors 16 and 17 years of age to the section with occupational restrictions for minors 14 and 15 years of age.

5. It clarifies that graduates of vocational, career and technical or cooperative education programs approved by the Department of Education who are under 18 years of age can work in the occupations for which they were trained.

6. It updates a provision regarding work permits for minors by deleting language dealing with triplicate permits and a master permit system, allowing for use of electronic permit submission and approval and changing the approval of the permit form from approval by the Attorney General to approval by the Office of the Attorney General.

7. It grants the Department of Labor, Bureau of Labor Standards authority to revoke a work permit for violations of

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the laws regarding employment of minors.

Public Law 2017, chapter 286 was enacted as an emergency measure effective July 9, 2017.

**LD 1566 An Act To Enact the Maine Fair Chance Employment Act**

**CARRIED OVER**

| <u>Sponsor(s)</u>       | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------------|-------------------------|---------------------------|
| TALBOT ROSS R<br>VOLK A |                         |                           |

This bill enacts the Maine Fair Chance Employment Act and adds restrictions to the use of criminal history information in the context of employment decisions by private employers and the State and its political subdivisions and of licensing decisions by licensing agencies.

It prohibits an employer from asking an applicant for employment to disclose information concerning the applicant's criminal history, or considering such information, until after the applicant has received a conditional offer of employment. It restricts the way a private employer, or the State and its political subdivisions, may use criminal history information in the course of making employment decisions and adds similar restrictions to the existing restrictions applicable to licensing agencies' consideration of criminal history information. It also makes certain criminal history information in the possession of the State and its political subdivisions confidential and makes all criminal background check information obtained by the State in connection with an employment decision confidential.

The Maine Human Rights Commission is charged with enforcement of the Maine Fair Chance Employment Act and may seek civil penalties against a private employer for a violation of \$1,000 for the first violation and \$2,000 for each subsequent violation.

The bill also creates a private right of action that may be brought by an affected individual against a private employer that has violated the Maine Fair Chance Employment Act and, upon prevailing, the affected individual is entitled to such legal or equitable relief as the court may determine appropriate and reasonable attorney's fees and costs.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

**LD 1575 An Act To Update the Statutes Governing the Bureau of Labor Standards To Promote Clarity for Workers and Employers**

**PUBLIC 219**

| <u>Sponsor(s)</u>      | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|------------------------|-------------------------|---------------------------|
| CUSHING A<br>STETKIS J | OTP-AM                  | S-252                     |

This bill makes the following changes to the labor laws.

1. It removes a reference to the Director of Labor Standards as the "state factory inspector" to recognize that the workplaces governed by these statutes are not restricted to factories.
2. It requires posters regarding video display terminal safety and minimum wage and overtime requirements to be posted in the same location as other posters required by the Department of Labor, Bureau of Labor Standards and establishes a penalty structure for violations of the posting requirements within the section of law requiring posting.

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3. It removes the requirement that a willful violation of the requirement to cooperate and comply with an investigation by the bureau is punishable as a criminal conviction because the statute does not provide a means to obtain a conviction and instead provides for a civil penalty of up to \$10,000 for a willful violation.
4. It brings the law prohibiting discrimination against tobacco use by employees into compliance with federal law by allowing an employer to discriminate against an employee who uses tobacco when determining health and life insurance premiums and other employee benefit plans but exempts from discrimination an employee's tobacco use that is part of a voluntary wellness program for the cessation of tobacco use.
5. It amends the law regarding the possession of firearms by employees to reflect the repeal of the requirement to obtain a concealed carry permit and clarifies that it does not authorize an employee to carry or possess a firearm where carrying or possessing a firearm is prohibited, including on worksites that are not owned by that employee's employer.
6. It amends the law regarding rest breaks to clarify the differences between paid rest breaks and unpaid lunch breaks.
7. It amends the exemption from rest breaks for those employees who have frequent rest breaks during the work day to specify that the exemption only applies if the rest breaks are paid rest breaks and of shorter duration than the 30 minutes otherwise required.
8. It amends the law regarding the exemption from mandatory overtime pay for salaried workers to specify that the exemption applies to a salaried employee who works in a bona fide executive, administrative or professional capacity who meets the test for a white collar exemption, including a minimum salary level, as established in the final rules adopted by the United States Department of Labor pursuant to the federal Fair Labor Standards Act and allows such employees to be paid on a monthly basis, instead of every 16 days, as for other employees.
9. It amends the law regarding timing of payment of wages to specify that the payment must include all wages earned for the prior pay period, instead of those earned within eight days of the payment date, and allows such payments to be made on the next business day when the payment date occurs on a day when the business is closed. The bill prohibits an employer from increasing any pay interval without providing notice to its employees.
10. Current law requires an employer to keep a record showing the date and amount paid to each employee and a daily record of time worked by an employee. This bill specifies that those records must be maintained by the employer for three years.
11. Current law requires an employee leaving employment to be paid within a reasonable time after demand at the office of the employer where payrolls are kept and wages are paid. Whenever the terms of employment include provisions for paid vacations, vacation pay on cessation of employment has the same status as wages earned. This bill removes the "reasonable time" requirement and instead specifies that when an employee leaves employment, that employee must be paid on the next established payday. The bill also specifies that payment of vacation is payable only in accordance with the employer's established policy or practice.
12. It repeals the exemption from the minimum wage and overtime laws for an individual employed as a switchboard operator in a public telephone exchange that has less than 750 stations.
13. It amends the definitions of "automobile mechanic," "automobile parts clerk" and "automobile service writer" to reflect provisions in federal law.
14. It changes the definition of "tip" and provisions regarding service charges to conform to the federal Fair Labor Standards Act, or FLSA. Current Maine law creates a wage violation under the FLSA by allowing a charge added to a customer's bill to be treated as a tip, whereas the FLSA treats it as a service charge, which is the employer's

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property not the service worker's.

