

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH 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 2017

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128TH 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 128th 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 FINAL 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 128th Legislature is Wednesday, November 1, 2017. 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

This amendment is the majority report of the committee. It incorporates a fiscal note.

This bill was reported out of committee and then carried over to the next special or regular session of the 128th Legislature on the Special Appropriations Table by joint order, S.P. 601.

LD 313 An Act To Amend the Laws Governing Prior Employees of the Workers' Compensation Board PUBLIC 29

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUSHING A STEWART H	OTP-AM	S-23

Under current law, an advocate or advocate attorney employed by the Workers' Compensation Board may not represent before the board any insurer, self-insurer or third-party administrator for two years after terminating employment with the board. This bill repeals that prohibition.

Committee Amendment "A" (S-23)

This amendment replaces the bill and changes the period for which a former advocate or advocate attorney with the Workers' Compensation Board must refrain from representing before the board any insurer, self-insurer or third-party administrator from two years to one year. The amendment also eliminates this restriction for any person who has worked for four or more years as an advocate or attorney advocate.

Enacted Law Summary

Public Law 2017, chapter 29 changes the period for which a former advocate or advocate attorney with the Workers' Compensation Board must refrain from representing before the board any insurer, self-insurer or third-party administrator from two years to one year and it eliminates this restriction for any person who has worked for four or more years as an advocate or attorney advocate.

LD 367 An Act To Implement the Recommendations of the Government Oversight Committee To Develop a Long-range Strategic Plan for Economic Improvement in the State CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-493

This bill provides additional clarity, requirements and resources for the Maine Economic Growth Council's efforts to fulfill its current statutory mandate to develop, monitor and maintain a long-range strategic economic improvement plan for the State. It also includes provisions to support the State's achievement of the goals and objectives in that plan by establishing requirements for the Governor, Legislature and agencies with relevant programs and activities to consider the long-range strategic economic improvement plan and provide information to the Maine Economic Growth Council at the request of the council. This bill would increase the annual General Fund appropriation to the Maine Economic Growth Council from its current \$55,000 to \$175,000 and would provide a one-time additional appropriation of \$150,000 for development of the initial plan in order to meet the timelines required in this bill.

Committee Amendment "A" (H-493)

This amendment makes the following changes to the bill.

1. It specifies that membership of the Maine Economic Growth Council must include members with expertise in both large and small business.

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

2. It adds educational and science and technology factors to the list of factors that must be addressed by the long-range strategic economic improvement plan.
3. It adds a requirement that the Maine Economic Growth Council must consider the impact of tax policy, energy costs and regulation on competitiveness, the demographic composition of the State's workforce and the optimization of the return on investment in the State when developing the plan.
4. It adds a requirement that the plan include goals and objectives that support economic opportunity for all people in the State and that the plan include actions to accomplish plan benchmarks based upon the best practices in this State, other states and other countries.
5. It authorizes the joint standing committee of the Legislature having jurisdiction over economic development matters to submit to the Legislature any bill it considers necessary to improve the required elements of the strategic plan or the process through which it is developed, maintained or communicated.
6. It directs the Maine Economic Growth Council to develop by January 15, 2018, proposed review criteria suitable for use by the joint standing committees of the Legislature when the committees are considering legislative proposals that may affect the plan developed by the council. The Joint Standing Committee on Labor, Commerce, Research and Economic Development may report out a bill to the Second Regular Session of the 128th Legislature based on the report.

This bill was reported out of committee and then carried over to the next special or regular session of the 128th Legislature on the Special Appropriations Table by joint order, S.P. 601.

LD 441 An Act To Require Certification under the United States Environmental Died Between
Protection Agency's Lead Renovation, Repair and Painting Rule Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LIBBY N PIERCE J	OTP-AM ONTP	

This bill requires the on-site presence of a person certified by the United States Environmental Protection Agency under the federal renovation, repair and painting rule when the following activities are contracted for on a building constructed before 1978: painting, remodeling, maintenance or repair activities. The bill also requires persons performing maintenance on a multi-unit residential building, the owner of which receives public money in the form of a housing subsidy or voucher, to be certified by the United States Environmental Protection Agency.

Committee Amendment "A" (S-38)

This amendment, which is the majority report of the committee, replaces the bill and requires all individuals and business entities that renovate housing constructed prior to 1978 to comply with the United States Environmental Protection Agency's renovation, repair and painting rule, 40 Code of Federal Regulations, Part 745, Subpart E (2016). The amendment also requires the Commissioner of Environmental Protection to prepare guidance materials to explain the renovation, repair and painting rule's requirements.

In addition, the amendment provides a \$100,000 annual appropriation to the Department of Environmental Protection to provide grants to up to 250 individuals and business entities each year to offset the costs associated with obtaining certification from the United States Environmental Protection Agency to engage in renovation of housing constructed prior to 1978. The amendment also adds an appropriations and allocations section to provide funding for the staff necessary to administer the grant program.