

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
125<sup>TH</sup> 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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# STATE OF MAINE

125<sup>TH</sup> 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 125<sup>th</sup> 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 &amp; 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&amp;S XXX</i> .....	<i>chapter # of enacted private &amp; 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 125<sup>th</sup> 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**

**LD 1832     An Act To Increase the Amount of Time an Employer May Employ an Employee without Being Charged for Unemployment Benefits**

**PUBLIC 499**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP	

This bill is submitted by the Joint Standing Committee on Labor, Commerce, Research and Economic Development pursuant to Resolve 2011, chapter 85. The bill changes from 5 weeks to 6 weeks the amount of time an employer may employ an employee without being charged for unemployment benefits; it also establishes a repeal date of March 14, 2014 for that change.

The bill enacts, beginning March 14, 2014, a reversion back to 5 weeks for the amount of time an employer may employ an employee without being charged for unemployment benefits.

The bill requires a report from the Commissioner of Labor to the joint standing committee of the Legislature having jurisdiction over labor matters, which is authorized to introduce a bill.

**Enacted Law Summary**

Public Law 2011, chapter 499 changes the amount of time an employer may employ an employee without being charged for unemployment benefits from 5 weeks to 6 weeks; it also establishes a repeal date of March 14, 2014 for that change.

Beginning March 14, 2014, the law reverts back to 5 weeks for the amount of time an employer may employ an employee without being charged for unemployment benefits.

Public Law 2011, chapter 499 requires a report from the Commissioner of Labor to the joint standing committee of the Legislature having jurisdiction over labor matters on the effect the change in weeks has on the Unemployment Insurance Trust Fund, employers and employees. It also authorizes the committee to introduce a bill related to this report to the Second Regular Session of the 126th Legislature.

**LD 1833     An Act To Encourage Enrollment in Electrical Education Programs**

**PUBLIC 650**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUSHING RECTOR	OTP-AM MAJ OTP-AM MIN	H-837 H-871 DAVIS

This bill amends the electrician licensing laws by changing the number of helper electricians that may work with and be supervised by a journeyman electrician from one to 2. The bill also requires the Director of the Office of Professional and Occupational Regulation within the Department of Professional and Financial Regulation to amend its rules to exempt a high school student from paying the fee for a license to be a helper electrician.

**Committee Amendment "B" (H-837)**

This amendment is the minority report of the committee. It replaces section 1 of the bill and amends the electrician

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

licensing laws by changing the number of helper and apprentice electricians that may work with and be supervised by a master electrician, limited electrician or journeyman electrician from one to 2, as long as the 2 helper electricians are both currently enrolled in, or have completed, a program of study consisting of 576 hours of education as approved by the Electricians' Examining Board or from an accredited institution. It also requires the Director of the Office of Professional and Occupational Regulation within the Department of Professional and Financial Regulation to provide a report by February 1, 2014 to the joint standing committee of the Legislature having jurisdiction over labor, commerce, research and economic development matters on the impact of the increase in the ratio of helper and apprentice electricians working under a master electrician, limited electrician or journeyman electrician and identify any safety issues or licensing concerns that may have arisen as a result of the increase in the ratio. It authorizes the joint standing committee of the Legislature having jurisdiction over labor, commerce, research and economic development matters to submit a bill on the issues raised by the increase in the ratio of helper and apprentice electricians to the Second Regular Session of the 126th Legislature.

**House Amendment "A" To Committee Amendment "B" (H-871)**

This amendment extends the helper electrician license fee exemption to community college students approved by the Electricians' Examining Board and changes the title of the bill to reflect that change.

**Enacted Law Summary**

Public Law 2011, chapter 650 amends the electrician licensing laws by changing the number of helper and apprentice electricians that may work with and be supervised by a master electrician, limited electrician or journeyman electrician from one to 2, as long as the 2 helper electricians are both currently enrolled in, or have completed, a program of study consisting of 576 hours of education as approved by the Electricians' Examining Board or from an accredited institution. It requires the Director of the Office of Professional and Occupational Regulation within the Department of Professional and Financial Regulation to amend its rules to exempt a high school student, or community college student approved by the Electricians' Examining Board, from paying the fee for a license to be a helper electrician.

It requires the Director of the Office of Professional and Occupational Regulation within the Department of Professional and Financial Regulation to provide a report by February 1, 2014 to the joint standing committee of the Legislature having jurisdiction over labor, commerce, research and economic development matters on the impact of the increase in the ratio of helper and apprentice electricians working under a master electrician, limited electrician or journeyman electrician and identify any safety issues or licensing concerns that may have arisen as a result of the increase in the ratio. It authorizes the joint standing committee of the Legislature having jurisdiction over labor, commerce, research and economic development matters to submit a bill on the issues raised by the increase in the ratio of helper and apprentice electricians to the Second Regular Session of the 126th Legislature.

**LD 1836 An Act To Facilitate Rapid Response by Out-of-state Businesses to State Disasters**

**PUBLIC 622  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KNIGHT RECTOR	OTP-AM MAJ ONTP MIN	H-868

This bill allows an out-of-state business to enter the State when a Governor's state of emergency proclamation or a declaration by the President of the United States of a major disaster or emergency has been issued without subjecting that out-of-state business or its employees to the licensing, registration and taxation requirements imposed on businesses and individuals that reside in the State. Following the disaster period, which ends 60 days after the disaster or emergency is over, any exemption ends. A business or employee that continues to reside in the State after the disaster period ends is subject to all registration, licensing and taxation requirements normally imposed.