

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH 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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LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 128th Maine Legislature.

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

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

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

The effective date for non-emergency legislation enacted in the First Regular Session of the 128th Legislature is Wednesday, November 1, 2017. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

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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 Improve the Economic Future of Workers** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KATZ R 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 HUBBELL B	OTP-AM ONTP	S-209 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.