

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**

October 2018

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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

This bill establishes and provides funding for the Maine Mental Health Providers Loan Repayment Program to be administered by the Finance Authority of Maine. Under the program, mental health providers may have portions of their student loans repaid annually for up to five years, as long as the participants meet certain criteria, including agreeing to practice in an underserved practice area for at least five years after acceptance into the program.

Committee Amendment "A" (H-759)

The bill establishes the Maine Mental Health Providers Loan Repayment Program, which allows certain types of licensed social workers and professional counselors to apply for loan repayment assistance, as long as the applicants agree to practice for five years in one of a list of underserved practice areas in the State. This amendment expands the pool of providers eligible to apply for the program to include all social workers licensed by the State Board of Social Worker Licensure and all counselors licensed by the Board of Counseling Professionals Licensure and expands the categories of underserved practice areas to include federally qualified health centers, community-based behavioral health centers and organizations exempt from taxation under the United States Internal Revenue Code of 1986, Section 501(c)(6).

The amendment further clarifies that the program is funded through a one-time appropriation of \$1,000,000, rather than an ongoing appropriation as in the bill.

The amendment also repeals the currently unfunded Social Work Education Loan Repayment Program in the Maine Revised Statutes.

LD 1880 An Act To Prohibit Mandatory Membership in a Union or Payment of Agency Fees as a Condition of Employment INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WHITE D CUSHING A		

This bill was not referred to committee.

This bill was carried over from the Second Regular Session to the Second Special Session of the 128th Legislature by joint order S.P. 748.

This bill prohibits a person from being required to join a labor organization or pay any labor organization dues or fees as a condition of employment or continuation of employment, notwithstanding any state law to the contrary. A violation is a Class D crime and is also subject to civil damages and injunctive relief. The Attorney General is responsible for enforcement and is required to prosecute all violations.

LD 1887 An Act To Create Fairness in Maine's Unemployment Insurance System by Increasing the Amount Paid in Unemployment Tax by Certain Employers Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VACHON K	ONTP OTP-AM	

This bill was reported out of committee and then carried over from the Second Regular Session to the Second Special Session of the 128th Legislature by joint order S.P. 748.

This bill amends the laws governing employer contributions for unemployment compensation to impose an additional shared cost assessment tax on employers in contribution categories 19 and 20, increasing the percentage

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

of unemployment tax paid by those employers. Beginning January 1, 2019, an employer in category 19 is assessed an additional unemployment tax of 15% of that employer's taxable payroll and an employer in category 20 is assessed an additional unemployment tax of 20% of that employer's taxable payroll. Adding this shared cost assessment provides benefit costs beyond the normal experience rating process to the Unemployment Compensation Fund.

Committee Amendment "A" (H-742)

This amendment directs the Department of Labor to convene a working group to study tax fairness in the State's unemployment compensation system with a particular focus on employers with negative reserve balances and to submit a report to the joint standing committee of the Legislature having jurisdiction over labor matters by April 1, 2019. It allows the committee to report out a bill based on the recommendations of the working group to the First Regular Session of the 129th Legislature.

LD 1892 An Act To Clarify the Prescribing and Dispensing of Naloxone Hydrochloride by Pharmacists

**PUBLIC 417
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GIDEON S WOODSOME D	OTP-AM ONTP	H-744

This bill clarifies that a pharmacist may prescribe and dispense naloxone hydrochloride to an individual of any age who is at risk of experiencing an opioid-related drug overdose; who is a member of the immediate family of, or a friend of, an individual at risk of experiencing an opioid-related drug overdose; or who is in a position to assist an individual at risk of experiencing an opioid-related drug overdose.

Committee Amendment "A" (H-744)

This amendment is the majority report of the committee. It clarifies that a pharmacist must follow protocols adopted by the Maine Board of Pharmacy when that pharmacist prescribes and dispenses naloxone hydrochloride to an individual of any age who is at risk of experiencing an opioid-related drug overdose; who is a member of the immediate family of, or a friend of, an individual at risk of experiencing an opioid-related drug overdose; or who is in a position to assist an individual at risk of experiencing an opioid-related drug overdose.

In addition, this amendment makes technical changes so as to conform with the effect of Public Law 2017, chapter 364. (Public Law 2017, chapter 364 derived from LD 565, a bill that was referred to the Joint Standing Committee on Health and Human Services.)

Enacted Law Summary

Public Law 2017, chapter 417 authorizes a pharmacist to prescribe and dispense naloxone hydrochloride, in accordance with protocols adopted by the Maine Board of Pharmacy, to an individual of any age who is at risk of experiencing an opioid-related drug overdose; who is a member of the immediate family of, or a friend of, an individual at risk of experiencing an opioid-related drug overdose; or who is in a position to assist an individual at risk of experiencing an opioid-related drug overdose.

Public Law 2017, chapter 417 was enacted as an emergency measure effective May 2, 2018.