

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 LABOR, COMMERCE,
RESEARCH AND ECONOMIC DEVELOPMENT**

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 Labor, Commerce, Research and Economic Development

Committee Amendment "A" (H-641)

This amendment replaces the bill with a resolve and directs the Department of Economic and Community Development, Office of Community Development to provide a report by February 15, 2015 to the joint standing committee of the Legislature having jurisdiction over economic development matters on the use of funds appropriated to support the long-term stability of the code enforcement officer training and certification program, as well as the number of code enforcement officers trained and certified by the department. It authorizes the joint standing committee of the Legislature having jurisdiction over economic development matters to report out a bill to the First Regular Session of the 127th Legislature.

LD 1622 An Act To Amend the Laws Governing Firefighter Absence from Work for Emergency Response

**PUBLIC 477
EMERGENCY**

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

Current law prohibits an employer from discharging or otherwise disciplining for absence an employee who is a volunteer firefighter and who responds to an emergency in that capacity. The law does not pertain to a person who belongs to a municipal fire department. This bill changes the law to also protect members of municipal fire departments.

Enacted Law Summary

Public Law 2013, chapter 477 prohibits an employer from discharging or otherwise disciplining for absence an employee who is a member of municipal fire department and who responds to an emergency in that capacity. Current law provides this protection only to volunteer firefighters.

Public Law 2013, chapter 477 was enacted as an emergency measure effective March 16, 2014.

LD 1624 An Act Concerning Pricing Disclosure Requirements and Oversight of Pharmacy Benefits Managers

**Accepted Majority
(ONTP) Report**

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

This bill sets limits on the use of maximum allowable cost pricing by pharmacy benefits managers and requires pharmacy benefits managers to make disclosures regarding that pricing. It also transfers oversight and enforcement of the laws governing the registration of pharmacy benefits managers from the Superintendent of Insurance to the Department of Professional and Financial Regulation, Maine Board of Pharmacy.

LD 1633 An Act To Extend the Date for a Business in a Tier 2 Location To Qualify for Pine Tree Development Zone Benefits

**Accepted Majority
(ONTP) Report**

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

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

This bill extends until December 31, 2018 the ability of a business located in a tier 2 Pine Tree Development Zone to be certified to receive Pine Tree Development Zone benefits. Currently, the expiration for such certification in tier 2 is December 31, 2013 and in tier 1 is December 31, 2018.

Committee Amendment "A" (S-403)

This amendment is the minority report of the committee. Beginning January 1, 2015, it establishes a new tier 3 Pine Tree Development Zone classification for all units of local government in Aroostook County and Washington County. It provides for Pine Tree Development Zone benefits and expanded employment tax increment financing benefits for businesses located in a tier 3 location. It removes the units of local government in Aroostook County and Washington County from eligibility for designation as a tier 1 location.

It extends until December 31, 2018 the ability of a qualified Pine Tree Development Zone business in any tier location to be certified to receive Pine Tree Development Zone benefits until the benefits are terminated on December 31, 2028. Currently, the expiration for certification for businesses in a tier 2 location is December 31, 2013.

LD 1641 An Act To Amend the Workers' Compensation Laws as They Pertain to Veto Sustained Employee Representation

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PATRICK HERBIG	OTP-AM ONTP	S-433

This bill amends the laws governing workers' compensation to provide that an injured employee is entitled to have a union representative or other representative of the employee's own selection present at an examination by an employer-selected health care provider.

Committee Amendment "A" (S-433)

This amendment, which is the majority report of the committee, replaces the bill with a provision that expands the list of statements that are inadmissible in proceedings under the Maine Workers' Compensation Act of 1992, to include statements obtained after continued questioning of an employee by an investigator, employer or an employer's representative after that employee's request to have a representative of the employee's choice present has been denied.

LD 1643 An Act To Enable the Bureau of Labor Standards To Access Federal PUBLIC 473 Reimbursement by Amending State Law To Conform to Federal Law

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PATRICK HERBIG	OTP-AM	S-404

This bill conforms laws regarding the enforcement of workplace safety by the Department of Labor, Bureau of Labor Standards to federal law, making the bureau eligible for federal funds.

Committee Amendment "A" (S-404)

This amendment changes the bill by qualifying that, in the case of a conflict between the occupational safety and health rules of the Department of Labor, Bureau of Labor Standards and the rules of another state agency, the bureau's rules supersede the other agency's rules only regarding the occupational safety and health standards of that other agency. The amendment also adds an appropriations and allocations section.