

STATE OF MAINE
126TH 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**

July 2013

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

LD 1 An Act To Amend the Maine Workers' Compensation Act of 1992

PUBLIC 63

Sponsor(s)

Committee Report

Amendments Adopted

OTP-AM

S-31

This bill:

1. Clarifies that the Workers' Compensation Board will no longer publish average weekly wage tables after December 1, 2011. Publication of the tables is no longer necessary because, pursuant to Public Law 2011, chapter 647, compensation for employees injured on and after January 1, 2013 is based on 2/3 of gross average weekly wage as opposed to 80% of after-tax average weekly wage;
2. Makes the presumption of dependency consistent for spouses;
3. Extends the time within which the board must take action on a predetermination request from 14 to 30 days;
4. Establishes that review of a predetermination request is final within the board;
5. Establishes that a request for evaluation of the need for employment rehabilitation is not subject to review outside of the agency;
6. Extends to 2 years the period within which an employee can petition for reinstatement to an employer with 200 or fewer employees;
7. Establishes that an employer is required to reimburse its insurer if the employer is responsible for the late filing of a first report of injury;
8. Clarifies procedures relating to the Appellate Division within the Workers' Compensation Board by:
 - A. Providing that clerical mistakes in decrees may be corrected when a matter is pending before the Appellate Division;
 - B. Specifying that an appellant must file a copy of the hearing officer's decision and not an order or agreement; and
 - C. Specifying that the Appellate Division may affirm, vacate or remand a decree of a hearing officer;
9. Clarifies procedures relating to the review of a decision by the board pursuant to the Maine Revised Statutes, Title 39-A, section 320 by:
 - A. Stipulating that appeals of decisions issued by the board pursuant to section 320 must be filed with the Law Court, not the Appellate Division;
 - B. Providing that a hearing officer decree can be appealed to the Appellate Division if the board declines review; and
 - C. Permitting the board to remand a hearing officer decree; and

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10. Clarifies that benefits must be paid while an appeal is pending before the Appellate Division and that benefits paid while a case is pending before the Appellate Division are subject to repayment in the same manner as when the Law Court decides an employee is not entitled to compensation.

Committee Amendment "A" (S-31)

This amendment clarifies that a spouse who is dependent in any way on the injured employee at the time of injury is included in the definition of "dependent" under the workers' compensation law. This maintains the same standard that is currently in statute. This amendment also makes clear that the Workers' Compensation Board's ruling in a predetermination hearing is not subject to review by the Superior Court. Additionally, this amendment expands the certification requirements for independent medical examiners to include the certifications relevant to chiropractors, podiatrists and psychologists.

Enacted Law Summary

Public Law 2013, chapter 63 does the following.

1. It clarifies that the Workers' Compensation Board will no longer publish average weekly wage tables after December 1, 2011. Publication of the tables is no longer necessary because, pursuant to Public Law 2011, chapter 647, compensation for employees injured on and after January 1, 2013 is based on 2/3 of gross average weekly wage as opposed to 80% of after-tax average weekly wage.
2. It makes the presumption of dependency consistent for spouses.
3. It extends the time within which the board must take action on a predetermination request from 14 to 30 days.
4. It establishes that review of a predetermination request is final within the board.
5. It establishes that a request for evaluation of the need for employment rehabilitation is not subject to review outside of the agency.
6. It extends to 2 years the period within which an employee can petition for reinstatement to an employer with 200 or fewer employees.
7. It establishes that an employer is required to reimburse its insurer if the employer is responsible for the late filing of a first report of injury.
8. It clarifies procedures relating to the Appellate Division within the Workers' Compensation Board by:
 - A. Providing that clerical mistakes in decrees may be corrected when a matter is pending before the Appellate Division;
 - B. Specifying that an appellant must file a copy of the hearing officer's decision and not an order or agreement; and
 - C. Specifying that the Appellate Division may affirm, vacate or remand a decree of a hearing officer.
9. It clarifies procedures relating to the review of a decision by the board pursuant to the Maine Revised Statutes, Title 39-A, section 320 by:
 - A. Stipulating that appeals of decisions issued by the board pursuant to section 320 must be filed with the Law Court, not the Appellate Division;
 - B. Providing that a hearing officer decree can be appealed to the Appellate Division if the board declines

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review; and

C. Permitting the board to remand a hearing officer decree.

10. It clarifies that benefits must be paid while an appeal is pending before the Appellate Division and that benefits paid while a case is pending before the Appellate Division are subject to repayment in the same manner as when the Law Court decides an employee is not entitled to compensation.

11. It clarifies that the Workers' Compensation Board's ruling in a predetermination hearing is not subject to review by the Superior Court.

12. It expands the certification requirements for independent medical examiners to include the certifications relevant to chiropractors, podiatrists and psychologists.

LD 32 An Act To Expand the Types of Vaccines That May Be Administered by Pharmacists PUBLIC 6

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOHNSON C SANBORN	OTP	

Current law allows a pharmacist to administer a vaccine licensed by the United States Food and Drug Administration to a person 18 years of age or older with a valid prescription as long as the vaccine is recommended by the United States Centers for Disease Control and Prevention Advisory Committee on Immunization Practices and the person has a primary care physician or other existing relationship with a nurse practitioner or an authorized practitioner.

This bill allows a pharmacist also to administer a vaccine licensed by the United States Food and Drug Administration to a person 18 years of age or older who has a primary care physician or other existing relationship with a nurse practitioner or an authorized practitioner if the vaccine is outside the guidelines recommended by the United States Centers for Disease Control and Prevention Advisory Committee on Immunization Practices if the prescription specifically states that the vaccine is medically necessary.

Enacted Law Summary

Public Law 2013, chapter 6 allows a pharmacist to administer a vaccine licensed by the United States Food and Drug Administration to a person 18 years of age or older who has a primary care physician or other existing relationship with a nurse practitioner or an authorized practitioner if the vaccine is outside the guidelines recommended by the United States Centers for Disease Control and Prevention Advisory Committee on Immunization Practices if the prescription specifically states that the vaccine is medically necessary.

LD 35 An Act To Amend the Law Concerning the Membership of the Maine Economic Growth Council PUBLIC 102

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HAYES	OTP-AM	H-72

Under current law, 4 members of the Legislature are appointed to the Maine Economic Growth Council. This bill requires that 2 of the 4 legislative members must be Senators and 2 must be members of the House of Representatives. This bill also requires that, of the 2 members from each body, one must belong to the political party holding the largest number of seats in that body and one must belong to the political party holding the 2nd

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largest number of seats in that body.

Committee Amendment "A" (H-72)

This amendment changes the terms of legislative appointments to the Maine Economic Growth Council. It provides that, beginning in 2015, legislative members must be appointed to the council by March 15th of the first year of the legislative term. The term of legislative members begins on March 15th of the first year of the legislative term and ends March 15th of the calendar year following the end of that member's legislative term. It also provides that nonlegislative members serve until a successor is appointed.

Enacted Law Summary

Public Law 2013, chapter 102 changes the legislative membership on the Maine Economic Growth Council by requiring that 2 of the 4 legislative members must be Senators and 2 must be members of the House of Representatives. It also requires that, of the 2 members from each body, one must belong to the political party holding the largest number of seats in that body and one must belong to the political party holding the 2nd largest number of seats in that body. The law also changes the terms of legislative appointments to the Maine Economic Growth Council by requiring that, beginning in 2015, legislative members must be appointed to the council by March 15th of the first year of the legislative term. The term of legislative members begins on March 15th of the first year of the legislative term and ends March 15th of the calendar year following the end of that member's legislative term. It also provides that nonlegislative members serve until a successor is appointed.

LD 36 An Act To Amend the Laws Governing Record Keeping for Pawn Transactions ONTP

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

This bill requires that pawnbrokers maintain in their records digital photographs of property pawned and digital photographs of the consumers who pawn the property.

LD 71 An Act To Regulate Dealers in Secondhand Precious Metals PUBLIC 398

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FOWLE	OTP-AM	H-392 H-551 FOWLE

This bill:

1. Requires that pawnbrokers maintain in their records digital photographs of property pawned or purchased;
2. Requires that pawnbrokers file with the law enforcement agency of jurisdiction digital photographs of the properties pawned or purchased during the preceding calendar month;
3. Requires that, if the redemption or repurchase period is less than 30 days and the pawned property is not redeemed or repurchased by the consumer, a pawnbroker may not sell or alter the property until the property has remained in the pawnbroker's possession for 30 days after the expiration of the time for which it was pawned; and
4. Requires that if a pawnbroker purchases tangible personal property without any condition of repurchase by the seller for a fixed price within a fixed period of time, the pawnbroker must retain the property and may not sell or alter the property for a period of not less than 60 days after the purchase.

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Committee Amendment "A" (H-392)

This amendment changes the title and replaces the bill. It requires a dealer in secondhand precious metals to maintain records of each transaction involving precious metals conducted by the dealer and prohibits a dealer from selling or altering any precious metals until the precious metals have remained in the dealer's possession for 15 days after the date of the transaction, except that a dealer who determines that the precious metals are not included in an electronic database designed to catalog stolen property may sell or alter the precious metals 10 days after the date of purchase or acquisition through exchange. It also prohibits a dealer from engaging in the purchase and sale of secondhand precious metals without a municipal permit. It also provides that a court may award restitution to any victim suffering economic loss from a violation of these provisions, including a dealer in secondhand precious metals, pursuant to the criteria currently provided for in law for restitution. It establishes that a violation of the inspection and holding period requirements is a Class E crime.

House Amendment "A" To Committee Amendment "A" (H-551)

This amendment makes the following changes to Committee Amendment "A."

1. It removes the requirement that records kept by dealers in secondhand precious metals be contained either in a bound volume or ledger or in a binder in which pages can be affixed.
2. It reduces from 10 days to 5 business days the period of time a dealer in secondhand precious metals must wait before selling or altering precious metals that are not listed in an electronic database designed to catalog stolen property.
3. It exempts auctioneers from the provisions governing dealers in secondhand precious metals.

Enacted Law Summary

Public Law 2013, chapter 398 requires a dealer in secondhand precious metals to maintain records of each transaction involving precious metals conducted by the dealer and prohibits a dealer from selling or altering any precious metals until the precious metals have remained in the dealer's possession for 15 days after the date of the transaction, except that a dealer who determines that the precious metals are not included in an electronic database designed to catalog stolen property may sell or alter the precious metals 5 days after the date of purchase or acquisition through exchange. It also prohibits a dealer from engaging in the purchase and sale of secondhand precious metals without a municipal permit. It also provides that a court may award restitution to any victim suffering economic loss from a violation of these provisions, including a dealer in secondhand precious metals, pursuant to the criteria currently provided for in law for restitution. It establishes that a violation of the inspection and holding period requirements is a Class E crime. It exempts auctioneers from the provisions governing dealers in secondhand precious metals.

LD 103 An Act To Correct an Inconsistency in Maine's Apprenticeship Laws

PUBLIC 5

Sponsor(s)

GILBERT
PATRICK

Committee Report

OTP

Amendments Adopted

This bill repeals a provision of law that is in conflict with changes enacted in Public Law 2011, chapter 491 establishing minimum wages under the Maine Apprenticeship Program.

Enacted Law Summary

Public Law 2013, chapter 5 repeals a provision of law that is in conflict with changes enacted in Public Law 2011, chapter 491 establishing minimum wages under the Maine Apprenticeship Program.

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LD 116 An Act To Amend the Laws Governing Pine Tree Development Zones ONTP
To Require Payment of a Livable Wage

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHAW DUTREMBLE	ONTP	

This bill requires that a qualified employee under the Pine Tree Development Zone program be paid at least a livable wage for the county in which the employee is employed. Current law requires that such an employee be paid an amount greater than the annual per capita personal income for the county in which the employee is employed. This bill also requires the Department of Labor to calculate the livable wage biennially by county and statewide. Current law requires the department to calculate the statewide livable wage only if funding has been appropriated for that purpose.

LD 117 An Act To Change the Composition of the Board of Dental Examiners ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHAW DUTREMBLE	ONTP	

This bill changes the composition of the Board of Dental Examiners, which in current law consists of 5 members of the dental profession, 2 dental hygienists, one dentist and one representative of the public. This bill changes the membership to 2 members of the dental profession, 2 dental hygienists, 2 dentists and 3 representatives of the public.

LD 118 An Act To Ensure the Authenticity of Items Reported To Have Been PUBLIC 302
Crafted by Native Americans

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SOCTOMAH BURNS	OTP-AM	H-255

This bill is based on federal law pertaining to certification of products made by Indians. The bill requires any person that sells authentic Indian arts and crafts to display the name, trademark, if any, and tribe of the person who made the product. An inauthentic product must be clearly labeled as inauthentic Indian arts and crafts. A violation of the requirements is a civil violation for which a fine of not more than \$5,000 for each violation may be adjudged.

Committee Amendment "A" (H-255)

This amendment replaces the bill and establishes that a violation of the federal law pertaining to misrepresentation of Indian products is also a violation of the Maine Unfair Trade Practices Act, which is enforceable by the Office of the Attorney General. It also establishes that an action brought by the Office of the Attorney General to enforce these provisions does not prevent a person from bringing a civil action to obtain injunctive or equitable relief or damages under the Federal Indian Arts and Crafts Act of 1990.

Enacted Law Summary

Public Law 2013, chapter 302 is based on federal law pertaining to certification of products made by Indians. It establishes that a violation of the federal law pertaining to misrepresentation of Indian products is also a violation of the Maine Unfair Trade Practices Act, which is enforceable by the Office of the Attorney General. It also

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establishes that an action brought by the Office of the Attorney General to enforce these provisions does not prevent a person from bringing a civil action to obtain injunctive or equitable relief or damages under the Federal Indian Arts and Crafts Act of 1990.

LD 148 An Act To Amend the Laws Governing Pharmacy Interns

PUBLIC 98

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING CUSHING	OTP-AM	H-83

This bill allows a pharmacist to administer certain vaccines to a person 9 years of age or older according to a valid prescription. Current law allows a pharmacist to administer these vaccines to a person 18 years of age or older. This bill also allows a pharmacy intern to administer drugs and vaccines under the direct supervision of a licensed pharmacist who is certified for the administration of drugs and vaccines.

Committee Amendment "A" (H-83)

This amendment removes the provision that allows a pharmacist to administer certain vaccines to a person 9 years of age or older. It allows a pharmacy intern to administer drugs and vaccines to a person 18 years of age or older under a pharmacist's direct supervision, as long as the pharmacy intern has obtained drug administration training.

Enacted Law Summary

Public Law 2013, chapter 98 allows a pharmacy intern to administer drugs and vaccines to a person 18 years of age or older under a pharmacist's direct supervision, as long as the pharmacy intern has obtained drug administration training.

LD 149 An Act To Make Gold and Silver Coins and Bars Legal Tender

**ACCEPTED
MAJORITY
(ONTP) REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LONGSTAFF TUTTLE	ONTP OTP	

This bill makes gold and silver in coin or bar form legal tender for all transactions as long as the buyer and seller agree as to the fair market value of the gold or silver. This bill also allows the possession of any amount of gold or silver in coin or bar form and exempts from the sales tax the sale of gold or silver in coin or bar form for use as legal tender.

LD 159 An Act Regarding the Laws Governing Unemployment Compensation Benefits for Employees of Temporary Staffing Agencies

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK CUSHING	ONTP	

This bill specifies that, for purposes of unemployment compensation benefit eligibility, the failure of a temporary employee to contact the temporary staffing agency upon completion of a work assignment to seek additional work is considered a voluntary job separation, as long as the temporary staffing agency gives prior written notice of this

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requirement to the individual.

**LD 171 An Act To Facilitate the Personal Importation of Prescription Drugs
from International Mail Order Prescription Pharmacies**

PUBLIC 373

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T TREAT	OTP-AM OTP-AM	S-241

The purpose of this bill is to facilitate the licensing of international mail order prescription pharmacies by the Maine Board of Pharmacy. This bill:

1. Specifies that, for the purposes of the Maine Pharmacy Act, "mail order prescription pharmacy" includes an entity located outside the United States that dispenses prescription medications by mail or carrier from a facility not located in this State to a pharmacy or to a patient who resides in this State; and
2. Authorizes the Maine Board of Pharmacy to enter into reciprocal inspection agreements with any country in which a mail order prescription facility that sells drugs to Maine citizens is located.

Committee Amendment "A" (S-241)

This amendment replaces the bill and is the majority report of the committee. It amends the Maine Pharmacy Act to exempt from the licensure requirements of the Act licensed retail pharmacies that are located in Canada, the United Kingdom of Great Britain and Northern Ireland, the Commonwealth of Australia or New Zealand that meet the respective foreign country's statutory and regulatory requirements, as well as entities that contract to provide or facilitate the exportation of prescription drugs from these licensed retail pharmacies, and authorizes these retail pharmacies and entities to provide prescription drugs by mail or carrier to a resident of this State for that resident's personal use. It also amends the Maine Pharmacy Act to provide that nothing in the Act may be construed to prohibit individuals from ordering or receiving prescription drugs for their personal use from licensed retail pharmacies in the above-mentioned countries or contracting entities or to prohibit such a licensed retail pharmacy or contracting entity from dispensing, providing or facilitating the provision of prescription drugs from outside the United States.

Committee Amendment "B" (S-242)

This amendment is the minority report of the committee. It amends the bill to provide that, if the United States Secretary of Health and Human Services certifies to Congress that the importation of prescription drugs poses no additional risk to the public's health and safety and will result in a significant reduction in the cost of covered products to the American consumer pursuant to 21 United States Code, Section 384 (2013), the Department of Professional and Financial Regulation, Maine Board of Pharmacy is required to establish standards allowing for the personal importation of prescription drugs from Canada by residents of the State. The board is required to establish the standards for reciprocal inspection agreements between the board and licensed retail pharmacies in Canada, subject to the following restrictions:

1. An entity that dispenses prescription drugs for personal use pursuant to these provisions is prohibited from requiring that the consumer or beneficiary waive the right to bring any cause of action against the entity that is available under state or federal law; and
2. An entity that dispenses prescription drugs for personal use pursuant to these provisions is prohibited from requiring that a cause of action by a resident of this State be brought in a jurisdiction other than this State or the United States District Court for the District of Maine. The board is required to assume any liability for prescription drugs dispensed to a resident of this State by a pharmacy authorized to mail prescription drugs into this State as a result of a reciprocal inspection agreement.

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It also provides that, until such certification is granted by the United States Secretary of Health and Human Services, the board is required to direct residents of the State that request additional information on the safe importation of prescription drugs through Internet pharmacies to organizations that provide consumers with information from a nationwide partnership for prescription assistance and partnership for safe medicines on how to reduce costs associated with prescription drugs and how to ensure the safety of prescription drugs.

It also adds a contingent effective date to the sections of the bill that amend the definition of "mail order prescription pharmacy" and amend provisions regarding reciprocal inspections so that these changes do not take effect unless the United States Secretary of Health and Human Services certifies to Congress that the importation of prescription drugs poses no additional risk to the public's health and safety and will result in a significant reduction in the cost of covered products to the American consumer.

Enacted Law Summary

Public Law 2013, chapter 373 amends the Maine Pharmacy Act to exempt from the licensure requirements of the Act licensed retail pharmacies that are located in Canada, the United Kingdom of Great Britain and Northern Ireland, the Commonwealth of Australia or New Zealand that meet the respective foreign country's statutory and regulatory requirements, as well as entities that contract to provide or facilitate the exportation of prescription drugs from these licensed retail pharmacies, and authorizes these retail pharmacies and entities to provide prescription drugs by mail or carrier to a resident of this State for that resident's personal use. In addition, it amends the Maine Pharmacy Act to provide that nothing in the Act may be construed to prohibit individuals from ordering or receiving prescription drugs for their personal use from licensed retail pharmacies in the above-mentioned countries or contracting entities or to prohibit such a licensed retail pharmacy or contracting entity from dispensing, providing or facilitating the provision of prescription drugs from outside the United States.

