

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**

August 2015

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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

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

Sponsor(s)

LIBBY
ROTUNDO

Committee Report

OTP-AM
OTP-AM

Amendments Adopted

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

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

1100-Z prior to the last credit allowance date.

2. It increases the aggregate amount of qualified equity investments for which tax credit authority may be issued from \$250,000,000 to \$500,000,000, phased in at an additional \$50,000,000 per year over five years.
3. It increases the maximum amount for an annual tax credit claim from \$20,000,000 to \$40,000,000.
4. It eliminates the eligibility of certain refinancing and ownership transfer transactions as qualified low-income community investments for the new markets capital investment credit if those transactions exceed 5% of the investment.
5. It provides that the changes made to the definition of "qualified low-income community investment" apply to applications made to the Finance Authority of Maine after the effective date of this legislation.

LD 299 An Act To Protect Children in School Facilities by Requiring Boiler Inspections PUBLIC 311

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HILL WARD	OTP-AM	S-191 S-303 HAMPER

This bill reestablishes the requirement, eliminated by Public Law 2013, chapter 595, that boilers in schools and boilers owned by municipalities be inspected to ensure their proper performance.

Committee Amendment "A" (S-191)

This amendment removes from the bill the language that subjects boilers owned by municipalities to the State's boiler inspection requirements and removes the requirement in law that boilers be constructed and installed in accordance with rules adopted by the director to be exempt from inspection.

Although this legislation has been identified as a potential state mandate, the State's regulatory oversight of heating boilers and hot water boilers in schools dates back to the 1930's and represents a long-standing safety requirement to ensure the safe operation of boilers in schools, subject only to a brief period of repeal under Public Law 2013, chapter 595.

Senate Amendment "A" To Committee Amendment "A" (S-303)

This amendment adds a mandate preamble.

Enacted Law Summary

Public Law 2015, chapter 311 reestablishes the requirement, eliminated by Public Law 2013, chapter 595, that boilers in schools be inspected to ensure their proper performance.

LD 301 An Act To Improve Insurance Coverage for First Responders Answering a Call to Duty Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOHNSON HERBIG	OTP-AM ONTP	