

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
128<sup>TH</sup> 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**

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# STATE OF MAINE

128<sup>TH</sup> 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 128<sup>th</sup> 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 128<sup>th</sup> 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

## Committee Amendment "A" (H-207)

This amendment clarifies that the new powers granted to the Maine Technology Institute through the bill are not exclusive in nature.

### Enacted Law Summary

Public Law 2017, chapter 109 expands the powers of the Maine Technology Institute by allowing the institute to administer technology centers that support early-stage development of technology-based businesses that are currently administered by the Department of Economic and Community Development. The law further authorizes the institute to establish and operate programs, including but not limited to, a program to encourage the establishment of incubators and accelerators to support entrepreneurs through competitive grants and other financial assistance; a competitive summer internship program in the entrepreneurial support system with the University of Maine System; a program with the Maine Innovation Economy Advisory Board to support technology transfer at postsecondary institutions and nonprofit research institutes in the State; and a program of education and assistance on the patenting process with the University of Maine School of Law to support commercialization of innovations. The administrative costs of these new programs and activities are not considered management and related operating costs of the institute subject to the 10% statutory cap in the Maine Revised Statutes, Title 5, section 15305.

### LD 1327      **An Act To Allow Former Military Medical Personnel To Perform Certain Medical Services**

**CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FARRIN B THIBODEAU M		

This bill allows a former United States Army medic, United States Air Force medical technician, United States Navy corpsman or United States Coast Guard health services technician to perform medical services that reflect the person's medical training and experience under the supervision of a person licensed by the Board of Osteopathic Licensure, Board of Licensure in Medicine or Board of Licensure of Podiatric Medicine or under the supervision of a health care facility that is itself supervised by a licensee. The medical services must be delegated to the person by the supervising licensee and set forth in a medical practice agreement approved by the relevant board.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

### **LD 1340**      **An Act To Amend the Laws Governing the Maine State Housing Authority**

**PUBLIC 234**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK A FECTEAU R	OTP-AM OTP-AM	S-243

This bill updates the laws governing the Maine State Housing Authority by:

1. Reducing the number of annual, biennial or one-time reports required by statute, by eliminating the following: the annual report on the allocation of the state ceiling on tax-exempt bonds; the annual report on the low-income energy assistance program; a one-time report due in 2005 on housing for young professionals and young families; reports by municipalities and school districts on land or buildings suitable for construction of affordable housing; biennial reports on the adequacy of data collection regarding Maine's housing stock; automatic annual reports on the Maine Energy, Housing and Economic Recovery Fund; a one-time report due in 1989 on a plan for the use of state-owned land; and a biennial report on the surplus land trust;

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2. Repealing the laws creating several authority programs, including the Natural Disaster Home Assistance Program; the Overboard Discharge Assistance Fund; a program to hold surplus state property in trust for development of housing; a program to award matching grants and loans to municipalities for the development of affordable housing; the Office of Nonprofit Housing; a program for low-interest loans to municipalities to acquire or preserve land for affordable housing; and a program to create demonstration housing opportunity zones;
3. Providing that funds remaining in any revolving fund administered by the authority for more than 10 years lapse to the Housing Opportunities for Maine Program and eliminating the following funds: a nonlapsing revolving loan fund for municipalities; the Maine Affordable Housing Land Trust Fund; and the Municipal Land Acquisition Revolving Fund;
4. Clarifying the jurisdiction of the authority and of municipal housing authorities with respect to the administration of federal housing choice vouchers;
5. Eliminating the requirement that the authority meet with municipalities in anticipation of a proposed housing project and instead requiring the authority to provide municipalities the opportunity to review and discuss proposed housing development projects prior to the approval process;
6. Specifying that the personnel files of authority employees are confidential and not subject to disclosure under the Freedom of Access Act;
7. Granting the authority the power to perform all functions necessary or useful for carrying out any of its powers, duties or purposes;
8. Eliminating the following duties of the authority: to create affirmative housing action plans for consideration by regional planning commissions and local planning boards; to expand access to housing for young professionals and young families; and to develop guidelines for energy improvements that may be made with proceeds of home improvement notes;
9. Permitting the authority to refinance single-family mortgage loans held by the authority in order to lower mortgage payments or make home improvements for persons with low income; exempting the authority from using an escrow agent if the authority finances 60% or more of a construction loan for low-income housing; and extending the right of first refusal time period for the authority or local housing authorities to purchase property containing a low-income housing project;
10. Decreasing from two years to one year the period during which a former employee or commissioner of the authority may not accept employment with or acquire an interest in a project over which that person exercised control, responsibility or decisions during employment or tenure; and
11. Eliminating the requirement that the Governor, the President of the Senate and the Speaker of the House appoint members to the Statewide Homeless Council nominated by regional homeless councils and instead requiring only due consideration of regional homeless council nominations.