LD 235 An Act To Improve Insurance Coverage for Volunteer First Responders

DIED IN CONCURRENCE

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOHNSON C LONG	OTP-AM OTP-AM ONTP	S-76 S-333 HILL

This bill clarifies that an injury suffered by a volunteer firefighter or volunteer emergency medical services person that occurs at any time after the firefighter or emergency medical services person receives notice of a fire or emergency and is in the process of responding is compensable under the Maine Workers' Compensation Act of 1992.

Committee Amendment "A" (S-76)

This amendment, which is the majority report of the committee, creates a rebuttable presumption, in place of the absolute right created by the bill regarding personal injuries that are compensable under the Maine Workers' Compensation Act of 1992, and applies the rebuttable presumption to paid firefighters and emergency medical services persons as well as volunteers. The amendment also applies to both paid and volunteer firefighters and emergency medical services persons the bill's prohibition on an employer's or insurer's seeking to limit workers' compensation benefits to only those injuries that occur after the firefighter or emergency medical services person begins traveling on a public way.

Committee Amendment "B" (S-77)

This amendment, which is the minority report of the committee, creates a rebuttable presumption, in place of the absolute right created by the bill regarding personal injuries that are compensable under the Maine Workers'

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Compensation Act of 1992, and applies the rebuttable presumption to paid firefighters and emergency medical services persons as well as volunteers, but limits the application of the rebuttable presumption to an injury that occurs after the firefighter or emergency medical services person is on a public way responding to a call. The amendment also eliminates the provision in the bill prohibiting an employer or insurer from seeking to limit workers' compensation benefits to only those injuries that occur after the firefighter or emergency medical services person begins traveling on a public way.

Senate Amendment "A" To Committee Amendment "A" (S-333)

This amendment adds a mandate preamble.

LD 237 An Act To Establish Uniform Quorum, Meeting and Chair Requirements for Professional and Occupational Licensing Boards PUBLIC 246

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUSHING CAMPBELL J	OTP-AM	S-219

This bill establishes a uniform quorum requirement for the 31 licensing boards within the Department of Professional and Financial Regulation, Office of Professional and Occupational Regulation. The quorum is a majority of the members serving on the board. The bill also repeals provisions in the individual board laws that require a board to meet at least once a year and that authorize the board chair or a majority of the members to convene a meeting of the board. The authority to elect a chair is moved from the individual board laws to the Maine Revised Statutes, Title 10, section 8010.

Committee Amendment "A" (S-219)

The bill repeals provisions concerning meetings, election of board chairs and quorum requirements for 31 licensing boards under the auspices of the Department of Professional and Financial Regulation, Office of Professional and Occupational Regulation. The amendment instead removes only the language from the statutes that deals with the quorum requirements, since the bill establishes uniform quorum requirements for the boards.

Enacted Law Summary

Public Law 2013, chapter 246 establishes uniform quorum requirements for 31 licensing boards under the auspices of the Department of Professional and Financial Regulation, Office of Professional and Occupational Regulation.

LD 246 An Act To Provide for the 2013 and 2014 Allocations of the State Ceiling on Private Activity Bonds P & S 2

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PATRICK HERBIG	OTP-AM	S-9

This bill establishes the allocations of the state ceiling on issuance of tax-exempt private activity bonds for calendar years 2013 and 2014. This bill allocates the state ceiling among the state-level issuers of tax-exempt bonds.

Committee Amendment "A" (S-9)

This amendment incorporates a fiscal note.

Enacted Law Summary

Private and Special Law 2013, chapter 2 establishes the allocations of the state ceiling on issuance of tax-exempt

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private activity bonds for calendar years 2013 and 2014. The law allocates the state ceiling among the state-level issuers of tax-exempt bonds.

LD 249 Resolve, Directing the Board of Dental Examiners To Amend Its Rules RESOLVE 36
To Improve Access to Oral Health Care in Maine

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VALENTINO HOBBINS	OTP-AM	S-65

This resolve requires the Board of Dental Examiners to amend its rules to permit a dental student to perform limited dental service in certain settings, commensurate with the student's level of training, under the supervision and control of a licensed dentist or a teaching school.

Committee Amendment "A" (S-65)

This amendment strikes the provision in the bill that proposed to allow dental students of a bona fide dental school or university to perform dental hygiene treatment in institutional and public health service programs and in private dental offices under the control of a licensed dentist. It adds a requirement for the Board of Dental Examiners to submit a report by January 15, 2014 to the Joint Standing Committee on Labor, Commerce, Research and Economic Development on how the dental services performed by dental students under the provisions of the resolve will increase access to dental care in the underserved areas of the State, the number of private dental offices that will be participating and how the patients will be screened for treatment by dental students in the private dental offices. It authorizes the Joint Standing Committee on Labor, Commerce, Research and Economic Development to submit a bill related to this report to the Second Regular Session of the 126th Legislature.

Enacted Law Summary

Resolve 2013, chapter 36 requires the Board of Dental Examiners to amend its rules to permit a dental student to perform limited dental service in certain settings, commensurate with the student's level of training, under the supervision and control of a licensed dentist or a teaching school. It adds a requirement for the Board of Dental Examiners to submit a report by January 15, 2014 to the Joint Standing Committee on Labor, Commerce, Research and Economic Development on how the dental services performed by dental students under the provisions of the resolve will increase access to dental care in the underserved areas of the State, the number of private dental offices that will be participating and how the patients will be screened for treatment by dental students in the private dental offices. This resolve authorizes the Joint Standing Committee on Labor, Commerce, Research and Economic Development to submit a bill related to this report to the Second Regular Session of the 126th Legislature.

LD 260 An Act To Extend Funding for the Loring Job Increment Financing PUBLIC 413
Fund

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T AYOTTE	OTP-AM	S-7

This bill extends the funding for the Loring Job Increment Financing Fund from 2016 to 2026.

Committee Amendment "A" (S-7)

This amendment incorporates a fiscal note.

Enacted Law Summary

Public Law 2013, chapter 413 extends the funding for the Loring Job Increment Financing Fund from 2016 to 2026.

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LD 263 An Act To Require Dealers of Secondhand Precious Metals To Keep Records To Aid Law Enforcement ONTP

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

This bill requires every dealer engaged in the purchase of secondhand precious metals to record specific information on each bill of sale before completing the purchase of any secondhand precious metals. The bill requires dealers engaged in the purchase of secondhand precious metals to maintain these records for one year and to make the records available to law enforcement or a prosecuting attorney.

LD 293 An Act To Ensure Parity in the Collective Bargaining Process among State Institutions of Higher Education ONTP

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

This bill removes the requirement that cost items in any collective bargaining agreement of community college employees be submitted for inclusion in the Governor's next operating budget and be subject to review by the Legislature.

LD 314 An Act To Create the Office of Marketing CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK TUTTLE		

This bill provides for the creation of a centralized Office of Marketing within the Department of Economic and Community Development, responsible for the coordination of all marketing efforts throughout State Government. The office will coordinate requests for proposals, contracts and participation in conferences and exhibits to create a centralized state marketing effort. This office is responsible for the coordination, development, approval and implementation of the state marketing strategy.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 348 An Act Concerning the Scope of Practice of Cardiovascular Technologists ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRATWICK PRINGLE	ONTP	

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This bill exempts an individual holding a degree in cardiovascular technology from an accredited institution approved by the Department of Professional and Financial Regulation, Radiologic Technology Board of Examiners who is working under the supervision of a licensed physician as a cardiovascular technologist from the licensing requirements for radiographers, nuclear medicine technologists and radiation therapists.

LD 364 An Act To Amend the Laws Regulating Suppliers of Agricultural, Construction, Industrial and Forestry Equipment

PUBLIC 41

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WHITTEMORE HARVELL	OTP	

Current law prohibits a supplier of farm, forestry, construction, utility or industrial equipment from coercing a dealer to order or accept deliveries of equipment or repair parts or from interfering in a dealer's business. This bill provides that, when a supplier reimburses a dealer for equipment, repair parts or labor because of the prohibition on coercion and interference, the supplier is prohibited from recovering the supplier's costs of that reimbursement.

Enacted Law Summary

Public Law 2013, chapter 41 amends the laws regulating suppliers of farm, forestry, construction, utility or industrial equipment to provide that, when a supplier reimburses a dealer for equipment, repair parts or labor, the supplier is subsequently prohibited from recovering the supplier's costs of that reimbursement.

LD 411 An Act To Amend the Health Care Practitioner Licensing, Disciplinary and Reporting Laws Regarding Alcohol and Drug Abuse

PUBLIC 105

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PRINGLE GRATWICK	OTP-AM	H-84

This bill amends provisions of the Maine Health Security Act regarding the reporting of physicians with possible drug or alcohol problems to licensing authorities and provisions of the health care practitioner licensing laws dealing with grounds for discipline. Currently, substance use by a practitioner that is foreseeably likely to result in endangering patients is grounds for discipline; this bill instead provides that substance use that may result in endangering patients is grounds for discipline. This bill also updates terminology used to reference drug or alcohol problems.

Committee Amendment "A" (H-84)

This amendment replaces references in the bill to a licensee's "substance use disorder" with "misuse of alcohol, drugs or other substances" that may result in endangering patients as grounds for discipline within the Maine Health Security Act and within the provisions of the health care practitioner licensing laws dealing with grounds for discipline.

Enacted Law Summary

Public Law 2013, chapter 105 amends provisions of the Maine Health Security Act regarding the reporting of physicians with possible drug or alcohol problems to licensing authorities and provisions of the health care practitioner licensing laws dealing with grounds for discipline. It provides that substance use by a practitioner that may result in endangering patients is grounds for discipline and updates terminology used to reference drug or alcohol problems within the Maine Health Security Act and within the provisions of the health care practitioner licensing laws dealing with grounds for discipline.

LD 414 An Act To Restructure the Licensing and Regulation of Boilers and Pressure Vessels and Elevators and Tramways

PUBLIC 70

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK PATRICK	OTP-AM	H-55

This bill repeals the current board structure in the laws governing boiler and pressure vessel safety and elevator and tramway safety and places the duties and responsibility for administering and overseeing the licensing and inspection of boilers, pressure vessels, elevators and tramways under the Director of the Office of Professional and Occupational Regulation within the Department of Professional and Financial Regulation. The bill retains the current enforcement authority of the chief boiler and elevator inspector to oversee the public safety inspection programs.

Committee Amendment "A" (H-55)

This amendment adds provisions describing the requirements for appointment to the position of Chief Inspector of Boilers and Pressure Vessels to the bill. It also removes the section of the bill that repeals the statutory language concerning assumption of the risk for injury when hang gliding. The amendment also adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2013, chapter 70 repeals the current board structure in the laws governing boiler and pressure vessel safety and elevator and tramway safety and places the duties and responsibility for administering and overseeing the licensing and inspection of boilers, pressure vessels, elevators and tramways under the Director of the Office of Professional and Occupational Regulation within the Department of Professional and Financial Regulation. The law retains the current enforcement authority of the chief boiler and elevator inspector to oversee the public safety inspection programs and adds requirements for appointment to the position of Chief Inspector of Boilers and Pressure Vessels to the bill.

LD 416 An Act To Allow Complainants in Disciplinary Actions To Attend Informal Conferences Held by the State Board of Nursing in Executive Session

PUBLIC 23

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PATRICK CHIPMAN	OTP	

This bill confirms that the complainant may be present and speak during an informal conference conducted by the Department of Professional and Financial Regulation, State Board of Nursing regarding a disciplinary action against a licensee. The bill also gives the State Board of Nursing the authority to report to the appropriate licensing board of the state to which a licensee has moved that a complaint has been filed against the licensee. The board may also take into account the professional records from another state where an individual was a licensee when determining whether to issue a license to that individual. The bill also requires the State Board of Nursing to amend its rules to implement the changes made by this bill.

Enacted Law Summary

Public Law 2013, chapter 23 confirms that the complainant may be present and speak during an informal conference conducted by the Department of Professional and Financial Regulation, State Board of Nursing regarding a disciplinary action against a licensee. The law also gives the State Board of Nursing the authority to report to the

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appropriate licensing board of the state to which a licensee has moved that a complaint has been filed against the licensee. The board may also take into account the professional records from another state where an individual was a licensee when determining whether to issue a license to that individual. The law also requires the State Board of Nursing to amend its rules to implement these changes.

LD 418 An Act To Enforce Wage Laws by Preventing Misclassification of Employees ONTP

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

This bill defines "employee," "employer" and "independent contractor" for the purposes of the wages and medium of payment provisions of the labor laws in order to prevent misclassification of employees and their exclusion from wage law protection. It strengthens notification and reporting requirements. The bill includes shareholders' liability to protect employees who are hired by corporations that use bankruptcy law to evade payment. It makes each violation of the wage and medium of payment provisions that occurs during a separate week, including discriminatory or retaliatory practices, a separate violation. The bill also prohibits employer retaliation against employees or others who bring complaints under the law.

LD 426 An Act To Provide for the Continuity of a Veterinary Practice Subsequent to the Death or Incapacitation of the Owner PUBLIC 46

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HERBIG PATRICK	OTP	

Under current law, a veterinarian may practice only under the veterinarian's own name or in association with one or more other veterinarians. This bill permits the legal guardian or personal representative of a deceased or incapacitated veterinarian to contract with another veterinarian to continue the practice for a period of up to 24 months after the death or incapacitation of the veterinarian or until the practice is sold, whichever occurs first.

Enacted Law Summary

Public Law 2013, chapter 46 permits the legal guardian or personal representative of a deceased or incapacitated veterinarian to contract with another veterinarian to continue the practice for a period of up to 24 months after the death or incapacitation of the veterinarian or until the practice is sold, whichever occurs first.

LD 431 An Act To Amend the Laws Governing the Work Permit Process for Minors and To Conform the Laws Governing Allowable Places of Work for Minors to Federal Law ACCEPTED MAJORITY (ONTP) REPORT

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

This bill allows a minor under 16 years of age to obtain a work permit directly from the Department of Labor, Bureau of Labor Standards when school is not in session during summer break. Current law requires the minor to obtain the permit through a school superintendent regardless of whether school is in session. The bill also allows a minor under 16 years of age to work in a bowling alley or theater, which conforms with federal law. Finally, the bill repeals an obsolete section of law that deals with triplicate permits and a master permit system.

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Committee Amendment "A" (S-138)

This amendment, which is the minority report of the committee, allows a minor under 16 years of age to obtain a work permit from either the school superintendent or directly from the Department of Labor, Bureau of Labor Standards when school is not in session during summer break. Current law requires the minor to obtain the permit through a school superintendent regardless of whether school is in session. The amendment also restores a provision of law that was removed by the bill that specifies that a superintendent may sign a permit for a student who is attending summer school only if the student is enrolled in school, not truant, not under suspension and passing a majority of courses during the current grading period. The amendment retains one sentence of the language regarding triplicate permits and the master permit system, which was repealed by the bill, and amends it to allow the Department of Labor to direct the superintendent to cancel a permit when there is reason to believe the permit should be surrendered. This amendment was not adopted.

**LD 443 An Act To Amend the Maine Workers' Compensation Act of 1992 To
Provide Benefits to Seriously Injured Workers**

**VETO
SUSTAINED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T	OTP-AM ONTP	S-250 S-265 PATRICK

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

This bill proposes to enact measures designed to provide benefits under the Maine Workers' Compensation Act of 1992 to seriously injured workers.

Committee Amendment "A" (S-250)

This amendment is the majority report of the committee. Current eligibility requirements under the Maine Workers' Compensation Act of 1992 for long-term partial incapacity benefits require at least an 18% whole person permanent impairment due to the injury, a weekly wage of 65% or less of the preinjury weekly wage and that the employee have earnings for at least 12 of the prior 24 months. This amendment replaces those eligibility requirements with requirements that the employee have a demonstrated earning capacity of 70% or less than the employee's earnings at the time of injury and the employee is working within the employee's documented capacity. The amendment adds that compensation is to be made at a fixed rate and reviewable no more frequently than every 2 years. Additionally, the amendment creates a rebuttable presumption that an injured worker with partial incapacity is eligible for benefits in the weekly amount permitted for total incapacity benefits as long as that injured worker has performed a work search sufficient to qualify for unemployment benefits through the Maine Department of Labor. The amendment also provides that rehabilitation plans voluntarily offered by the injured worker's employer qualify the injured worker for the same presumption that work is unavailable that is currently afforded to participants in Workers' Compensation Board rehabilitation plans.

Senate Amendment "A" To Committee Amendment "A" (S-265)

This amendment changes the committee amendment regarding partial incapacity benefits for a person who is not working from an amount equal to the amount permitted for total incapacity under section 212 to the amount of "100% partial incapacity benefits under section 213."

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LD 461 An Act To Allow Businesses with More than 5,000 Square Feet of Interior Customer Selling Space To Open on Easter Day, Thanksgiving Day and Christmas Day ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GILLWAY COLLINS	ONTP	

This bill allows a business with more than 5,000 square feet of interior customer selling space to open on Easter Day, Thanksgiving Day and Christmas Day.

LD 491 An Act Regarding Timber Harvesting on Land Managed by the Division of Parks and Public Lands VETO SUSTAINED

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

This bill prohibits the Department of Agriculture, Conservation and Forestry, Division of Parks and Public Lands from contracting for timber harvesting on land under its management if the contractor uses persons employed under the federal labor certification process for employment of foreign workers in logging for that purpose.

LD 509 An Act To Exempt Certain Supervised Medical Assistants from Licensing under the Medical Radiation Health and Safety Laws ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND HERBIG	ONTP	

This bill exempts from the licensing requirements of the medical radiation health and safety laws a medical assistant who has been properly instructed and trained in fluoroscopy C-arm or other imaging equipment positioning and who is assisting a physician who is operating the fluoroscopy C-arm or other imaging equipment and supervising the procedure.

LD 553 An Act To Remove the Statement of Oral Condition as a Requirement for Denturists Making Partial Dentures PUBLIC 83

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHAW	OTP ONTP	

This bill removes the requirement that a denturist first receive a written statement of oral condition or oral health certificate prior to making partial dentures.

Enacted Law Summary

Public Law 2013, chapter 83 removes the requirement that a denturist first receive a written statement of oral condition or oral health certificate prior to making partial dentures.

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LD 554 Resolve, Requiring the Department of Economic and Community Development To Market the Positive Attributes of the State of Maine ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAVERS CLEVELAND	ONTP	

This resolve requires that, when promoting the State on its publicly accessible website and in preparing marketing materials, the Department of Economic and Community Development include as prominent factors recent independent analyses identifying the State's positive attributes for business development and quality of life.

LD 555 Resolve, Directing the Commissioner of Professional and Financial Regulation To Convene a Working Group To Consider Reforms of the Practices of the Nursing Home Administrators Licensing Board VETO SUSTAINED

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANDERSON HAMPER	OTP-AM	H-241

This resolve directs the Department of Professional and Financial Regulation, Nursing Home Administrators Licensing Board to amend its rules regarding educational requirements for the licensing of administrators and continuing education requirements.

First, it permits a licensed registered nurse who has at least 5 years' experience as a director of nursing at a licensed nursing facility to be provisionally licensed as a nursing home administrator for up to 5 years, if that licensed registered nurse provides evidence satisfactory to the board that the licensed registered nurse is pursuing a course of action to fulfill the educational requirements in the board's rules and is reasonably likely to fulfill these requirements within this 5-year time frame.

Second, it removes the limit currently placed on the number of continuing education credits that a licensed nursing home administrator may earn at a conference or program as long as each credit separately qualifies under the board's standards for awarding credit. It provides for determinations regarding the approval and allowability of continuing education credits within 30 days of the filing of required information. The board may approve online seminars for continuing education credits. A licensed nursing home administrator who is denied approval of continuing education credits by board staff may seek review of such a denial by the board.

Committee Amendment "A" (H-241)

This amendment replaces the resolve. It requires the Commissioner of Professional and Financial Regulation to establish a working group to consider reforms of the Nursing Home Administrators Licensing Board's practices regarding the licensure of nursing home administrators and administration of continuing education requirements and report its findings to the Joint Standing Committee on Labor, Commerce, Research and Economic Development. It also enables the committee to introduce legislation in the Second Regular Session of the 126th Legislature to implement the findings and recommendations of the working group.

