

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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STAFF:

HENRY FOUTS, LEGISLATIVE ANALYST
JANET STOCCO, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670
<http://legislature.maine.gov/legis/opla/>

*Committee member for a portion of the session

STATE OF MAINE

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

Legislature on the Special Appropriations Table by joint order, S.P. 601.

**LD 1036 Resolve, To Study Repeal of Occupational Licensing Requirements for
Certain Occupations** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRAKEY E	ONTP	

This resolve directs the Department of Professional and Financial Regulation to submit a report with proposed legislation to remove licensing requirements for 24 specific occupations to the Joint Standing Committee on Labor, Commerce, Research and Economic Development by December 1, 2017. The committee is authorized to report out a bill related to the department's recommendations to the Second Regular Session of the 128th Legislature.

**LD 1037 An Act To Provide for the 2017 and 2018 Allocations of the State Ceiling
on Private Activity Bonds** **P & S 5
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK A FECTEAU R	OTP-AM	S-44

This bill establishes the allocations of the state ceiling on issuance of tax-exempt private activity bonds for calendar years 2017 and 2018 among the state-level issuers of tax-exempt bonds.

Committee Amendment "A" (S-44)

This amendment incorporates a fiscal note.

Enacted Law Summary

Private and Special Law 2017, chapter 5 establishes the allocations of the state ceiling on issuance of tax-exempt private activity bonds for calendar years 2017 and 2018 among the state-level issuers of tax-exempt bonds.

Private and Special Law 2017, chapter 5 was enacted as an emergency measure effective May 12, 2017.

LD 1056 An Act To Protect Homeowners from Workers' Compensation Claims **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MOONEN M	ONTP	

This bill requires that an insurer that is authorized to provide basic property and casualty insurance in this State provide, in connection with that insurance, workers' compensation insurance that covers any domestic worker of the insured.

**LD 1072 An Act To Amend the Laws Regarding Dealers in Secondhand Precious
Metals** **PUBLIC 126**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO T	OTP-AM	S-129

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

This bill amends the laws regarding dealers in secondhand precious metals by:

1. Including palladium and platinum as precious metals subject to regulation;
2. Allowing a dealer to take one digital photograph of all the items in a transaction, instead of one digital photograph for each item;
3. Eliminating the requirement that a dealer maintain a record of the consideration paid to a seller for an item of precious metals;
4. Reducing from 15 days to five business days the amount of time a dealer must wait before selling or altering an item of precious metals received by the dealer;
5. Removing a reference to an electronic database designed to catalog stolen property; and
6. Requiring a dealer to register as a precious metals dealer with the municipality in which the dealer will conduct business, instead of requiring the dealer to obtain a permit issued by the municipality.

Committee Amendment "A" (S-129)

This amendment, which is the unanimous report of the committee, eliminates the portion of the bill that reduces the amount of time a dealer must wait before selling or altering an item containing precious metals received by the dealer. The amendment also limits the number and type of items containing precious metals that may be grouped together in one digital photograph. The amendment also allows municipalities to continue issuing permits for dealers rather than registering dealers if they choose to do so.

Enacted Law Summary

Public Law 2017, chapter 126 amends the laws regarding dealers in secondhand precious metals by:

1. Including palladium and platinum as precious metals subject to regulation;
2. Allowing a dealer to take digital photographs of groups of up to five substantially similar items in a transaction, instead of one digital photograph for each item;
3. Eliminating the requirement that a dealer maintain a record of the consideration paid to a seller for an item of precious metals; and
4. Requiring a dealer either to register as a precious metals dealer with the municipality in which the dealer will conduct business or, if required by the municipality, to obtain a permit issued by the municipality in which the dealer will conduct business.

**LD 1085 An Act To Amend the Requirements for Licensure as an Independent
Practice Dental Hygienist**

**PUBLIC 139
EMERGENCY**

Sponsor(s)
RYKERSON D

Committee Report
OTP-AM

Amendments Adopted
H-119

This bill removes the time restriction within which an applicant for independent practice dental hygienist authority must have completed his or her 2,000 hours of clinical practice (if applicant possesses an bachelor's degree) or 5,000 hours of clinical practice (if applicant possesses an associate degree). The bill also creates an alternative pathway, allowing a dental hygienist who has engaged in at least five years of full-time or part-time clinical practice