

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON LABOR, COMMERCE,
RESEARCH AND ECONOMIC DEVELOPMENT**

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STATE OF MAINE

127TH LEGISLATURE

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LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 127th Maine Legislature.

The *Digest* is arranged alphabetically by committee and 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. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

<i>CARRIED OVER</i>	<i>carried over to a subsequent session of the Legislature</i>
<i>CON RES XXX</i>	<i>chapter # of constitutional resolution passed by both houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; legislation died</i>
<i>DIED BETWEEN HOUSES</i>	<i>House & Senate disagreed; legislation died</i>
<i>DIED IN CONCURRENCE</i>	<i>defeated in each house, but on different motions; legislation died</i>
<i>DIED ON ADJOURNMENT</i>	<i>action incomplete when session ended; legislation died</i>
<i>EMERGENCY</i>	<i>enacted law takes effect sooner than 90 days after session adjournment</i>
<i>FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE</i>	<i>emergency failed to receive required 2/3 vote</i>
<i>FAILED, ENACTMENT or FINAL PASSAGE</i>	<i>failed to receive final majority vote</i>
<i>FAILED, MANDATE ENACTMENT</i>	<i>legislation proposing local mandate failed required 2/3 vote</i>
<i>HELD BY GOVERNOR</i>	<i>Governor has not signed; final disposition to be determined at subsequent session</i>
<i>LEAVE TO WITHDRAW</i>	<i>sponsor's request to withdraw legislation granted</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>ruled out of order by the presiding officer; legislation died</i>
<i>INDEF PP</i>	<i>indefinitely postponed; legislation died</i>
<i>ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X</i>	<i>ought-not-to-pass report accepted; legislation died</i>
<i>P&S XXX</i>	<i>chapter # of enacted private & special law</i>
<i>PUBLIC XXX</i>	<i>chapter # of enacted public law</i>
<i>RESOLVE XXX</i>	<i>chapter # of finally passed resolve</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's veto</i>

The effective date for non-emergency legislation enacted in the First Regular Session of the 127th Legislature is October 15, 2015. 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 250 An Act To Amend the Laws Regarding Dealers in Secondhand Precious Metals ONTP

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

This bill amends the laws regarding dealers in secondhand precious metals by:

1. Including palladium and platinum as precious metals subject to regulation;
2. Allowing a dealer to take one digital photograph of all the items in a transaction, instead of one digital photograph for each item;
3. Eliminating certain types of information that must be recorded by a dealer about each item;
4. Reducing from 15 days to five business days the amount of time a dealer must wait before selling or altering an item of precious metal received by the dealer;
5. Removing a reference to an electronic database designed to catalog stolen property; and
6. Requiring a dealer to register as a precious metals dealer with the municipality in which the dealer will conduct business, instead of requiring the dealer to obtain a permit issued by the municipality.

LD 277 An Act To License Polysomnography ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING CUSHING	ONTP	

This bill creates a new license category for the practice of polysomnography and establishes the Board of Polysomnography within the Department of Professional and Financial Regulation.

LD 294 An Act To Allow a Home Heating Oil Delivery Driver To Bleed a Home Heating Oil Burner PUBLIC 207

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DIAMOND	OTP-AM ONTP	S-120

This bill allows a home heating oil delivery driver to bleed a home heating oil burner. Current law restricts this practice to apprentice oil burning technicians who are under the direct supervision of a journeyman or master oil burning technician.

Committee Amendment "A" (S-120)

This amendment is the majority report of the committee. It provides that a home heating oil delivery driver may bleed a residential home heating oil burner without direct supervision if the driver has documentation of completion of a training course in bleeding oil burners that has been approved by the Maine Fuel Board.

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

Enacted Law Summary

Public Law 2015, chapter 207 provides that a home heating oil delivery driver may bleed a residential home heating oil burner without direct supervision if the driver has documentation of completion of a training course in bleeding oil burners that has been approved by the Maine Fuel Board.

LD 297 An Act To Increase Allowed Investments under the Maine New Markets Capital Investment Program Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LIBBY ROTUNDO	OTP-AM OTP-AM	

This bill increases the maximum aggregate amount of qualified equity investments for which the Finance Authority of Maine may issue tax credit authority under the Maine New Markets Capital Investment Program from \$250,000,000 to \$500,000,000.

Committee Amendment "A" (S-294)

This amendment is the majority report of the committee. It replaces the bill and adds an emergency preamble and clause. It makes the following changes to the Maine New Markets Capital Investment Program and the new markets capital investment credit.

1. It adds new definitions of "sham transaction" and "capital at risk."
2. It requires the State Tax Assessor to recapture new markets capital investment credits issued that are determined to be connected with a sham transaction, including fees charged by an entity to an investor, lender or borrower under the Maine New Markets Capital Investment Program under the Maine Revised Statutes, Title 10, section 1100-Z using the tax credit.
3. It eliminates the eligibility of certain refinancing and ownership transfer transactions as qualified low-income community investments for the credit if those transactions exceed 5% of the investment.
4. It allows the Government Oversight Committee to consider whether a review of the Maine New Markets Capital Investment Program and the new markets capital investment credit and all approved investments made under the program since 2011 is warranted. If the Government Oversight Committee determines that a review is warranted, the committee may assign this review to the Office of Program Evaluation and Government Accountability. If a review is performed, the Government Oversight Committee shall provide a report to the Joint Standing Committee on Labor, Commerce, Research and Economic Development by February 1, 2016. It authorizes the Joint Standing Committee on Labor, Commerce, Research and Economic Development to report out a bill on this topic to the Second Regular Session of the 127th Legislature, whether or not the Joint Standing Committee on Labor, Commerce, Research and Economic Development receives a report from the Government Oversight Committee.
5. It adds an appropriations and allocations section.

Committee Amendment "B" (S-295)

This amendment is the minority report of the committee. The amendment makes the following changes to the Maine New Markets Capital Investment Program.

1. It prohibits a qualified community development entity from collecting more than half of its fees for services under the Maine New Markets Capital Investment Program under the Maine Revised Statutes, Title 10, section