# 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

126<sup>th</sup> 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

#### **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.

#### **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

### STATE OF MAINE

### 126<sub>TH</sub> 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. 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 VETO SUSTAINED.....Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the Second Regular Session of the 126 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

#### **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

| Sponsor(s) | Committee Report | Amendments Adopted |
|------------|------------------|--------------------|
| MAZUREK    | ONTP             |                    |
| THERIAULT  |                  |                    |

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

| Sponsor(s) | Committee Report | Amendments Adopted |
|------------|------------------|--------------------|
| JACKSON T  | ONTP             |                    |
| HERBIG     |                  |                    |

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

| Sponsor(s) | Committee Report | Amendments Adopted |
|------------|------------------|--------------------|
| VITELLI    | ONTP             |                    |
| BERRY      |                  |                    |

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

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

preapprenticeship opportunities.

It proposes to expand the State's support for laid-off workers by ensuring adequate staffing in the Department of Labor, Bureau of Employment Services.

It also proposes to establish a stakeholder group to examine best practices regarding layoff aversion and to propose a comprehensive strategy to prevent layoffs. The stakeholder group would include representatives of labor, business, service providers, laid-off workers and government agencies and would examine and report on subjects including, but not limited to:

- 1. Best practices from other states with programs to prevent layoffs;
- 2. Early warning networks that identify and monitor firms, industries and communities that may be vulnerable to mass layoffs or business closures;
- 3. Strategies for early economic development assistance, including ways to efficiently match firms in or near distress with economic development agencies that provide grants, loans or technical assistance such as workforce training, product development or development of new assembly or production processes;
- 4. Buy-out options, including competitor buyout and employee buyout, and a review of existing law relating to buy-out options to determine whether changes should be made to facilitate buyouts and prevent layoffs;
- 5. Strategies to strengthen sectors of the economy through cooperation between stakeholders in a specific industry in areas such as workforce development; and
- 6. Alternatives to layoffs, including work sharing, worker training, modernization and equipment upgrades, financial restructuring, succession plans and conversion to new products.

#### LD 1659 An Act To Amend the Uniform Deceptive Trade Practices Act

ONTP

| Sponsor(s) | Committee Report | Amendments Adopted |
|------------|------------------|--------------------|
| BOYLE      | ONTP             |                    |
| FARNSWORTH |                  |                    |

This bill amends the Uniform Deceptive Trade Practices Act by prohibiting a person from posting online reviews that disparage or praise goods, services or a business if that person is paid or contracted to disparage or praise the goods, services or business and by prohibiting a person from paying for such reviews.

# LD 1666 An Act To Simplify the Audit Procedures of the Maine Rural Development Authority

**PUBLIC 465** 

| Sponsor(s) | Committee Report | Amendments Adopted |
|------------|------------------|--------------------|
| CUSHING    | OTP-AM           | S-388              |
| HERBIG     |                  |                    |

This bill allows the Maine Rural Development Authority to submit its annual audit as part of its administering agency's annual audit.

#### Committee Amendment "A" (S-388)

This amendment incorporates a fiscal note.