

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

instead uses the terms "naturopathic doctor" and "health care practitioner."

Senate Amendment "A" To Committee Amendment "A" (S-465)

This amendment makes the following changes to Committee Amendment "A."

1. It removes references to naturopathic doctors and health care practitioners in the list of legally authorized individuals for whom a professional nurse may execute a medical regimen and instead uses the term "legally authorized licensed professional."
2. It delays the effective date until January 1, 2015.

Enacted Law Summary

Public Law 2013, chapter 540 changes the statutory definition of "professional nursing" by adding naturopathic doctors and other licensed health care practitioners operating within the scope of their authority to prescribe medications, substances or devices to the list of legally authorized individuals for whom a professional nurse may execute a medical regimen. It removes references in the bill to "medical professional" and instead uses the terms "naturopathic doctor" and "health care practitioner."

LD 1790 An Act To Designate Maine State Housing Authority To Receive Funds P & S 23
from the National Housing Trust Fund EMERGENCY

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

This bill designates the Maine State Housing Authority as the entity to receive and allocate funds from the National Housing Trust Fund established by the federal Housing and Economic Recovery Act of 2008.

Enacted Law Summary

Private and Special Law 2013, chapter 23 designates the Maine State Housing Authority as the entity to receive and allocate funds from the National Housing Trust Fund established by the federal Housing and Economic Recovery Act of 2008.

Private and Special Law 2013, chapter 23 was enacted as an emergency measure effective March 22, 2014.

LD 1793 Resolve, Regarding Legislative Review of Chapter 12: Rules for Mixed RESOLVE 103
Martial Arts, a Late-filed Major Substantive Rule of the Combat Sports EMERGENCY
Authority of Maine

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| | OTP | |

This resolve provides for legislative review of Chapter 12: Rules for Mixed Martial Arts, a major substantive rule of the Combat Sports Authority of Maine that was filed outside the legislative rule acceptance period.

Enacted Law Summary

Resolve 2013, chapter 103 provides for legislative review of Chapter 12: Rules for Mixed Martial Arts, a major substantive rule of the Combat Sports Authority of Maine that was filed outside the legislative rule acceptance period.

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

Resolve 2013, chapter 103 was finally passed as an emergency measure effective April 3, 2014.

**LD 1798 An Act To Implement the Recommendations of the Task Force
Convened by the Maine Labor Relations Board Regarding
Compensation for the Panel of Mediators**

Veto Sustained

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| | OTP-AM | H-702 |

This bill was reported out by the Joint Standing Committee on Labor, Commerce, Research and Economic Development pursuant to Resolve 2013, chapter 26, section two. As required by the resolve, the Maine Labor Relations Board submitted to the committee its report on the question of mediator compensation and its impact on the recruitment and retention of able labor mediators and the public sector collective bargaining process as a whole, with recommendations and draft implementing legislation that would provide reasonable compensation for the members of the Panel of Mediators. This bill incorporates all of the changes to law that the board recommended in its report.

The bill increases the payment for mediation services provided by the members of the Panel of Mediators from \$100 for each consecutive four-hour period to \$600 per whole or partial calendar day. The bill eliminates the provisions permitting the mediators to collect reimbursement for expenses incurred and to charge for more than one dispute in the same calendar day.

Committee Amendment "A" (H-702)

This amendment removes the provision of the bill that disallowed the Panel of Mediators from being compensated for traveling and other expenses. This amendment more accurately reflects the recommendations in the Maine Labor Relations Board mediator compensation report.

The amendment also adds an appropriations and allocations section.

LD 1799 An Act To Amend the Laws Governing Charitable Solicitations

PUBLIC 539

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| FOWLE KATZ | OTP-AM | H-778 H-804 HERBIG |

This bill amends the Charitable Solicitations Act to limit the scope and application of the Act to professional solicitors, which are persons or entities that solicit contributions from the public on behalf of a charitable organization in exchange for a fee or other remuneration, thus excluding from regulation those persons who solicit donations on behalf of a charitable organization without remuneration. As in current law, an employee, salaried officer, attorney, accountant or investment officer of a charitable organization is not considered a professional solicitor. This bill also changes the definition of "charitable organization" to remove the exclusion of organizations serving religious purposes; the effect of this change is that a professional solicitor is subject to regulation under the Act, regardless of the charitable organization for which donations are being solicited.

Committee Amendment "A" (H-778)

This amendment removes provisions in the bill that propose to repeal licensure requirements for charitable organizations. It repeals the requirement that charitable organizations annually provide a determination letter from the United States Internal Revenue Service. It clarifies the length of time that a professional solicitor's bond