

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH LEGISLATURE
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON LABOR, COMMERCE,
RESEARCH AND ECONOMIC DEVELOPMENT**

May 2016

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STATE OF MAINE

127TH LEGISLATURE

SECOND 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 Second 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 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 July 29, 2016. 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

3. Enhancing the Department of Labor's enterprise option program through qualified use of other state programs designed to help innovative entrepreneurs establish businesses;
4. Formulating performance metrics for the unemployment compensation system that emphasize cycle times from job to job, measure the degree of wage restoration over time and assess the efficacy of the unemployment compensation system in placing workers in jobs; and
5. Requiring the Department of Labor to report regularly to the joint standing committee of the Legislature having jurisdiction over unemployment compensation matters on the effectiveness of these changes in helping unemployed workers become reemployed.

Committee Amendment "A" (S-360)

This amendment replaces the concept draft and changes the title. Current law requires the Commissioner of Labor to establish a limit on, or a formula to limit, funds expended on administrative and career counseling costs of the Competitive Skills Scholarship Program and caps such expenditures at \$550,000 annually. The amendment eliminates the cap and requires the Department of Labor to include the limit or formula and the amount spent for such costs in its annual report to the Legislature on the program. The amendment also allocates funds for two limited-period CareerCenter Consultant positions to support efforts to provide job training for qualified individuals under the Competitive Skills Scholarship Program.

Enacted Law Summary

Public Law 2015, chapter 402 eliminates the \$550,000 cap on funds from the Competitive Skills Scholarship Fund that may be expended on administrative and career counseling costs of the Competitive Skills Scholarship Program and instead requires the Commissioner of Labor to establish a limit on, or a formula to limit, expenditures of funds for these costs. The Department of Labor must include the limit or formula and the amount spent for such costs in its annual report to the Legislature on the program. This law also allocates funds for two limited-period CareerCenter Consultant positions to support efforts to provide job training for qualified individuals under the Competitive Skills Scholarship Program.

Public Law 2015, chapter 402 was enacted as an emergency measure effective March 20, 2016.

LD 1240

An Act To Phase Out the Payment of Subminimum Wages to Workers with Disabilities

ONTP

Sponsor(s)

KATZ R
HERBIG E

Committee Report

ONTP

Amendments Adopted

This bill was carried over from the First Regular Session of the 127th Legislature.

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 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.