

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**

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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.

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Public Law 2017, chapter 113 was enacted as an emergency measure effective June 1, 2017.

LD 1410 An Act To Adopt the Nurse Licensure Compact

PUBLIC 258

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK A FECTEAU R	OTP-AM	S-215

This bill adopts the model act for the multistate nurse licensure compact endorsed by the National Council of State Boards of Nursing and adds a federal fingerprint background check for new licensees as required by the compact.

Committee Amendment "A" (S-215)

This amendment makes technical changes to the bill to authorize the State Board of Nursing to obtain national and state fingerprint-based criminal history record information for all applicants for initial licensure and licensure by endorsement by the board, including applicants for multistate licensure. The amendment replaces the appropriations and allocations section of the bill.

Enacted Law Summary

Public Law 2017, chapter 258 adopts the model act for the multistate nurse licensure compact endorsed by the National Council of State Boards of Nursing and, as required by the compact, authorizes the State Board of Nursing to obtain national and state fingerprint-based criminal history record information for all applicants for initial licensure and licensure by endorsement, including applicants for multistate licensure.

LD 1420 An Act Regarding Work Permits for Minors under 16 Years of Age

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STETKIS J CYRWAY S	ONTP	

The purpose of this bill is to clarify the laws governing the employment of minors and to conform the State's laws to federal law, thus expanding work opportunities for minors.

1. It clarifies that minors who are younger than 14 years of age may be employed only in the planting, cultivating or harvesting of field crops, or other agricultural employment that does not place them in direct contact with hazardous machinery or hazardous substances.
2. It conforms to federal law the hours that minors who are 16 and 17 years of age may work, by extending the permissible time until which such a minor may work on a day preceding a school day.
3. It eliminates the prohibition on minors under 16 years of age working more than six consecutive days.
4. It eliminates the prohibition on minors under 18 years of age working more than 50 hours per week when school is not in session.
5. It specifies that the restrictions on the hours of employment of minors does not apply to:
 - A. Agricultural employment that does not require direct contact with hazardous machinery or hazardous

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substances;

B. Employment or training as a theatrical actor or a film actor;

C. The taking or catching of lobsters, fish or other marine organisms, as long as the work does not require direct contact with hazardous machinery or hazardous substances; and

D. At a business that is solely owned by the minor's parent, as long as the work does not require direct contact with hazardous machinery or hazardous substances.

6. It allows the parent or legal guardian of a minor under 16 years of age to sign a work permit for the minor and removes school superintendents from the work permit process. It requires copies of the minor's signed permit and proof of age to be kept at the minor's place of employment. It authorizes the Department of Labor, Bureau of Labor Standards to revoke a work permit.

7. It maintains the authority of the bureau to revoke work permits if state or federal law has been violated.

8. It repeals obsolete language dealing with triplicate permits and a master permit system.

LD 1443 An Act To Update Professional and Occupational Licensing Laws

PUBLIC 210

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK A	OTP-AM	S-216

This bill makes the following changes to professional and occupational licensing laws.

1. It updates technical terminology in the laws governing warranties applicable to the manufacture and sale of manufactured homes; exempts up to two modular homes built by students annually in each secondary or post-secondary educational program from the jurisdiction of the Manufactured Housing Board; changes the terms “mobile home” and “mobile home park” to the terms “manufactured home” and “manufactured housing community”; clarifies the type of manufactured home that a licensed mechanic may service and a licensed installer may install; clarifies that a license is required to manufacture, broker, distribute, sell, install or service manufactured housing in Maine, regardless of the destination of the housing; and makes other technical changes to the laws governing manufactured housing.

2. It removes a residency requirement for licensed funeral practitioners and other licensees of the Board of Funeral Service and clarifies the requirements for a practitioner trainee to receive credit toward licensure through the Maine Apprenticeship Program.

3. It repeals the provisions for licensure of companies by the Plumbers' Examining Board; creates an exemption from plumbing licensure for pump installers who are licensed by the Department of Health and Human Services, Maine Water Well Commission; clarifies that the board may discipline licensees for violation of rules adopted by the board and a municipality may penalize licensees who violate municipal ordinances; eliminates the requirement that an individual apply for a trainee license within ten business days of commencing work as a trainee plumber; and allows candidates for plumbing licensing examinations to retake the examination without paying a reexamination fee and to take the examination more than once time per year, regardless of the score received on the examination.

4. It repeals a transition provision added to the laws governing licensure of social workers in 1987, which is no longer relevant.