### **Committee Amendment "A" (S-243)**

This amendment, which is the majority report of the committee, amends the bill by:

1. Clarifying that only specific items within the personnel files of Maine State Housing Authority employees are confidential;
2. Requiring municipal housing authorities to meet at least annually with the legislative bodies of the municipalities for which they are created;

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3. Authorizing the Maine State Housing Authority to provide an arsenic abatement program to homeowners with private well water that shows evidence of arsenic contamination, including individuals whose homes are located on land owned by an immediate family member; and
4. Eliminating the provisions of the bill that propose to change the process for appointing members of the Statewide Homeless Council.

### **Committee Amendment "B" (S-244)**

This amendment, which is the minority report of the committee, amends the bill by:

1. Clarifying that only specific items within the personnel files of Maine State Housing Authority employees are confidential;
2. Authorizing the Maine State Housing Authority to provide an arsenic abatement program to homeowners with private well water that shows evidence of arsenic contamination, including individuals whose homes are located on land owned by an immediate family member; and
3. Eliminating the provisions of the bill that propose to change the process for appointing members of the Statewide Homeless Council.

This amendment was not adopted.

### **Enacted Law Summary**

Public Law 2017, chapter 234 updates the laws governing the Maine State Housing Authority by:

1. Reducing the number of annual, biennial or one-time reports required by statute, by eliminating the following: the annual report on the allocation of the state ceiling on tax-exempt bonds; the annual report on the low-income energy assistance program; a one-time report due in 2005 on housing for young professionals and young families; reports by municipalities and school districts on land or buildings suitable for construction of affordable housing; biennial reports on the adequacy of data collection regarding Maine's housing stock; automatic annual reports on the Maine Energy, Housing and Economic Recovery Fund; a one-time report due in 1989 on a plan for the use of state-owned land; and a biennial report on the surplus land trust;
2. Repealing the laws creating several authority programs, including the Natural Disaster Home Assistance Program; the Overboard Discharge Assistance Fund; a program to hold surplus state property in trust for development of housing; a program to award matching grants and loans to municipalities for the development of affordable housing; the Office of Nonprofit Housing; a program for low-interest loans to municipalities to acquire or preserve land for affordable housing; and a program to create demonstration housing opportunity zones;
3. Providing that funds remaining in any revolving fund administered by the authority for more than 10 years lapse to the Housing Opportunities for Maine Program and eliminating the following funds: a nonlapsing revolving loan fund for municipalities; the Maine Affordable Housing Land Trust Fund; and the Municipal Land Acquisition Revolving Fund;
4. Clarifying the jurisdiction of the authority and of municipal housing authorities with respect to the administration of federal housing choice vouchers;
5. Eliminating the requirement that the authority meet with municipalities in anticipation of a proposed housing project and instead requiring the authority to provide municipalities the opportunity to review and discuss proposed housing development projects prior to the approval process;
6. Specifying that specific items within the personnel files of authority employees are confidential and not subject

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to disclosure under the Freedom of Access Act;

7. Granting the authority the power to perform all functions necessary or useful for carrying out any of its powers, duties or purposes;

8. Eliminating the following duties of the authority: to create affirmative housing action plans for consideration by regional planning commissions and local planning boards; to expand access to housing for young professionals and young families; and to develop guidelines for energy improvements that may be made with proceeds of home improvement notes;

9. Permitting the authority to refinance single-family mortgage loans held by the authority in order to lower mortgage payments or make home improvements for persons with low income; exempting the authority from using an escrow agent if the authority finances 60% or more of a construction loan for low-income housing; and extending the right of first refusal time period for the authority or local housing authorities to purchase property containing a low-income housing project;

10. Decreasing from two years to one year the period during which a former employee or commissioner of the authority may not accept employment with or acquire an interest in a project over which that person exercised control, responsibility or decisions during employment or tenure;

11. Authorizing the Maine State Housing Authority to provide an arsenic abatement program to homeowners with private well water that shows evidence of arsenic contamination, including individuals whose homes are located on land owned by an immediate family member; and

12. Requiring municipal housing authorities to meet at least annually with the legislative bodies of the municipalities for which they are created.

**LD 1341 An Act To Clarify Eligibility for Unemployment Benefits during Labor Disputes**

**Died Between Houses**

Sponsor(s)

VOLK A  
VACHON K

Committee Report

ONTP  
OTP-AM

Amendments Adopted

This bill removes the provision of law affecting the disqualification for unemployment benefits of employees at an establishment at which there is a labor dispute and at which there would have been a work stoppage but for the employer's maintaining substantially normal operations through the use of other personnel. It also broadens the disqualification from unemployment benefits in current law for unemployment that is due to a stoppage of work caused by a labor dispute by eliminating the requirement that there be a stoppage of work. Instead, unemployment that is due to a labor dispute is sufficient grounds for a denial of benefits. It also updates the language of the exceptions to this disqualification in current law to reflect the elimination of the stoppage of work requirement.

**Committee Amendment "A" (S-165)**

This amendment incorporates a fiscal note.

This amendment was not adopted.