15. It clarifies the intent of the Legislature, to conform with federal law, that the distribution of certain products is exempt from the provisions governing overtime pay. It amends the 1995 law by reordering the series of exempt tasks for the purpose of eliminating any perceived ambiguity.

16. It adds the exemption adopted by the United States Department of Labor in 2015 for a domestic service worker employed to provide companionship services. The provision of care provided in conjunction with the provision of fellowship and protection cannot exceed 20% of the total hours worked per person and per workweek to qualify for exemption.

17. It repeals the definition of "hotel" for purposes of the subchapter on minimum wage since the term is not used in that subchapter.

18. It repeals and reallocates the provisions of the Maine Revised Statutes, Title 26, chapter 7, subchapter 4, article 1 regarding the application of the subchapter, record of work hours of minors and penalties.

19. It requires the bureau to conduct a survey every three years to determine the prevailing hourly wage and benefits rate in the construction industry. Current law requires the bureau to determine that wage and benefits rate annually.

20. It repeals the provisions of law regarding placement restrictions for a person required to work as a condition of receiving public assistance.

21. It updates the safety standard for inspection of firefighters' breathing apparatus to require that the inspection procedure follow the procedure specified in the manufacturer's operation manual. The document referred to in current law was never finalized for adoption.

### **Committee Amendment "A" (S-252)**

This amendment makes a number of changes to the bill, including the following:

1. It restores the fine of up to \$20,000 for repeated violations of occupational safety requirements. It also removes the requirement for a conviction and instead provides that the fine is collectible upon a determination of a violation by the Department of Labor;
2. It allows an employer to offer a voluntary wellness program that offers incentives to employees for the cessation of use of tobacco products in compliance with federal regulations;
3. It eliminates the portion of the bill regarding possession of firearms by employees;
4. It amends the portion of the bill regarding rest breaks to specify that the 30-minute rest break may be used by the employee as unpaid mealtime only if the employee is completely relieved of duty, and limits the exception that allows small businesses with fewer than three employees on duty at any one time when the employee has frequent paid breaks of shorter duration to be exempted from the 30-minute rest break requirement only if the employees are completely relieved of duty during the frequent paid breaks;
5. It eliminates the portions of the bill regarding exemptions to mandatory overtime pay for certain salaried employees and automobile mechanics, automobile parts clerks and automobile service writers;
6. It eliminates the provision in the bill that allows a salaried employee to be paid on a monthly basis;
7. It eliminates the requirement in the bill that an employer preserve wage records for three years;

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8. It changes the provision in the bill that specifies that when the terms of employment or the employer's established practice includes provisions for paid vacations, vacation pay on cessation of employment has the same status as wages earned;
9. It eliminates the exemption from minimum wage and overtime pay requirements in the bill for domestic service workers employed to provide companionship services;
10. It eliminates the provisions in the bill relating to the definition of "tip" and that make a mandatory service charge the property of the employer and not the service employee; and
11. It eliminates the provision in the bill that requires the Department of Labor, Bureau of Labor Standards to conduct a survey every three years to determine the prevailing hourly wage and benefits rate in the construction industry, instead of annually under current law.

This amendment also makes changes to the bill to provide further clarity regarding the current exemption from overtime contained in the Maine Revised Statutes, Title 26, section 664, subsection 3, paragraph F relating to work in the distribution of agricultural produce, meat and fish products and perishable foods. The bill and the current amendment are specifically intended to correct a perceived ambiguity identified by the United States Court of Appeals for the First Circuit in *O'Connor v. Oakhurst Dairy*, 851 F.3d 69 (2017). The amendment attempts to clarify current law by using semicolons to separate the applicable categories of work to which the exemption applies, and by changing the term "distribution" to "distributing" to conform to the grammatical convention of parallel usage by matching the gerund form of the other activities listed in the exemption, with the intent that work done in the distribution of, or distributing of, agricultural produce, meat and fish products and perishable foods is exempt from the overtime requirements of Title 26, section 664. The amendment also adds a retroactivity clause, applying the changes made to Title 26, section 664, subsection 3, paragraph F retroactively to September 29, 1995. This retroactivity applies to pending cases except, in deference to the authority of the judiciary to redress disputes, for cases pending on March 12, 2017. The Legislature does not intend any retroactive change to the overtime requirements for egg processing facilities enacted by Public Law 2011, chapter 681.

