

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.

<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 690 An Act To Ensure the Safety of Home Birth

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK HERBIG		

This bill is a concept draft pursuant to Joint Rule 208. The purpose of this bill is to ensure the safety of women who choose to give birth at home or in freestanding birthing centers attended by certified professional midwives.

It proposes to license and regulate certified professional midwives practicing in Maine as follows.

1. It provides criteria for licensure and oversight of certified professional midwives.
2. It establishes a regulatory body including certified professional midwives, clients, certified nurse midwives and physicians to oversee complaint and disciplinary processes.
3. It establishes procedures to allow other health care providers to consult with, collaborate with or accept transfer of care from a licensed certified professional midwife.
4. It includes procedures to allow for protected peer review for licensed certified professional midwives.
5. It provides requirements for data collection and submission for quality improvement purposes.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

LD 698 An Act To Establish a Presumption of Impairment in the Line of Duty for Corrections Officers under the Workers' Compensation Laws

ONTP

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

This bill amends the workers' compensation laws by adding a presumption that heart disease or hypertension suffered by a corrections officer was caused in the course of employment as a corrections officer, similar to the provisions presuming that cancer contracted by a firefighter was caused by exposure to carcinogens through firefighting duties.

LD 699 An Act To Update Maine Law To Conform to New Federal Occupational Safety and Health Administration Regulations

**PUBLIC 138
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HERBIG VOLK	OTP-AM ONTP	H-132

This bill ensures that the Department of Labor, Bureau of Labor Standards is in compliance with recent changes made by the federal Occupational Safety and Health Administration to its injury and illness recordkeeping requirements. The federal Occupational Safety and Health Administration requires state plan states to implement these changes to conform to the new requirements no later than July 1, 2015, or risk a loss of federal reimbursement.

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

Under current law, a person in charge of a workplace is required to report in writing or by telephone to the Director of the Bureau of Labor Standards the death of any person in the workplace or a serious physical injury requiring hospitalization sustained by a person in the workplace. This bill replaces the requirement to report in writing or by telephone with a requirement to report by telephone or electronically and provides that the report may be made to the director or the director's designee. It amends the definition of "serious physical injury." It also authorizes the director and any authorized agent of the bureau to enter a public sector workplace for the purpose of examining the safety and health of employees.

Committee Amendment "A" (H-132)

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

Enacted Law Summary

Public Law 2015, chapter 138 ensures that the Department of Labor, Bureau of Labor Standards is in compliance with recent changes made by the federal Occupational Safety and Health Administration to its injury and illness recordkeeping requirements. The federal Occupational Safety and Health Administration requires state plan states to implement these changes to conform to the new requirements no later than July 1, 2015, or risk a loss of federal reimbursement.

Under current law, a person in charge of a workplace is required to report in writing or by telephone to the Director of the Bureau of Labor Standards the death of any person in the workplace or a serious physical injury requiring hospitalization sustained by a person in the workplace. Chapter 138 replaces the requirement to report in writing or by telephone with a requirement to report by telephone or electronically and provides that the report may be made to the director or the director's designee. It amends the definition of "serious physical injury." It also authorizes the director and any authorized agent of the bureau to enter a public sector workplace for the purpose of examining the safety and health of employees.

Public Law 2015, chapter 138 was enacted as an emergency measure effective June 3, 2015.

LD 700 An Act Regarding the Industry Partnership Assistance Collaborative's Grant Program

PUBLIC 156

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HERBIG VOLK	OTP	

This bill changes the laws governing the Office of the Governor, Industry Partnership Assistance Collaborative's grant program. It changes eligibility requirements for the grant program by reducing the grant program's required private sector matching funding from 50% to 25% and allowing the collaborative discretion to exempt businesses with fewer than 25 employees from the matching funding requirement.

Enacted Law Summary

Public Law 2015, chapter 156 changes the laws governing the Office of the Governor, Industry Partnership Assistance Collaborative's grant program. It changes eligibility requirements for the grant program by reducing the grant program's required private sector matching funding from 50% to 25% and allowing the collaborative discretion to exempt businesses with fewer than 25 employees from the matching funding requirement.