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LD 556 An Act To Modernize the Statutes Governing Physician Assistants

PUBLIC 101

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MASTRACCIO GRATWICK	OTP-AM	H-85

This bill accomplishes the following.

1. It adds a physician assistant member to the Board of Licensure in Medicine and the Board of Osteopathic Licensure, which are the boards that issue licenses to physician assistants.
2. It permits physician assistants to delegate medical acts to medical assistants as long as that delegation is included in the plan of supervision established by the physician assistant and the supervising physician.
3. It repeals a provision in the laws governing licensing by the Board of Osteopathic Licensure that prohibits a physician assistant from employing a supervising physician.
4. In order to have one set of rules governing physician assistants and their supervising physicians, it requires the Board of Osteopathic Licensure and the Board of Licensure in Medicine to do joint rulemaking and requires that the rules provide for the issuance of a single license regardless of the number of practice sites or supervisory physicians.

Committee Amendment "A" (H-85)

This amendment adds an appropriations and allocations section to the bill.

Enacted Law Summary

Public Law 2013, chapter 101 accomplishes the following.

1. It adds a physician assistant member to the Board of Licensure in Medicine and the Board of Osteopathic Licensure, which are the boards that issue licenses to physician assistants.
2. It permits physician assistants to delegate medical acts to medical assistants as long as that delegation is included in the plan of supervision established by the physician assistant and the supervising physician.
3. It repeals a provision in the laws governing licensing by the Board of Osteopathic Licensure that prohibits a physician assistant from employing a supervising physician.
4. In order to have one set of rules governing physician assistants and their supervising physicians, it requires the Board of Osteopathic Licensure and the Board of Licensure in Medicine to do joint rulemaking and requires that the rules provide for the issuance of a single license regardless of the number of practice sites or supervisory physicians.

LD 605 An Act To Allow a Minor in the Police Explorer Program To Assist with Traffic Control at Civic Events

PUBLIC 142

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRIGGS BOYLE	OTP-AM	H-130

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This bill allows minors who are volunteer participants in a career-oriented law enforcement program to perform traffic control duties at civic events after receiving the required training to perform these duties by the Department of Transportation.

Committee Amendment "A" (H-130)

This amendment allows minors who are volunteer participants in a career-oriented law enforcement program to perform traffic control duties at civic events after receiving the required training to perform these duties, but only under direct supervision and only in accordance with a number of restrictions.

Enacted Law Summary

Public Law 2013, chapter 142 allows minors who are volunteer participants in a career-oriented law enforcement program to perform traffic control duties at civic events after receiving the required training to perform these duties, but only under direct supervision and only in accordance with a number of restrictions.

**LD 611 An Act To Adjust Maine's Minimum Wage Annually Based on VETO
 Cost-of-living Changes SUSTAINED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HAMANN PATRICK	OTP-AM ONTP	H-16

This bill raises the minimum wage to \$8.50 per hour beginning October 1, 2013, and it requires the minimum hourly wage to be adjusted for inflation on October 1st of each year, beginning October 1, 2014.

Committee Amendment "A" (H-16)

This amendment raises the minimum wage to \$8.00 per hour beginning July 1, 2014, \$8.50 per hour beginning July 1, 2015 and \$9.00 per hour beginning July 1, 2016. Beginning July 1, 2017, the minimum wage will be automatically adjusted for inflation on July 1st of each year.

**LD 656 Resolve, Requiring the Department of Economic and Community ONTP
 Development To Develop Incentives for Industries in the State To
 Increase Employment of Maine Residents**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAVERS LANGLEY	ONTP	

This bill requires the Department of Economic and Community Development to work with the Department of Labor, the Department of Administrative and Financial Services, Bureau of Revenue Services and regional planning commissions to develop incentives for manufacturing, agricultural and creative industries in the State to increase their employment of Maine residents. The Department of Economic and Community Development is directed to submit a report of its findings, including any necessary implementing legislation, to the Joint Standing Committee on Labor, Commerce, Research and Economic Development by December 4, 2013.

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**LD 689 Resolve, Directing the Maine Labor Relations Board To Convene a
Task Force To Examine Compensation for the Panel of Mediators**

RESOLVE 26

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GIDEON DUTREMBLE	OTP-AM	H-93

This bill entitles mediators in public employee collective bargaining negotiations who are required to drive in excess of 43 miles one way to provide mediation services to receive an amount equal to 1/2 of the mediator's hourly fee for services for the time that the mediator travels in excess of 43 miles one way.

Committee Amendment "A" (H-93)

This amendment replaces the bill with a resolve and directs the Maine Labor Relations Board to convene a task force to examine compensation for the Panel of Mediators and to report to the Joint Standing Committee on Labor, Commerce, Research and Economic Development by January 15, 2014 with recommendations and draft implementing legislation. The committee has authority to report out a bill related to these recommendations in the Second Regular Session of the 126th Legislature.

Enacted Law Summary

Resolve 2013, chapter 26 directs the Maine Labor Relations Board to convene a task force to examine compensation for the Panel of Mediators and to report to the committee by January 15, 2014 with recommendations and draft implementing legislation. The committee has authority to report out a bill related to these recommendations in the Second Regular Session of the 126th Legislature.

LD 690 An Act To Ensure Efficiency in the Unemployment Insurance System

CARRIED OVER

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

This bill requires that determinations on all nonmonetary issues related to a claim for unemployment compensation be made within specified time frames.

Committee Amendment "A" (H-280)

This amendment, which is the majority report of the committee, adds an appropriations and allocations section to the bill.

This bill was committed to the Joint Standing Committee on Appropriations and Financial Affairs and carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

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**LD 691 An Act To Prohibit Enforcement of Federal Laws Regulating
Commerce in Violation of the Constitution of the United States**

**ACCEPTED
MAJORITY
(ONTP) REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LIBBY A MASON G	ONTP OTP	

This bill enacts the Intrastate Commerce Act to express the findings of the Legislature that the Commerce Clause of the United States Constitution is valid for the regulation of interstate commerce but not intrastate commerce. The bill prohibits a federal or state official, agent or employee from enforcing a federal act, order, law, statute, rule or regulation that attempts to regulate goods grown, manufactured or made in this State or services performed in this State. Violation by a federal official is a Class C crime, punishable by up to 5 years in prison and a fine of up to \$5,000. Violation by a state official is a Class D crime, punishable by less than one year in prison and a fine of up to \$2,000.

**LD 696 An Act To Include Raising Equines in the Definition of Agriculture for
the Purpose of the Maine Workers' Compensation Act of 1992**

PUBLIC 111

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO HICKMAN	OTP-AM	S-42

This bill amends the definition of "agriculture" as used in the Maine Workers' Compensation Act of 1992 to include the raising of equines. Equines are similarly included in "products used in animal agriculture" for purposes of providing an exemption from the sales and use tax.

Committee Amendment "A" (S-42)

This amendment replaces the bill and expands the exemption under the workers' compensation laws for employers of agricultural laborers by adding "equine activity" to the definition of "agriculture". "Equine activity" means activities as defined in the Maine Revised Statutes, Title 7, section 4101, subsection 5, which includes boarding, keeping, trailering, showing and displaying an equine. Additionally, this amendment applies to cases currently pending before the Workers' Compensation Board on the effective date of the Legislation.

Enacted Law Summary

Public Law 2013, chapter 111 expands the exemption under the workers' compensation laws for employers of agricultural laborers by adding "equine activity" to the definition of "agriculture". "Equine activity" means activities as defined in the Maine Revised Statutes, Title 7, section 4101, subsection 5, which includes boarding, keeping, trailering, showing and displaying an equine. This law applies to cases currently pending before the Workers' Compensation Board on the effective date of the legislation.

**LD 700 An Act To Require Elevators To Be Accessible for Ambulance
Stretchers**

ONTP

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

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This bill requires that, beginning January 1, 2018, all existing multistory buildings that house private entities or nonprofit organizations that serve the public or are places of public accommodation, subject to specific exceptions, have at least one passenger elevator that is accessible from all levels within the building and that is of sufficient size to allow the transport of a person on an ambulance stretcher in the fully supine position, without having to raise, lower or bend the stretcher in any way. The bill also requires the Department of Professional and Financial Regulation, Board of Elevator and Tramway Safety to establish a plan for the inspection and certification of all passenger elevators in existing buildings required to meet the elevator size requirements and identify any legislative or regulatory changes that may be necessary and report to the Joint Standing Committee on Labor, Commerce, Research and Economic Development. It also allows the Joint Standing Committee on Labor, Commerce, Research and Economic Development to submit a bill based on the report to the Second Regular Session of the 126th Legislature.

LD 722 Resolve, To Establish a Task Force To Review Section 8 Housing Construction Standards ONTP

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

This resolve establishes that, beginning October 1, 2013, the director of the Maine State Housing Authority is required to convene and coordinate a task force to review the eligibility standards for Section 8 housing construction in order to identify recommendations for improving the process, including the use of point systems, and the quality of the construction. The resolve requires the Maine State Housing Authority to invite the participation in the task force of residents from communities of various population sizes. It requires the director of the Maine State Housing Authority to provide a written report of the findings of the review and any recommendations resulting from the review to the Joint Standing Committee on Health and Human Services. The resolve authorizes the joint standing committee to report out a bill implementing the recommendations of the review to the Second Regular Session of the 126th Legislature.

LD 732 An Act To Impose a Holding Period during Which a Dealer in Secondhand Precious Metals Must Retain Property ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KATZ DION	ONTP	

This bill requires a dealer engaged in the purchase of secondhand precious metals, including pawnbrokers, to record specific information on each bill of sale before completing the purchase of any secondhand precious metals, to maintain these records for one year and to make the records available to law enforcement or a prosecuting attorney. The bill also prohibits a dealer who acquires secondhand precious metals from selling, disposing of or altering the property for a period of 10 days following the purchase.

LD 739 Resolve, To Establish a Task Force To Study Economic Development in Rural Areas ONTP

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

This resolve is a concept draft pursuant to Joint Rule 208. The purpose of this resolve is to establish a task force to study measures designed to encourage economic development and opportunity in rural areas of the State.

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LD 747 An Act To Protect Doctors Who Prescribe a Complementary Course of Treatment and To Provide Insurance Coverage for That Treatment ONTP

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

This bill provides that the Department of Professional and Financial Regulation, Board of Licensure in Medicine may not bring disciplinary action against a physician who prescribes or provides medicine or treatment that is authorized for a complementary health care provider. The bill also requires such treatment to be covered under health insurance plans.

LD 761 An Act To Clarify the Agricultural Exemption to the Workers' Compensation Laws PUBLIC 87

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRAY SAVIELLO	OTP-AM	H-92

Currently, the laws governing workers' compensation exempt an employer of agricultural or aquacultural laborers from securing the payment of compensation with respect to its employees if the employer has 6 or fewer laborers or if the employer has more than 6 laborers but the total number of hours worked by those laborers in a week does not exceed 240. This bill instead specifies that an employer is exempt if the employer has 6 or fewer full-time agricultural or aquacultural laborers.

Committee Amendment "A" (H-92)

This amendment replaces the bill and instead reorganizes the text of the existing exemption in the workers' compensation laws for employers of agricultural or aquacultural laborers to provide more clarity in the law. This amendment also adds the spouses of parents, brothers, sisters and children under the definition of "immediate family members" not considered agricultural or aquacultural laborers.

Enacted Law Summary

Public Law 2013, chapter 87 reorganizes the text of the exemption in the workers' compensation laws for employers of agricultural or aquacultural laborers to provide more clarity in the law. This law adds the spouses of parents, brothers, sisters and children under the definition of "immediate family members" not considered agricultural or aquacultural laborers.

LD 786 An Act To Ensure the Voluntary Membership of Public Employees in Unions ACCEPTED MAJORITY (ONTP) REPORT

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

This bill makes a number of changes to the State's labor laws to allow public sector unions to represent only those public employees who voluntarily are members of that union. This bill also requires a public employee union to annually determine or certify the bargaining agent for that union.

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Committee Amendment "A" (H-91)

This amendment, which is the minority report of the committee, changes the bill title and replaces the bill. It repeals the provision currently in statute that allows public employers to deduct service fees owed by an employee to a collective bargaining agent pursuant to a lawful collective bargaining agreement, and to remit those fees to the bargaining agent, without signed authorization from the employee. This amendment was not adopted.

LD 788 An Act To Provide Vehicle Owners and Repair Facilities Access to CARRIED OVER
Vehicle Diagnostic and Repair Information and Equipment

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

This bill requires motor vehicle manufacturers to make available to owners of the manufacturer's motor vehicles and independent motor vehicle repair facilities diagnostic and repair information and equipment at no more than fair market value and in a way that does not unfairly favor the manufacturer's dealers and authorized repair facilities.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 808 An Act To Amend the Laws Concerning Scrap Metal Processors PUBLIC 141

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LONGSTAFF KATZ	OTP-AM	H-128

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to address methods of preventing and punishing thefts of copper, especially when the illegally obtained copper is being sold by one business to another.

Committee Amendment "A" (H-128)

This amendment replaces the bill, which was a concept draft. It broadens the form of payment allowed by scrap metal processors for the purchase of scrap metal to include payment by credit card or debit card, in addition to payment by check as currently required by law.

Enacted Law Summary

Public Law 2013, chapter 141 broadens the form of payment allowed by scrap metal processors for the purchase of scrap metal to include payment by credit card or debit card, in addition to payment by check.

LD 809 Resolve, Directing the Secretary of State To Study the Need for a State RESOLVE 37
Regulatory Process for Scrap Metal Dealers

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LONGSTAFF MASON G	OTP-AM ONTP	H-147

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to create a licensing requirement for scrap metal processors similar to that for persons operating an automobile graveyard, automobile recycling business or

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junkyard.

Committee Amendment "A" (H-147)

This amendment is the majority report of the committee. It replaces the bill, which is a concept draft, with a resolve that directs the Secretary of State to study the need for state regulation of scrap metal dealers and review the advantages and disadvantages of pursuing a state license, permit or registration process for scrap metal dealers. It directs the Secretary of State to submit a report on the study and any recommended legislation to the Joint Standing Committee on Labor, Commerce, Research and Economic Development by January 30, 2014. It also authorizes the committee to submit a bill to the Second Regular Session of the 126th Legislature related to the subject matter of the report.

Enacted Law Summary

Resolve 2013, chapter 37 directs the Secretary of State to study the need for state regulation of scrap metal dealers and review the advantages and disadvantages of pursuing a state license, permit or registration process for scrap metal dealers. It directs the Secretary of State to submit a report on the study and any recommended legislation to the Joint Standing Committee on Labor, Commerce, Research and Economic Development by January 30, 2014. The resolve also authorizes the committee to submit a bill to the Second Regular Session of the 126th Legislature related to the subject matter of the report.

LD 831	An Act To Prohibit Mandatory Membership in a Union or Payment of Agency Fees as a Condition of Employment	ACCEPTED MAJORITY (ONTP) REPORT
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LOCKMAN THOMAS	ONTP OTP-AM	

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.

Committee Amendment "A" (H-94)

This amendment, which is the minority report of the committee, excludes public employers from the definition of "employer" in the bill, thereby applying the provisions of the bill only to private sector employers. Additionally, this amendment changes the criminal penalty to a civil violation. This amendment was not adopted.

LD 853	Resolve, Requiring the Department of Labor To Establish a Fund To Assist Unemployed Individuals Lacking Transportation to Job Interviews	ONTP
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAVERS PATRICK	ONTP	

This bill requires the Department of Labor to establish a fund to provide funding to the department's career centers to assist unemployed individuals with costs associated with transportation to job interviews, including automotive repair costs.

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LD 865 An Act Regarding Contract Indemnification

**ACCEPTED
MAJORITY
(ONTP) REPORT**

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

This bill prohibits certain indemnification agreements by which a contracting party indemnifies itself from its own negligence or willful misconduct.

Committee Amendment "A" (S-125)

This amendment is the minority report of the committee. It changes the provision in the bill prohibiting certain indemnification agreements by which a contracting party indemnifies itself from liability for damages for death or bodily injury or injury to property or losses arising from its own negligence or willful misconduct to remove a reference to a surety's insurer and also language that includes design defects in the prohibition. It also adds an application section.

LD 867 An Act To Streamline, Amend and Clarify Certain Professional and Occupational Licensing Statutes

PUBLIC 217

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PATRICK MASON A	OTP-AM	S-115

This bill makes changes to the laws governing licensure of certain professions and occupations.

Part A provides that a letter of guidance issued by the Department of Professional and Financial Regulation, Office of Professional and Occupational Regulation or a licensing board or commission is appropriate only when a complaint is dismissed and the licensing entity feels that additional education or guidance is necessary. In addition, the proposal clarifies that a member of a professional or occupational licensing board serves until a successor is qualified.

Part B changes the membership of the Manufactured Housing Board by eliminating the board position reserved for the owner or operator of a mobile home park with 15 or fewer lots and adding a position designated for a manufactured housing dealer and deletes a requirement that a nonresident licensee designate the executive director of the board as an agent for service of process.

Part C clarifies that licenses for architects and landscape architects may be issued only to individuals, not to business entities. Part C also repeals the requirement that licensees must submit an impression of their seals to the licensing board.

Part D reduces the number of public members of the State Board of Funeral Service from 3 to 2.

Part E extends the exemption from licensure for graduate-level physical therapy applicants until 60 days after publication of required examination results. Part E also eliminates the requirement that applicants who fail the required examination obtain additional education and receive approval from the Board of Examiners in Physical Therapy to retake the exam after 3 failed attempts.

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Part F changes the membership of the Plumbers' Examining Board by eliminating one journeyman position and adding an additional master plumber position.

Part G requires that an applicant licensed in another state who applies for a substantially equivalent license in Maine from the Board of Counseling Professionals Licensure need not have actively practiced but need only have held a valid license in the original jurisdiction for 5 years before applying for licensure in Maine.

Part H removes references in the enabling statute of the Board of Real Estate Appraisers to the term "state of domicile" in sections setting forth pathways to licensure for licensees of other jurisdictions and replaces the term with "another jurisdiction" for greater accuracy.

Part I amends the definition of "solid fuel" to include pellets in the law concerning the Maine Fuel Board.

Part J repeals provisions requiring the submission of references regarding the reputation of an applicant for a license as an auctioneer; an occupational therapist; a social worker; a real estate broker, associate broker, sales agent or timeshare agent; a counseling professional; or a real estate appraiser.

Part K repeals provisions requiring the designation of the licensing official as an agent for service of process for a nonresident licensed as an auctioneer; an accountant; a real estate broker or brokerage, associate broker, sales agent or timeshare agent; a counseling professional; a real estate appraiser; or a transient seller.

Committee Amendment "A" (S-115)

This amendment repeals a provision relating to service of process on nonresidents in the laws governing the Board of Counseling Professionals Licensure and repeals a cross-reference to informal conferences in the statutes of the Board of Licensure of Podiatric Medicine, in order to conform those statutes to the repeal in Public Law 2011, chapter 286 of all other references to informal conferences in the laws governing the Office of Professional and Occupational Regulation. The amendment adds an appropriations and allocations section to the bill.

Enacted Law Summary

Public Law 2013, chapter 217 makes changes to the laws governing licensure of certain professions and occupations.

Part A provides that a letter of guidance issued by the Department of Professional and Financial Regulation, Office of Professional and Occupational Regulation or a licensing board or commission is appropriate only when a complaint is dismissed and the licensing entity feels that additional education or guidance is necessary. It also clarifies that a member of a professional or occupational licensing board serves until a successor is qualified.

Part B changes the membership of the Manufactured Housing Board by eliminating the board position reserved for the owner or operator of a mobile home park with 15 or fewer lots and adding a position designated for a manufactured housing dealer and deletes a requirement that a nonresident licensee designate the executive director of the board as an agent for service of process.

Part C clarifies that licenses for architects and landscape architects may be issued only to individuals, not to business entities. Part C also repeals the requirement that licensees must submit an impression of their seals to the licensing board.

Part D reduces the number of public members of the State Board of Funeral Service from 3 to 2.

Part E extends the exemption from licensure for graduate-level physical therapy applicants until 60 days after publication of required examination results. Part E also eliminates the requirement that applicants who fail the required examination obtain additional education and receive approval from the Board of Examiners in Physical Therapy to retake the exam after 3 failed attempts.

