

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
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

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

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.

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

LD 1701

An Act To Amend the Work-sharing Program To Conform with Federal Law

**PUBLIC 448
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PATRICK VOLK	OTP-AM	S-391

This bill changes the law regarding work-sharing programs to bring it into conformity with federal provisions that govern short-time compensation programs. The federal Middle Class Tax Relief and Job Creation Act of 2012 requires states that currently administer a work-sharing program to conform their laws to the new federal provisions no later than August 22, 2014 or risk a loss of unemployment tax credits. Changes include ensuring continuing health or retirement benefits for participating employees to the same extent the benefits are provided to those employees not participating in the work-sharing program; providing details in the employer's application process about the number of layoffs averted and the employee notification process that will be used; and ensuring that work-sharing employees may participate in training to enhance their job skills while participating in the work-sharing program.

Committee Amendment "A" (S-391)

This amendment incorporates a fiscal note.

Enacted Law Summary

Public Law 2013, chapter 448 changes the law regarding work-sharing programs to bring it into conformity with federal provisions that govern short-time compensation programs. The federal Middle Class Tax Relief and Job Creation Act of 2012 requires states that currently administer a work-sharing program to conform their laws to the new federal provisions no later than August 22, 2014 or risk a loss of unemployment tax credits. Changes include ensuring continuing health or retirement benefits for participating employees to the same extent the benefits are provided to those employees not participating in the work-sharing program; providing details in the employer's application process about the number of layoffs averted and the employee notification process that will be used; and ensuring that work-sharing employees may participate in training to enhance their job skills while participating in the work-sharing program.

Public Law 2013, chapter 448 was enacted as an emergency measure effective February 20, 2014.

LD 1710 An Act To Retain Call Centers in Maine

**Died On
Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T HERBIG	ONT OTP-AM	S-420 S-501 JACKSON T

This bill requires employers that intend to relocate a call center, or a facility or operating unit handling at least 30% of call volume within a call center, from Maine to a foreign country must notify the Commissioner of Labor at least 120 days before the relocation. The commissioner is required to create a list of these employers, updated twice a year. An employer appearing on the list is ineligible for a state grant, loan or tax benefit for five years. The bill also has a clawback provision that requires an employer on the commissioner's list to pay back the unamortized value of a state grant, loan or tax benefit previously issued to such an employer. If an employer fails to notify the Commissioner of Labor of the relocation of a call center at least 120 days before the relocation, a fine of \$10,000 per day may be assessed. The bill also requires that call center work for executive branch agencies of the State be