### **Enacted Law Summary**

Public Law 2017, chapter 219 makes a number of changes to the labor laws, including the following:

1. It removes imprisonment as a penalty for an employer who willfully or repeatedly violates any standard, rule or order relating to occupational safety. It also removes the requirement for a conviction in order to enforce fines for such a violation and instead provides that a fine is collectible upon a determination of a violation by the Department of Labor;
2. It allows an employer to offer a voluntary wellness program that offers incentives to employees for the cessation of use of tobacco products in compliance with federal regulations;
3. It amends the law regarding mandatory rest breaks to specify that the 30-minute rest break may be used by the employee as unpaid mealtime, but only if the employee is completely relieved of duty. It also clarifies that the exception that applies to businesses with fewer than three employees on duty at any one time only applies if the employee is paid during the employee's frequent breaks of shorter duration;
4. It provides that when the terms of employment or the employer's established practice includes provisions for paid vacations, vacation pay on cessation of employment has the same status as wages earned; and
5. It clarifies that the exemption in the overtime wage laws regarding work involving agricultural produce, meat and fish products and perishable foods applies to work distributing such products and applies this change retroactively to pending cases, except for cases pending on March 12, 2017.

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**LD 1583     An Act To Amend the Electricians' Examining Board Licensing Laws**

**PUBLIC 198  
EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| VOLK A            | OTP-AM                  | S-211                     |

This bill amends and updates technical terminology, removes outdated provisions and ambiguity and reorganizes existing provisions of the laws governing the Electricians' Examining Board in the Maine Revised Statutes Title 32, chapter 17.

The bill adds a definition of "dwelling unit" and amends the definition of "electrical installation" to include updated terminology. The bill repeals the definition of "supervision" and the existing provision of law outlining the qualifications and scope of practice of specific license types, replacing these provisions with a new section of law comprehensively outlining the qualifications, scope of practice and supervisory authority of all licenses issued by the board.

The bill clarifies existing provisions applicable to permitting, inspection and certification of electrical installations in non-residential and residential buildings. The bill moves provisions applicable to state electrical inspectors to a more appropriate section.

The bill clarifies that the Electricians' Examining Board is composed of five master electricians and two public members and reduces from ten years to five years the required years of licensed experience prior to board appointment. It expands the board's authority to license an applicant who holds a license from another state with different licensure qualifications, as long as the applicant can demonstrate comparable work experience, education, training or a combination thereof that is acceptable to the board.

The bill amends the reciprocity laws to reduce the minimum number of work hours that an electrician licensed in a reciprocal state must show to obtain a journeyman electrician or master electrician license in Maine.

**Committee Amendment "A" (S-211)**

This amendment adds provisions that allow a limited electrician to supervise licensed helper and apprentice electricians to the same extent as under current law and that allow applicants for a master electrician license to count hours worked as an apprentice electrician toward the 12,000-hour experience requirement, as is permitted in current law.

This amendment also makes technical changes to the bill and adds an emergency preamble and emergency clause.

**Enacted Law Summary**

Public Law 2017, chapter 198 amends and updates technical terminology, removes outdated provisions and ambiguity and reorganizes existing provisions of the laws governing the Electricians' Examining Board in the Maine Revised Statutes Title 32, chapter 17.

Public Law 2017, chapter 198 amends the definition of "electrical installation" to include updated terminology. It repeals the definition of "supervision" and the existing provision of law outlining the qualifications and scope of practice of specific license types, replacing these provisions with a new section of law comprehensively outlining the qualifications, scope of practice and supervisory authority of all licenses issued by the board.

Public Law 2017, chapter 198 clarifies existing provisions applicable to permitting, inspection and certification of electrical installations in non-residential and residential buildings and moves provisions applicable to state electrical inspectors to a more appropriate section.

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Public Law 2017, chapter 198 also clarifies that the Electricians' Examining Board is composed of five master electricians and two public members and reduces from ten years to five years the required years of licensed experience prior to board appointment. It expands the board's authority to license an applicant who holds a license from another state with different licensure qualifications, as long as the applicant can demonstrate comparable work experience, education, training or a combination thereof that is acceptable to the board.

Public Law 2017, chapter 198 amends the reciprocity laws to reduce the minimum number of work hours that an electrician licensed in a reciprocal state must document to obtain a journeyman electrician or master electrician license in Maine.

Public Law 2017, chapter 198 was enacted as an emergency measure effective June 14, 2017.

**LD 1587      An Act To Provide Economic Security to Maine Families through the      CARRIED OVER**  
**Creation of a Paid Family Medical Leave System**

| <u>Sponsor(s)</u>  | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| HERBIG E<br>VOLK A |                         |                           |

This bill creates a paid family medical leave program, patterned after the unpaid family medical leave program existing in current law but requiring a contribution from an eligible employee, or a self-employed person on a voluntary basis, of no more than 0.5% of the employee's or self-employed person's wages or earnings. The program requires employers to deduct the contributions from employee paychecks and for the employers and self-employed persons to submit contributions to the Department of Labor, Bureau of Unemployment Compensation, which is charged with administering the program. The program pays benefits of up to 66% of an employee's wages or self-employed person's earnings capped at the same maximum amount as unemployment benefits for leave taken by the employee or self-employed person for various family-related medical issues. This bill makes participation optional for employers that employ fewer than 15 employees. This bill also directs the Department of Labor to develop an implementation plan dealing with staffing, technology, start-up expense, rulemaking and scheduling to begin the program on its effective date of October 1, 2019.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

**LD 1592      An Act To Remove Barriers to Professional Licensing for Veterans      PUBLIC 173**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| GOLDEN J          | OTP-AM                  | H-307                     |

This bill grants the Director of the Office of Professional and Occupational Regulation within the Department of Professional and Financial Regulation the authority to modify licensing requirements of professional licensing boards administered by the Office of Professional and Occupational Regulation on a case-by-case basis for applicants for licensure who are military veterans.

