

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

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.

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

This amendment was not adopted.

LD 1165 An Act To Amend the Laws Regarding Licensure for Professional Engineers ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK A FECTEAU R	ONTP	

This bill makes technical and substantive changes to the laws regarding licensure for professional engineers, including:

1. Amending the definition of the "technology accreditation commission," which accredits education programs, to provide that it is an engineering technology accreditation commission;
2. Replacing provisions that exempt from licensure nonresidents licensed in another state who have applied for a Maine license or who practice no more than 30 days per calendar year in Maine with a provision permitting these individuals to obtain a temporary Maine license;
3. Updating references to codes and standards governing the design of minor construction;
4. Removing the requirement that licensees complete 30 hours of continuing professional education biennially;
5. Requiring the State Board of Licensure for Professional Engineers to post the roster of active licensed professional engineers on its publicly accessible website;
6. Allowing the board to grant licenses to applicants licensed in another state or foreign country with substantially equivalent licensure qualifications; if the applicant has been licensed for at least 10 years and not subject to disciplinary action, other licensure qualifications may be waived by the board; and
7. Removing the requirement for four years of engineering work experience prior to taking the national examination on the principles and practices of engineering as well as the requirement that individuals who fail the exam three times must, before sitting for the examination, reapply and provide proof of further experience or study.

LD 1166 An Act Regarding Anesthesia Care in Rural Maine PUBLIC 188

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUSHING A FECTEAU R	OTP-AM	S-108

This bill permits certified registered nurse anesthetists (CRNAs) in critical access hospitals and hospitals located in rural areas, when authorized by the facility and under rules to be adopted by the State Board of Nursing, to engage in the following activities without being supervised by a licensed physician or dentist:

1. Formulate and implement a patient-specific plan of anesthesia care, including by conducting a preanesthetic assessment; verifying informed consent; and ordering appropriate pre-operative and post-operative lab tests and diagnostic imaging tests; and
2. Order and prescribe post-operative prescription drugs, except that a CRNA may only prescribe drugs on DEA Schedules III, IIIN, IV and V if the CRNA has established a client or patient record at the time of the prescription