

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH LEGISLATURE
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON APPROPRIATIONS AND
FINANCIAL AFFAIRS**

May 2014

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STATE OF MAINE
126TH LEGISLATURE
SECOND REGULAR SESSION
LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS

The *Digest* is arranged 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.

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 HOUSESHouse & 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
EMERGENCYenacted 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 Second Regular Session of the 126th Legislature is August 1, 2014. 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 Appropriations and Financial Affairs

This bill authorizes a General Fund bond issue in the amount of \$10,000,000 to be used as seed money to capitalize the Downtown Revitalization Fund, a revolving loan and grant fund to encourage business development in downtown areas, targeting innovative businesses, light manufacturing, trades and small businesses and space for artists and artisans. Loans must be matched by \$1 from the recipient for every \$2 received from the fund and issues grants.

LD 1125 An Act To Authorize a General Fund Bond Issue To Expand Public Water Infrastructure to Areas with Contaminated Well Water ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| SHAW | ONTP | |

This bill was carried over from the First Regular Session of the 126th Legislature.

The bill authorizes a General Fund bond issue in the amount of \$2,000,000 to be used to establish a grant program to expand public water infrastructure to areas that experience well-water contamination.

LD 1142 An Act Regarding Correctional Officers' Retirement ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| DECHANT | ONTP | |

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill provides that, for purposes of determining retirement benefits under the Maine Public Employees Retirement System, state and county corrections employees are entitled to receive service credit for any period during which the employee was employed but unable to work due to a work-related injury compensable under the Maine Workers' Compensation Act of 1992.

LD 1157 An Act To Establish the Fair Chance for Employment Act ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|----------------------|-------------------------|---------------------------|
| RUSSELL JACKSON T | ONTP | |

In the First Regular Session of the 126th Legislature, this bill was referred to and reported out of the Joint Standing Committee on Labor, Commerce, Research and Economic Development. It was placed on the Special Appropriations Table, removed from the table, committed to the Joint Standing Committee on Appropriations and Financial Affairs and carried over to a Special or Regular Session.

This bill establishes the Fair Chance for Employment, which:

1. Prohibits employers from refusing to consider for employment or offer employment to an individual based on the individual's status as employed or unemployed. Employers are also prohibited from advertising that current employment status is a qualification or requirement for a job or that the employer will not consider an applicant based on current employment status. Employers are prohibited from directing an employment agency to take current employment status into consideration when screening or referring applicants;

Joint Standing Committee on Appropriations and Financial Affairs

2. Prohibits employment agencies from failing to consider or refer applicants based on employment status, advertising that employment status is a qualification or requirement for a job or that an employer will not consider applicants based on current employment status or discriminating against individuals in any manner that may limit their access to information about jobs or limit the individual's number of referrals for consideration of jobs because of their current employment status;
3. Prohibits online job websites from publishing any advertisement for a job vacancy that includes any provision requiring or indicating that current employment status is a qualification or requirement for a job or that an employer will not consider applicants for employment based on current employment status;
4. Prohibits an employer or employment agency from interfering with individuals exercising their rights under this Act or otherwise discriminating against individuals for opposing any practice made illegal by this Act. It also prohibits discriminating against any individual who has filed a complaint or caused to be instituted any proceeding under this Act or who otherwise gives or may give information or testimony in connection with any inquiry or proceeding under this Act;
5. Requires employers and employment agencies to keep records pertaining to compliance with this Act, and it provides the Director of the Bureau of Labor Standards within the Department of Labor with the investigative authority to enter places of business and examine all records related to allegations of violations of this Act;
6. Authorizes a person who has been affected by a violation under this Act to bring a civil action against the employer or employment agency responsible. A person may bring a civil action on behalf of another individual who has been affected by a violation of this Act or a group of individuals similarly situated;
7. Grants the Department of Labor the authority to file a civil action on behalf of an individual or group of individuals against an employer or employment agency that violates the Act. Once the department commences such a lawsuit, there is no more private right to a civil action on behalf of the individual;
8. Establishes a duty for the Director of the Bureau of Labor Standards to enforce all laws relating to consideration of employment status in hiring practices, as well as the specific duty to receive, investigate and attempt to resolve complaints of violations of this Act;
9. Provides the Department of Labor with the authority to terminate state contracts and bar a contractor from participating in state contracts for a period of up to three years when a contractor has been found by a court to be in violation of this Act; and
10. Does not prohibit employment decisions or advertisements when a requirement related to employment status is a bona fide occupational qualification reasonably necessary to successful performance in the job. It also would not preclude an employer from considering employment history or the reasons underlying an individual's employment status.

LD 1163 An Act To Authorize a General Fund Bond Issue To Fund Main Street ONTP
and Downtown Economic Development Projects

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| GOODALL DECHANT | ONTP | |

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill authorizes a General Fund bond issue in the amount of \$20,000,000 to be used to provide funds for main street and downtown economic development projects, with \$12,000,000 to be awarded to municipalities that are not