**Committee Amendment "A" (H-307)**

This amendment clarifies that examination fees, not examinations, may be waived for applicants for licensure who are military veterans.

**Enacted Law Summary**



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Public Law 2017, chapter 173 grants the Director of the Office of Professional and Occupational Regulation within the Department of Professional and Financial Regulation the authority to modify licensing requirements of professional licensing boards administered by the Office of Professional and Occupational Regulation on a case-by-case basis, including by waiving examination fees, for applicants for licensure who are military veterans.

**LD 1594    An Act Regarding the Dispensing of Naloxone Hydrochloride by Pharmacists**

**PUBLIC 249  
EMERGENCY**

| <u>Sponsor(s)</u>   | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| VACHON K<br>MASON G | OTP-AM<br>ONTP          | H-355                     |

This bill provides that a pharmacist may prescribe and dispense naloxone hydrochloride to an individual at risk of experiencing an opioid-related drug overdose or to a person in a position to assist such an individual. Current law provides that a pharmacist may only dispense naloxone hydrochloride to such an individual or person. The bill also provides that the rules adopted by the Maine Board of Pharmacy authorizing pharmacists to prescribe and dispense naloxone hydrochloride must establish adequate training requirements and protocols for prescribing and dispensing naloxone hydrochloride when there is no prescription drug order, standing order or collaborative practice agreement authorizing naloxone hydrochloride to be dispensed to the intended recipient.

**Committee Amendment "A" (H-355)**

This amendment, which is the majority report of the committee, adds an emergency preamble and emergency clause and provides for the authority of a pharmacist to prescribe naloxone hydrochloride in accordance with rules adopted by the Maine Board of Pharmacy. This authority expires on July 1, 2019.

**Enacted Law Summary**

Public Law 2017, chapter 249 provides that a pharmacist may prescribe and dispense naloxone hydrochloride to an individual at risk of experiencing an opioid-related drug overdose or to a person in a position to assist such an individual in accordance with rules adopted by the Maine Board of Pharmacy. The rules adopted by the Board must establish adequate training requirements and protocols for prescribing and dispensing naloxone hydrochloride when there is no prescription drug order, standing order or collaborative practice agreement authorizing naloxone hydrochloride to be dispensed to the intended recipient. A pharmacist's authority to prescribe naloxone hydrochloride expires on July 1, 2019.

Public Law 2017, chapter 249 was enacted as an emergency measure effective June 24, 2017.

**LD 1609    An Act To Support Maine's Employers and Encourage Employers To Hire Young Workers**

**Died Between  
Houses**

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

This bill reduces increases to the minimum wage and provides a minimum wage of \$11 per hour starting January 1, 2021. The bill eliminates the annual cost-of-living adjustment to the minimum wage and reinstates the tip credit at 50% of the state minimum wage. The bill allows employers to pay a training or youth wage subject to certain conditions including that the training or youth wage meets or exceeds the federal minimum wage established under the federal Fair Labor Standards Act. The bill changes the description of certain salaried employees who are exempt from the limits on mandatory overtime. The bill changes the description of certain salaried employees who are exempt from the laws governing minimum wages. The bill changes the definitions of "automobile mechanic,"

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

"automobile parts clerk," "automobile service writer" and "tip" in the laws governing minimum wages. The bill amends the laws governing service charges in the minimum wage laws by making a compulsory service charge the property of the employer and not a tip that is the property of the service employee. Current law allows this practice only in a banquet or private club setting.

**Committee Amendment "A" (S-246)**

This amendment is the minority report of the committee. It strikes most of the provisions of the bill but retains the reduction in the scheduled increases to the minimum wage to 50 cents an hour per year until January 1, 2021, when the minimum wage will be \$11 per hour. It also keeps the elimination of the annual cost-of-living adjustment to the minimum wage in the bill and the \$1 an hour cap on the automatic increase in the state minimum wage when it is exceeded by the federal minimum wage. The amendment keeps the provision in the bill that makes a compulsory service charge the property of the employer and not a tip that is the property of the service employee.

This amendment was not adopted.

**LD 1621 An Act To Retain Jobs in Maine**

**Leave to Withdraw  
Pursuant to Joint  
Rule**

|                   |                         |                           |
|-------------------|-------------------------|---------------------------|
| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
| JACKSON T         |                         |                           |

This bill requires that a person proposing to permanently shut down an industrial or commercial facility make an offer of sale, at fair market value, of the facility and equipment to an interested employee organization or to a privately owned business entity, government-owned business entity or jointly owned business entity.

**LD 1643 An Act To Provide Funding to the Loring Development Authority of Maine for Implementation Grants**

**PUBLIC 298  
EMERGENCY**

|                        |                         |                           |
|------------------------|-------------------------|---------------------------|
| <u>Sponsor(s)</u>      | <u>Committee Report</u> | <u>Amendments Adopted</u> |
| STEWART H<br>JACKSON T |                         |                           |

This bill was not referred to committee.

This bill:

1. Lapses \$750,000 in each fiscal year of the biennium to the unappropriated surplus of the General Fund that is not anticipated to be needed by the Maine Technology Institute in fiscal years 2017-18 and 2018-19; and
2. Provides \$750,000 in each fiscal year of the biennium for implementation grants to the Loring Development Authority of Maine upon the recommendation of the Commissioner of Economic and Community Development and the approval of the Governor.

