

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

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.

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

Enacted Law Summary

Public Law 2013, chapter 473 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. Chapter 473 replaces a section of law (26 MRSA §569) allowing safety standards from certain other state agencies to supersede the standards of the Department of Labor, Bureau of Labor Standards with a provision establishing that the Department's standards will control if there is a conflict with the occupational safety and health standards of any other state agency.

LD 1648 An Act To Protect Maine Consumers from Abusive and Deceptive Debt Collection Practices ONTP

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

This bill amends the Maine Fair Debt Collection Practices Act to prohibit a debt collector from collecting or attempting to collect a debt from a consumer after the statute of limitations has run on that debt unless the debt collector informs the consumer that the debt cannot be pursued through civil litigation. This bill also requires a debt collector to provide to a consumer, upon the written request of the consumer, verification of the debt or a copy of the judgment against the consumer.

LD 1650 An Act To Create a Program To Provide Training for Unemployed Workers ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T HERBIG	ONTP	

This bill is a concept draft pursuant to Joint Rule 208.

This bill would create a program to provide voluntary workplace training to certain eligible unemployment insurance beneficiaries. The bill would establish criteria to identify eligible participants and eligible employers and would ensure that those participants continue to receive benefits while participating in the program.

LD 1658 An Act To Expand and Improve Employment Opportunities in the State ONTP

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

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to expand and improve the Maine Apprenticeship Program under the Maine Revised Statutes, Title 26, section 3202 by expanding and improving outreach programs to recruit new employers and educate employers regarding apprenticeship, the occupations that are eligible for apprenticeship and how to participate in or establish an apprenticeship program. It also proposes to expand and improve outreach programs to educate providers of services for unemployed workers, new workers, including recent high school graduates, workers returning to the workforce and veterans regarding apprenticeship and to educate high school students regarding