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Part F changes the membership of the Plumbers' Examining Board by eliminating one journeyman position and adding an additional master plumber position.

Part G requires that an applicant licensed in another state who applies for a substantially equivalent license in Maine from the Board of Counseling Professionals Licensure need not have actively practiced but need only have held a valid license in the original jurisdiction for 5 years before applying for licensure in Maine.

Part H removes references in the enabling statute of the Board of Real Estate Appraisers to the term "state of domicile" in sections setting forth pathways to licensure for licensees of other jurisdictions and replaces the term with "another jurisdiction" for greater accuracy.

Part I amends the definition of "solid fuel" to include pellets in the law concerning the Maine Fuel Board.

Part J repeals provisions requiring the submission of references regarding the reputation of an applicant for a license as an auctioneer; an occupational therapist; a social worker; a real estate broker, associate broker, sales agent or timeshare agent; a counseling professional; or a real estate appraiser.

Part K repeals provisions requiring the designation of the licensing official as an agent for service of process for a nonresident licensed as an auctioneer; an accountant; a real estate broker or brokerage, associate broker, sales agent or timeshare agent; a counseling professional; a real estate appraiser; or a transient seller.

LD 890 An Act To Buy American-made Products

**VETO
SUSTAINED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T GILBERT	OTP-AM OTP-AM	S-303 H-557 HERBIG S-344 HILL

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to provide a preference in state purchasing for American-made products.

Committee Amendment "A" (S-303)

This amendment, which is the majority report of the committee, establishes the Maine Buy America Act and requires that all contracts for the construction, reconstruction, alteration, repair, improvement or maintenance of a public building or public work made by a state agency, board, commission or institution contain a provision that the manufactured goods, including iron and steel, used or supplied in the performance of the contract or any subcontract under the contract must be manufactured in the United States. This requirement does not apply to municipalities or school administrative units. This amendment requires that, in the case of a manufactured good other than an iron or steel product, all of the manufacturing processes take place in the United States and the origin of the manufactured good's components or subcomponents meet a minimum level of domestic content as established by rule.

Under the amendment, a public agency may apply to the Governor or the Governor's designee for a waiver of the requirement if the executive head of the public agency finds that the application of the requirement would be inconsistent with the public interest, that the necessary manufactured goods are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality or that inclusion of manufactured goods made in the United States will increase the cost of the overall project contract by an unreasonable amount. The Department of Administrative and Financial Services must develop rules regarding the Act, including rules to guide the waiver process and the process for public review and comment regarding requests for a waiver.

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The amendment requires that if the Department of Administrative and Financial Services has reason to believe that any person, business or other entity has intentionally made fraudulent representations about the domestic content of a manufactured good or has intentionally violated any provision of the legislation, the department must, after a hearing, debar that person, business or other entity from contracts or subcontracts with the State for 2 years.

The amendment provides that the provisions of this legislation will be applied only if they are consistent with the State's obligations under any applicable international agreements pertaining to government procurement. The amendment also adds an appropriations and allocations section.

Committee Amendment "B" (S-304)

This amendment, which is the minority report of the committee, mirrors the majority report establishing the Maine Buy America Act except that it eliminates any requirements regarding the domestic content of a manufactured good's components or subcomponents. This amendment was not adopted.

House Amendment "A" To Committee Amendment "A" (H-557)

This amendment exempts counties from the definition of public agencies that are governed by the legislation.

Senate Amendment "A" To Committee Amendment "A" (S-344)

This amendment changes the effective date from June 1, 2014 to September 1, 2014. It also replaces the appropriations and allocations section to provide funding for one part-time position within the Department of Administrative and Financial Services to comply with the Maine Buy America Act.

LD 914 An Act To Certify Nuclear Medicine Technologists in Computed Tomography ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KINNEY COLLINS	ONTP	

This bill amends the laws governing nuclear medicine technologists to create a computed tomography certification for nuclear medicine technologists that:

1. Hold a current license to practice as a nuclear medicine technologist; and
2. Have successfully passed the certification examination in computed tomography from the American Registry of Radiologic Technologists, as determined by the Radiologic Technology Board of Examiners.

The bill authorizes a certified nuclear medicine technologist to perform specific duties related to computed tomography that are in accordance with national guidelines and rules approved by the board.

LD 933 An Act To Establish a Separate Regulatory Board for Dental Hygienists CARRIED OVER

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

This bill establishes the State Board of Dental Hygienists.

Committee Amendment "A" (H-452)

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This amendment makes the following changes to the bill.

1. It changes the name of the State Board of Dental Hygienists to the State Board of Dental Hygiene.
2. It establishes the State Board of Dental Hygiene as an affiliated board with the Department of Professional and Financial Regulation that shares resources with the Board of Dental Examiners.
3. It adds provisions that explain that the administrative expenses for staff and infrastructure of the Board of Dental Examiners must be shared on a pro rata basis with the State Board of Dental Hygiene and provides that the State Board of Dental Hygiene is required to charge sufficient licensure fees to finance the pro rata sharing of costs.
4. It removes all references in the bill that add an executive and assistant executive director and a secretary to the board and removes other technical provisions relating to the board's powers and duties that are not necessary to the board's primary responsibilities.
5. It removes provisions in the bill that establish dental hygienist adjudicatory panels.
6. It amends provisions in the bill relating to appointments to the board of public health hygienists and independent practice dental hygienists to ensure the qualifications for appointment accurately reflect the current statutory licensure requirements. It also adds the requirement that one dental hygienist on the board be an active instructor in an approved educational program in dental hygiene.
7. It establishes that any fees set by the board may not exceed \$250.
8. It removes provisions that require an in-person interview for applicants who had completed the North East Regional Board of Dental Examiners, Inc. dental hygiene examination more than one year prior to application for licensure and for applicants seeking licensure by endorsement.
9. It adds 2 unallocated transition provisions to provide that the rules of the Board of Dental Examiners applicable to dental hygienists that are in effect on the effective date of this legislation remain in effect until amended or repealed by the State Board of Dental Hygiene and establishes staggered terms for initial appointments to that board.
10. It adds an appropriations and allocations section.

This bill was committed to the Joint Standing Committee on Appropriations and Financial Affairs and carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 934 An Act To Amend the Laws on Extended Warranties for Used Cars To PUBLIC 292
Make Terms of Coverage Transparent

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WILSON	OTP-AM	H-320

This bill makes changes to the laws governing extended warranties for used cars to require that dealers disclose in the written statement the date on which the extended warranty begins and terminates, and that this information be either handwritten or printed on the statement by the dealer.

Committee Amendment "A" (H-320)

This amendment changes the provision in the bill that requires that a written statement on an additional warranty

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include the dates on which the warranty begins and terminates and the mileage at which the warranty will terminate to provide that the statement must include the date on which the warranty begins and the date on which or the number of days or mileage at which the warranty will terminate. It also adds an effective date of July 1, 2014.

Enacted Law Summary

Public Law 2013, chapter 292 changes the laws governing extended warranties for used cars to require that dealers disclose in the written statement to consumers the date on which the warranty begins and the date on which, or the number of days or mileage at which the warranty will terminate. The law has an effective date of July 1, 2014.

LD 949 An Act To Ensure the Proportional Offset against Retirement Benefits of Workers' Compensation Awards PUBLIC 152

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOHNSON C GILBERT	OTP	S-46 PATRICK

Current law allows workers' compensation awards to be offset by the full after-tax amount of a pension or retirement benefit received by an injured employee, for those employees that did not contribute directly to the pension or retirement plan or program. For employees that did contribute to their pension or retirement plan or program, their workers' compensation awards are offset only by the proportional amount that the employer contributed to their plan.

This bill would allow for the same proportional offset of pension and retirement benefits, based on the employer's contributions to the pension or retirement program, to apply to workers' compensation awards regardless of whether or not the employee had contributed directly to the pension or retirement plan or program.

Senate Amendment "A" (S-46)

This amendment clarifies the offset of an employer's obligation to pay workers' compensation benefits.

Enacted Law Summary

Public Law 2013, chapter 152 allows for the offset of workers' compensation awards by the full after-tax amount of a pension or retirement benefit received by an injured employee to be based on the proportion of the employer's contributions to that employee's pension or retirement program, regardless of whether or not the employee had contributed directly to the pension or retirement plan or program.

LD 952 An Act To Ensure Increased Wages for Wabanaki Tribal Members ACCEPTED MAJORITY (ONTP) REPORT

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAR	ONTP OTP	

This bill raises the state minimum wage to \$10.00 per hour for members of the Houlton Band of Maliseet Indians, Passamaquoddy Tribe, Penobscot Nation and Aroostook Band of Micmacs.

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LD 976 An Act To Reform Employer-provided Benefits

**ACCEPTED
MAJORITY
(ONTP) REPORT**

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

This bill prohibits an employer from giving an employee remuneration in lieu of an offered benefit when by virtue of refusing that benefit the employee is eligible for and receives a publicly funded benefit, such as health insurance. The penalty for noncompliance is a civil violation for which a fine from \$500 to \$1,000 may be adjudged and appropriate equitable relief sought.

Committee Amendment "A" (H-328)

This amendment, which is the minority report of the committee, adds a requirement that the employer maintain a record of which insurance plan the employee joins in place of the employer's offered insurance plan. The amendment also clarifies that only an employer that knowingly violates the law is subject to a penalty. This amendment also adds an appropriations and allocations section to the bill. This amendment was not adopted.

LD 977 An Act To Restore Uniformity to the Maine Uniform Building and Energy Code

**DIED BETWEEN
HOUSES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRAHAM JOHNSON C	OTP-AM OTP-AM ONTP	

Current law requires the Maine Uniform Building and Energy Code to be enforced in a municipality that has more than 4,000 residents; a municipality with 4,000 or fewer residents that has not adopted a building code is exempt. This bill requires the Maine Uniform Building and Energy Code to be enforced in all municipalities with more than 2,000 residents, beginning July 1, 2014. A municipality with 2,000 or fewer residents is exempt, but, if a building code is adopted in such a municipality, it must be the Maine Uniform Building and Energy Code.

Committee Amendment "A" (H-555)

This amendment is the majority report of the committee. This amendment provides that the Maine Uniform Building and Energy Code applies statewide and is the only building code that may be adopted or enforced in this State. As in the bill, a municipality of 2,000 or fewer residents is exempt from adopting or enforcing the Maine Uniform Building and Energy Code, but if such a municipality adopts a building code, it must be the Maine Uniform Building and Energy Code. This amendment repeals the current law that defines a separate uniform building code and uniform energy code and removes references to those separate codes.

Committee Amendment "B" (H-556)

This amendment is the minority report of the committee. This amendment provides that the Maine Uniform Building and Energy Code applies statewide and is the only building code that may be adopted or enforced in this State. As in the bill, a municipality of 2,000 or fewer residents is exempt from adopting or enforcing the Maine Uniform Building and Energy Code, but if such a municipality adopts a building code, it must be the Maine Uniform Building and Energy Code. This amendment allows a municipality to avoid enforcing the Maine Uniform Building and Energy Code if it doesn't employ a building official or if it votes to not enforce the code due to a lack

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of financial resources, unless the State provides sufficient funding to allow the municipality to provide for enforcement. This amendment repeals the current law that defines a separate uniform building code and uniform energy code and removes references to those separate codes.

**LD 992 An Act To Create a State-sponsored 401(k) Retirement Plan for ONTP
Participation by Private Employers**

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

This bill directs the Finance Authority of Maine to establish a qualified defined contribution retirement investment plan eligible for favorable tax treatment under Section 401(k) of the United States Internal Revenue Code to be made available to employers who wish to offer the plan as a retirement investment option to their employees.

**LD 993 Resolve, To Amend Maine Board of Pharmacy Rules Regarding ONTP
Automated Pharmacy Systems in Hospitals**

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

In 2012, the Department of Professional and Financial Regulation, Maine Board of Pharmacy adopted a new rule governing the use of automated pharmacy systems in both retail establishments and institutional pharmacies. This resolve removes hospital pharmacies from the purview of this rule.

LD 1017 An Act Relating to Employee Leasing Company Registration PUBLIC 257

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK	OTP-AM	H-382

This bill transfers registration of employee leasing companies from the Department of Professional and Financial Regulation, Bureau of Insurance to the Bureau of Consumer Credit Protection. Current rule-making authority regarding workers' compensation insurance issued to employee leasing companies is retained by the Superintendent of Insurance. The bill amends the law to direct complaints of client companies with respect to employee leasing companies to the Bureau of Consumer Credit Protection.

Committee Amendment "A" (H-382)

This amendment provides rule-making authority to the Superintendent of Consumer Credit Protection for the purpose of administration of the provisions of law regarding employee leasing companies and specifies that rules regarding the ability of the Bureau of Consumer Credit Protection to receive and respond to complaints may be adopted; these rules are designated as routine technical rules.

Enacted Law Summary

Public Law 2013, chapter 257 transfers registration of employee leasing companies from the Department of Professional and Financial Regulation, Bureau of Insurance to the Bureau of Consumer Credit Protection. It amends the law to direct complaints of client companies with respect to employee leasing companies to the Bureau of Consumer Credit Protection. It also provides rule-making authority to the Superintendent of Consumer Credit Protection for the purpose of administration of the provisions of law regarding employee leasing companies and

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specifies that rules regarding the ability of the Bureau of Consumer Credit Protection to receive and respond to complaints may be adopted; these rules are designated as routine technical rules. Current rule-making authority regarding workers' compensation insurance issued to employee leasing companies is retained by the Superintendent of Insurance.

LD 1033 An Act To Help the Unemployed Find Work **ACCEPTED
MAJORITY
(ONTP) REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PARRY CUSHING	ONTP OTP	

This bill creates a requirement that in order for an individual to maintain eligibility for unemployment benefits after receiving 13 times the individual's weekly benefit amount in a benefit year, the individual must register for temporary employment through a temporary employment agency. This bill also provides that a new claim for unemployment benefits for a claimant who has stopped filing for benefits and then begins again within the same benefit year is effective for both the week in which the claimant files and the prior week.

LD 1035 An Act To Report Certain Information in Response to Growing Financial Inequality **ONTP**

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

This bill requires every employer who employs more than 25 employees to report to the Department of Labor the ratio of the financial compensation of the highest paid employee to the lowest paid employee employed by that employer.

LD 1041 An Act To Modify the Mandatory Enforcement of the Maine Uniform Building and Energy Code for a Municipality without a Building Code **ONTP**

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

This bill allows a municipality of more than 4,000 residents that has not adopted a building code by August 1, 2008 and that, by a vote of the residents of that municipality, has expressly rejected the application or enforcement of the Maine Uniform Building and Energy Code to be exempt from the Maine Uniform Building and Energy Code. If that municipality does adopt a building code, however, it must be the Maine Uniform Building and Energy Code.

LD 1069 An Act To Provide Flexibility in the State Prevailing Wage and Benefit Rates **VETO
SUSTAINED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DECHANT PATRICK	OTP-AM ONTP	H-131 H-252 DECHANT

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This bill allows flexibility in the minimum hourly wage and benefit rates for workers employed in the construction of public works by the State or persons contracting with the State by allowing any allocation between hourly wage and benefit rates, as long as the sum of the hourly wage and benefit rates equals the sum of the appropriate hourly wage and benefit rates determined by the Department of Labor, Bureau of Labor Standards.

Committee Amendment "A" (H-131)

This amendment, which is the majority report of the committee, adds an effective date to the bill of June 1, 2014.

House Amendment "A" To Committee Amendment "A" (H-252)

This amendment replaces the language in the bill. It allows flexibility in the minimum wage and benefit rates, but only if the fair minimum wage for a trade is at or above the mean value of all wages in the same wage and benefit determination, and only if a transfer from the fair minimum wage to the fair minimum benefit rate does not exceed 15% of the fair minimum wage amount for that trade in the minimum wage and benefit determination.

LD 1070	Resolve, Directing the Department of Professional and Financial Regulation To Conduct a Sunrise Review Regarding the Proposal To License Certain Mechanical Trades	ACCEPTED MAJORITY (ONTP) REPORT
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DECHANT PATRICK	ONTP OTP	

This resolve requires the Commissioner of Professional and Financial Regulation to conduct an independent assessment pursuant to the sunrise review requirements in the Maine Revised Statutes of the proposal to license certain mechanical trades.

LD 1071	An Act Regarding Qualifications for Real Estate Licensees	ONTP
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK CUSHING	ONTP	

This bill changes the composition of the Maine Real Estate Commission by removing one public member and adding one member representing the real estate education field. The bill eliminates the real estate agent license and instead requires an applicant qualifying for a real estate broker license or an associate real estate broker license to successfully pass a written examination. The bill increases the number of years a real estate broker applicant must have been licensed as an associate broker affiliated with a real estate brokerage agency within the 5 years immediately preceding the date of application, from 2 years to 4 years. The bill also removes the authority of the Real Estate Commission to adopt rules determining whether educational programs meet license qualifications required by the real estate brokerage licensing laws.

LD 1072	An Act To Provide Accountability in the Handling of Affordable Housing Tenants' Security Deposits	ONTP
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHIPMAN	ONTP	

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This bill requires the Maine State Housing Authority to establish a process for the authority and municipal housing authorities to use to verify the condition of dwelling units rented to low-income tenants in order to provide documentation for the proper retention or return of security deposits.

LD 1087 An Act Concerning Workers' Compensation and Short-term Disability Insurance in Maine ONTP

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

This bill provides that an injured worker is eligible for workers' compensation benefits for a work-related injury regardless of whether the injury is of a cumulative or gradual nature. The bill also prohibits an insurer that issues group short-term disability insurance on or after January 1, 2014 from refusing to provide coverage on the basis of a preexisting condition or from imposing any exclusion of coverage based on a preexisting condition.

LD 1103 An Act To Encourage Development in the Logging Industry VETO SUSTAINED

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T STANLEY	OTP-AM ONTP	S-249 S-348 HILL

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to encourage development in the logging industry by enacting a variety of measures, which may include:

1. Changes to the Maine Tree Growth Tax Law; and
2. Changes to certain labor laws, including requiring a landowner to notify the Department of Agriculture, Conservation and Forestry, Division of Forestry if forest land is harvested using bonded labor under the federal H2 bonded labor program under 20 Code of Federal Regulations, Section 655.200 et seq.

This proposal might provide that, if a landowner or a harvester employed by or under contract to the landowner uses bonded labor under the federal H2 bonded labor program or the landowner fails to provide the required notification, the land would be suspended from the Maine Tree Growth Tax Law for the year in which bonded labor is used and a penalty would be assessed under the commercial forestry excise tax to compensate the State for the General Fund contribution to the cost of forest fire protection activities.

Committee Amendment "A" (S-249)

This amendment, which is the majority report of the committee, requires a landowner to notify the Department of Agriculture, Conservation and Forestry, Division of Forestry if forest land is harvested using bonded labor under the federal H2 bonded labor program. If a landowner or a harvester employed by or under contract to the landowner uses bonded labor under the federal H2 bonded labor program or the landowner fails to provide the required notification, the land must be suspended from the Maine Tree Growth Tax Law for the year in which bonded labor is used and a penalty must be assessed under the commercial forestry excise tax to compensate the State for the General Fund contribution to the cost of forest fire protection activities.

Senate Amendment "A" To Committee Amendment "A" (S-348)

This amendment adds a mandate preamble.

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LD 1108 An Act To Modify the Qualifications for a Person To Be Able To Teach ONTP
Driver's Education

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GIFFORD COLLINS	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. It proposes to amend the laws governing the qualifications required for a person to teach driver's education.

LD 1134 An Act To Allow Collaborative Practice Agreements between PUBLIC 308
Authorized Practitioners and Pharmacists

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUSHING MALABY	OTP-AM	S-161

This bill authorizes licensed, qualified pharmacists in the State to engage in collaborative drug therapy management pursuant to a collaborative practice agreement with an authorized practitioner.

Committee Amendment "A" (S-161)

This amendment makes the following changes to the bill.

