

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
126<sup>TH</sup> 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

126<sup>TH</sup> LEGISLATURE

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## 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 126<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.

*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 126<sup>th</sup> 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***

This amendment makes the following changes to the bill.

1. It changes the name of the State Board of Dental Hygienists to the State Board of Dental Hygiene.
2. It establishes the State Board of Dental Hygiene as an affiliated board with the Department of Professional and Financial Regulation that shares resources with the Board of Dental Examiners.
3. It adds provisions that explain that the administrative expenses for staff and infrastructure of the Board of Dental Examiners must be shared on a pro rata basis with the State Board of Dental Hygiene and provides that the State Board of Dental Hygiene is required to charge sufficient licensure fees to finance the pro rata sharing of costs.
4. It removes all references in the bill that add an executive and assistant executive director and a secretary to the board and removes other technical provisions relating to the board's powers and duties that are not necessary to the board's primary responsibilities.
5. It removes provisions in the bill that establish dental hygienist adjudicatory panels.
6. It amends provisions in the bill relating to appointments to the board of public health hygienists and independent practice dental hygienists to ensure the qualifications for appointment accurately reflect the current statutory licensure requirements. It also adds the requirement that one dental hygienist on the board be an active instructor in an approved educational program in dental hygiene.
7. It establishes that any fees set by the board may not exceed \$250.
8. It removes provisions that require an in-person interview for applicants who had completed the North East Regional Board of Dental Examiners, Inc. dental hygiene examination more than one year prior to application for licensure and for applicants seeking licensure by endorsement.
9. It adds 2 unallocated transition provisions to provide that the rules of the Board of Dental Examiners applicable to dental hygienists that are in effect on the effective date of this legislation remain in effect until amended or repealed by the State Board of Dental Hygiene and establishes staggered terms for initial appointments to that board.
10. It adds an appropriations and allocations section.

This bill was committed to the Joint Standing Committee on Appropriations and Financial Affairs and carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

**LD 934**

**An Act To Amend the Laws on Extended Warranties for Used Cars To Make Terms of Coverage Transparent**

**PUBLIC 292**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WILSON	OTP-AM	H-320

This bill makes changes to the laws governing extended warranties for used cars to require that dealers disclose in the written statement the date on which the extended warranty begins and terminates, and that this information be either handwritten or printed on the statement by the dealer.

**Committee Amendment "A" (H-320)**

This amendment changes the provision in the bill that requires that a written statement on an additional warranty

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

include the dates on which the warranty begins and terminates and the mileage at which the warranty will terminate to provide that the statement must include the date on which the warranty begins and the date on which or the number of days or mileage at which the warranty will terminate. It also adds an effective date of July 1, 2014.

**Enacted Law Summary**

Public Law 2013, chapter 292 changes the laws governing extended warranties for used cars to require that dealers disclose in the written statement to consumers the date on which the warranty begins and the date on which, or the number of days or mileage at which the warranty will terminate. The law has an effective date of July 1, 2014.

**LD 949      An Act To Ensure the Proportional Offset against Retirement Benefits of Workers' Compensation Awards      PUBLIC 152**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOHNSON C GILBERT	OTP	S-46    PATRICK

Current law allows workers' compensation awards to be offset by the full after-tax amount of a pension or retirement benefit received by an injured employee, for those employees that did not contribute directly to the pension or retirement plan or program. For employees that did contribute to their pension or retirement plan or program, their workers' compensation awards are offset only by the proportional amount that the employer contributed to their plan.

This bill would allow for the same proportional offset of pension and retirement benefits, based on the employer's contributions to the pension or retirement program, to apply to workers' compensation awards regardless of whether or not the employee had contributed directly to the pension or retirement plan or program.

**Senate Amendment "A" (S-46)**

This amendment clarifies the offset of an employer's obligation to pay workers' compensation benefits.

**Enacted Law Summary**

Public Law 2013, chapter 152 allows for the offset of workers' compensation awards by the full after-tax amount of a pension or retirement benefit received by an injured employee to be based on the proportion of the employer's contributions to that employee's pension or retirement program, regardless of whether or not the employee had contributed directly to the pension or retirement plan or program.

**LD 952      An Act To Ensure Increased Wages for Wabanaki Tribal Members      ACCEPTED MAJORITY (ONTP) REPORT**

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

This bill raises the state minimum wage to \$10.00 per hour for members of the Houlton Band of Maliseet Indians, Passamaquoddy Tribe, Penobscot Nation and Aroostook Band of Micmacs.