

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH 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**

July 2013

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STATE OF MAINE

126TH LEGISLATURE

FIRST REGULAR SESSION



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 126th 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.

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 126th Legislature is October 9, 2013. 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 747 An Act To Protect Doctors Who Prescribe a Complementary Course of Treatment and To Provide Insurance Coverage for That Treatment ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
AYOTTE JACKSON T	ONTP	

This bill provides that the Department of Professional and Financial Regulation, Board of Licensure in Medicine may not bring disciplinary action against a physician who prescribes or provides medicine or treatment that is authorized for a complementary health care provider. The bill also requires such treatment to be covered under health insurance plans.

LD 761 An Act To Clarify the Agricultural Exemption to the Workers' Compensation Laws PUBLIC 87

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRAY SAVIELLO	OTP-AM	H-92

Currently, the laws governing workers' compensation exempt an employer of agricultural or aquacultural laborers from securing the payment of compensation with respect to its employees if the employer has 6 or fewer laborers or if the employer has more than 6 laborers but the total number of hours worked by those laborers in a week does not exceed 240. This bill instead specifies that an employer is exempt if the employer has 6 or fewer full-time agricultural or aquacultural laborers.

Committee Amendment "A" (H-92)

This amendment replaces the bill and instead reorganizes the text of the existing exemption in the workers' compensation laws for employers of agricultural or aquacultural laborers to provide more clarity in the law. This amendment also adds the spouses of parents, brothers, sisters and children under the definition of "immediate family members" not considered agricultural or aquacultural laborers.

Enacted Law Summary

Public Law 2013, chapter 87 reorganizes the text of the exemption in the workers' compensation laws for employers of agricultural or aquacultural laborers to provide more clarity in the law. This law adds the spouses of parents, brothers, sisters and children under the definition of "immediate family members" not considered agricultural or aquacultural laborers.

LD 786 An Act To Ensure the Voluntary Membership of Public Employees in Unions ACCEPTED MAJORITY (ONTP) REPORT

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

This bill makes a number of changes to the State's labor laws to allow public sector unions to represent only those public employees who voluntarily are members of that union. This bill also requires a public employee union to annually determine or certify the bargaining agent for that union.