

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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STAFF:

NATALIE HAYNES, LEGISLATIVE ANALYST
HENRY FOUTS, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

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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

The purpose of this bill is to eliminate any confusion that may exist under the Personal Sports Mobile Business Practices Act regarding whether the definition of "personal sports mobile," which includes all-terrain vehicles, also includes so-called side-by-sides for purposes of allowing side-by-sides to be sold by personal sports mobile dealers. This bill amends the definition of "personal sports mobile" to specifically include a side-by-side, which is a recreational off-road vehicle that features side-by-side seating for at least two persons, a steering wheel and a roll bar.

LD 767 An Act To Create Jobs in Aroostook and Washington Counties

PUBLIC 368

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCELWEE EDGE COMB P	OTP-AM	H-302 H-497 MARTIN J

This bill provides an exception to the Pine Tree Development Zone program employee income requirements for call centers located in Aroostook and Washington counties.

Committee Amendment "A" (H-302)

This amendment removes the provision in the bill that proposes to exempt call centers located in Aroostook and Washington counties from the Pine Tree Development Zone program employee income requirements. It also removes the aggregate weekly employment hours threshold from the definition of "call center."

House Amendment "B" To Committee Amendment "A" (H-497)

Current law requires that a qualified employee in a Pine Tree Development Zone or under the Maine Employment Tax Increment Financing Act be paid a wage greater than the annual per capita personal income in the county in which the qualified employee is employed. This amendment changes this requirement to require that such an employee in a call center in Aroostook County or Washington County be paid a weekly wage greater than the average weekly wage in certain counties. With respect to employees in call centers in Aroostook and Washington counties, in a county in which the average annual unemployment rate is greater than the state average, this wage threshold is 90 percent of the average weekly wage in certain counties. Upon approval of the Commissioner of Economic and Community Development, a qualified business qualifies for a phase-in of this wage threshold.

Enacted Law Summary

Public Law 2015, chapter 368 provides an exception to the Pine Tree Development Zone program employee income requirements for call centers located in Aroostook and Washington counties. Upon approval of the Commissioner of Economic and Community Development, a qualified business qualifies for a phase-in of this wage threshold.

LD 768 An Act To Create a Public Option Pension System

ONTP

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

This bill establishes the Maine Secure Choice Retirement Savings Trust within the Department of Labor and does the following.

1. It requires eligible employers to offer a payroll deposit retirement savings arrangement so that eligible employees can contribute a portion of their salary or wages to a retirement savings program account in the Maine Secure Choice Retirement Savings Program, also created by the bill.

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

2. It requires an eligible employee to participate in the Maine Secure Choice Retirement Savings Program, unless the employee specifically opts out of the program. The Bureau of Labor Standards within the department is required to provide forms to employers for employees to opt out of the program.
3. It creates the seven-member Maine Secure Choice Retirement Savings Investment Board to administer the trust.
4. It specifies risk management and investment policies that the board must follow in administering the program.
5. It requires a specific percentage of the annual salary or wages of an eligible employee participating in the program to be deposited in the trust, which is divided into a program fund and an administrative fund. It authorizes the board to establish a gain and loss revenue account within the program fund.
6. It requires the board, contingent upon sufficient interest and funding by vendors, to establish a retirement investment clearinghouse on its publicly accessible website and a vendor registration process through which information about employer-sponsored retirement plans and payroll deposit individual retirement accounts and annuities offered by private sector providers is available for consideration by eligible employers.
7. It requires the Department of Labor, Bureau of Labor Standards to assess a penalty on an eligible employer that fails to make the program available to eligible employees.
8. It provides that the State has no liability for the payment of benefits under the program.
9. It directs the board to conduct a market analysis to determine whether the necessary conditions needed to implement the provisions of the trust can be achieved. The analysis may be conducted only when sufficient funding from the nonprofit or private sector or from the State or Federal Government is available. The provisions of the bill establishing the Maine Secure Choice Retirement Savings Investment Board and the trust are repealed December 31, 2017 unless the board reports to the Legislature the board's determination, through the market analysis, that those provisions of the trust are self-sustaining and that funds exist to allow the board to implement the program until sufficient funds become available to make it self-sustaining and the Legislature takes action based on the board's determination. It requires the board to ensure that insurance, annuity or other funding mechanisms are in place to protect the value of individuals' accounts.
10. It prevents the board from implementing the trust if the individual retirement account arrangements offered fail to qualify for favorable federal income tax treatment ordinarily accorded to individual retirement accounts under the Internal Revenue Code or if the program is determined to be an employee benefit plan under the federal Employee Retirement Income Security Act of 1974.

LD 803 Resolve, To Establish the Task Force To Develop Strategies To Protect Towns ONTP

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

This resolve creates the Task Force To Develop Strategies To Protect Towns. The task force will examine ways of assisting municipalities in developing and strengthening their commercial bases. The task force is required to submit a report to the Joint Standing Committee on Labor, Commerce, Research and Economic Development.