

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH LEGISLATURE
FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON LABOR, COMMERCE,
RESEARCH AND ECONOMIC DEVELOPMENT**

October 2018

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*Committee member for a portion of the session

STATE OF MAINE

128TH LEGISLATURE

FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contain summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Special, Second Regular and Second Special Sessions 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 dates for non-emergency legislation enacted in the First Special, Second Regular or Second Special Sessions of the 128th Legislature are: Monday, February 5, 2018; Wednesday, August 1, 2018; and Thursday, December 13, 2018, respectively. 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

LD 1857 **An Act To Address Maine's Nursing Shortage by Creating an Apprenticeship Pathway for Licensure of Health Care-trained Veterans and Expanding Access to Nursing Education** **Veto Sustained**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-718

This bill was reported by the committee pursuant to Resolve 2017, chapter 27 and then referred back to committee for processing in the normal course. The amended bill was reported out of committee in the Second Regular Session of the 128th Legislature and placed on the Special Appropriations Table. The bill was then carried over on the Special Appropriations Table from the Second Regular Session to the Second Special Session by joint order S.P. 748.

The bill implements a recommendation of the Commission To Streamline Veterans' Licensing and Certification regarding licensure of military medics and corpsmen as licensed practical nurses. This bill allows a person who served on active duty in the medical corps of any branch of the Armed Forces of the United States, has completed the basic course of instruction in nursing required by the branch of the Armed Forces of the United States in which the applicant served and was honorably discharged is eligible to take the examination for licensure as a licensed practical nurse.

Committee Amendment "A" (H-718)

The bill authorizes a person with specific military training and experience to take the examination for licensure as a licensed practical nurse. This amendment requires such a person to complete a practical nursing preparation program approved by the State Board of Nursing and designed specifically for applicants with military training and experience prior to taking the licensing examination. The program may include a combination of apprenticeship and traditional educational experiences. The board is directed to adopt provisional, major substantive rules establishing the requirements for approval of the program by March 1, 2019 and is directed to invite the participation of stakeholders in the rule-making process.

The amendment also implements a recommendation of the Task Force on Maine's 21st Century Economy and Workforce by providing \$650,000 in ongoing funding to support the hiring of additional nursing faculty and the acquisition of equipment and instructional space to expand nursing classes at Southern Maine Community College, Central Maine Community College and Eastern Maine Community College as well as \$200,000 in one-time funding to support the acquisition of a nursing simulator at Northern Maine Community College.

After the Governor's veto of the amended version of LD 1857 was sustained, the Governor submitted LD 1917, containing language identical to the original text of LD 1857, to the Second Special Session.

LD 1879 **An Act To Enhance and Increase the Availability of Mental Health Providers in Maine** **Died On Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HANDY J MILLETT R	OTP-AM	H-759

This bill was reported out of committee in the Second Regular Session of the 128th Legislature and then carried over to the Second Special Session on the Special Appropriations Table by joint order S.P. 748.

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

This bill establishes and provides funding for the Maine Mental Health Providers Loan Repayment Program to be administered by the Finance Authority of Maine. Under the program, mental health providers may have portions of their student loans repaid annually for up to five years, as long as the participants meet certain criteria, including agreeing to practice in an underserved practice area for at least five years after acceptance into the program.

Committee Amendment "A" (H-759)

The bill establishes the Maine Mental Health Providers Loan Repayment Program, which allows certain types of licensed social workers and professional counselors to apply for loan repayment assistance, as long as the applicants agree to practice for five years in one of a list of underserved practice areas in the State. This amendment expands the pool of providers eligible to apply for the program to include all social workers licensed by the State Board of Social Worker Licensure and all counselors licensed by the Board of Counseling Professionals Licensure and expands the categories of underserved practice areas to include federally qualified health centers, community-based behavioral health centers and organizations exempt from taxation under the United States Internal Revenue Code of 1986, Section 501(c)(6).

The amendment further clarifies that the program is funded through a one-time appropriation of \$1,000,000, rather than an ongoing appropriation as in the bill.

The amendment also repeals the currently unfunded Social Work Education Loan Repayment Program in the Maine Revised Statutes.

LD 1880 An Act To Prohibit Mandatory Membership in a Union or Payment of Agency Fees as a Condition of Employment INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WHITE D CUSHING A		

This bill was not referred to committee.

This bill was carried over from the Second Regular Session to the Second Special Session of the 128th Legislature by joint order S.P. 748.

This bill prohibits a person from being required to join a labor organization or pay any labor organization dues or fees as a condition of employment or continuation of employment, notwithstanding any state law to the contrary. A violation is a Class D crime and is also subject to civil damages and injunctive relief. The Attorney General is responsible for enforcement and is required to prosecute all violations.

LD 1887 An Act To Create Fairness in Maine's Unemployment Insurance System by Increasing the Amount Paid in Unemployment Tax by Certain Employers Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VACHON K	ONTP OTP-AM	

This bill was reported out of committee and then carried over from the Second Regular Session to the Second Special Session of the 128th Legislature by joint order S.P. 748.

This bill amends the laws governing employer contributions for unemployment compensation to impose an additional shared cost assessment tax on employers in contribution categories 19 and 20, increasing the percentage