

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**

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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

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 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

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

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 MASON G	OTP-AM 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 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,"