

# MAINE STATE LEGISLATURE

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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

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**STATE OF MAINE**  
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**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 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 Second Regular Session of the 126<sup>th</sup> 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*

performed in the State.

## **Committee Amendment "A" (S-420)**

This amendment, which is the minority report of the committee, amends the bill by adding an appropriations and allocations section.

## **Senate Amendment "A" (S-501)**

This amendment requires an employer that intends to relocate a call center to notify the Commissioner of Labor at least 60 days before the relocation. The bill requires this notice to be given at least 120 days before the relocation. The amendment reduces the fine for failure to give this notice from \$10,000 per day to \$350 per day. It also reduces from five years to two years the length of time an employer who relocates a call center to a foreign country is ineligible for a state grant, loan or tax benefit.

**LD 1724**

## **An Act To Conform Licensing Requirements for Real Estate Appraisers with Federal Law**

**PUBLIC 547**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUSHING POULIOT	OTP-AM	S-476

This bill adopts the following changes to the license requirements for real estate appraisers as required by federal law effective January 1, 2015.

1. It requires applicants for licensure to be fingerprinted and submit to a background check.
2. It changes the requirements that an applicant who is licensed in another jurisdiction must meet in order to be licensed in this State.
3. It provides that a licensee may not repeat for credit the same continuing education course offering within a license renewal cycle.
4. It changes the educational requirements for applicants and requires that educational and experience requirements must be met before an applicant may take the required examination.
5. It establishes the qualifications and duties of supervisory appraisers.

## **Committee Amendment "A" (S-476)**

This amendment removes the provision in the bill that requires an applicant for licensure to be fingerprinted and submit to a background check and replaces it with language that requires an applicant to submit a set of the applicant's fingerprints, commencing upon the date determined by the appraiser qualifications board, the entity charged with establishing the qualification criteria for state licensing, certification and recertification of real property appraisers. It also requires an applicant to apply for licensure within 24 months of successfully completing the examination for a certified general real property, certified residential real property or residential real property appraiser license.

## **Enacted Law Summary**

Public Law 2013, chapter 547 makes the following changes the license requirements for real estate appraisers as required by federal law effective January 1, 2015.

1. It requires applicants for licensure to be fingerprinted and submit to a background check commencing upon the date determined by the appraiser qualifications board, the entity charged with establishing the qualification criteria

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

for state licensing, certification and recertification of real property appraisers.

2. It changes the requirements that an applicant who is licensed in another jurisdiction must meet in order to be licensed in this State.
3. It provides that a licensee may not repeat for credit the same continuing education course offering within a license renewal cycle.
4. It requires an applicant to apply for licensure within 24 months of successfully completing the examination for a certified general real property, certified residential real property or residential real property appraiser license.
5. It changes the educational requirements for applicants and requires that educational and experience requirements must be met before an applicant may take the required examination.
6. It establishes the qualifications and duties of supervisory appraisers.

**LD 1725     An Act To Provide for the 2014 and 2015 Allocations of the State Ceiling  
on Private Activity Bonds**

**P & S 20  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUSHING WILLETTE	OTP-AM	S-394

This bill establishes the allocations of the state ceiling on issuance of tax-exempt private activity bonds for calendar years 2014 and 2015 among the state-level issuers of tax-exempt bonds.

**Committee Amendment "A" (S-394)**

This amendment incorporates a fiscal note.

**Enacted Law Summary**

Private and Special Law 2013, chapter 20 establishes the allocations of the state ceiling on issuance of tax-exempt private activity bonds for calendar years 2014 and 2015 among the state-level issuers of tax-exempt bonds.

**LD 1735     An Act To Amend Forester Licensing Requirements**

**PUBLIC 527**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUSHING FREDETTE	OTP-AM	S-448

This bill changes the laws governing the licensure of foresters to repeal the requirement for an applicant for an intern forester license or forester license to submit three references as part of the license application. The bill also makes several other changes, including allowing certain persons to engage in forestry before being licensed, allowing a holder of a forestry degree from an approved school to take the examination before meeting all qualifications for licensure, making changes in the forester licensing laws regarding reciprocal agreements and adding a new provision to permit the Board of Licensure of Foresters to waive the internship requirement for an applicant who has at least 24 months of forestry experience as an employee of the Federal Government within the six-year period prior to application.

**Committee Amendment "A" (S-448)**