

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 976 An Act To Reform Employer-provided Benefits

**ACCEPTED
MAJORITY
(ONTP) REPORT**

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

This bill prohibits an employer from giving an employee remuneration in lieu of an offered benefit when by virtue of refusing that benefit the employee is eligible for and receives a publicly funded benefit, such as health insurance. The penalty for noncompliance is a civil violation for which a fine from \$500 to \$1,000 may be adjudged and appropriate equitable relief sought.

Committee Amendment "A" (H-328)

This amendment, which is the minority report of the committee, adds a requirement that the employer maintain a record of which insurance plan the employee joins in place of the employer's offered insurance plan. The amendment also clarifies that only an employer that knowingly violates the law is subject to a penalty. This amendment also adds an appropriations and allocations section to the bill. This amendment was not adopted.

LD 977 An Act To Restore Uniformity to the Maine Uniform Building and Energy Code

**DIED BETWEEN
HOUSES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRAHAM JOHNSON C	OTP-AM OTP-AM ONTP	

Current law requires the Maine Uniform Building and Energy Code to be enforced in a municipality that has more than 4,000 residents; a municipality with 4,000 or fewer residents that has not adopted a building code is exempt. This bill requires the Maine Uniform Building and Energy Code to be enforced in all municipalities with more than 2,000 residents, beginning July 1, 2014. A municipality with 2,000 or fewer residents is exempt, but, if a building code is adopted in such a municipality, it must be the Maine Uniform Building and Energy Code.

Committee Amendment "A" (H-555)

This amendment is the majority report of the committee. This amendment provides that the Maine Uniform Building and Energy Code applies statewide and is the only building code that may be adopted or enforced in this State. As in the bill, a municipality of 2,000 or fewer residents is exempt from adopting or enforcing the Maine Uniform Building and Energy Code, but if such a municipality adopts a building code, it must be the Maine Uniform Building and Energy Code. This amendment repeals the current law that defines a separate uniform building code and uniform energy code and removes references to those separate codes.

Committee Amendment "B" (H-556)

This amendment is the minority report of the committee. This amendment provides that the Maine Uniform Building and Energy Code applies statewide and is the only building code that may be adopted or enforced in this State. As in the bill, a municipality of 2,000 or fewer residents is exempt from adopting or enforcing the Maine Uniform Building and Energy Code, but if such a municipality adopts a building code, it must be the Maine Uniform Building and Energy Code. This amendment allows a municipality to avoid enforcing the Maine Uniform Building and Energy Code if it doesn't employ a building official or if it votes to not enforce the code due to a lack