1. It amends the definition of "collaborative drug therapy management" to require authorization by a practitioner in accordance with the collaborative practice agreement.
2. It amends the scope of authority for pharmacists engaging in collaborative drug therapy management by clarifying that the agreement must be with a practitioner who is treating the patient and that all actions must be reported to the practitioner in a timely manner according to rules jointly adopted by the Maine Board of Pharmacy and the Board of Licensure in Medicine.
3. It requires a pharmacist to submit a copy of the collaborative practice agreement to the Maine Board of Pharmacy and the board that licenses the practitioner.
4. It requires that a collaborative practice agreement include a provision that states that activity in the initial 3 months of all collaborative practice agreements is limited to monitoring drug therapy. After the initial 3 months, the practitioner and pharmacist are required to meet to review the agreement and determine its scope, which may after the initial 3-month period include a pharmacist's initiating, monitoring, modifying and discontinuing a patient's drug therapy and reporting to the practitioner in a timely manner as determined by rule.
5. It requires the Maine Board of Pharmacy and the Board of Licensure in Medicine to jointly adopt rules to implement the subchapter on collaborative drug therapy management enacted by the bill.
6. It adds an exemption to clarify that the subchapter on collaborative drug therapy management enacted by the bill does not limit the scope of practice of a pharmacist under the Maine Pharmacy Act or prohibit a pharmacist that is employed by a hospital from participating in a collaborative practice agreement with the hospital solely for treatment of inpatients.

Enacted Law Summary

Public Law 2013, chapter 308 authorizes licensed, qualified pharmacists in the State to engage in collaborative drug

therapy management pursuant to a collaborative practice agreement with an authorized practitioner. It provides that the collaborative practice agreement must be with a practitioner who is treating the patient and that all actions must be reported to the practitioner in a timely manner according to rules jointly adopted by the Maine Board of Pharmacy and the Board of Licensure in Medicine. The law also requires a pharmacist to submit a copy of the collaborative practice agreement to the board and the board that licenses the practitioner. Further, it requires that a collaborative practice agreement must include a provision that states that activity in the initial 3 months is limited to monitoring drug therapy. After the initial 3 months, the practitioner and pharmacist are required to meet to review the agreement and determine its scope, which may after the initial 3-month period include a pharmacist's initiating, monitoring, modifying and discontinuing a patient's drug therapy and reporting to the practitioner in a timely manner as determined by rule. The law requires the Board of Pharmacy and the Board of Licensure in Medicine to jointly adopt rules to implement the subchapter on collaborative drug therapy management. Finally, the law includes a provision to clarify that the subchapter on collaborative drug therapy management does not limit the scope of practice of a pharmacist under the Maine Pharmacy Act or prohibit a pharmacist that is employed by a hospital from participating in a collaborative practice agreement with the hospital solely for treatment of inpatients.

**LD 1137 An Act To Facilitate Veterans' and Their Spouses' Access to
Employment, Education and Training**

PUBLIC 311

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRAHAM CAIN	OTP-AM	H-321

This bill requires each board, commission and agency under the oversight of or affiliated with the Department of Professional and Financial Regulation to adopt a process to facilitate qualified returning military veterans and qualified spouses of returning military veterans or of active duty service members to qualify for professional licenses granted by those boards, commissions or agencies in an expeditious manner. The bill also provides that nonresident students receiving certain federal assistance with education costs for veterans must be considered eligible for in-state tuition for purposes of the state waiver.

Committee Amendment "A" (H-321)

This amendment removes the rule-making requirements in the bill for the Department of Professional and Financial Regulation and requires the Director of the Office of Professional and Occupational Regulation and each licensing board within or affiliated with the Department of Professional and Financial Regulation to, upon presentation of satisfactory evidence by an applicant for professional or occupational licensure, accept education, training or service completed by the applicant as a member of the Armed Forces of the United States or Reserves of the United States, the national guard of any state, the military reserves of any state or the naval militia of any state toward the qualifications to receive the license. It also amends the provisions in the bill governing acceptance of military credentials to permit a returning military veteran whose military training qualifies the veteran for a license in a profession or occupation that requires a license in this State to acquire a temporary license until a license is issued and permits the board, commission, office or agency to allow for a full or partial exemption from continuing education requirements for a returning military veteran or the spouse of a returning military veteran or of an active duty service member. It clarifies that a returning military veteran must have been honorably discharged from active duty. The amendment removes the 12-month time frame for a person who has been discharged from active duty to be considered a returning military veteran.

Enacted Law Summary

Public Law 2013, chapter 311 requires each board, commission and agency under the oversight of or affiliated with the Department of Professional and Financial Regulation to adopt a process to facilitate qualified returning military veterans and qualified spouses of returning military veterans or of active duty service members to qualify for professional licenses granted by those boards, commissions or agencies in an expeditious manner. The law requires the Director of the Office of Professional and Occupational Regulation and each licensing board within or affiliated

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with the Department of Professional and Financial Regulation to, upon presentation of satisfactory evidence by an applicant for professional or occupational licensure, accept education, training or service completed by the applicant as a member of the Armed Forces of the United States or Reserves of the United States, the national guard of any state, the military reserves of any state or the naval militia of any state toward the qualifications to receive the license. In addition, the law permits a returning military veteran whose military training qualifies the veteran for a license in a profession or occupation that requires a license in this State to acquire a temporary license until a license is issued and permits the board, commission, office or agency to allow for a full or partial exemption from continuing education requirements for a returning military veteran or the spouse of a returning military veteran or of an active duty service member. The law further provides that nonresident student veterans receiving certain federal assistance with education costs must be considered eligible for in-state tuition for purposes of the state waiver.

LD 1149 An Act To Establish a Rebuttable Presumption Regarding a Corrections Employee That Contracts Hypertension or Cardiovascular Disease ONTP

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

This bill establishes a rebuttable presumption that if a corrections employee contracts hypertension or cardiovascular disease, the disease arises out of and in the course of employment for workers' compensation purposes.

The bill also establishes a similar rebuttable presumption for the purposes of determining eligibility for disability retirement benefits in the Maine Public Employees Retirement System.

LD 1150 An Act To Continue Certain Position Distributions in the Department of Labor and to Amend the Competitive Skills Scholarship Program PUBLIC 422 EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DECHANT	OTP-AM ONTP	H-418 S-351 HILL

This bill amends the laws requiring the payment of prevailing wages in public works contracts to remove the exemption under those laws for contracts in amounts less than \$50,000.

Committee Amendment "A" (H-418)

This amendment, which is the majority report of the committee, extends the bill's requirement for the payment of the prevailing hourly rate of wages and benefits for all public works contracts to include public works funded by a municipality or school district when the State has transferred any amount of funding to the municipality or school district for those purposes. The amendment also changes the bill by retaining the exemption in current law for contracts under \$50,000. The amendment also adds an appropriations and allocations section to the bill.

Senate Amendment "A" To Committee Amendment "A" (S-351)

This amendment adds an emergency clause and replaces the title and all of the provisions of Committee Amendment "A," with provisions that amend the Competitive Skills Scholarship Program by:

1. Limiting the amount of revenue deposited in the Competitive Skills Scholarship Fund that may be used for administrative costs and career counseling; and
2. Requiring the Department of Labor to enroll participants in the so-called supplemental nutrition assistance program in the Competitive Skills Scholarship Program as long as those participants meet the eligibility

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requirements of the program and are referred to the program pursuant to a memorandum of agreement between the State and the Department of Health and Human Services. The Department of Labor is prohibited from using federal funds to supplant state funds to provide services under the program.

Enacted Law Summary

Public Law 2013, chapter 422 amends the Competitive Skills Scholarship Program by:

1. Limiting the amount of revenue deposited in the Competitive Skills Scholarship Fund that may be used for administrative costs and career counseling; and
2. Requiring the Department of Labor to enroll participants in the so-called supplemental nutrition assistance program in the Competitive Skills Scholarship Program as long as those participants meet the eligibility requirements of the program and are referred to the program pursuant to a memorandum of agreement between the State and the Department of Health and Human Services. The Department of Labor is prohibited from using federal funds to supplant state funds to provide services under the program.

Public Law 2013, chapter 422 was enacted as an emergency measure effective July 16, 2013.

LD 1151 An Act Regarding the Administration and Financial Transparency of the Citizen Trade Policy Commission

**PUBLIC 427
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAKER SHERMAN	OTP-AM	H-105 H-110 HERBIG S-367 HILL

This bill modifies the law governing the Citizen Trade Policy Commission to provide that:

1. To the extent funding permits, the Legislature, through the commission, must contract for year-round staff support for the commission. To the extent the commission lacks adequate staff support, the commission may request staff support from the Legislative Council, except that Legislative Council staff support is not authorized when the Legislature is in regular or special session; and
2. All funds appropriated, allocated or otherwise provided to the commission must be separately accounted for and used solely for the purposes of the commission and are nonlapsing. At the beginning of each fiscal year, and at any other time at the request of the cochairs of the commission, the Executive Director of the Legislative Council must provide to the commission an accounting of all funds available to the commission, including funds for staff support.

The bill is designated an emergency to ensure that the limited funding available to the commission does not lapse at the end of the current fiscal year.

Committee Amendment "A" (H-105)

This amendment adds an appropriations and allocations section and transfers funds into the newly created, separate Citizen Trade Policy Commission program.

House Amendment "A" (H-110)

This amendment requires any unexpended funds of the Citizen Trade Policy Commission remaining at the end of fiscal year 2012-13 to be transferred into the separate account created in the bill.

Senate Amendment "A" To Committee Amendment "A" (S-367)

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This amendment provides an additional \$1,500 annually in funding to the Citizen Trade Policy Commission.

Enacted Law Summary

Public Law 2013, chapter 427 modifies the law governing the Citizen Trade Policy Commission to provide that:

1. To the extent funding permits, the Legislature, through the commission, must contract for year-round staff support for the commission. To the extent the commission lacks adequate staff support, the commission may request staff support from the Legislative Council, except that Legislative Council staff support is not authorized when the Legislature is in regular or special session;
2. All funds appropriated, allocated or otherwise provided to the commission must be separately accounted for and used solely for the purposes of the commission and are nonlapsing. At the beginning of each fiscal year, and at any other time at the request of the cochairs of the commission, the Executive Director of the Legislative Council must provide to the commission an accounting of all funds available to the commission, including funds for staff support;
3. Any unexpended funds of the Citizen Trade Policy Commission remaining at the end of fiscal year 2012-13 must be transferred into the separate account created in the bill; and
4. An additional \$1,500 in annual funding is provided to the Citizen Trade Policy Commission.

Public Law 2013, chapter 427 was enacted as an emergency measure effective July 7, 2013.

LD 1154 An Act To Establish the Maine Length of Service Award Program

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAKER DUTREMBLE	OTP-AM	

This bill establishes the framework for a statewide pension-type program under which "bona fide volunteers" as defined in the United States Internal Revenue Code are paid length of service awards for performing qualified services. "Qualified services" is defined under the United States Internal Revenue Code, Section 457(e)(11) to mean "fire fighting and prevention services, emergency medical services, and ambulance services." Under the program, volunteers have a program account that would be credited with an annual contribution deposited no later than the following July 1st for each year during which the volunteer participated in a minimum required level of volunteer activities set forth by the Maine Length of Service Award Program Board of Trustees. Upon the attainment of 60 years of age or after having earned 20 years of service credit before 60 years of age, a volunteer who had attained a vested status in the program by having earned 5 years of service credit would be paid the contributions credited to that volunteer's program account plus the net investment income earned on those contributions. The vested portion of the program account award of a participating volunteer must be paid before 60 years of age after the volunteer ceases to perform qualified services for 36 consecutive months. The program account balance of a participating volunteer is also payable before 60 years of age upon death or total and permanent disablement.

This bill authorizes the State, political subdivisions and emergency services providers within the State as well as emergency services volunteers to participate in the funding of this program. Participation in the program funding is optional for any prospective contributor, and the amount contributed may vary from year to year by a contributor based on available funds. If federal funds become available for the program, the program must accept those funds as well.

This bill raises the sales tax on consumer fireworks from 5% to 10% and dedicates the revenue from the increase to the program.

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Under this bill, the Maine Length of Service Award Program Board of Trustees contracts with private sector firms to provide administration and investment services for the program.

Until the United States Internal Revenue Code is amended to provide that programs under which length of service awards are paid to emergency services volunteers may be treated as United States Internal Revenue Code, Section 457 plans of deferred compensation, the program in this bill must comply with the current applicable sections of the Internal Revenue Code.

Committee Amendment "A" (H-501)

This amendment eliminates the 10% sales tax on consumer fireworks proposed in the bill. Instead, the program established in the bill will receive dedicated funding from the State equivalent to 50% of the revenue received from the 5% general sales tax currently imposed on the sale of consumer fireworks, but the amendment limits this funding to 2 years.

This amendment also adds an appropriations and allocations section to the bill. This amendment was not adopted.

This bill was recommitted to the Labor, Commerce, Research and Economic Development Committee and carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1156 An Act To Update a Reference Contained in the Maine Uniform Building and Energy Code ONTP

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

Current law requires the Department of Public Safety, Office of the State Fire Marshal, Technical Building Codes and Standards Board to adopt, maintain and amend the Maine Uniform Building and Energy Code, using building codes published by the International Code Council or Building Officials and Code Administrators International, Inc., or the Maine Model Building Code or the International Existing Building Code. This bill requires the board to use the most up-to-date version of the International Energy Conservation Code in adopting standards for residential basement wall insulation.

LD 1157 An Act To Establish the Fair Chance for Employment Act CARRIED OVER

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

This bill establishes the Fair Chance for Employment Act and does the following.

1. It prohibits employers from refusing to consider for employment or offer employment to an individual based on the individual's status as employed or unemployed. Employers are also prohibited from advertising that current employment status is a qualification or requirement for a job or that the employer will not consider an applicant based on current employment status. Employers are prohibited from directing an employment agency to take current employment status into consideration when screening or referring applicants.
2. It prohibits employment agencies from failing to consider or refer applicants based on employment status,

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advertising that employment status is a qualification or requirement for a job or that an employer will not consider applicants based on current employment status or discriminating against individuals in any manner that may limit their access to information about jobs or limit the individuals' number of referrals for consideration of jobs because of their current employment status.

3. It prohibits online job websites from publishing any advertisement for a job vacancy that includes any provision requiring or indicating that current employment status is a qualification or requirement for a job or that an employer will not consider applicants for employment based on current employment status.

4. It prohibits an employer or employment agency from interfering with individuals exercising their rights under this Act or otherwise discriminating against individuals for opposing any practice made illegal by this Act. It also prohibits discriminating against any individual who has filed a complaint or caused to be instituted any proceeding under this Act or who otherwise gives or may give information or testimony in connection with any inquiry or proceeding under this Act.

5. It requires employers and employment agencies to keep records pertaining to compliance with this Act, and it gives the Director of the Bureau of Labor Standards within the Department of Labor the investigative authority to enter places of business and examine all records related to allegations of violations of this Act.

6. It creates a right for a person who has been affected by a violation under this Act to bring a civil action against the employer or employment agency responsible. A person may bring a civil action on behalf of another individual who has been affected by a violation of this Act or a group of individuals similarly situated.

7. It grants the Department of Labor the power to file a civil action on behalf of an individual or group of individuals against an employer or employment agency that violates the Act. Once the director begins such a lawsuit, there is no more private right to a civil action on behalf of the individual.

8. It creates a duty for the Director of the Bureau of Labor Standards to enforce all laws relating to consideration of employment status in hiring practices, as well as the specific duty to receive, investigate and attempt to resolve complaints of violations of this Act.

9. It gives the Department of Labor the authority to terminate state contracts and debar a contractor from participating in state contracts for a period of up to 3 years when a contractor has been found by a court to be in violation of this Act.

10. It would not prohibit employment decisions or advertisements when a requirement related to employment status is a bona fide occupational qualification reasonably necessary to successful performance in the job. It also would not preclude an employer from considering employment history or the reasons underlying an individual's employment status.

Committee Amendment "A" (H-402)

This amendment, which is the majority report of the committee, changes the bill establishing the Fair Chance for Employment Act by striking most of the bill except for the prohibition on employers and employment agencies advertising in print, on the Internet or in any other medium that current employment status is a qualification or requirement for a job or that the employer will not consider an applicant based on current employment status. Similarly, no person may advertise on an online job posting that current employment status is a qualification or requirement for a job or that the employer will not consider an applicant based on current employment status.

The only penalty from the bill that the amendment retains is the fine of \$250 to \$1,000 for each violation. The amendment also retains the bill's exception for instances when current employment status is related to a bona fide occupational requirement and clarifies that an employer or employment agency retains the right to consider employment history or the reasons underlying an individual's employment status when making employment

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decisions about an individual.

This amendment also adds an appropriations and allocations section.

This bill was committed to the Joint Standing Committee on Appropriations and Financial Affairs and carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1179 An Act To Create the Brunswick Landing Job Increment Financing Fund ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GERZOFSKY PRIEST	ONTP	

This bill establishes the Brunswick Landing Job Increment Financing Fund. The fund receives job tax increment payments after the calculation of payments to the Brunswick Naval Air Station Job Increment Financing Fund and other required funding attributable to new employees employed in the former Brunswick Naval Air Station base area after 2013. Transfers to the Brunswick Landing Tax Increment Financing Fund are paid to the Town of Brunswick.

LD 1195 An Act To Protect the Privacy of Job Applicants ONTP

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

This bill prohibits employers and agents of employers from obtaining consumer reports that contain information regarding creditworthiness, credit standing, credit capacity, debts, check-writing experience or insurability of an employee or prospective employee, and prohibits consumer reporting agencies from furnishing this information to anyone for employment purposes. This bill also creates a civil penalty of \$500 to \$1,000 applicable to employers or their agents for each violation of this law. Consumer reporting agencies may still furnish, and employers and their agents may still obtain, consumer reports on an employee or prospective employee that contain information regarding character, general reputation and personal characteristics.

LD 1196 An Act To Amend the Postgraduate Education Requirements for Physicians Who Have Completed an Accredited Residency Program in Oral and Maxillofacial Surgery ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK CUSHING	ONTP	

This bill amends the postgraduate training requirements in the laws governing medical licenses to allow certain oral surgeons to qualify for a medical license that is limited to the practice of oral and maxillofacial surgery, as defined by rule of the Board of Licensure in Medicine.

The bill provides that the license of a licensee who was issued an unrestricted license before January 1, 2010 may not be limited under the new provisions.

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LD 1197 An Act To Allow Stores under 10,000 Square Feet To Be Open on Certain Holidays **ACCEPTED
MAJORITY
(ONTP) REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOHNSON D YOUNGBLOOD	ONTP OTP	

This bill allows stores having under 10,000 square feet of interior customer selling space to be open on Easter Day, Thanksgiving Day and Christmas Day. The current maximum is 5,000 square feet.

LD 1198 An Act To Protect Earned Pay **VETO
SUSTAINED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HERBIG PATRICK	OTP-AM ONTP	H-256

Under current law, a person who receives or is scheduled to receive remuneration in the form of vacation pay in excess of 4 weeks' wages is disqualified from receiving unemployment benefits for the week in which that remuneration is due. This bill removes that disqualification and additionally removes the requirement that holiday pay must offset unemployment benefits.

Committee Amendment "A" (H-256)

This amendment, which is the majority report of the committee, incorporates a fiscal note.

LD 1199 An Act Regarding Mobile Home Ownership **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HERBIG CAIN	ONTP	

This bill provides a mobile home owners' association with the right to make a competing offer to purchase a mobile home park upon notice from the owner of the mobile home park that the owner has received an offer to purchase the park and the owner intends to accept that offer. This bill also limits restrictions mobile home park rules may place on the activities of tenants and certain other people within the mobile home park and prohibits mobile home park rental agreements and rules from forbidding the formation of mobile home owners' associations or tenants joining those associations and from limiting certain activities of those associations.

LD 1201 Resolve, Directing the Workers' Compensation Board To Study the Issue of Addressing Psychological and Physical Harm to Employees Due to Abusive Work Environments **VETO
SUSTAINED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GIDEON JACKSON T	OTP-AM	H-129

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This bill provides legal relief for employees who have been harmed psychologically, physically or economically by exposure to abusive work environments. Employees and employers who subject an employee to an abusive work environment are liable, and employers are vicariously liable for the abusive workplace conduct of their employees, in a private civil action brought by the affected employee. The legal remedies made available by this bill do not limit any other legal rights of an individual, except that workers' compensation benefits received under the Maine Revised Statutes, Title 39-A for the same injury or illness must be reimbursed from compensation that is earned through the legal remedies made available by this bill.

