

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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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

compensation system to ensure the accumulation of funds is adequate to pay benefits during periods of unemployment, the highest skills of unemployed workers are used and the serious social consequences of unemployment are limited.

LD 1117 Resolve, To Establish the Commission To Study the Phase-out of Subminimum Wage

Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T PARKER J	OTP-AM ONTP	

This resolve establishes the Commission To Study the Phase-out of the Subminimum Wage for the purpose of determining the effect of the law that requires the minimum cash wage paid to a tipped service employee to be increased by \$1 each year until it reaches the same amount as the minimum wage.

Committee Amendment "A" (S-190)

This amendment is the majority report of the committee. It changes the provision in the resolve regarding staffing for the Commission To Study the Phase-out of Subminimum Wage. Instead of the Legislative Council providing all staffing for the commission, the Legislative Council is only authorized to provide staffing when the Legislature is not in session. The Legislative Council is authorized to contract for necessary staff support when the Legislature is in session. This amendment also provides funds for the operating costs of the commission and for contracted staff support.

This amendment was not adopted.

LD 1140 An Act To Preserve the Economic Viability of Maine's Historic Properties

Died Between Houses

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

This bill provides that if a historic property occupied by a business is found to be out of compliance with the Maine Uniform Building and Energy Code or the fire safety codes during an inspection, the property must only meet the standards of the version of the relevant code adopted most recently after the business first received its license. The property owner must incrementally improve the property to meet the next subsequent version of the applicable code over each three-year period after the inspection until the property satisfies current code standards. The bill defines "historic property" as a property listed on the National Register of Historic Places or designated as a historic property by a certified municipal historic preservation ordinance.

Committee Amendment "A" (H-345)

This amendment, which is the majority report of the committee, replaces the bill and authorizes the owner of a historic property being operated as a lodging place to appeal the decision of a municipal inspection officer that the property does not meet the standards of the fire and life safety codes adopted by the Commissioner of Public Safety or a provision in locally adopted fire and life safety codes that is identical to a provision in the fire and life safety codes adopted by the commissioner within 30 days. The appeal must be submitted in writing to the Office of the State Fire Marshal. If an informal hearing is requested, it must be conducted within 30 days and may be held at the site of the affected property. The Office of the State Fire Marshal must issue a written decision within 30 days of the appeal or hearing, whichever is later, explaining the reasons for affirming or reversing the municipal

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

enforcement decision. The decision of the Office of the State Fire Marshal constitutes final agency action and may be appealed to the Superior Court. The amendment also adds an appropriations and allocations section.

This amendment was not adopted.

LD 1152 An Act To Encourage the Hiring of Skilled Immigrants through Flexible Certification ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CASAS O CHENETTE J	ONTP	

This bill requires each board, commission, office and agency under the oversight of or affiliated with the Department of Professional and Financial Regulation to adopt a process allowing a work-authorized immigrant who possesses a professional license in another state or country to obtain a time-limited license by endorsement or a temporary license while participating in an education program designed to meet the qualifications for professional licensure in this State.

LD 1155 An Act To Improve the Lives of Working Families ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T	ONTP	

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to develop and implement methods of improving the lives of income-earning households in the State.

LD 1159 An Act To Support Healthy Workplaces and Healthy Families by Providing Paid Sick Leave to Certain Employees Died Between Houses

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

This bill creates a right to paid sick leave for employees not covered by a collective bargaining agreement who are employed by an employer that employs 50 or more employees. It also creates a right to unpaid sick leave for employees of an employer that employs fewer than 50 employees. This bill takes effect January 1, 2019.

Committee Amendment "A" (S-126)

This amendment is the majority report of the committee. It amends the bill by allowing an employer to satisfy the requirement to offer paid sick leave or unpaid sick leave by offering leave that may be used by the employee for either sick leave or vacation time, as long as that leave accrues at the same rate. The amendment clarifies that accrued sick leave provided in accordance with this bill is not considered wages that would be due to an employee after leaving employment with the employer. It also changes the type of rules the Department of Labor is authorized to adopt in order to implement and enforce the bill from routine technical to major substantive. The amendment also adds an appropriations and allocations section.