

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

STAFF:

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

MEMBERS:

SEN. JOHN L. PATRICK, CHAIR
SEN. JOHN J. CLEVELAND
SEN. ANDRE E. CUSHING ,III

REP. ERIN D. HERBIG, CHAIR
REP. PAUL E. GILBERT
REP. SCOTT M. HAMANN
REP. ANDREW T. MASON
REP. ANNE-MARIE MASTRACCIO
REP. AMY F. VOLK
REP. BRIAN M. DUPREY
REP. LAWRENCE E. LOCKMAN
REP. ELLEN A. WINCHENBACH
REP. JAMES J. CAMPBELL, SR.

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

of financial resources, unless the State provides sufficient funding to allow the municipality to provide for enforcement. This amendment repeals the current law that defines a separate uniform building code and uniform energy code and removes references to those separate codes.

LD 992 An Act To Create a State-sponsored 401(k) Retirement Plan for ONTP
Participation by Private Employers

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

This bill directs the Finance Authority of Maine to establish a qualified defined contribution retirement investment plan eligible for favorable tax treatment under Section 401(k) of the United States Internal Revenue Code to be made available to employers who wish to offer the plan as a retirement investment option to their employees.

LD 993 Resolve, To Amend Maine Board of Pharmacy Rules Regarding ONTP
Automated Pharmacy Systems in Hospitals

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

In 2012, the Department of Professional and Financial Regulation, Maine Board of Pharmacy adopted a new rule governing the use of automated pharmacy systems in both retail establishments and institutional pharmacies. This resolve removes hospital pharmacies from the purview of this rule.

LD 1017 An Act Relating to Employee Leasing Company Registration PUBLIC 257

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK	OTP-AM	H-382

This bill transfers registration of employee leasing companies from the Department of Professional and Financial Regulation, Bureau of Insurance to the Bureau of Consumer Credit Protection. Current rule-making authority regarding workers' compensation insurance issued to employee leasing companies is retained by the Superintendent of Insurance. The bill amends the law to direct complaints of client companies with respect to employee leasing companies to the Bureau of Consumer Credit Protection.

Committee Amendment "A" (H-382)

This amendment provides rule-making authority to the Superintendent of Consumer Credit Protection for the purpose of administration of the provisions of law regarding employee leasing companies and specifies that rules regarding the ability of the Bureau of Consumer Credit Protection to receive and respond to complaints may be adopted; these rules are designated as routine technical rules.

Enacted Law Summary

Public Law 2013, chapter 257 transfers registration of employee leasing companies from the Department of Professional and Financial Regulation, Bureau of Insurance to the Bureau of Consumer Credit Protection. It amends the law to direct complaints of client companies with respect to employee leasing companies to the Bureau of Consumer Credit Protection. It also provides rule-making authority to the Superintendent of Consumer Credit Protection for the purpose of administration of the provisions of law regarding employee leasing companies and

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

specifies that rules regarding the ability of the Bureau of Consumer Credit Protection to receive and respond to complaints may be adopted; these rules are designated as routine technical rules. Current rule-making authority regarding workers' compensation insurance issued to employee leasing companies is retained by the Superintendent of Insurance.

LD 1033 An Act To Help the Unemployed Find Work **ACCEPTED
MAJORITY
(ONTP) REPORT**

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

This bill creates a requirement that in order for an individual to maintain eligibility for unemployment benefits after receiving 13 times the individual's weekly benefit amount in a benefit year, the individual must register for temporary employment through a temporary employment agency. This bill also provides that a new claim for unemployment benefits for a claimant who has stopped filing for benefits and then begins again within the same benefit year is effective for both the week in which the claimant files and the prior week.

LD 1035 An Act To Report Certain Information in Response to Growing Financial Inequality **ONTP**

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

This bill requires every employer who employs more than 25 employees to report to the Department of Labor the ratio of the financial compensation of the highest paid employee to the lowest paid employee employed by that employer.

LD 1041 An Act To Modify the Mandatory Enforcement of the Maine Uniform Building and Energy Code for a Municipality without a Building Code **ONTP**

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

This bill allows a municipality of more than 4,000 residents that has not adopted a building code by August 1, 2008 and that, by a vote of the residents of that municipality, has expressly rejected the application or enforcement of the Maine Uniform Building and Energy Code to be exempt from the Maine Uniform Building and Energy Code. If that municipality does adopt a building code, however, it must be the Maine Uniform Building and Energy Code.

LD 1069 An Act To Provide Flexibility in the State Prevailing Wage and Benefit Rates **VETO
SUSTAINED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DECHANT PATRICK	OTP-AM ONTP	H-131 H-252 DECHANT