

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

experience requirement in the bill for property and casualty insurance adjusters to be deemed workers' compensation insurance adjusters and provides that those individuals licensed as property and casualty insurance adjusters on January 1, 2018, will be granted both property and casualty and workers' compensation authorities. It also extends the exemption in current law applicable to licensure for property and casualty insurance adjusters who are employees of insurers to include workers' compensation insurance adjusters.

LD 985 An Act To Promote Medical Care for Visiting Athletic Teams

PUBLIC 119

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BREEN C FECTEAU R	OTP-AM	S-71

This bill allows a physician who holds a license to practice allopathic or osteopathic medicine in another state who accompanies an athletic team from that other state to provide medical services to members and supporting personnel of the team without a license from this State but restricts the person from providing medical services in a health care facility in the State.

Committee Amendment "A" (S-71)

This amendment clarifies that the bill applies to a physician accompanying an athletic team while the team is traveling to or from or is participating in a sporting event in this State.

Enacted Law Summary

Public Law 2017, chapter 119 allows a physician who holds a license to practice allopathic or osteopathic medicine in another state who accompanies an athletic team from that other state to provide medical services to members and supporting personnel of the team without a license from this State. This authority applies while the team is traveling to or from or is participating in a sporting event in this State and as long as those medical services are not provided within a health care facility.

LD 991 An Act To Establish a Minimum Wage for Minors

Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CYRWAY S FOLEY R	OTP-AM OTP-AM	

This bill establishes a minimum hourly wage for minors that is 75% of the general minimum hourly wage.

Committee Amendment "B" (S-249)

This amendment is the minority report of the committee. It changes the amount in the bill that an employer may pay a person who is under 18 years of age to a minimum hourly wage that is 80% of the minimum hourly wage instead of 75% as proposed in the bill.

This amendment was not adopted.

Committee Amendment "A" (S-248)

This amendment is the majority report of the committee. It strikes the bill and makes a number of changes relating to the employment of minors, including the following.

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

1. It prohibits all employment for minors under 14, except for agricultural employment in the planting, cultivating or harvesting of field crops or other agricultural employment not in direct contact with hazardous machinery or hazardous substances. It maintains an exception for employment in a business solely owned by the minor's parents, as long as it is not hazardous employment prohibited under Department of Labor rules or federal law.
2. It adds establishments that cultivate, produce or sell marijuana or products in which marijuana is an ingredient and recreational marijuana social clubs to the list of employment and occupations not suitable for minors that the Department of Labor must prohibit by rulemaking.
3. It changes the laws relating to minors 14 and 15 years of age to allow them to work in bowling alleys and movie theaters and to clarify their employment in bakeries, hotels and rooming houses.
4. It moves the occupational restrictions for minors 16 and 17 years of age to the section with occupational restrictions for minors 14 and 15 years of age.
5. It clarifies that graduates of vocational, career and technical or cooperative education programs approved by the Department of Education who are under 18 years of age can work in the occupations for which they were trained.
6. It updates a provision regarding work permits for minors by deleting language dealing with triplicate permits and a master permit system, allowing for use of electronic permit submission and approval and changing the approval of the permit form from approval by the Attorney General to approval by the Office of the Attorney General.
7. It grants the Department of Labor, Bureau of Labor Standards authority to revoke a work permit for violations of the laws regarding employment of minors.
8. It directs the Department of Labor to study the potential effects of implementing a lower minimum wage applicable to minors under 18 years of age and to report back to the Joint Standing Committee on Labor, Commerce, Research and Economic Development with the department's findings by January 15, 2018.

This amendment was not adopted.

LD 1004 An Act To Increase Reporting on Wage and Hour Violations

PUBLIC 268

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOLDEN J MIRAMANT D	OTP-AM	H-389

This bill amends the law regarding employment practices by increasing the fine for a violation of certain state wage and benefits laws to \$500 for the first violation and \$2,500 for each subsequent violation and by providing a private right of action for a person aggrieved of such a violation.

Committee Amendment "A" (H-389)

This amendment replaces the bill. It requires the Department of Labor to issue an annual report to the joint standing committee of the Legislature having jurisdiction over labor matters concerning complaints received by the department regarding violations of state wage and hour laws that resulted in final action by the department.

Enacted Law Summary

Public Law 2017, chapter 268 requires the Department of Labor to issue an annual report to the joint standing committee of the Legislature having jurisdiction over labor matters concerning complaints received by the department regarding violations of state wage and hour laws that resulted in final action by the department.