

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

cooperatives.

Committee Amendment "A" (H-396)

This amendment is the majority report of the committee. It replaces the bill and does the following to support employee-owned businesses and cooperatives.

1. It permits the Treasurer of State to place 1% or more of deposited state funds in institutions that meet the borrowing needs of cooperatives.
2. It requires the Maine Small Business and Entrepreneurship Commission to ensure that the State's small business development centers receive training and provide information on employee ownership and cooperative development.
3. It requires the Commissioner of Economic and Community Development to ensure equal access to Department of Economic and Community Development programs for employee-owned businesses and cooperatives, as well as businesses seeking to convert to employee ownership or cooperative organization.
4. It requires the Commissioner of Agriculture, Conservation and Forestry to ensure equal access to Department of Agriculture, Conservation and Forestry programs for employee-owned businesses and cooperatives, as well as businesses seeking to convert to employee ownership or cooperative organization.
5. It creates the Cooperative Development Grants Program.
6. It modifies the exemption from registration for certain membership securities issued by cooperatives.
7. It subtracts from the Maine income tax the amount of gain recognized by a business owner in transferring the business to an employee stock ownership plan or eligible worker-owner cooperative.
8. It requires the Department of Agriculture, Conservation and Forestry, the Department of Economic and Community Development, the Department of Labor, the Finance Authority of Maine and the University of Maine System to identify and make best efforts to pursue federal sources of funding for advancement of employee ownership and development of cooperatives.
9. It requires the Maine Small Business and Entrepreneurship Commission to ensure, to the extent feasible, that each small business development center receives training on issues relating to employee ownership and cooperative development. It requires the commission to provide a report to the joint standing committee of the Legislature having jurisdiction over labor, commerce, research and economic development matters on the commission's implementation of this provision.
10. It adds an appropriations and allocations section.

This bill was carried over on the Special Appropriations Table to any special or regular session of the 127th Legislature by joint order, S.P. 555.

LD 1319

An Act To Ensure That Wages and Benefits of Maine State Employees Serve a Public Purpose

**Accepted Majority
(ONTP) Report**

Sponsor(s)

WARD
CUSHING

Committee Report

ONTP
OTP-AM

Amendments Adopted

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

This bill prohibits a public employer from compensating an employee covered under public sector collective bargaining laws for participating in an activity involving the employee's collective bargaining agent, except through regularly accrued vacation or compensatory time.

Committee Amendment "A" (H-346)

This amendment, which is the minority report of the committee, replaces the bill with a resolve that establishes the Study Commission on State Union Leave to study the impact of the practice of state-compensated leave for an employee to participate in activities related to the employee's collective bargaining agent, both in terms of overall financial cost to the State and in terms of lost employee time, and to also study the benefits of such leave to the State. The study commission must report back on its findings and recommendations by December 2, 2015, and the Joint Standing Committee on Labor, Commerce, Research and Economic Development may report out a bill related to the report.

LD 1332 An Act To Attract Entrepreneurs to the State

PUBLIC 362

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND	ONTP	S-228
GOODE	OTP-AM	S-250 ALFOND

This bill establishes the Maine Coworking Development Fund within the Department of Economic and Community Development. The fund is established to strengthen opportunities for entrepreneurship, stimulate innovation in the State by increasing the availability of collaborative workspace environments and address a regional market demand for affordable work environments that support communication, information sharing and networking opportunities. The fund will match public and private funds to create collaborative workspaces in order to foster innovative communities and spur creative business growth and economic activity. The bill includes an appropriations and allocations section that provides for a \$250,000 General Fund appropriation to the fund for fiscal year 2015-16 and fiscal year 2016-17.

Committee Amendment "A" (S-228)

This amendment is the minority report of the committee and it makes the following changes to the bill.

1. It adds new definitions for "participant" and "tenant."
2. It provides additional criteria for collaborative workspaces to receive awards from the Maine Coworking Development Fund by the Department of Economic and Community Development.
3. It adds additional duties for a collaborative workspace business that receives assistance from the fund.
4. It adds additional annual reporting requirements for the department.

This amendment also replaces the appropriations and allocations section in the bill.

Senate Amendment "A" To Committee Amendment "A" (S-250)

This amendment reduces from \$250,000 to \$100,000 the amount appropriated in each of the fiscal years 2015-16 and 2016-17 to support collaborative workspace businesses.

Enacted Law Summary

Public Law 2015, chapter 362 establishes the Maine Coworking Development Fund within the Department of Economic and Community Development. The fund is established to strengthen opportunities for entrepreneurship,