**Enacted Law Summary**

Public Law 2017, chapter 298 does the following:

1. It lapses \$750,000 in each fiscal year of the biennium to the unappropriated surplus of the General Fund that is not anticipated to be needed by the Maine Technology Institute in fiscal years 2017-18 and 2018-19; and

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

2. It provides \$750,000 in each fiscal year of the biennium for implementation grants to the Loring Development Authority of Maine upon the recommendation of the Commissioner of Economic and Community Development and the approval of the Governor.

Public Law 2017, chapter 298 was enacted as an emergency measure effective August 2, 2017.

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

**SUBJECT INDEX**

***Building Codes***

**Not Enacted**

|         |   |  |
|---------|---|--|
| LD 873  | An Act To Adopt Tiny House Standards in the Maine Uniform Building and Energy Code              | Leave to Withdraw Pursuant to Joint Rule 310 |
| LD 1140 | An Act To Preserve the Economic Viability of Maine's Historic Properties                        | Died Between Houses                          |
| LD 1392 | An Act To Allow Municipalities To Opt Not To Enforce the Maine Uniform Building and Energy Code | Majority (ONTP) Report                       |

***Business Regulation***

**Enacted**

|         |  |                         |
|---------|--|-------------------------|
| LD 1377 | An Act To Prohibit Posing as a Governmental Entity in Commerce         | PUBLIC 228              |
| LD 1409 | An Act To Reduce Regulations for Small Nonalcoholic Beverage Producers | PUBLIC 113<br>EMERGENCY |
| LD 1463 | An Act To Amend the Laws Relating to Motor Vehicle Dealers             | PUBLIC 217              |
| LD 1529 | An Act To Protect Consumers during Residential Construction            | PUBLIC 166              |

**Not Enacted**

|        |  |                |
|--------|--|----------------|
| LD 776 | An Act To Promote Fairness for Rural Maine Residents by Regulating Fuel Prices | ONTP           |
| LD 810 | An Act To Allow Funeral Homes To Own and Operate Crematories                   | ONTP           |
| LD 884 | An Act To Exempt Small Bottlers from the Bottling Plant Requirements           | ONTP           |
| LD 943 | An Act Regarding the Cancellation of Subscription Services                     | Veto Sustained |

***Child Labor***

**Enacted**

|         |   |                         |
|---------|---|-------------------------|
| LD 1564 | An Act To Conform State Law to Federal Law While Promoting Safe Working Environments for Minors | PUBLIC 286<br>EMERGENCY |
|---------|---|-------------------------|

**Not Enacted**

|         |  |      |
|---------|--|------|
| LD 1420 | An Act Regarding Work Permits for Minors under 16 Years of Age | ONTP |
|---------|--|------|

## *Consumer Protection*

### Enacted

LD 661 An Act Regarding the Chain of Custody in Crematories PUBLIC 101

### Not Enacted

LD 84 An Act To Clarify the Contracts Used for Automobile Sales ONTP

## *Economic Development*

### Enacted

LD 1037 An Act To Provide for the 2017 and 2018 Allocations of the State Ceiling on Private Activity Bonds P & S 5  
EMERGENCY

LD 1217 An Act To Implement the Recommendations of the Government Oversight Committee To Improve the Efficiency and Effectiveness of Evaluations of the State's Investments in Economic Development PUBLIC 264

LD 1478 An Act To Provide Support for Sustainable Economic Development in Rural Maine PUBLIC 174  
EMERGENCY

LD 1503 An Act To Amend Criteria for Issuing a Certificate of Approval for Certain Projects under the Finance Authority of Maine Act PUBLIC 95  
EMERGENCY

LD 1643 An Act To Provide Funding to the Loring Development Authority of Maine for Implementation Grants PUBLIC 298  
EMERGENCY

### Not Enacted

LD 165 An Act To Provide Matching Funds for Federal Community Development Block Grants Died Between  
Houses

LD 285 An Act To Provide Funding for the Maine Coworking Development Fund CARRIED  
OVER

LD 367 An Act To Implement the Recommendations of the Government Oversight Committee To Develop a Long-range Strategic Plan for Economic Improvement in the State CARRIED  
OVER

LD 1343 An Act To Promote Downtown Revitalization by Creating the Locating Businesses Downtown Loan Program CARRIED  
OVER

LD 1393 Resolve, Establishing the Commission To Create a Statewide Economic Development Plan ONTP

LD 1501 An Act To Increase Success and Promote Growth among Maine Small Businesses ONTP

## *Economic Development-Agencies*

### Enacted

LD 1324 An Act To Support Innovation, Entrepreneurship and Maine's Economic Future PUBLIC 109

**Not Enacted**

LD 1353 An Act To Establish the Maine Domestic Trade Center ONTP

**Economic Development-Programs**

**Not Enacted**

LD 1244 An Act To Support Small Manufacturers in the State CARRIED OVER  
LD 1306 An Act To Create a Small Communities Tourism Grant Program Veto Sustained

