

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH LEGISLATURE
SECOND REGULAR SESSION



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

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

May 2016

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STATE OF MAINE

127TH LEGISLATURE

SECOND REGULAR SESSION



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the Second Regular Session of the 127th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

CARRIED OVER.....	<i>carried over to a subsequent session of the Legislature</i>
CON RES XXX	<i>chapter # of constitutional resolution passed by both houses</i>
CONF CMTE UNABLE TO AGREE.....	<i>Committee of Conference unable to agree; legislation died</i>
DIED BETWEEN HOUSES.....	<i>House & Senate disagreed; legislation died</i>
DIED IN CONCURRENCE	<i>defeated in each house, but on different motions; legislation died</i>
DIED ON ADJOURNMENT.....	<i>action incomplete when session ended; legislation died</i>
EMERGENCY.....	<i>enacted law takes effect sooner than 90 days after session adjournment</i>
FAILED, EMERGENCY ENACTMENT or PASSAGE.....	<i>emergency failed to receive required 2/3 vote</i>
FAILED, ENACTMENT or FINAL PASSAGE.....	<i>failed to receive final majority vote</i>
FAILED, MANDATE ENACTMENT.....	<i>legislation proposing local mandate failed required 2/3 vote</i>
HELD BY GOVERNOR.....	<i>Governor has not signed; final disposition to be determined at subsequent session</i>
LEAVE TO WITHDRAW.....	<i>sponsor's request to withdraw legislation granted</i>
NOT PROPERLY BEFORE THE BODY.....	<i>ruled out of order by the presiding officer; legislation died</i>
INDEF PP.....	<i>indefinitely postponed; legislation died</i>
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X...	<i>ought-not-to-pass report accepted; legislation died</i>
P&S XXX.....	<i>chapter # of enacted private & special law</i>
PUBLIC XXX	<i>chapter # of enacted public law</i>
RESOLVE XXX	<i>chapter # of finally passed resolve</i>
VETO SUSTAINED.....	<i>Legislature failed to override Governor's veto</i>

The effective date for non-emergency legislation enacted in the First Regular Session of the 127th Legislature is July 29, 2016. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

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

3. It requires the authority to consult with experts in the areas of agriculture, food security, and public health when selecting the entity to implement the program and to ensure that the selected entity adheres to all local, state and federal food safety regulations.

4. It directs the authority to administer the program only until the funds are finally disbursed.

5. It requires the selected entity to report to the joint standing committees of the Legislature having jurisdiction over agriculture, conservation and forestry matters and over health and juman services matters by December 1st of 2016, 2017 and 2018.

Enacted Law Summary

Resolve 2015, chapter 81 directs the Finance Authority of Maine to contract with a statewide entity to purchase, process, store and transport fresh and fresh frozen fruits, vegetables and seafood harvested in the State to increase access to those products for residents of the State with food insecurity. The authority must consult with experts in the areas of agriculture, food security, and public health when selecting the entity through a request for proposal process. The selected entity must adhere to all local, state and federal food safety regulations and report to the joint standing committees of the Legislature having jurisdiction over agriculture, conservation and forestry matters and over health and human services matters by December first of 2016, 2017 and 2018. This initiative is funded using \$3,000,000 transferred on a one-time basis from the Fund for a Healthy Maine. The resolve specifies that the authority is responsible for administering the funds until they are finally disbursed and may retain a portion of the funds for the reasonable administrative costs incurred by the authority.

LD 1474 An Act To Provide for the 2016 and 2017 Allocations of the State Ceiling on Private Activity Bonds

**P & S 13
EMERGENCY**

Sponsor(s)
VOLKA
HERBIG E

Committee Report
OTP-AM

Amendments Adopted
S-348

This bill allocates the state ceiling on issuance of tax-exempt private activity bonds for calendar years 2016 and 2017 among the state-level issuers of tax-exempt bonds in accordance with Title 10, section 363 of the Maine Revised Statutes.

Committee Amendment "A" (S-348)

This amendment incorporates a fiscal note.

Enacted Law Summary

Private and Special Law 2015, chapter 13 allocates the state ceiling on issuance of tax-exempt private activity bonds for calendar years 2016 and 2017 among the state-level issuers of tax-exempt bonds in accordance with Title 10, section 363 of the Maine Revised Statutes.

Private and Special Law 2015, chapter 13 was enacted as an emergency measure effective February 17, 2016.

LD 1480 An Act To Create and Sustain High-quality Maine Jobs

PUBLIC 415

Sponsor(s)
GERZOF SKY S
GIDEON S

Committee Report
OTP-AM

Amendments Adopted
S-363

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

This bill creates the Maine Capital Investment Program within the Finance Authority of Maine to provide loans or bond funding to eligible business development projects that have projected costs of at least \$50,000,000 or are projected to result in the creation or retention of at least 250 full-time employment positions that pay at least 125% of the state annual average weekly wage.

