

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.

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

LD 1388 An Act To Clarify the Used Car Information Laws

PUBLIC 167

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

This bill adds to the laws regarding used car information definitions of "livery service," "rideshare" and "vehicle history report." The bill also exempts a car dealer from liability for providing a consumer a vehicle service history report that the dealer did not prepare if the dealer also provides the consumer with a disclosure. Finally, this bill increases the minimum amount of damage required to be disclosed from \$2,000 to \$3,000.

Enacted Law Summary

Public Law 2015, chapter 167 adds to the laws regarding used car information definitions of "livery service," "rideshare" and "vehicle history report." The law also exempts a car dealer from liability for providing a consumer a vehicle service history report that the dealer did not prepare if the dealer also provides the consumer with a disclosure. In addition, the law increases the minimum amount of damage required to be disclosed from \$2,000 to \$3,000.

LD 1389 An Act To Conform Maine Law to Federal Law Regarding Closings and Mass Layoffs and To Strengthen Employee Severance Pay Protections

CARRIED OVER

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

This bill clarifies and strengthens the laws governing severance pay. It adds definitions for "closing," "mass layoff," "part-time employee," "employment loss" and "gross earnings." It provides that ambiguous language of an employer regarding the duration and nature of an employment loss may not be construed to prevent potential liability for payment of severance. The bill changes the circumstances that mitigate liability for severance pay by adding the closing of a covered establishment that is necessitated by the final order of a federal, state or local government agency, including an adjudication of bankruptcy. It amends the laws governing advance notice of a closing so they conform to the federal Worker Adjustment and Retraining Notification Act, also known as the WARN Act, 29 United States Code, Sections 2101 to 2109 (2014) and changes the designation of rules from major substantive to routine technical.

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

LD 1393 An Act Regarding the Work Permitting Process for Minors

Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STETKIS	ONTP OTP-AM	

The purpose of this bill is to clarify the laws governing the employment of minors and to conform the State's laws to federal law, thus expanding work opportunities for minors.

1. It changes Maine law to conform to federal law, providing that minors who are younger than 14 years of age may

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

be employed only in the planting, cultivating or harvesting of field crops, or other agricultural employment that does not place them in direct contact with hazardous machinery or hazardous substances.

2. It conforms to federal law the hours that minors who are 16 and 17 years of age may work, by extending the permissible time until which such a minor may work on a day preceding a school day from 10:15 pm to 11:00 pm.
3. It eliminates the prohibition on minors who are 16 and 17 years of age from working more than 10 hours in any day when the minor's school is not in session.
4. It eliminates the prohibition on minors under 16 years of age working more than 6 consecutive days.
5. It eliminates the prohibition on minors under 18 years of age working more than 50 hours per week when school is not in session.
6. It specifies that the restrictions on the hours of employment of minors does not apply to:
 - A. Agricultural employment that does not require direct contact with hazardous machinery or hazardous substances;
 - B. Employment or training as a theatrical actor or a film actor;
 - C. The taking or catching of lobsters, fish or other marine organisms, as long as the work does not require direct contact with hazardous machinery or hazardous substances; and
 - D. At a business that is solely owned by the minor's parent, as long as the work does not require direct contact with hazardous machinery or hazardous substances.
7. It specifies that superintendents of school administrative units issue work permits to minors and copy the Department of Labor, Bureau of Labor Standards; the bureau develops the blank permits, furnishes them to the superintendents and serves as a resource for superintendents regarding federal and state law.
8. It maintains the authority of the bureau to revoke work permits if state or federal law has been violated.
9. It repeals obsolete language dealing with triplicate permits and a master permit system.

Committee Amendment "A" (H-437)

This amendment, which is the minority report of the committee, strikes language in the bill giving the superintendent of a school administrative unit the authority to issue work permits to minors and instead retains the current law, which provides the issuing authority to the Department of Labor, Bureau of Labor Standards, subject to prior certification and approval from the superintendent of a school administrative unit.

**LD 1403 An Act To Require Licensed Mental Health Professionals To Receive
Training in Suicide Risk Assessment**

**Leave to Withdraw
Pursuant to Joint
Rule**

Sponsor(s)

MALABY

Committee Report

Amendments Adopted

This bill amends the laws governing the licensure renewal requirements for mental health clinicians, including professional counselors and social workers, to require six continuing education hours in suicide risk assessment and