

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.

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7. It adds an appropriations and allocations section.

LD 1217 An Act To Require at Least 2 Weeks' Advance Notice of the Work Schedule for Hourly Employees at Certain Businesses ONTP

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

This bill requires employers who employ 100 or more employees in the State to provide hourly employees at least two weeks' prior notice of the employees' work schedules, with compensation owed for schedule changes under certain circumstances. The bill also requires these employers to keep certain business records for at least three years.

The bill provides that the Department of Labor, Bureau of Labor Standards may investigate possible violations and receive complaints of possible violations from the public. A fine of \$50 per day is due for any noncompliance. The Attorney General may also file a civil action seeking additional remedies. The department may adopt rules regarding compliance with and enforcement of these provisions, and the bureau must report to the Legislature periodically on violations of the law and the bureau's efforts.

LD 1218 An Act Regarding the Administration of Vaccines by Pharmacists PUBLIC 211

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING CUSHING	OTP-AM	H-379

This bill amends the law authorizing a pharmacist to administer influenza shots to a person nine years of age or older to allow a licensed pharmacist who has received training to administer vaccines to persons seven years of age or older.

Committee Amendment "A" (H-379)

This amendment replaces the bill, which allows a pharmacist to administer vaccines licensed and recommended by the United States Food and Drug Administration. Current law allows a pharmacist to administer an influenza vaccine to a person nine years of age or older. The amendment lowers that age to seven years of age.

Enacted Law Summary

Public Law 2015, chapter 211 allows a pharmacist to administer vaccines licensed and recommended by the United States Food and Drug Administration. Current law allows a pharmacist to administer an influenza vaccine to a person nine years of age or older. The law lowers that age to seven years of age.

LD 1240 An Act To Phase Out the Payment of Subminimum Wages to Workers with Disabilities CARRIED OVER

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

Currently the State Government and Federal Government may issue special certificates permitting an employer to pay an individual with a physical or mental disability a wage less than the State's minimum wage based on the

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individual's ability to perform the duties required for that employment in comparison to the ability of a person who does not have a physical or mental disability to perform the same duties. This bill prohibits the issuance of such certificates. Existing special certificates authorizing payment of less than the minimum wage remain in effect until the earlier of their expiration date and November 1, 2018. After the expiration of a previously issued certificate, an individual who was covered by such certificate may apply to the Director of the Bureau of Labor Standards within the Department of Labor for a special work permit authorizing the payment of wages at less than the minimum wage rate by a certain employer.

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

LD 1271 An Act To Protect Patients Who Need Eye Care

PUBLIC 173

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK MASTRACCIO	OTP-AM	S-115

This bill regulates the use of kiosks as a means of performing eye examinations. It defines "kiosk" as automated equipment or an application designed to be used on a phone, computer or Internet-based device that can be used either in person or remotely to provide refractive data or information. The bill provides that a person or entity may not dispense ophthalmic lenses or contact lenses to a patient without a valid prescription from an optometrist or ophthalmologist after an eye examination except that a prescription is not required to dispense so-called over-the-counter reading glasses. It also provides that a prescription for ophthalmic lenses or contact lenses may not be made solely on the data generated by a kiosk and it provides administrative enforcement provisions related to kiosks.

Committee Amendment "A" (S-115)

This amendment strikes contact lenses from the section of the bill that allows a person or entity to dispense reading glasses without a prescription to clarify that the provision applies only to spectacle lenses.

Enacted Law Summary

Public Law 2015, chapter 173 regulates the use of kiosks as a means of performing eye examinations. It defines "kiosk" as automated equipment or an application designed to be used on a phone, computer or Internet-based device that can be used either in person or remotely to provide refractive data or information. The law provides that a person or entity may not dispense ophthalmic lenses or contact lenses to a patient without a valid prescription from an optometrist or ophthalmologist after an eye examination, except that a prescription is not required to dispense so-called over-the-counter reading glasses. It also provides that a prescription for ophthalmic lenses or contact lenses may not be made solely on the data generated by a kiosk and it provides administrative enforcement provisions related to kiosks.

LD 1278 An Act Regarding the Purchase of Essential Tools for the Repair of Motor Vehicles

Leave to Withdraw Pursuant to Joint Rule

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

This bill allows a motor vehicle manufacturer to require a dealer to purchase an essential tool either from the manufacturer or a third party designated by the manufacturer.