Under this program, the authority may issue a direct loan of up to \$50,000,000 or bond funding of up to \$200,000,000 to each eligible business development project. To qualify for a direct loan, the business development project must first secure a match equal to 25% of the loan amount from another funding source. As a way of replenishing the fund, award recipients must re-invest an amount equal to 10% of the award into the fund within five years after completion of the project.

The bill takes effect only after the authority receives funds for the program in the amount of at least \$250,000,000. Investments in the program qualify for the seed capital investment tax credit under Title 36, section 5216-B.

Committee Amendment "A" (S-363)

This amendment makes the following changes to the bill.

1. It clarifies that the Finance Authority of Maine is authorized, not required, to establish the Maine Capital Investment Program and reduces the amount of funding the authority must receive before the bill takes effect from \$250,000,000 to \$50,000,000.
2. It eliminates seed capital investment tax credit eligibility for investments in the fund.
3. It authorizes the authority to issue bonds for the purpose of funding eligible business development projects and specifies that such bonds are not general obligation bonds of the authority, the State or any agency or political subdivision of the State.
4. It requires each recipient of financial support under the program to submit a report to the authority five years after completion of the business development project describing the project and the number of jobs created or retained through the project.
4. It requires the authority to submit an annual report to the joint standing committee of the Legislature having jurisdiction over economic development matters regarding the projects that have received financial support and the administration of the program. The committee may request an independent evaluation of the program by the Office of Program Evaluation and Government Accountability.

Enacted Law Summary

Public Law 2015, chapter 415 authorizes the Finance Authority of Maine to create the Maine Capital Investment Program to provide loans and bond funding to eligible business development projects that have projected costs of at least \$50,000,000 or that are projected to result in the creation or retention of at least 250 full-time employment positions that pay at least 125% of the state annual average weekly wage.

Under this program, the authority may issue a direct loan of up to \$50,000,000 or bond funding of up to \$200,000,000 to each eligible business development project. To qualify for a direct loan, the business development project must first secure a match equal to 25% of the loan amount from another funding source. Bonds issued by the authority for the purpose of funding eligible business development projects are not general obligation bonds of the authority, the State or any agency or political subdivision of the State. As a way of replenishing the fund, award recipients must re-invest an amount equal to 10% of the award into the fund within five years after completion of the project.

Each recipient of financial support under the program must submit a report to the authority five years after completion of the business development project describing the project and the number of jobs created or retained

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

through the project. The authority must submit an annual report to the joint standing committee of the Legislature having jurisdiction over economic development matters regarding the projects that have received financial support and the administration of the program. The committee may request an independent evaluation of the program by the Office of Program Evaluation and Government Accountability.

The bill takes effect only after the authority receives funds for the program in the amount of at least \$50,000,000.

LD 1501	An Act To Amend the Law Regarding Disqualification for Unemployment Benefits during Stoppages of Work	Died Between Houses
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STETKIS J CUSHING A	ONTP OTP-AM	

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.

Committee Amendment "A" (H-533)

This amendment is the minority report of the committee. This amendment changes the bill by broadening 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 is a stoppage of work. Instead, under the amendment, unemployment that is due to a labor dispute is sufficient grounds for a denial of benefits. The amendment also updates the language of the exceptions in current law to this disqualification to reflect the elimination of the stoppage of work requirement.

LD 1514	An Act To Conform Maine Law to the Requirements of the American Dental Association Commission on Dental Accreditation	Veto Sustained
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SIROCKI H BURNS D	OTP-AM OTP-AM	H-593 S-524 BURNS D

This bill amends the professional licensing laws governing dental hygiene therapists in several ways.

1. It specifies that an applicant for a dental hygiene therapy license must possess a Bachelor of Science degree or higher from a dental hygiene therapy program that is accredited by either the American Dental Association Commission on Dental Accreditation or a successor organization or that meets the requirements for a dental hygiene therapy education program adopted by the Board of Dental Examiners.
2. It eliminates requirements that dental hygiene therapy education programs be a minimum of four semesters in duration, be consistent with a specified model curriculum and be consistent with programs in other states.
3. It eliminates the requirement that an applicant for a dental hygiene therapy license hold an associate degree in dental hygiene before entering a dental therapy education program.
4. It provides for licensure by endorsement of a dental hygiene therapist who graduates from a dental hygiene therapy education program, is licensed to practice as a dental hygiene therapist in another state and engages in active clinical practice for at least three years prior to applying for a license in this State.