

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

5. It changes the notification requirements in the bill to include when an establishment relocates, consistent with current law.

Enacted Law Summary

Public Law 2015, chapter 417 makes several changes to clarify and strengthen the laws governing severance pay and the notification requirements regarding changes in certain businesses operations, including the following.

1. It adds a "mass layoff" as a condition triggering employer severance pay liability and notice requirements and defines the term to mirror the definition in the federal Workers Adjustment and Retraining Notification Act, also known as the WARN Act, 29 U.S.C. sections 2101 to 2109 (2014).
2. It defines "eligible employee" for purposes of severance pay eligibility and expands eligibility to employees who have voluntarily quit employment with a covered establishment within a 30-day period prior to the date set in a notice of a mass layoff or closing provided by the employer under state or federal law.
3. It requires the severance pay calculation for an employee to include partial years worked by an employee and to include any weeks that the employee received gross earnings, as opposed to having worked, in the 12 months prior to an establishment closing or instituting a mass layoff.
4. It eliminates the current exemption from severance pay liability for an employer that has filed for bankruptcy.
5. It changes the circumstances that mitigate liability for severance pay by adding the closing of, or mass layoff at, a covered establishment that is necessitated by the final order of a federal, state or local government agency.
6. It changes the designation of rules regarding severance pay and employer notifications of closings, relocations and mass layoffs from major substantive to routine technical.

LD 1471

Resolve, To Facilitate the Distribution of Food Harvested in Maine to Residents with Food Insecurity

RESOLVE 81

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THIBODEAU M HICKMAN C	OTP-AM	S-373

This resolve directs the Finance Authority of Maine to contract with a statewide entity to purchase, process, store and transport agricultural products and seafood harvested in the State to provide access to those agricultural products and seafood to residents of the State with food insecurity. The resolve requires the authority to select the entity through a request for proposal process and to require the selected entity to submit an annual report to the joint committee of the legislature having jurisdiction over agriculture, conservation and forestry matters regarding the selected entity's progress toward and the additional efforts needed to achieve the purpose of providing food to residents of the State with food insecurity. The initiative is funded using \$3,000,000 transferred on a one-time basis from the Fund for a Healthy Maine. The resolve specifies that the authority is responsible for administering the funds and may retain a portion of the funds for the reasonable administrative costs incurred by the authority.

Committee Amendment "A" (S-373)

This amendment makes the following changes to the resolve.

1. It changes the title of the resolve to clarify the program's focus on food harvested in Maine.
2. It specifies that both fresh and fresh frozen fruits, vegetables and seafood harvested in Maine may be provided through the program.

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

3. It requires the authority to consult with experts in the areas of agriculture, food security, and public health when selecting the entity to implement the program and to ensure that the selected entity adheres to all local, state and federal food safety regulations.
4. It directs the authority to administer the program only until the funds are finally disbursed.
5. It requires the selected entity to report to the joint standing committees of the Legislature having jurisdiction over agriculture, conservation and forestry matters and over health and human services matters by December 1st of 2016, 2017 and 2018.

Enacted Law Summary

Resolve 2015, chapter 81 directs the Finance Authority of Maine to contract with a statewide entity to purchase, process, store and transport fresh and fresh frozen fruits, vegetables and seafood harvested in the State to increase access to those products for residents of the State with food insecurity. The authority must consult with experts in the areas of agriculture, food security, and public health when selecting the entity through a request for proposal process. The selected entity must adhere to all local, state and federal food safety regulations and report to the joint standing committees of the Legislature having jurisdiction over agriculture, conservation and forestry matters and over health and human services matters by December first of 2016, 2017 and 2018. This initiative is funded using \$3,000,000 transferred on a one-time basis from the Fund for a Healthy Maine. The resolve specifies that the authority is responsible for administering the funds until they are finally disbursed and may retain a portion of the funds for the reasonable administrative costs incurred by the authority.

LD 1474 An Act To Provide for the 2016 and 2017 Allocations of the State Ceiling on Private Activity Bonds

**P & S 13
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK A HERBIG E	OTP-AM	S-348

This bill allocates the state ceiling on issuance of tax-exempt private activity bonds for calendar years 2016 and 2017 among the state-level issuers of tax-exempt bonds in accordance with Title 10, section 363 of the Maine Revised Statutes.

Committee Amendment "A" (S-348)

This amendment incorporates a fiscal note.

Enacted Law Summary

Private and Special Law 2015, chapter 13 allocates the state ceiling on issuance of tax-exempt private activity bonds for calendar years 2016 and 2017 among the state-level issuers of tax-exempt bonds in accordance with Title 10, section 363 of the Maine Revised Statutes.

Private and Special Law 2015, chapter 13 was enacted as an emergency measure effective February 17, 2016.

LD 1480 An Act To Create and Sustain High-quality Maine Jobs

PUBLIC 415

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GERZOFSKY S GIDEON S	OTP-AM	S-363