

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
FIRST REGULAR SESSION



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.

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 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 489 **An Act To Ensure the Right To Work without Payment of Dues or Fees to a Labor Union as a Condition of Employment** **Accepted Majority (ONTP) Report**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| LOCKMAN BRAKEY | ONTP OTP-AM | |

This bill prohibits a person from being required to join a labor organization or pay any labor organization dues or fees as a condition of employment or continuation of employment, notwithstanding any state law to the contrary. A violation is a Class D crime and is also subject to civil damages and injunctive relief. The Attorney General is responsible for enforcement and is required to prosecute all violations.

Committee Amendment "A" (H-367)

This amendment, which is the minority report of the committee, incorporates a fiscal note.

LD 530 **An Act To Improve Public Sector Collective Bargaining Laws** **Died Between Houses**

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

This bill amends the municipal public employees labor relations laws by requiring that all collective bargaining negotiation meetings include a member of the body with final authority to approve the collective bargaining agreement.

LD 540 **An Act To Improve Access to Dental Care through the Establishment of the Maine Board of Oral Health** **Accepted Majority (ONTP) Report**

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

This bill amends the laws governing the Board of Dental Examiners.

1. It renames the board the Maine Board of Oral Health, and it reassigns the membership of the board to give equitable representation to the regulated dental professions and adds additional public members. As changed, the board has nine members: two dentists, two dental hygienists, two denturists and three public members.
2. It changes the duties, functions and responsibilities of the board. The board's major roles are to perform administrative duties as a coordinating body for the board's subcommittees and to advise the subcommittees and ratify and carry out the recommendations of the subcommittees including with respect to rules recommended by the subcommittees.
3. It amends the laws governing the board's subcommittees on denturists and dental hygienists and establishes a new subcommittee on dentists. It defines the membership for each subcommittee and its duties, functions and responsibilities.

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

Committee Amendment "A" (H-138)

This amendment is the minority report of the committee. The amendment adds an appropriations and allocations section.

LD 562 An Act To Protect Casino Workers ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|---------------------|-------------------------|---------------------------|
| PETERSON PATRICK | ONTP | |

This bill requires a licensed gambling establishment to provide its service employees that receive tips a detailed accounting of all tip revenue collected by the employer and the distribution of that revenue.

**LD 586 An Act To Amend the Maine Economic Development Venture Capital
Revolving Investment Program PUBLIC 47**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| CUSHING HERBIG | OTP-AM | S-26 |

This bill allows the Finance Authority of Maine to transfer uncommitted balances within the Maine Economic Development Venture Capital Revolving Investment Program Fund to the Economic Recovery Program Fund, which is also administered by the Finance Authority of Maine.

Committee Amendment "A" (S-26)

This amendment incorporates a fiscal note.

Enacted Law Summary

Public Law 2015, chapter 47 allows the Finance Authority of Maine to transfer uncommitted balances within the Maine Economic Development Venture Capital Revolving Investment Program Fund to the Economic Recovery Program Fund, which is also administered by the Finance Authority of Maine.

**LD 587 An Act Regarding Contract Indemnification Died Between
Houses**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| CUSHING NUTTING | OTP-AM ONTP | |

This bill prohibits certain indemnification agreements, including those by which a promisee requires a contracting party to indemnify the promisee from the promisee's own negligence or willful misconduct.

Committee Amendment "A" (S-94)

This amendment is the majority report of the committee and incorporates a fiscal note.