

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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STATE OF MAINE

128TH LEGISLATURE
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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

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 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

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

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.

LD 1500 An Act To Modernize Data Collection and Reporting and Information Access for the Department of Labor Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK A VACHON K	ONTP 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.

LD 1501 An Act To Increase Success and Promote Growth among Maine Small Businesses ONTP

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