**Employee Benefits**

**Not Enacted**

LD 554 An Act To Require Paid Parental Leave for Employees ONTP  
LD 701 An Act To Establish the Maine Paid Family Leave Insurance Program ONTP  
LD 1159 An Act To Support Healthy Workplaces and Healthy Families by Providing Paid Sick Leave to Certain Employees Died Between Houses  
LD 1587 An Act To Provide Economic Security to Maine Families through the Creation of a Paid Family Medical Leave System CARRIED OVER

**Employment Practices**

**Enacted**

LD 1004 An Act To Increase Reporting on Wage and Hour Violations PUBLIC 268  
LD 1575 An Act To Update the Statutes Governing the Bureau of Labor Standards To Promote Clarity for Workers and Employers PUBLIC 219

**Not Enacted**

LD 163 An Act To Strengthen the Enforcement of Maine's Labor Laws ONTP  
LD 466 An Act To Protect Employees from Abusive Work Environments ONTP  
LD 487 An Act To Promote Keeping Workers in Maine Died Between Houses  
LD 613 An Act To Protect Job Applicants from Identity Theft Veto Sustained  
LD 699 An Act To Enact the Toxic Chemicals in the Workplace Act Died Between Houses  
LD 942 An Act To Prohibit a Prospective Employer from Asking a Prospective Hire about the Person's Compensation History until after a Job Offer Is Made ONTP  
LD 944 An Act To Prohibit the State from Asking a Prospective Hire about the Person's Compensation History until after a Job Offer Is Made ONTP  
LD 1088 An Act To Require That Employees Be Informed of Potential Eligibility for the Earned Income Tax Credit Died Between Houses  
LD 1222 An Act To Address the Policies Relating to Substance Use in the Workplace Died Between Houses

|         |   |  |
|---------|---|--|
| LD 1259 | An Act Regarding Pay Equality   | Veto Sustained                               |
| LD 1307 | An Act To Ensure Fair Employment Opportunity for Maine Citizens and Legal Residents                       | Died Between Houses                          |
| LD 1378 | Resolve, Directing the State Workforce Investment Board To Create the Maine Family First Employer Program | Veto Sustained                               |
| LD 1402 | An Act Regarding Payroll Deductions   | ONTP   |
| LD 1566 | An Act To Enact the Maine Fair Chance Employment Act  | CARRIED OVER                                 |
| LD 1621 | An Act To Retain Jobs in Maine  | Leave to Withdraw Pursuant to Joint Rule 310 |

### *Housing*

#### Enacted

|         |  |            |
|---------|--|------------|
| LD 1340 | An Act To Amend the Laws Governing the Maine State Housing Authority | PUBLIC 234 |
|---------|--|------------|

#### Not Enacted

|         |  |                |
|---------|--|----------------|
| LD 970  | An Act To End Homelessness by Expanding Housing Support Services | Veto Sustained |
| LD 1006 | An Act Regarding Housing Insecurity of Older Citizens            | CARRIED OVER   |

### *Housing Safety*

#### Enacted

|         |  |            |
|---------|--|------------|
| LD 1263 | Resolve, To Increase the Affordability of Safe Drinking Water for Maine Families | RESOLVE 28 |
|---------|--|------------|

#### Not Enacted

|         |   |                     |
|---------|---|---------------------|
| LD 441  | An Act To Require Certification under the United States Environmental Protection Agency's Lead Renovation, Repair and Painting Rule | Died Between Houses |
| LD 1468 | An Act To Expand Application of the Maine State Housing Authority's Arsenic Abatement Program                                       | ONTP                |
| LD 1542 | An Act To Support Lead Abatement in Older Residential Properties  | CARRIED OVER        |

### *Labor Department*

#### Enacted

|         |   |            |
|---------|---|------------|
| LD 1477 | An Act To Coordinate and Enforce Existing Workplace Training Requirements | PUBLIC 162 |
|---------|---|------------|

#### Not Enacted

|         |  |                     |
|---------|--|---------------------|
| LD 1500 | An Act To Modernize Data Collection and Reporting and Information Access for the Department of Labor | Died Between Houses |
|---------|--|---------------------|

|         |   |                     |
|---------|---|---------------------|
| LD 1518 | An Act To Formalize the Governance of the Maine Educational and Attainment Research Navigation System, a Longitudinal Data Series for Workforce Information | Died Between Houses |
|---------|---|---------------------|

**Labor Relations**

**Not Enacted**

|         |  |                        |
|---------|--|------------------------|
| LD 65   | 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 66   | An Act To Prohibit Public Employers from Acting as Collection Agents for Labor Unions                            | Majority (ONTP) Report |
| LD 772  | An Act To Ensure Transparency in Public Union Negotiations   | Majority (ONTP) Report |
| LD 1348 | An Act To Expand the Rights of Public Employees under the Maine Labor Laws                                       | Majority (ONTP) Report |
| LD 1358 | An Act To Improve Public Sector Labor Relations  | Died Between Houses    |
| LD 1553 | An Act To Protect the Rights of Public Employees To Determine Their Collective Bargaining Agent                  | Majority (ONTP) Report |

**Miscellaneous**

**Not Enacted**

|         |   |              |
|---------|---|--------------|
| LD 958  | An Act To Enact the Uniform Emergency Volunteer Health Practitioners Act                                    | CARRIED OVER |
| LD 1155 | An Act To Improve the Lives of Working Families   | ONTP         |
| LD 1308 | Resolve, To Expedite the Processing of Applications for Certification under the Work Opportunity Tax Credit | CARRIED OVER |