Committee Amendment "A" (H-129)

This amendment replaces the bill with a resolve directing the Workers' Compensation Board to study the issue of addressing psychological and physical harm to employees due to abusive work environments and to report to the Joint Standing Committee on Labor, Commerce, Research and Economic Development with recommendations and suggested implementing legislation by January 30, 2014. The Joint Standing Committee on Labor, Commerce, Research and Economic Development is authorized to report out a bill related to these recommendations in the Second Regular Session of the 126th Legislature.

LD 1202 An Act To Update the Maine Veterinary Practice Act

ONTP

Sponsor(s)

DILL
CAIN

Committee Report

ONTP

Amendments Adopted

This bill makes the following changes to the Maine Veterinary Practice Act.

1. It amends the legislative findings section to update the language.
2. It changes the designation of "animal health assistant" to "veterinary assistant."
3. It defines "patient" as an animal or group of animals examined or treated by a veterinarian.
4. It amends the definition of "practice of veterinary medicine."
5. It establishes a definition of "practice of veterinary technology."
6. Currently, veterinary technicians are registered under state law; this bill requires that veterinary technicians be licensed.
7. Currently, owners or caretakers of animals who care for or treat their animals are exempted from the requirement that only a licensed veterinarian may provide certain aspects of veterinary care. This bill limits that exemption to owners or caretakers of livestock.
8. Under current law, a person may sell or apply pesticide or insecticide for the betterment and protection of an animal without licensure as a veterinarian; this bill eliminates this licensure exemption.
9. It eliminates the Maine State Board of Veterinary Medicine's authority to issue a temporary permit to a qualified applicant for a veterinary license pending examination, and authorizes a licensed veterinarian or a licensed veterinary technician to practice for no more than 30 days in the State upon the request of the state veterinarian.
10. It requires that, in order to take the licensing examination for veterinary technicians, the applicant must have completed the professional education requirements for licensure or be within the final 6 months of professional

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study in an approved program of education.

11. It removes the prohibition against association for the joint practice of veterinary medicine with any person, corporation or partnership not licensed to practice veterinary medicine.

12. It updates language outlining the duties of licensed veterinary technicians and veterinary assistants.

LD 1203 An Act To Encourage Financing of Manufactured Housing for the Workforce

PUBLIC 295

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK KATZ	OTP-AM	H-298

This bill amends the Maine Secure and Fair Enforcement for Mortgage Licensing Act of 2009 to specify that a person is not required to be licensed as a mortgage loan originator if that person does not engage in the business of a mortgage loan originator in a commercial context habitually or repeatedly or is a government employee acting in that employee's official capacity as a government employee.

Committee Amendment "A" (H-298)

This amendment provides that an individual must be licensed as a mortgage loan originator if that individual negotiates mortgage terms more than 3 times within a 12-month period or a fewer number of times if the Superintendent of Consumer Credit Protection finds intent to circumvent or evade licensing requirements.

Enacted Law Summary

Public Law 2013, chapter 295 amends the Maine Secure and Fair Enforcement for Mortgage Licensing Act of 2009 to specify that a person is not required to be licensed as a mortgage loan originator if that person does not engage in the business of a mortgage loan originator in a commercial context habitually or repeatedly or is a government employee acting in that employee's official capacity as a government employee. The law provides that an individual must be licensed as a mortgage loan originator if that individual negotiates mortgage terms more than 3 times within a 12-month period or a fewer number of times if the Superintendent of Consumer Credit Protection finds intent to circumvent or evade licensing requirements.

LD 1217 An Act To Modify Franchise Territories for Personal Sports Mobile Dealerships

ONTP

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

This bill exempts from the 30-mile radius requirement in current law that applies in most municipalities with respect to adding a new personal sports mobile dealership near an existing dealership the addition of a new personal sports mobile dealership or the relocation of an existing new personal sports mobile dealership when there are no existing dealerships selling all the same products within 15 miles around the new dealership to be added.

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LD 1221 An Act To Preserve the Dynamic Status Quo Pending Expiration of Collective Bargaining Agreements

ONTP

Sponsor(s)

CAIN
HERBIG

Committee Report

ONTP

Amendments Adopted

This bill amends the municipal public employees labor relations laws, the state employees labor relations laws, the University of Maine System labor relations laws and the judicial employees labor relations laws to specify that the provision, either as practice or part of the most recent collective bargaining agreement, of increases in pay or benefits, based on length of service or merit, must be continued during negotiations of a new agreement by virtue of the doctrine of dynamic status quo.

LD 1230 An Act To Improve Access to Oral Health Care

CARRIED OVER

Sponsor(s)

EVES
BURNS

Committee Report

OTP-AM
OTP-AM

Amendments Adopted

This bill establishes a licensure process and scope of practice for dental hygiene therapists. It requires the dental hygiene therapist to be supervised by a dentist licensed in this State. It requires a written practice agreement between the supervising dentist and the dental hygiene therapist. It provides rulemaking authority for the Board of Dental Examiners.

Committee Amendment "A" (H-531)

This amendment is the majority report of the committee. It makes the following changes to the bill.

1. It amends the laws governing MaineCare coverage, health insurance contracts and group and blanket health insurance to provide for dental coverage and reimbursement for services performed by dental hygiene therapists authorized to practice under the provisions of the bill.
2. It limits the time frame for a provisional dental hygiene therapy license to 3 years.
3. It increases the number of supervised clinical practice hours required in order to obtain a dental hygiene therapy license from 500 to 1,000.
4. It adds language to allow for the provisions regarding dental coverage and reimbursement to be enacted without review by the Department of Professional and Financial Regulation, Bureau of Insurance.
5. It adds an application section to provide that the requirements of the bill relating to insurance reimbursement apply to all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed on or after January 1, 2014 in this State.
6. It makes changes to the sections of the bill relating to scope of practice of dental hygiene therapists by removing minor surgical care, replacing the authority to prescribe medication with authority to provide, dispense and administer certain medications within the parameters of the written practice agreement and adding the authority to perform nonsurgical extractions of diseased permanent teeth if authorized in advance by the supervising dentist.

Committee Amendment "B" (H-532)

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

This amendment is the minority report of the committee. It replaces the bill and broadens the scope of practice for dental hygienists with public health supervision status and independent practice dental hygienists who have successfully completed additional training established by the Department of Professional and Financial Regulation, Board of Dental Examiners to include the performance of atraumatic restorative technique. It defines "atraumatic restorative technique" to mean a procedure to identify and remove tooth decay using a simple hand tool alone and restore the cavity with an adhesive restorative material. It also changes the designation of expanded function dental assistants to "expanded function dental auxiliary" and broadens their scope of practice, which currently includes the performance of reversible intraoral procedures, to include the cementation of permanent crowns and onlays, the administering of final impressions and the performance of digital imaging under the direct supervision of a licensed dentist.

This bill was recommitted to the committee and carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1238 An Act To Improve Professional Training for Licensed Mental Health Clinicians

PUBLIC 262

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAIN FREDETTE	OTP-AM	S-254

This bill makes changes to the laws governing the licensure requirements for psychologists, clinical professional counselors and clinical social workers. It requires that, beginning January 1, 2020, applicants for licensure demonstrate to the satisfaction of their respective licensing boards that they have successfully completed a minimum of 15 contact hours of course work in spousal or partner abuse screening and referral and intervention strategies, including knowledge of community resources, cultural factors, evidence-based risk assessment and same-gender abuse dynamics. Applicants may fulfill this requirement through course work taken in fulfillment of other educational requirements for licensure or through separate course work. The bill requires that the boards accept certification from the accredited educational institution from which the applicant is a graduate that verifies the applicant's satisfaction of this requirement within the applicant's completed course curriculum.

The bill also makes changes to the licensure renewal requirements for psychologists, clinical professional counselors and clinical social workers to require that, beginning January 1, 2020, applicants for licensure renewal in these categories demonstrate to the satisfaction of their respective licensing boards successful completion of a minimum of 15 contact hours of course work in spousal or partner abuse screening and referral and intervention strategies, including knowledge of community resources, cultural factors, evidence-based risk assessment and same-gender abuse dynamics. The bill allows the boards to accept equivalent courses in spousal or partner abuse screening and referral and intervention strategies or equivalent teaching or practice experience completed prior to January 1, 2020 in satisfaction of this requirement. The bill requires that continuing education courses taken for this purpose must be applied to the licensee's required hours of continuing education.

Committee Amendment "A" (S-254)

This amendment changes the description of the course work that must be completed by mental health clinicians from spousal or partner abuse screening and referral strategies to family or intimate partner violence screening and referral and intervention strategies and changes the licensure requirements and license renewal requirements for psychologists, clinical professional counselors and clinical social workers by reducing the number of contact hours of course work that must be completed in family or intimate partner violence that address screening, referral and intervention strategies. It also adds a provision to allow an applicant for initial licensure that is unable to demonstrate completion of the family or intimate partner violence course work at the time the initial application is submitted to demonstrate to the board that this requirement has been fulfilled upon the candidate's first application for license renewal. It also clarifies that the course work requirements that must be demonstrated at the time of license renewal are to be completed only once.

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Enacted Law Summary

Public Law 2013, chapter 262 makes changes to the laws governing the licensure requirements for psychologists, clinical professional counselors and clinical social workers. It requires that, beginning January 1, 2020, applicants for licensure demonstrate to the satisfaction of their respective licensing boards that they have successfully completed a minimum number of contact hours of course work in family or intimate partner violence screening and referral and intervention strategies, including knowledge of community resources, cultural factors, evidence-based risk assessment and same-gender abuse dynamics. The law allows applicants to fulfill this requirement through course work taken in fulfillment of other educational requirements for licensure or through separate course work. Further, the law includes a provision to allow an applicant for initial licensure that is unable to demonstrate completion of the requisite course work at the time the initial application is submitted to demonstrate to the board that this requirement has been fulfilled upon the candidate's first application for license renewal.

The law also makes changes to the licensure renewal requirements for psychologists, clinical professional counselors and clinical social workers to require that, beginning January 1, 2020, applicants for licensure renewal in these categories demonstrate to the satisfaction of their respective licensing boards a one-time successful completion of a minimum number of contact hours of course work in family or intimate partner violence screening and referral and intervention strategies, including knowledge of community resources, cultural factors, evidence-based risk assessment and same-gender abuse dynamics. The law allows the boards to accept equivalent courses in spousal or partner abuse screening and referral and intervention strategies or equivalent teaching or practice experience completed prior to January 1, 2020 in satisfaction of this requirement. Finally, the law allows continuing education courses taken for this purpose to be applied to the licensee's required hours of continuing education.

LD 1250 An Act To Revise Maine's Unemployment Compensation Laws

PUBLIC 175

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAULIEU CUSHING	OTP-AM	H-160

This bill amends the definition of "employment" in the unemployment compensation laws to exclude the services provided by a temporary employee hired solely to fill in for a regular employee while the regular employee is on family medical leave. An employer of a temporary employee in this situation cannot be charged for unemployment benefits for that temporary employee.

Committee Amendment "A" (H-160)

This amendment fulfills the intent of the bill by expanding the current exceptions under which no unemployment benefit charges are made to an individual employer's experience rating record to include a situation in which the employer hired an individual to temporarily cover a position vacant due to a leave of absence for family medical leave provided under Maine or federal law and the claimant's employment was subsequently terminated when the permanent employee returned at the completion of the leave of absence. Any unemployment benefits paid out as a result of this type of job separation would be charged to the General Fund within the Unemployment Trust Fund.

Enacted Law Summary

Public Law 2013, chapter 175 expands the current exceptions under which no unemployment benefit charges are made to an individual employer's experience rating record to include a situation in which the employer hired an individual to temporarily cover a position vacant due to a leave of absence for family medical leave provided under Maine or federal law and the claimant's employment was subsequently terminated when the permanent employee returned at the completion of the leave of absence. Any unemployment benefits paid out as a result of this type of job separation would be charged to the General Fund within the Unemployment Trust Fund.

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

LD 1259 Resolve, Regarding Legislative Review of Portions of Chapter 17: Rules Regarding Proof of Ownership and Recruitment by Employers Employing Foreign Laborers To Operate Logging Equipment, a Major Substantive Rule of the Department of Labor **VETO SUSTAINED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-257
	OTP	S-246 JACKSON T
		S-318 JACKSON T

This resolve provides for legislative review of portions of Chapter 17: Rules Regarding Proof of Ownership and Recruitment by Employers Employing Foreign Laborers to Operate Logging Equipment, a major substantive rule of the Department of Labor.

Committee Amendment "A" (H-257)

This amendment, which is the majority report of the committee, makes the authorization of the proposed major substantive rule conditioned on changes made to the rule to clarify that a foreign laborer may use only one type of equipment for an employer, to provide that a foreign laborer may not own any equipment used in the course of the employment, directly or indirectly, except as to equipment for which there is a prevailing rate established by the United States Department of Labor, and to require that a penalty be assessed against the employer of that foreign laborer for a violation of this requirement, with a potential prohibition against the employer's employing foreign laborers for 2 years.

Senate Amendment "A" (S-246)

This amendment removes the emergency preamble and emergency clause.

Senate Amendment "A" To Committee Amendment "A" (S-318)

This amendment directs the Department of Labor to implement the rule using existing resources and strikes the appropriations and allocations section.

LD 1267 An Act To Recodify the Land Surveyor Licensing Laws **PUBLIC 180**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HERBIG	OTP	
CUSHING		

This bill is a recodification of the existing licensing law for professional land surveyors. A recodification reorganizes existing provisions for purposes of clarity and efficiency. The only new provisions permit a land surveyor-in-training from another jurisdiction to qualify for a similar license in Maine and it replaces the current statutory requirement for continuing education with authority for the Board of Licensure for Professional Land Surveyors to adopt continuing education standards by rule.

Enacted Law Summary

Public Law 2013, chapter 180 is a recodification of the licensing laws governing professional land surveyors for purposes of clarity and efficiency. The only new provisions in the law include permitting a land surveyor-in-training from another jurisdiction to qualify for a similar license in Maine and replacing the statutory requirement for continuing education with authority for the Board of Licensure for Professional Land Surveyors to adopt continuing education standards by rule.

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

LD 1275 An Act To Implement the Recommendations of the Maine Economic Growth Council Regarding Prosperity

ONTP

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

This bill is a concept draft pursuant to Joint Rule 208. It proposes to implement the recommendations of the Maine Economic Growth Council, which was directed by the Legislature in Resolve 2011, chapter 148 to develop the Maine Prosperity Action Plan. The recommendations are to:

1. Invest in preventive care, wellness and improvements in the current health care system to improve health, increase productivity and control costs. This goal would be accomplished by:
 - A. Investing in wellness and prevention for state employees and state-funded programs by:
 - (1) Continued use of the State's buying power to support best practices;
 - (2) Using public schools to educate children and families about healthy lifestyles, preventive care, wellness, physical activity and proper nutrition and providing nutritious foods in schools; and
 - (3) Promoting healthy nutrition through the statewide food supplement program under the Maine Revised Statutes, Title 22, section 3104;
 - B. Using market incentives to promote wellness and prevention by:
 - (1) Providing tax incentives for employers that offer health and wellness programs; and
 - (2) Providing tax incentives to health insurers for their providing discounts to employers providing health and wellness programs;
 - C. Investing in preventive care and education by promoting existing investments and systems to improve transparency in the health care system so all consumers can make informed decisions about health care options based on cost and quality data; and
 - D. Improving the current health care system to reduce costs by:
 - (1) Limiting high emergency department use;
 - (2) Continuing to expand telemedicine throughout the State;
 - (3) Ensuring that MaineCare's reimbursement rate prevents cost-shifting to the private market;
 - (4) Encouraging accountable care organizations that promote health, prevent illness and support quality;
 - (5) Enabling the Joint Standing Committee on Health and Human Services to explore ways to encourage healthy behaviors for MaineCare clients consistent with federal law; and
 - (6) Improving efficiency and value in MaineCare by rewarding prevention and discouraging excessive use.

In order to further the implementation of the health and wellness goal, this bill would immediately connect the

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Women, Infants and Children Special Supplemental Food Program and the Supplemental Nutrition Assistance Program with more farmers' markets; increase access to primary care and dental care to limit emergency department use; and make all state office buildings and grounds tobacco-free;

2. Reduce energy costs by improving efficiency and expanding the portfolio of available and economically viable alternatives for residential, industrial and commercial customers. This goal would be accomplished by:

A. Improving efficiency to lower energy costs in the near term by:

(1) Investing in efficiency for residential, industrial and commercial users, focusing on commercial and industrial users that yield the highest return on investment;

(2) Supporting the goals of the Efficiency Maine Trust by:

(a) Leveraging existing funds from utilities and fuel suppliers; and

(b) Using funds available from the Efficiency Maine Trust to make low-interest loans and grants available to manufacturing and natural resources businesses for infrastructure upgrades;

(3) Maintaining a statewide building code with efficiency standards; and

(4) Supporting time-of-day pricing options and smart meter technology; and

B. Developing new commercially viable energy sources to lower reliance on oil and protect against market volatility by:

(1) Investing in and expanding development of renewable energy that is economically viable as dictated by the market, such as biofuels, tidal power, onshore and offshore wind power, hydropower and solar power;

(2) Promoting development of energy production technology as an economic development opportunity; and

(3) Improving access for Maine businesses to a variety of energy sources.

In order to further the implementation of the energy goal, this bill would immediately develop a statewide natural gas distribution plan that includes service center communities;

3. Improve the efficiency and effectiveness of the legislative process and regulatory framework. This goal would be accomplished by reforming the Legislature by:

A. Reducing the size of the Legislature, which would need to be accomplished through an amendment to the Constitution of Maine, and identifying efficiencies in the law-making process;

B. Requiring legislative leadership and the Maine Economic Growth Council to find ways to incorporate measures of growth into the legislative process;

C. Changing accounting and legislative practices to reflect the full cost and effect of long-term obligations; and

D. Using dynamic fiscal notes to evaluate economic impact beyond direct revenue impact.

In order to further the implementation of the government reform goal, this bill would immediately institutionalize the legislative regulatory review process to occur on a regular basis and encourage the cost-effective and efficient regionalization of services by providing information on best practices, resources and opportunities;

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4. Reform Maine's tax system to promote economic growth and minimize volatility. This goal would be accomplished by:

A. Changing the structure of the income and sales taxes by:

- (1) Lowering the top marginal income tax rate, thus eliminating a disincentive to investment;
- (2) Lowering the top income tax brackets;
- (3) Indexing the income brackets to adjust with inflation;
- (4) Bringing the estate tax into conformance with federal estate tax;
- (5) Exploring ways to export tax burdens onto visitors; and
- (6) Reforming the sales tax by removing exemptions and lowering the overall rate; and

B. Limiting government spending and investing the savings in economic growth and tax reform by:

- (1) Continuing to monitor and limit state and local spending through the process limiting municipal property tax levies pursuant to the Maine Revised Statutes, Title 30-A, section 5721-A;
- (2) Promoting government efficiencies through consolidation, technology and cooperation;
- (3) Supporting inclusion of a long-range plan in the biennial budget;
- (4) Supporting and highlighting the success of a few major pilot projects in regionalized service delivery; and
- (5) Making financial incentives available for municipalities to implement regional services.

