

MAINE STATE LEGISLATURE

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STATE OF MAINE
125TH LEGISLATURE
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON LABOR, COMMERCE,
RESEARCH AND ECONOMIC DEVELOPMENT**

June 2012

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CAROLYN RUSSO, LEGISLATIVE ANALYST
NATALIE HAYNES, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

* REPLACED LATE IN THE SESSION BY REP. ANDRE E. CUSHING III

STATE OF MAINE

125TH LEGISLATURE
SECOND REGULAR SESSION



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all LDs and adopted amendments and all laws enacted or finally passed during the Second Regular Session of the 125th 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. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

<i>CARRIED OVER</i>	<i>carried over to a subsequent session of the Legislature</i>
<i>CON RES XXX</i>	<i>chapter # of constitutional resolution passed by both houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; legislation died</i>
<i>DIED BETWEEN HOUSES</i>	<i>House & Senate disagreed; legislation died</i>
<i>DIED IN CONCURRENCE</i>	<i>defeated in each house, but on different motions; legislation died</i>
<i>DIED ON ADJOURNMENT</i>	<i>action incomplete when session ended; legislation died</i>
<i>EMERGENCY</i>	<i>enacted law takes effect sooner than 90 days after session adjournment</i>
<i>FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE</i>	<i>emergency failed to receive required 2/3 vote</i>
<i>FAILED, ENACTMENT or FINAL PASSAGE</i>	<i>failed to receive final majority vote</i>
<i>FAILED, MANDATE ENACTMENT</i>	<i>legislation proposing local mandate failed required 2/3 vote</i>
<i>HELD BY GOVERNOR</i>	<i>Governor has not signed; final disposition to be determined at subsequent session</i>
<i>LEAVE TO WITHDRAW</i>	<i>sponsor's request to withdraw legislation granted</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>ruled out of order by the presiding officer; legislation died</i>
<i>INDEF PP</i>	<i>indefinitely postponed; legislation died</i>
<i>ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X</i> ...	<i>ought-not-to-pass report accepted; legislation died</i>
<i>P&S XXX</i>	<i>chapter # of enacted private & special law</i>
<i>PUBLIC XXX</i>	<i>chapter # of enacted public Law</i>
<i>RESOLVE XXX</i>	<i>chapter # of finally passed resolve</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's veto</i>

The effective date for non-emergency legislation enacted in the Second Regular Session of the 125th Legislature is Thursday, August 30, 2012. 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

certificate to an employer for the hiring of one or more persons with disabilities at a rate commensurate with the ability of those persons to perform the duties required in comparison to the ability of a person who does not have a disability. It extends the length of time a certificate is valid from one year to 2 years. A certificate may be renewed.

LD 1733 An Act To Provide for the 2012 and 2013 Allocations of the State Ceiling on Private Activity Bonds

**P & S 23
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RECTOR	OTP-AM	S-388

This bill establishes the allocations of the state ceiling on issuance of tax-exempt private activity bonds for calendar years 2012 and 2013. This bill allocates the state ceiling among the state-level issuers of tax-exempt bonds.

Committee Amendment "A" (S-388)

This amendment adds an emergency preamble and emergency clause to the bill for the allocation of the state ceiling on private activity bonds for the 2012 and 2013 allocations. The amendment makes corrections to ensure the proper allocations of the state ceiling on issuance of tax-exempt bonds.

Enacted Law Summary

Private and Special Law 2011, chapter 23 establishes the allocations of the state ceiling on issuance of tax-exempt private activity bonds for calendar years 2012 and 2013. This law allocates the state ceiling among the state-level issuers of tax-exempt bonds.

Private and Special Law 2011, chapter 23 was enacted as an emergency measure effective March 14, 2012.

LD 1776 Resolve, To Streamline Forester Licensing Requirements

RESOLVE 130

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RECTOR	OTP-AM	S-406

This resolve requires the Department of Professional and Financial Regulation, Board of Licensure of Foresters and the Department of Conservation, Maine Forest Service to jointly develop recommendations for simplifying the licensing requirements for foresters, including exempting applicants with a specific level of experience and knowledge from the education requirements and repealing the requirement that foresters complete an internship. The board is required to submit the recommendations and implementing legislation to the 126th Legislature.

Committee Amendment "A" (S-406)

This amendment requires the Department of Professional and Financial Regulation, Board of Licensure of Foresters and the Department of Conservation, Maine Forest Service to include in their joint recommendations ways to simplify the testing requirements for foresters. It also removes from the resolve the requirement that the joint recommendations include the repeal of the internship requirement for the forester license.

Enacted Law Summary

Resolve 2011, chapter 130 requires the Department of Professional and Financial Regulation, Board of Licensure of

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

Foresters and the Department of Conservation, Maine Forest Service to jointly develop recommendations for simplifying the licensing requirements for foresters. The simplification includes exempting applicants with a specific level of experience and knowledge from the education requirements and simplifying the testing requirements for foresters. The board is required to submit the recommendations and implementing legislation to the 126th Legislature.

LD 1777 An Act To Correct an Inconsistency in the Employment Security Law

PUBLIC 516

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON	OTP	S-399 RECTOR

This bill addresses an inconsistency in the treatment of unemployment benefits for persons receiving pensions. Under current law an individual who otherwise qualifies for unemployment benefits is completely denied benefits if the individual receives a pension that was contributed to solely by a base period employer. The complete denial of benefits is inconsistent with the treatment of individuals who contributed less than 50% to their pension, which results in only a partial reduction in benefits. This bill seeks to remedy this apparent inconsistency in the rare occurrences when the pension contributions were made solely by the base period employer by reducing unemployment benefits based on the amount of the pension.

Senate Amendment "A" (S-399)

This amendment incorporates a fiscal note.

Enacted Law Summary

Public Law 2011, chapter 516 addresses an inconsistency in the treatment of unemployment benefits for persons receiving pensions. Under current law an individual who otherwise qualifies for unemployment benefits is completely denied benefits if the individual receives a pension that was contributed to solely by a base period employer. The complete denial of benefits is inconsistent with the treatment of individuals who contributed less than 50% to their pension, which results in only a partial reduction in benefits. Public Law 2011, chapter 516 seeks to remedy this apparent inconsistency in the rare occurrences when the pension contributions were made solely by the base period employer by reducing unemployment benefits based on the amount of the pension.

LD 1778 An Act Relating to the Governance of the Maine State Housing Authority

PUBLIC 560

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COURTNEY	OTP-AM	S-467

This bill removes the provision of law that provides that the Director of the Maine State Housing Authority serves a 4-year term of office. The bill provides that the director does not have a term of office and that the director serves at the pleasure of the commissioners of the Maine State Housing Authority. It also removes the provision of law that states that the powers and duties of the Maine State Housing Authority, with certain exceptions, are vested solely in the Director of the Maine State Housing Authority.

Committee Amendment "A" (S-467)