

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

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

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STATE OF MAINE

126TH 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 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 1259 Resolve, Regarding Legislative Review of Portions of Chapter 17: Rules Regarding Proof of Ownership and Recruitment by Employers Employing Foreign Laborers To Operate Logging Equipment, a Major Substantive Rule of the Department of Labor **VETO
SUSTAINED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-257
	OTP	S-246 JACKSON T
		S-318 JACKSON T

This resolve provides for legislative review of portions of Chapter 17: Rules Regarding Proof of Ownership and Recruitment by Employers Employing Foreign Laborers to Operate Logging Equipment, a major substantive rule of the Department of Labor.

Committee Amendment "A" (H-257)

This amendment, which is the majority report of the committee, makes the authorization of the proposed major substantive rule conditioned on changes made to the rule to clarify that a foreign laborer may use only one type of equipment for an employer, to provide that a foreign laborer may not own any equipment used in the course of the employment, directly or indirectly, except as to equipment for which there is a prevailing rate established by the United States Department of Labor, and to require that a penalty be assessed against the employer of that foreign laborer for a violation of this requirement, with a potential prohibition against the employer's employing foreign laborers for 2 years.

Senate Amendment "A" (S-246)

This amendment removes the emergency preamble and emergency clause.

Senate Amendment "A" To Committee Amendment "A" (S-318)

This amendment directs the Department of Labor to implement the rule using existing resources and strikes the appropriations and allocations section.

LD 1267 An Act To Recodify the Land Surveyor Licensing Laws **PUBLIC 180**

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

This bill is a recodification of the existing licensing law for professional land surveyors. A recodification reorganizes existing provisions for purposes of clarity and efficiency. The only new provisions permit a land surveyor-in-training from another jurisdiction to qualify for a similar license in Maine and it replaces the current statutory requirement for continuing education with authority for the Board of Licensure for Professional Land Surveyors to adopt continuing education standards by rule.

Enacted Law Summary

Public Law 2013, chapter 180 is a recodification of the licensing laws governing professional land surveyors for purposes of clarity and efficiency. The only new provisions in the law include permitting a land surveyor-in-training from another jurisdiction to qualify for a similar license in Maine and replacing the statutory requirement for continuing education with authority for the Board of Licensure for Professional Land Surveyors to adopt continuing education standards by rule.