**Municipal Business Regulation**

**Enacted**

|         |   |            |
|---------|---|------------|
| LD 22   | An Act To Repeal the Requirement That Municipalities License Roller-skating Rinks | PUBLIC 12  |
| LD 1072 | An Act To Amend the Laws Regarding Dealers in Secondhand Precious Metals          | PUBLIC 126 |

**Not Enacted**

|        |   |                |
|--------|---|----------------|
| LD 488 | An Act To Provide for Municipalities To Allow Grocery Stores up to 10,000 Square Feet To Open on Thanksgiving, Easter and Christmas | Veto Sustained |
|--------|---|----------------|



## *Occupational and Professional Regulation*

### Enacted

|         |  |                         |
|---------|--|-------------------------|
| LD 37   | An Act To Provide a Career and Technical Education Training Option for Plumbers                  | PUBLIC 4                |
| LD 132  | An Act To Authorize Podiatrists To Perform Certain Routine Procedures                            | PUBLIC 14               |
| LD 593  | An Act To Update the Licensure Renewal Provision of the Board of Licensure in Medicine           | PUBLIC 63               |
| LD 801  | An Act To Allow a Physical Therapist To Administer Certain Coagulation Tests in a Patient's Home | PUBLIC 80<br>EMERGENCY  |
| LD 911  | An Act To Prohibit Certain Gifts to Health Care Practitioners                                    | PUBLIC 267              |
| LD 985  | An Act To Promote Medical Care for Visiting Athletic Teams                                       | PUBLIC 119              |
| LD 1085 | An Act To Amend the Requirements for Licensure as an Independent Practice Dental Hygienist       | PUBLIC 139<br>EMERGENCY |
| LD 1166 | An Act Regarding Anesthesia Care in Rural Maine  | PUBLIC 188              |
| LD 1200 | An Act Relating to the Licensure of Physicians   | PUBLIC 189              |
| LD 1349 | An Act Regarding the Licensure of Appraisal Management Companies                                 | PUBLIC 270              |
| LD 1359 | An Act To Adopt the Interstate Medical Licensure Compact   | PUBLIC 253              |
| LD 1376 | An Act To Remove Barriers to Workforce Development in Alcohol and Drug Counseling                | PUBLIC 265              |
| LD 1410 | An Act To Adopt the Nurse Licensure Compact  | PUBLIC 258              |
| LD 1443 | An Act To Update Professional and Occupational Licensing Laws                                    | PUBLIC 210              |
| LD 1583 | An Act To Amend the Electricians' Examining Board Licensing Laws                                 | PUBLIC 198<br>EMERGENCY |
| LD 1592 | An Act To Remove Barriers to Professional Licensing for Veterans                                 | PUBLIC 173              |
| LD 1594 | An Act Regarding the Dispensing of Naloxone Hydrochloride by Pharmacists                         | PUBLIC 249<br>EMERGENCY |

### Not Enacted

|        |  |                        |
|--------|--|------------------------|
| LD 13  | An Act To Require Certain Licensing Boards To Report Cases of Sexual Abuse of a Patient or Client by a Licensee to a Law Enforcement Agency or the Department of Health and Human Services | ONTP                   |
| LD 114 | An Act To Increase the Number of Suboxone Prescribers  | ONTP                   |
| LD 130 | An Act To Provide Funding for Costs Associated with Requiring the Licensing of Midwives  | Died On<br>Adjournment |
| LD 148 | An Act To Allow Overhead Garage Door Installers To Install and Repair Dumbwaiters  | ONTP                   |
| LD 456 | An Act To Increase Access to Vaccinations  | Died On                |

|         |  |                           |
|---------|--|---------------------------|
| LD 490  | An Act To Exempt Chiropractic Assistants from Being Required To Hold Licenses as Radiographers, Nuclear Medicine Technologists or Radiation Therapists | Adjournment<br>ONTP       |
| LD 538  | An Act To Allow Advanced Practice Registered Nurses Who Have Attained Certain Degrees To Use the Title of Doctor                                       | Majority<br>(ONTP) Report |
| LD 572  | An Act To Amend the Laws Governing the Practice of Pharmacy  | Died Between<br>Houses    |
| LD 615  | Resolve, To Establish a Work Group To Update the Maine Pharmacy Act  | ONTP                      |
| LD 811  | An Act Regarding Continuing Education for Persons Engaged in the Practice of Funeral Service   | ONTP                      |
| LD 872  | An Act To Establish Requirements Related to the Practice of Dry Needling   | ONTP                      |
| LD 912  | An Act To Clarify the Scope of Practice of Certain Licensed Professionals Regarding Conversion Therapy   | CARRIED<br>OVER           |
| LD 954  | An Act To Make Certain Contraception Available over the Counter  | ONTP                      |
| LD 1036 | Resolve, To Study Repeal of Occupational Licensing Requirements for Certain Occupations  | ONTP                      |
| LD 1152 | An Act To Encourage the Hiring of Skilled Immigrants through Flexible Certification  | ONTP                      |
| LD 1165 | An Act To Amend the Laws Regarding Licensure for Professional Engineers  | ONTP                      |
| LD 1280 | An Act To Require Drug Manufacturers To Comply with Federal Law  | CARRIED<br>OVER           |
| LD 1327 | An Act To Allow Former Military Medical Personnel To Perform Certain Medical Services  | CARRIED<br>OVER           |