In order to further the implementation of the taxation reform goal, this bill would immediately eliminate all sales tax exemptions and lower the general sales and use tax rate to 4%;

5. Invest in and support a comprehensive educational system that meets the educational needs of each individual at all levels and prepares those individuals for citizenship, meets the workforce needs of Maine businesses and supports economic growth. This goal would be accomplished by:

A. A comprehensive approach of:

- (1) Creating an overarching vision and integrated state approach to help all Maine residents achieve their greatest potential;
- (2) Adopting a global budget for public funds across the birth-to-college spectrum;
- (3) Including explicit student-centered outcomes at all stages of investment and evaluation;
- (4) Ensuring successful, seamless transition across individual systems; and
- (5) Supporting adult students through programs such as the Maine Career Advantage program and the Governor's Jobs Initiative Program;

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B. Improving early childhood education by:

- (1) Increasing General Fund investment to control kindergarten to grade 12 remediation and public assistance costs;
- (2) Developing strategies to share resources of the model used by Educare Central Maine in the City of Waterville with all Maine communities;
- (3) Establishing minimum quality standards for early childhood programs eligible for state funding;
- (4) Fully integrating early childhood development into Maine's educational system;
- (5) Improving the quality of the early childhood care workforce by:
 - (a) Investing fully in training and education of providers through scholarships, loan forgiveness and tax credits; and
 - (b) Expanding access to child-focused and family-focused systems that incorporate all components of the Early Head Start program and Head Start program;
- (6) Creating a means for private funds to support and enhance access to quality services by:
 - (a) Establishing private endowments with private, philanthropic and public funds; and
 - (b) Organizing a core group with the goal of adopting market-based approaches to sustain investment in the public sector; and
- (7) Supporting the Maine Children's Growth Council to engage private and philanthropic sectors;

C. Improving kindergarten to grade 12 education by:

- (1) Bringing the student-to-teacher ratio and administrative costs closer to the national average;
- (2) Providing incentives and encouragement for district administrative consolidations with savings going to classrooms;
- (3) Rewarding high-performing teachers;
- (4) Continuing to explore all alternatives to improve the overall quality of Maine's educational system;
- (5) Making distance learning available to all students;
- (6) Creating a postsecondary options program to allow high school juniors and seniors to take postsecondary education courses, with public funding following the student; and
- (7) Developing a rational school capital plan for construction and renovation investments;

D. Improving higher education by:

- (1) Making public higher education affordable for all Maine students;

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- (2) Increasing need-based scholarship aid through programs such as the Maine State Grant Program;
- (3) Establishing a single comprehensive plan and financing for all public institution physical plants;
- (4) Treating the University of Maine System as a true system with campuses specializing in areas rather than underfunding a full curriculum at each campus; and
- (5) Utilizing more technology, distance and online learning to reduce costs;

E. Ensuring that credits transfer within and across systems easily;

F. Aligning curricula and courses to ensure graduates meet current and future skill and knowledge needs of Maine businesses, especially by supporting and expanding employer and institution partnerships;

G. Directing the University of Maine System to provide technical support to Maine businesses, prioritize economic development and market community assets;

H. Maintaining the University of Maine System and the Maine Community College System as separate systems coordinated by a single, integrated board of trustees; and

I. Eliminating the existing University of Maine System funding formula and establishing in its place a system that rewards excellence and results and recognizes changing marketplace and student needs.

In order to further the implementation of the education improvement goal, this bill would immediately require prekindergarten screenings statewide; strengthen relationships and collaboration between employers and the kindergarten to grade 12 educational system to ensure that the system is providing students the foundation and skills they need to succeed in the workforce; and review the State's geographic higher education needs and explore all options to deliver high-quality public education opportunities to students throughout the State in a more cost-effective manner that fully employs online and distance learning;

6. Create balanced and affordable transportation and communications systems to connect businesses to customers and markets beyond the State's borders. This goal would be accomplished by:

A. Developing a sustainable funding mechanism for road infrastructure based on users paying the costs;

B. Supporting multimodal options, such as rail, marine, air, roadways and trails, by:

- (1) Finishing the Three-Port Strategy investment plan;
- (2) Evaluating all options to make competitive freight and passenger rail service available; and
- (3) Improving regional air connections; and

C. Filling gaps in broadband coverage and availability to increase business activity statewide by:

- (1) Supporting the mission and objectives of the ConnectME Authority to expand access and subscription rates to broadband;
- (2) Exploring opportunities to lower costs and increase subscription rates; and
- (3) Supporting modernization of federal and state communications regulations.

In order to further the implementation of the connectivity goal, this bill would immediately appoint a blue

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ribbon commission to develop an appropriate sustainable mechanism for financing transportation infrastructure; and promote the benefits of Internet connectivity to businesses and individuals to increase the subscription rate and provide a level of certainty for private investment; and

7. Support the innovation of Maine's economy to capitalize on new markets and promote economic growth. This goal would be accomplished by:

A. Making changes to funding, including:

- (1) Supporting public investment in research and development that leverages private funds to bring total spending to 3% of Maine's gross domestic product;
- (2) Updating the existing seed capital regime to encourage more private investment; and
- (3) Supporting commercialization of innovations; and

B. Changing information technology capacity and education by:

- (1) Building information technology capacity through public-private-nonprofit partnerships;
- (2) Teaching innovation and entrepreneurship statewide by:
 - (a) Providing training to 10,000 small businesses over the next 8 years through existing organizations; and
 - (b) Including entrepreneurship in kindergarten to grade 12 curricula statewide;
- (3) Continuing support of the Maine Technology Institute's Cluster Initiative Program and the Maine Innovation Economy Advisory Board;
- (4) Increasing the University of Maine System's research and development in order to leverage funding and create marketable ideas, wealth and jobs;
- (5) Requiring the University of Maine System, the Maine Community College System and the Maine Maritime Academy to develop the entrepreneurial skills of students and faculty and support the transfer of knowledge and technology between the systems and the academy; and
- (6) Requiring the University of Maine System, the Maine Community College System and the Maine Maritime Academy to bring research and development knowledge directly to businesses through relationships and public-private partnerships.

In order to further the implementation of the innovation and entrepreneurship goal, this bill would immediately ensure that all programs supporting innovation are working together and that the most meaningful evaluation metrics are being utilized; and update existing seed capital legislation to enable crowd-funding of innovation.

LD 1276 An Act Regarding Research and Development in Maine

PUBLIC 225

Sponsor(s)
CUSHING
FREDETTE

Committee Report
OTP-AM

Amendments Adopted
S-157

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

This bill is a concept draft pursuant to Joint Rule 208. It proposes to identify and establish a stable funding source to support and encourage research and development in the State.

Committee Amendment "A" (S-157)

This amendment replaces the bill, which was a concept draft. It increases the amount that the Maine Technology Institute may expend for management and related operating costs of the institute from 7% to 10% in order to allow for investments that increase the institute's effectiveness and the rate of commercialization of its portfolio companies. In addition, the amendment adds the Maine Maritime Academy to the list of campuses that may compete for research and development funding through the small campus initiative administered by the Board of Trustees of the University of Maine System.

Enacted Law Summary

Public Law 2013, chapter 225 increases the amount that the Maine Technology Institute may expend for management and related operating costs of the institute from 7% to 10% in order to allow for investments that increase the institute's effectiveness and the rate of commercialization of its portfolio companies. In addition, the law adds the Maine Maritime Academy to the list of campuses that may compete for research and development funding through the small campus initiative, which is administered by the Board of Trustees of the University of Maine System.

LD 1281 Resolve, Directing the Department of Professional and Financial Regulation To Conduct a Sunrise Review Regarding the Proposal To License Recreational Therapists VETO SUSTAINED

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LACHOWICZ CASSIDY	OTP-AM ONTP	S-117

This bill establishes a requirement for licensure of recreational therapists and a board to oversee the process of licensure and the conduct of licensees.

Committee Amendment "A" (S-117)

This amendment is the majority report of the committee. It replaces the bill with a resolve that directs the Commissioner of Professional and Financial Regulation to conduct an independent assessment pursuant to the sunrise review requirements in the Maine Revised Statutes, Title 32, chapter 1-A, subchapter 2 of the proposal to license recreational therapists. It requires the commissioner to submit a report no later than February 28, 2014 with any necessary legislation to the Joint Standing Committee on Labor, Commerce, Research and Economic Development. It authorizes the committee to submit a bill on the subject matter of the report to the Second Regular Session of the 126th Legislature.

LD 1288 An Act Regarding Impairment of Health of a Correctional Employee Caused by Infectious Disease ONTP

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

This bill provides that, with respect to disability retirement benefits under the Maine Public Employees Retirement System, a condition of impairment of health caused by an infectious disease resulting in total or partial disability or death of an employee of a correctional facility must, if that employee successfully passed a physical examination on entry into employment with the correctional facility or subsequently successfully passed a physical examination that

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failed to reveal any evidence of the condition, be presumed to have been received in the line of duty, unless the contrary is shown by competent evidence.

LD 1295 An Act To Require the Use of Preapproved Subcontractors for Publicly Funded Construction Projects DIED BETWEEN HOUSES

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

This bill requires the use of preapproved subcontractors for certain components of work included in bids awarded to general contractors for public improvement construction projects subject to competitive bidding.

Committee Amendment "A" (H-417)

This amendment, which is the majority report of the committee, removes the list of components of capital improvement projects in the bill and instead makes reference to a list of components to be maintained by the Department of Administrative and Financial Services, Bureau of General Services. It also adds an appropriations and allocations section. This amendment was not adopted.

LD 1310 An Act To Improve Access to Dental Care through the Establishment of the Maine Board of Oral Health CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PATRICK		

This bill amends the laws governing the Board of Dental Examiners.

1. It renames the board the Maine Board of Oral Health, and it reassigns the membership of the board to give equitable representation to the regulated dental professions and adds additional public members. As changed, the board has 9 members: 2 dentists, 2 dental hygienists, 2 denturists and 3 public members.
2. It changes the duties, functions and responsibilities of the board. The board's major roles are to perform administrative duties as a coordinating body for the board's subcommittees and to advise the subcommittees and ratify and carry out the recommendations of the subcommittees including with respect to rules recommended by the subcommittees.
3. It amends the laws governing the board's subcommittees on denturists and dental hygienists and establishes a new subcommittee on dentists. It defines the membership for each subcommittee and its duties, functions and responsibilities.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

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LD 1311 An Act To Amend the Laws Governing Unemployment Compensation To Ensure Conformity with the Federal Trade Adjustment Assistance Extension Act of 2011

PUBLIC 314

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PATRICK VOLK	OTP-AM	S-183

This bill amends the laws governing unemployment compensation to ensure conformity with the federal Trade Adjustment Assistance Extension Act of 2011, Public Law 112-40, 125 Stat. 401. It provides that an amount equal to 15% of each overpayment on which a penalty was assessed due to unemployment misrepresentation or fraud must be placed directly into the Unemployment Compensation Fund. It also prohibits an employer from being relieved of benefit charges for a benefit overpayment that was due to the fault of the employer or agent of the employer if that employer or agent of the employer has established a pattern of failing to provide timely or adequately requested information pertaining to an unemployment benefit claim. Additionally, this bill corrects reference errors in the laws governing unemployment compensation to accurately identify the Department of Labor as the entity that prescribes how and in what form an individual reports on that individual's work search, and as the entity that determines whether good cause exists for an individual's failure to comply with the work search requirement.

Committee Amendment "A" (S-183)

This amendment slightly changes the language of the bill to better meet the requirements of the federal Trade Adjustment Assistance Extension Act of 2011, pursuant to direction from the United States Department of Labor. The amendment provides that 15% of an overpayment, as opposed to 15% of a penalty assessed, due to misrepresentation or fraud by a claimant will be directly deposited into the Unemployment Compensation Fund.

Enacted Law Summary

Public Law 2013, chapter 314 amends the laws governing unemployment compensation to ensure conformity with the federal Trade Adjustment Assistance Extension Act of 2011, Public Law 112-40, 125 Stat. 401. It provides that an amount equal to 15% of each overpayment on which a penalty was assessed due to unemployment misrepresentation or fraud must be placed directly into the Unemployment Compensation Fund. It also prohibits an employer from being relieved of benefit charges for a benefit overpayment that was due to the fault of the employer or agent of the employer if that employer or agent of the employer has established a pattern of failing to provide timely or adequately requested information pertaining to an unemployment benefit claim. Additionally, this law corrects reference errors in the laws governing unemployment compensation to accurately identify the Department of Labor as the entity that prescribes how and in what form an individual reports on that individual's work search, and as the entity that determines whether good cause exists for an individual's failure to comply with the work search requirement.

LD 1313 An Act To Amend Licensing Requirements for Professional Engineers

PUBLIC 296

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KATZ BECK	OTP	

This bill makes the following changes to the laws governing the licensing of professional engineers.

1. It adds defined terms for various accreditation and licensing entities.

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2. It removes references to the form and length of examinations.
3. It removes provisions that provide alternative methods of licensure, including licensure by oral examination.
4. It removes references to examination fees and removes the requirement that examinations be held at such times and places as the State Board of Licensure for Professional Engineers determines. It amends the laws governing the reexamination of a person who fails an examination.
5. It removes the requirement that a notice of the expiration of a license be mailed.
6. It changes the provisions regarding the process for a retired licensee to be reinstated to active status.

Enacted Law Summary

Public Law 2013, chapter 296 makes the following changes to the laws governing the licensing of professional engineers.

1. It adds defined terms for various accreditation and licensing entities.
2. It removes references to the form and length of examinations.
3. It removes provisions that provide alternative methods of licensure, including licensure by oral examination.
4. It removes references to examination fees and removes the requirement that examinations be held at such times and places as the State Board of Licensure for Professional Engineers determines. It amends the laws governing the reexamination of a person who fails an examination.
5. It removes the requirement that a notice of the expiration of a license be mailed.
6. It changes the provisions regarding the process for a retired licensee to be reinstated to active status.

LD 1315 Resolve, Directing the Commissioner of Professional and Financial Regulation To Convene a Stakeholder Group To Review Changes in Federal and State Regulations and Rules Governing Compounding Pharmacies

**VETO
SUSTAINED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TREAT CRAVEN	OTP-AM	H-299

This bill strengthens Maine's laws on compounding pharmacies. The bill contains the following provisions.

1. The bill provides a definition for "compounding pharmacy" and describes sterile compounding pharmacies and nonsterile compounding pharmacies.
2. Beginning with appointments made on or after January 1, 2014, the bill adds a physician and an advanced practice registered nurse to the Maine Board of Pharmacy, decreases the number of pharmacist members from 5 to 3 and requires that one public member be a person who has education and professional experience in the field of health care safety and quality assurance. The bill requires members of the Maine Board of Pharmacy to file by December 31st an annual statement disclosing any conflicts of interest and requires the Maine Board of Pharmacy to post the statements on the board's publicly accessible website.

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3. The bill requires licensed pharmacies that are compounding pharmacies to obtain a license as a compounding pharmacy and to specify whether the pharmacy is a nonsterile compounding pharmacy or a sterile compounding pharmacy. The bill requires the Maine Board of Pharmacy to adopt rules to establish the criteria for licensure as a compounding pharmacy.
4. The bill extends the responsibility of the Maine Board of Pharmacy to include licensing out-of-state compounding pharmacies that are licensed in another state and that deliver or dispense drugs in the State. The bill grants to the Maine Board of Pharmacy the authority to appoint and convene advisory committees and the responsibility to impose a fine on a compounding pharmacy that violates the Maine Pharmacy Act. The bill requires the Maine Board of Pharmacy to participate in a national data reporting system on pharmacies, pharmacists and pharmacy technicians. The bill requires the Maine Board of Pharmacy to license pharmacy technicians in 2 categories: those that are licensed for employment in sterile compounding pharmacies and those that are licensed for employment in nonsterile compounding pharmacies. The bill requires the Maine Board of Pharmacy to make available to the public on its website, in a searchable format, information regarding disciplinary and enforcement actions taken by the board and the results of pharmacy inspections.
5. The bill further extends the responsibility of the Maine Board of Pharmacy to allow consultation with the Board of Licensure in Medicine, the Board of Osteopathic Licensure and the Commissioner of Health and Human Services regarding the compounding of drugs.
6. The bill requires the Maine Board of Pharmacy to ensure standards for purity and quality are met by compounding pharmacies.
7. With regard to the investigatory powers of the Maine Board of Pharmacy, the bill adds documentation regarding compounding to the list of items that the board may remove from a premises being inspected.
8. The bill requires the Department of Health and Human Services, Maine Center for Disease Control and Prevention and the Maine Board of Pharmacy and law enforcement to cooperate with other law enforcement agencies concerned with compounding pharmacies.
9. The bill requires that licensing fees for pharmacies distinguish those that are not compounding pharmacies from those that are compounding pharmacies and, among compounding pharmacies, distinguish nonsterile compounding pharmacies from sterile compounding pharmacies.
10. The bill adds sterile and nonsterile compounding of drugs to the specific subject matter of course work for continuing education for pharmacists.
11. The bill makes a violation of the Maine Pharmacy Act by a compounding pharmacy a Class C crime and authorizes a fine of up to \$25,000.
12. The bill requires the Department of Health and Human Services to adopt rules regarding compounding pharmacies in hospitals and nursing facilities.
13. The bill requires the Commissioner of Health and Human Services, through the Director of the Maine Center for Disease Control and Prevention, to provide consultation services to the Maine Board of Pharmacy on issues related to epidemiology and public health.
14. The bill prohibits licensed health care facilities and practitioners from purchasing drugs compounded by a pharmacy or other entity that is not licensed in Maine, designates such purchases a violation of the licensure statutes and directs the licensing authorities to adopt rules to enforce the prohibition.

Committee Amendment "A" (H-299)

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This amendment replaces the bill with a resolve that directs the Commissioner of Professional and Financial Regulation to convene a stakeholder group to review the proposed changes in federal and state safety and inspection regulations and rules governing sterile and nonsterile compounding pharmacies and identify any remaining gaps in the regulatory process that need to be addressed by state regulatory agencies in order to protect public health and safety. It directs the Commissioner of Professional and Financial Regulation to invite participation from the following stakeholders: the Department of Professional and Financial Regulation, Maine Board of Pharmacy; the division of licensing and regulatory services and the Maine Center for Disease Control and Prevention within the Department of Health and Human Services; and other interested parties from the medical and pharmaceutical communities. It also requires the Commissioner of Professional and Financial Regulation to submit a report on the study and authorizes the Joint Standing Committee on Labor, Commerce, Research and Economic Development to submit a bill to the Second Regular Session of the 126th Legislature related to the subject matter of the report.

LD 1328 An Act To License Home Building and Improvement Contractors CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PATRICK		

This bill creates the Maine Home Contractor Licensing Act to establish licensing standards of practice and continuing education requirements for home contractors and home contractor salespersons.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1329 An Act To Provide Equity for Seasonal Public School Employees Concerning Unemployment LEAVE TO WITHDRAW

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PATRICK HERBIG		

This bill allows school employees, except those that work in an instructional, research or principal administrative capacity, to collect unemployment benefits during months they are not employed.

LD 1341 An Act Directing the Department of Economic and Community Development To Establish a Program To Promote Economic Growth and Development ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CASAVANT DUTREMBLE	ONTP	

This bill requires the Department of Economic and Community Development to establish and monitor a program to provide funds to be used for on-the-job training for people receiving general assistance. Funds will be used to provide training for workers of a local employer or business in partnership with the municipality and training for workers through the Maine Community College System in partnership with the municipality and to issue funds to local small businesses for projects in need of completion.

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LD 1351 An Act To Attract Military Families to Maine

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND VOLK	ONTP	

This bill provides that the Commissioner of Professional and Financial Regulation may recommend legislation or other measures to the Governor and the Legislature for the purpose of assisting the spouses of current and former members of the United States Armed Forces in obtaining any professional license.

LD 1352 An Act To Provide Integrated Community-based Employment and Customized Employment for Persons with Disabilities

PUBLIC 335

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND VOLK	OTP-AM OTP-AM	S-187 S-196 PATRICK

Part A of this bill requires the Department of Education, the Department of Health and Human Services and the Department of Labor, in carrying out their duties to provide services and supports to persons with disabilities, to:

1. Include as a core component, the employment of persons with disabilities in “integrated community-based employment” and “customized employment”:
 - A. “Integrated community-based employment” means employment in the competitive labor market in the general community, or through self-employment, with compensation being at least minimum wage and at least the same level of prevailing wage and benefits paid by the employer for the same or similar work to persons without disabilities; and
 - B. “Customized employment” means employment as part of a flexible blend of strategies, services and supports through voluntary negotiation with the employer;
2. Offer, as the first and preferred option, employment services that will support the employment of persons with disabilities;
3. Coordinate their efforts to ensure that the programs directed, the funding managed and the policies adopted by each agency support the gaining of employment by persons with disabilities; and
4. When permissible under the law, share information regarding the use of services and other data in order to monitor progress toward facilitating the employment of persons with disabilities.

