

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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*Committee member for a portion of the session

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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.

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

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

Sponsor(s)

VOLK A
WARD K

Committee Report

ONTP

Amendments Adopted

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.