### **Research and Development**

#### **Not Enacted**

|        |  |                 |
|--------|--|-----------------|
| LD 656 | An Act To Improve the Ability of Maine Companies To Manufacture and Market Biobased Products | CARRIED<br>OVER |
|--------|--|-----------------|

### **Retirement**

#### **Not Enacted**

|         |  |                        |
|---------|--|------------------------|
| LD 1243 | An Act Regarding the Maine Length of Service Award Program Board of Trustees | Died On<br>Adjournment |
|---------|--|------------------------|

## *Unemployment Compensation*

### Enacted

LD 1530 An Act To Amend the Laws Governing Unemployment Compensation PUBLIC 117

### Not Enacted

LD 563 An Act To Protect Earned Pay Died On  
Adjournment

LD 700 An Act To Give Flexibility to Employees and Employers for Temporary Layoffs CARRIED  
OVER

LD 962 An Act Regarding Unemployment Compensation for Workers Involved in Certain Seasonal Occupations ONTP

LD 1116 An Act To Improve the Unemployment Compensation System INDEF PP

LD 1341 An Act To Clarify Eligibility for Unemployment Benefits during Labor Disputes Died Between  
Houses

LD 1464 An Act Regarding Unemployment Compensation for Full-time Seasonal Workers ONTP

## *Wages*

### Enacted

LD 673 An Act To Restore the Tip Credit to Maine's Minimum Wage Law PUBLIC 272

### Not Enacted

LD 86 An Act To Protect Worker Wages and Benefits INDEF PP

LD 702 An Act To Restore the Tip Credit to Maine Employees ONTP

LD 774 An Act To Create a Training Wage ONTP

LD 775 An Act To Prohibit the Minimum Wage from Exceeding the New England Average ONTP

LD 778 An Act To Eliminate the Indexing of the Minimum Wage to Inflation Died Between  
Houses

LD 831 An Act To Base the Minimum Wage on a New England State Average and To Restore the Tip Credit Died Between  
Houses

LD 971 An Act To Exempt Certain Employees from the Minimum Wage Laws ONTP

LD 991 An Act To Establish a Minimum Wage for Minors Died Between  
Houses

LD 1005 An Act Regarding Minimum Wage Increases ONTP

LD 1117 Resolve, To Establish the Commission To Study the Phase-out of Subminimum Wage Died Between  
Houses

LD 1609 An Act To Support Maine's Employers and Encourage Employers To Hire Young Workers Died Between  
Houses

## **Workers' Compensation**

### **Enacted**

|        |   |            |
|--------|---|------------|
| LD 313 | An Act To Amend the Laws Governing Prior Employees of the Workers' Compensation Board   | PUBLIC 29  |
| LD 612 | An Act To Improve Vocational Rehabilitation under the Maine Workers' Compensation Act of 1992   | PUBLIC 53  |
| LD 848 | An Act To Support Law Enforcement Officers and First Responders Diagnosed with Post-traumatic Stress Disorder                                     | PUBLIC 294 |
| LD 984 | An Act To Separate the Authorities under the Licenses for Property and Casualty Insurance Adjusters and Workers' Compensation Insurance Adjusters | PUBLIC 152 |

### **Not Enacted**

|         |  |                        |
|---------|--|------------------------|
| LD 67   | An Act To Improve Insurance Coverage for First Responders Answering a Call to Duty   | Minority (ONTP) Report |
| LD 489  | An Act To Ensure Firefighters Receive Cancer Treatment Pursuant to the Maine Revised Statutes, Title 39-A  | ONTP                   |
| LD 614  | An Act To Establish a Presumption of Heart Disease or Hypertension in the Line of Duty for Corrections Officers under the Workers' Compensation Laws | ONTP                   |
| LD 777  | An Act To Establish a Conditional Presumption of Compensability for Corrections Employees in Cases of Impairment from Hypertension or Heart Disease  | Majority (ONTP) Report |
| LD 913  | An Act Regarding Workers' Compensation Insurance Rates for Small Businesses  | ONTP                   |
| LD 927  | An Act To Establish a Presumption of Impairment of Health in the Line of Duty for Corrections Employees under the Workers' Compensation Laws         | ONTP                   |
| LD 1056 | An Act To Protect Homeowners from Workers' Compensation Claims   | ONTP                   |

## **Workforce Development**

### **Enacted**

|         |   |            |
|---------|---|------------|
| LD 1360 | An Act To Conform the State Workforce Board and Workforce Development Programs to the Federal Workforce Innovation and Opportunity Act                  | PUBLIC 110 |
| LD 1362 | An Act To Update the Operations of the Bureau of Rehabilitation Services and To Conform to the Federal Workforce Innovation and Opportunity Act of 2014 | PUBLIC 111 |

### **Not Enacted**

|        |  |              |
|--------|--|--------------|
| LD 669 | An Act To Address the Unmet Workforce Needs of Employers and To Improve the Economic Future of Workers | CARRIED OVER |
|--------|--|--------------|

LD 1467      An Act To Expand Competitive Skills Scholarships and Strengthen  
Maine's Workforce Development Programs      ONTP

**Workforce Investment**

**Not Enacted**

LD 503      An Act To Continue the Doctors for Maine's Future Scholarship Program      CARRIED  
OVER