

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH LEGISLATURE
FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



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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STAFF:

HENRY FOUTS, LEGISLATIVE ANALYST
JANET STOCCO, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670
<http://legislature.maine.gov/opla/>

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*Committee member for a portion of the session

STATE OF MAINE

128TH LEGISLATURE

FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contain summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Special, Second Regular and Second Special Sessions 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 dates for non-emergency legislation enacted in the First Special, Second Regular or Second Special Sessions of the 128th Legislature are: Monday, February 5, 2018; Wednesday, August 1, 2018; and Thursday, December 13, 2018, respectively. 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

work search documentation for those weeks if the claimant asserts that the claimant's inability to use the department's Internet-based filing system was the basis for the claimant's failure to file.

In 2009, Maine received a \$28,200,000 distribution to the Unemployment Trust Fund under the federal American Recovery and Reinvestment Act of 2009, Public Law 111-5, 123 Stat. 115 (2009), which may be used to maintain the State's unemployment and public employment system or to pay regular unemployment benefits. There is \$27,503,000 remaining from this distribution. The amendment authorizes the use of \$895,156 of those funds to meet the allocation required in the amendment. The funds will be used to maintain and operate the State's unemployment and employment programs, including paying the administrative costs required to administer the unemployment insurance program and delivering employment assistance services through the Department of Labor's career center system. The intent of the authorization of funds is to provide the Department of Labor with funding necessary to implement the provisions of this amendment.

Committee Amendment "B" (S-474)

This amendment is the minority report of the committee. It adds to the bill a requirement that the Department of Labor provide an alternative method to an Internet-based system for filing of unemployment claims and work search documentation and obtaining information. The alternative must include a method such as a telephone system or in person.

Senate Amendment "A" To Committee Amendment "A" (S-485)

This amendment removes the requirement in Committee Amendment "A" that the telephone system maintained by the Department of Labor allow a claimant to leave a message or request a return telephone call. It also removes a provision in Committee Amendment "A" that authorizes an allocation of funds in the Unemployment Trust Fund.

Senate Amendment "B" To Committee Amendment "A" (S-532)

This amendment removes the emergency preamble and emergency clause. The amendment also incorporates the provisions of Senate Amendment "A" to Committee Amendment "A."

LD 1772

Resolve, Directing the Attorney General To Update the Portions of the Consumer Law Guide Pertaining to Implied Warranties

**RESOLVE 42
EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| MASON G ESPLING E | OTP-AM ONTP | S-374 |

This bill is a concept draft pursuant to Joint Rule 208 that proposes to establish a study commission to examine the State's implied warranty laws and the arbitration process for those laws.

Committee Amendment "A" (S-374)

This amendment is the majority report of the committee. The amendment replaces the bill, which is a concept draft, with a resolve directing the Attorney General to review and update the Attorney General's Consumer Law Guide as it pertains to implied warranties on consumer goods other than motor vehicles by July 1, 2018.

Enacted Law Summary

Resolve 2017, chapter 42 directs the Attorney General to review and update the Attorney General's Consumer Law Guide as it pertains to implied warranties on consumer goods other than motor vehicles by July 1, 2018. At a minimum, the update must clarify the scope of a consumer's responsibility to follow the operation and maintenance guidelines in the user manual of a consumer good and the effect of a failure to follow those guidelines on the availability of relief under the State's implied warranty laws.

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

Resolve 2017, chapter 42 was finally passed as an emergency measure effective April 5, 2018.

LD 1787 An Act To Provide for the 2018 and 2019 Allocations of the State Ceiling on Private Activity Bonds

**P & S 12
EMERGENCY**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| VOLK A FECTEAU R | OTP-AM | S-375 |

This bill establishes the allocations of the state ceiling on issuance of tax-exempt private activity bonds for calendar years 2018 and 2019 among the state-level issuers of tax-exempt bonds.

Committee Amendment "A" (S-375)

This amendment incorporates a fiscal note.

Enacted Law Summary

Private and Special Law 2017, chapter 12 establishes the allocations of the state ceiling on issuance of tax-exempt private activity bonds for calendar years 2018 and 2019 among the state-level issuers of tax-exempt bonds.

Private and Special Law 2017, chapter 12 was enacted as an emergency measure effective March 23, 2018.

LD 1825 An Act To Implement the Recommendations of the Board of Dental Practice

PUBLIC 388

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| | OTP-AM | H-669 |

This bill was reported by the committee pursuant to Public Law 2015, chapter 429, section 25 and then referred back to the committee for processing in the normal course. The bill contains the recommendations of the Board of Dental Practice for amending the laws governing the scopes of practice of dental practitioners, dental practice settings, dental services delivery models and other aspects of dental practice. The bill makes the following changes to the Dental Practice Act.

1. It eliminates the charitable dentist and clinical dentist educator license categories.
2. It authorizes a student enrolled in a board-approved dental radiography program to practice under the supervision of the student's instructors without first obtaining a license from the Board of Dental Practice.
3. It eliminates the requirement that dental or denturist student externs register with the Board of Dental Practice.
4. It creates a new denturist trainee registration category for individuals who have completed the educational requirements for licensure as a denturist but who wish to practice under the supervision of a dentist or a denturist prior to obtaining a denturist license.
5. It authorizes independent practice dental hygienists to supervise dental radiographers.
6. It streamlines the scope of practice provisions for expanded function dental assistants and dental hygienists by clarifying that these licensees may perform the activities that a dentist may delegate to a supervised unlicensed individual.