Part A also specifies that a person with a disability who receives services from the Department of Education, the Department of Health and Human Services or the Department of Labor may not be required to accept employment services from that agency or to experience a loss of services as a result of choosing not to explore employment options.

Part B of this bill establishes, until October 1, 2016, the Employment First Maine Coalition within the Disability Rights Center, which is the protection and advocacy agency for persons with disabilities designated by the Governor pursuant to the Maine Revised Statutes, Title 5, section 19502. Among its duties, the Employment First Maine Coalition is directed to:

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1. Promote coordination and collaboration among state agencies that provide services and supports for persons with disabilities, to advance employment services for persons with disabilities;
2. Review relevant state policies, plans, programs and activities in order to determine whether they effectively meet the employment needs of persons with disabilities;
3. Serve as a conduit for information and input to aid advocacy groups, commissions and councils that focus on issues facing persons with disabilities in Maine;
4. Make recommendations to the Governor, the Legislature and agencies regarding ways to improve the administration of employment services and employment outcomes for persons with disabilities;
5. Propose and promote rules and policies to agencies that provide services and supports to persons with disabilities to improve employment of persons with disabilities;
6. Review and comment on proposed legislation affecting the employment of persons with disabilities; and
7. Submit proposed legislation to the Legislature to improve employment of persons with disabilities.

The Employment First Maine Coalition (“Coalition”) should strive to ensure that at least 1/2 of the members are persons with disabilities. The membership will include 3 representatives from each of the State agencies involved, 1 representative of the Maine Business Leadership Network, 16 representatives from various advisory, advocacy and support organizations concerned with persons with disabilities, 1 certified rehabilitation provider that provides “integrated community-based employment” or “customized employment” services, and at least 2 persons who are parents of persons with disabilities. The Coalition may also invite other members to join.

The members of the Coalition serve without compensation, and will be led by an annually elected chair and vice-chair. The Coalition will hold regularly scheduled meetings, and all decisions will be made using the consensus-based decision making process.

Committee Amendment "A" (S-187)

This amendment, which is the majority report of the committee, removes the provision of the bill that establishes a consensus-based decision-making process for the Employment First Maine Coalition and replaces it with a number of governance requirements for the coalition, including a quorum requirement, majority voting, notice of meetings and the power to adopt bylaws.

Committee Amendment "B" (S-188)

This amendment, which is the minority report of the committee, mirrors the majority report except that it adds the executive director of the Manufacturers Association of Maine or the executive director's designee to the membership list of the Employment First Maine Coalition.

Senate Amendment "A" To Committee Amendment "A" (S-196)

This amendment adds the executive director of the Manufacturers Association of Maine or the executive director's designee to the membership list of the Employment First Maine Coalition.

Enacted Law Summary

Public Law 2013, chapter 335 requires the Department of Education, the Department of Health and Human Services and the Department of Labor, in carrying out their duties to provide services and supports to persons with disabilities, to:

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1. Include as a core component, the employment of persons with disabilities in "integrated community-based employment" and "customized employment":
 - A. "Integrated community-based employment" means employment in the competitive labor market in the general community, or through self-employment, with compensation being at least minimum wage and at least the same level of prevailing wage and benefits paid by the employer for the same or similar work to persons without disabilities; and
 - B. "Customized employment" means employment as part of a flexible blend of strategies, services and supports through voluntary negotiation with the employer;
2. Offer, as the first and preferred option, employment services that will support the employment of persons with disabilities;
3. Coordinate their efforts to ensure that the programs directed, the funding managed and the policies adopted by each agency support the gaining of employment by persons with disabilities; and
4. When permissible under the law, share information regarding the use of services and other data in order to monitor progress toward facilitating the employment of persons with disabilities.

Additionally, this law specifies that a person with a disability who receives services from the Department of Education, the Department of Health and Human Services or the Department of Labor may not be required to accept employment services from that agency or to experience a loss of services as a result of choosing not to explore employment options.

Public Law 2013, chapter 335 also establishes, until October 1, 2016, the Employment First Maine Coalition within the Disability Rights Center, which is the protection and advocacy agency for persons with disabilities designated by the Governor pursuant to the Maine Revised Statutes, Title 5, section 19502. Among its duties, the Employment First Maine Coalition is directed to:

1. Promote coordination and collaboration among state agencies that provide services and supports for persons with disabilities, to advance employment services for persons with disabilities;
2. Review relevant state policies, plans, programs and activities in order to determine whether they effectively meet the employment needs of persons with disabilities;
3. Serve as a conduit for information and input to aid advocacy groups, commissions and councils that focus on issues facing persons with disabilities in Maine;
4. Make recommendations to the Governor, the Legislature and agencies regarding ways to improve the administration of employment services and employment outcomes for persons with disabilities;
5. Propose and promote rules and policies to agencies that provide services and supports to persons with disabilities to improve employment of persons with disabilities;
6. Review and comment on proposed legislation affecting the employment of persons with disabilities; and
7. Submit proposed legislation to the Legislature to improve employment of persons with disabilities.

The Employment First Maine Coalition ("Coalition") should strive to ensure that at least 1/2 of the members are persons with disabilities. The membership will include 3 representatives from each of the State agencies involved, 1 representative of the Maine Business Leadership Network, 1 representative from the Manufacturers Association

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of Maine, 16 representatives from various advisory, advocacy and support organizations concerned with persons with disabilities, 1 certified rehabilitation provider that provides "integrated community-based employment" or "customized employment" services, and at least 2 persons who are parents of persons with disabilities. The Coalition may also invite other members to join.

The members of the Coalition serve without compensation, and will be led by an annually elected chair and vice-chair. The Coalition will hold regularly scheduled meetings, and is subject to a number of governance requirements, including a quorum requirement, majority voting and providing notice of meetings. Additionally, the Coalition may adopt bylaws to govern itself.

LD 1354 An Act To Create the Aging in Place Program

CARRIED OVER

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

This bill establishes the Aging in Place Program in the Department of Economic and Community Development to assist low-income seniors with aging in place, including assisting low-income seniors to remain in their homes. It also establishes the Aging in Place Fund and appropriates money to the fund. The department is required to disburse money from the fund to a statewide network that provides weatherization and home repair services, including but not limited to repairs to meet federal Americans with Disabilities Act standards, to replace substandard fixtures and hardware and to reduce ongoing maintenance and heating costs, to low-income residents.

Committee Amendment "A" (S-143)

This amendment incorporates a fiscal note.

This bill was committed to the Joint Standing Committee on Appropriations and Financial Affairs and carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1360 An Act To Amend the Motor Fuel Distribution and Sales Act

PUBLIC 219

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE	OTP	

This bill makes changes to the Motor Fuel Distribution and Sales Act by allowing a franchisor that has entered into a consignment agreement with a franchisee to set the price at which the motor fuel must be sold without being subject to the motor fuel price-fixing prohibition for motor fuel franchise agreements. The bill also makes a variety of technical changes to the laws governing motor fuel franchise agreements.

Enacted Law Summary

Public Law 2013, chapter 219 makes changes to the Motor Fuel Distribution and Sales Act by allowing a franchisor that has entered into a consignment agreement with a franchisee to set the price at which the motor fuel must be sold without being subject to the motor fuel price-fixing prohibition for motor fuel franchise agreements. The law also makes a variety of technical changes to the laws governing motor fuel franchise agreements.

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LD 1368 An Act To Temporarily Restore Boxing Rules

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GILLWAY THIBODEAU	ONTP	

This bill provides that the rules and procedures concerning boxing that were in effect under the former Maine Athletic Commission on June 30, 2008 are in effect and the Combat Sports Authority of Maine is required to enforce those rules and procedures until the rules or procedures are rescinded, revised or amended by the Combat Sports Authority of Maine.

LD 1373 An Act To Update the Polygraph Examiner Licensing Laws

PUBLIC 316

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HASKELL	OTP-AM OTP	S-287 S-290 PATRICK

This bill repeals and replaces the existing polygraph examiner licensing statutes effective April 1, 2014.

Committee Amendment "A" (S-287)

This amendment makes the following changes to the bill.

1. It provides that the Commissioner of Public Safety is responsible for administering the laws governing polygraph examiners, as in current law, and it changes the status and role of the proposed Polygraph Examiners Board to an advisory board, which the amendment renames the Polygraph Examiners Advisory Board, that is responsible for providing advice to the commissioner on licensing issues related to polygraph examiners and administration of the polygraph examiner licensing laws.
2. It removes provisions in the bill that add polygraph examiners to the list of mandated reporters of suspected abuse or neglect of children or incapacitated or dependent adults.
3. It adds to the list of licensing violations the act of maintaining possession of a suspended or revoked license.
4. It includes the provisions in current law governing prohibitions on the use of polygraph examinations and the limitations on their uses in employment.
5. It removes provisions in the bill that add administrative staff to the board.
6. It removes provisions in the bill that allow the board to take licensing and disciplinary action against licensees.
7. It adds language governing the commissioner's authority to deny a license, refuse to renew a license, suspend or revoke a license or impose disciplinary or probationary conditions, fines or costs of hearing and investigation on a polygraph examiner or intern, as well as issue a written warning.
8. It adds language to provide that the Maine Administrative Procedure Act applies to all administrative actions taken under these provisions, as well as to authorize the commissioner to adopt rules to administer these provisions, which are routine technical rules.

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Senate Amendment "A" To Committee Amendment "A" (S-290)

This amendment amends Committee Amendment "A" to require a polygraph examiner to report to the Department of Health and Human Services when the examiner knows or has reasonable cause to believe that a person 14 years of age or younger will be the victim of a sexual assault crime as provided in the Maine Revised Statutes, Title 17-A, chapter 11 or is in imminent danger of substantial bodily injury or death and makes failure to report under these circumstances a Class E crime. The requirement to report to the Department of Health and Human Services does not abrogate any other duty to report the examiner has by virtue of the examiner's profession.

Enacted Law Summary

Public Law 2013, chapter 316 repeals and replaces the polygraph examiner licensing statutes effective April 1, 2014. It provides that the Commissioner of Public Safety is responsible for administering the laws governing polygraph examiners and establishes the Polygraph Examiners Advisory Board to provide advice to the commissioner on licensing issues related to polygraph examiners and the administration of the polygraph examiner licensing laws. The law requires a polygraph examiner to report to the Department of Health and Human Services when the examiner knows or has reasonable cause to believe that a person 14 years of age or younger will be the victim of a sexual assault crime as provided in the Maine Revised Statutes, Title 17-A, chapter 11 or is in imminent danger of substantial bodily injury or death and makes failure to report under these circumstances a Class E crime. The requirement to report to the Department of Health and Human Services does not abrogate any other duty to report the examiner has by virtue of the examiner's profession. In addition, the law prohibits a polygraph examiner from asking certain questions pertaining to sexual behavior or political or religious beliefs, as well limits the use of polygraph examinations in employment.

LD 1376 An Act To Ensure the Choice of a Pharmacy for Injured Employees under the Maine Workers' Compensation Act of 1992

PUBLIC 164

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PATRICK CAMPBELL J	OTP-AM	S-93

This bill gives an injured employee the right under the Maine Workers' Compensation Act of 1992 to choose the provider, pharmacy or pharmacist to dispense any drugs or medication prescribed to treat the injury or disease for which compensation is claimed and sets formulas for reimbursement under the Maine Workers' Compensation Act of 1992 for generic and brand-name drugs or medications.

Committee Amendment "A" (S-93)

This amendment removes the portion of the bill providing for a formula for reimbursement of a provider, pharmacy or pharmacist for drugs or medications prescribed to treat an injury or disease for which compensation is claimed under the Maine Workers' Compensation Act of 1992.

Enacted Law Summary

Public Law 2013, chapter 164 gives an injured employee the right under the Maine Workers' Compensation Act of 1992 to choose the provider, pharmacy or pharmacist to dispense any drugs or medication prescribed to treat the injury or disease for which compensation is claimed.

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LD 1380 Resolve, To Establish a Consistent Workers' Compensation Classification for Pharmacies ONTP

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

This resolve requires the Department of Professional and Financial Regulation, Bureau of Insurance to establish a workers' compensation business classification for pharmacies so that the workers' compensation insurance rate for employees of a pharmacy located within a larger retail store is identical to the workers' compensation insurance rate for employees of a stand-alone pharmacy.

LD 1381 An Act To Promote Rural Job Creation and Workforce Development ONTP

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

This bill gives a preference in state contracting to bidders who primarily employ residents of the State and to bidders who coordinate with regional workforce development programs and who fill at least 20% of positions on the project with low-income or long-term unemployed people. The bill requires that successful bidders on public building or public works contracts with the State, counties, cities and towns and every charitable or educational institution that is supported in whole or in part by aid granted by the State or by a municipality commit to coordinate with regional workforce development programs and make best efforts to hire low-income and long-term unemployed people. The bill also requires state public works programs to give hiring preference to residents of the county where the work is being performed.

LD 1390 An Act Regarding the Cancellation of Subscription Services VETO SUSTAINED

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAUGHTRY	OTP-AM	H-498

This bill requires a person that provides certain goods or services pursuant to a subscription to provide to a subscriber, at the time the subscription starts, information regarding how the subscriber may cancel the subscription; a secure, prominently displayed and easy-to-use method on the person's website that allows the subscriber to cancel the subscription immediately without having to send a letter by the United States Postal Service or other delivery service or to make a telephone call; and the option to cancel the subscription using the same method that was used to start the subscription. A violation of the provisions of the bill is a violation of the Maine Unfair Trade Practices Act.

Committee Amendment "A" (H-498)

This amendment makes the following changes to the bill.

1. It removes from the provisions of the bill newspapers, magazines, journals and periodicals and online news sources, including online versions of newspapers, and cable and Internet services, but retains online magazines, journals and periodicals, online media players, social networking services and Internet game services.

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2. It restricts the application of the bill to only those subscriptions that are automatically renewed at the end of a definite term for a subsequent term, unless the consumer cancels the agreement.

3. It removes provisions in the bill detailing the methods by which a subscriber must be allowed to cancel a subscription and instead requires a business that makes an automatic renewal subscription offer to a consumer in this State to present the consumer with an easily accessible disclosure of the methods the consumer may use to cancel the subscription, which must include online cancellation.

4. It adds an application section to provide that the Act only applies to agreements entered into or renewed after January 1, 2014. It provides that the provisions do not apply to an entity that provides the host platform on the website of an Internet game service.

LD 1420 An Act To Return to Building Code Requirements in Effect Prior to the ONTP
Adoption of the Maine Uniform Building and Energy Code

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL R THOMAS	ONTP	

This bill repeals the laws establishing the Maine Uniform Building and Energy Code and makes adjustments to certain other laws to make them consistent with law that existed prior to the enactment of Public Law 2007, chapter 699, which created the uniform code. This bill reestablishes the Maine Model Building Code, which was repealed by Public Law 2007, chapter 699 and replaced by the Maine Uniform Building and Energy Code. The bill has a delayed effective date of December 1, 2013.

LD 1436 An Act To Avoid Conflicts of Interest in State Government Labor ACCEPTED
Relations MAJORITY
(ONTP) REPORT

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

This bill prohibits a bargaining agent from representing a bargaining unit composed entirely of supervisors employed by the State and a bargaining unit that contains state employees supervised by members of the supervisor bargaining unit.

Committee Amendment "A" (H-287)

This amendment, which is the minority report of the committee, adds an appropriations and allocations section to the bill.

LD 1437 An Act To Amend the Laws Regarding Licensure of Physicians and PUBLIC 355
Physician Assistants

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK PATRICK	OTP-AM	H-424

This bill amends the Maine Health Security Act and the laws governing the Board of Licensure in Medicine as

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follows.

1. It provides that physician assistants have the same duty as physicians to report acts of a physician amounting to gross or repeated medical malpractice, habitual drunkenness, addiction to the use of drugs, professional incompetence, unprofessional conduct or sexual misconduct. It also provides that physician assistants may be the subject of such reports.
2. It clarifies that a health care provider or health care entity is required to report disciplinary action taken against an employee, even if that person is employed by a 3rd party.
3. It provides that recovery is not allowed against a physician assistant on the grounds that treatment was rendered without the informed consent of the patient as long as certain conditions are met. This protection is already provided in current law for similar health care providers.
4. It allows the board to specify individuals other than physicians for the purpose of conducting examinations of physicians and physician assistants to determine whether a physician or physician assistant is mentally and physically competent.
5. It allows the board, by rulemaking, to issue special licenses in addition to a special license for the practice of administrative medicine.
6. It repeals a requirement that the board, upon a finding that a suspension or revocation of a license is in order, file a complaint in the District Court.
7. It specifies that misrepresentation in obtaining a license or in connection with service rendered is grounds for discipline and adds 5 other grounds for discipline, including engaging in an activity that requires licensing without a license and continuing to act in a capacity requiring a license under the governing law of the board after expiration, suspension or revocation of that license.

Committee Amendment "A" (H-424)

This amendment strikes the provision in the bill that proposes to keep the identity of any reporting physician or physician assistant confidential unless it is necessary to the investigation or adjudication of the report by the Board of Licensure in Medicine. It allows for dual trained dentists and oral surgeons to satisfy the Board of Licensure in Medicine's requirements for postgraduate training in a manner that applies to the specific training received by these licensees. It also adds language to ensure the statutory provisions governing Board of Licensure in Medicine sanctions are in compliance with federal and state laws regarding confidentiality of patient information that is the subject of a disciplinary complaint.

Enacted Law Summary

Public Law 2013, chapter 355 amends the Maine Health Security Act and the laws governing the Board of Licensure in Medicine as follows.

1. It provides that physician assistants have the same duty as physicians to report acts of a physician amounting to gross or repeated medical malpractice, misuse of alcohol, drugs or other substances, professional incompetence, unprofessional conduct or sexual misconduct. It also provides that physician assistants may be the subject of such reports.
2. It clarifies that a health care provider or health care entity is required to report disciplinary action taken against an employee, even if that person is employed by a 3rd party.
3. It provides that recovery is not allowed against a physician assistant on the grounds that treatment was rendered without the informed consent of the patient as long as certain conditions are met. This protection is already

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provided in current law for similar health care providers.

4. It allows the board to specify individuals other than physicians for the purpose of conducting examinations of physicians and physician assistants to determine whether a physician or physician assistant is mentally and physically competent.
5. It allows for dual trained dentists and oral surgeons to satisfy the Board of Licensure in Medicine's requirements for postgraduate training in a manner that applies to the specific training received by these licensees.
6. It repeals a requirement that the board, upon a finding that a suspension or revocation of a license is in order, file a complaint in the District Court.
7. It specifies that misrepresentation in obtaining a license or in connection with service rendered is grounds for discipline and adds 5 other grounds for discipline, including engaging in an activity that requires licensing without a license and continuing to act in a capacity requiring a license under the governing law of the board after expiration, suspension or revocation of that license.
8. It includes language to ensure the statutory provisions governing Board of Licensure in Medicine sanctions are in compliance with federal and state laws regarding confidentiality of patient information that is the subject of a disciplinary complaint.

LD 1451 An Act To Require the Membership of the State Workforce Investment Board To Include Representatives of the Local Workforce Investment Boards VETO SUSTAINED

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PATRICK HERBIG	OTP-AM ONTP	S-162

This bill requires that the membership of the State Workforce Investment Board include a representative from each of the local workforce investment boards in this State.

Committee Amendment "A" (S-162)

This amendment, which is the majority report of the committee, replaces the bill with a provision that allows a county commissioner appointed to the State Workforce Investment Board to send a designee to act as a member of the board in the county commissioner's place. The amendment also requires that the membership of the State Workforce Investment Board's Program Policy Committee include directors of the local workforce investment boards.

LD 1458 An Act To Enact the Maine Small Business Investment Protection Act CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HERBIG PATRICK		

This bill enacts the Maine Small Business Investment Protection Act to protect franchisees in the sale and operation of franchise businesses.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

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**LD 1476 An Act To Protect Local Input in Economic Development and
Redevelopment Efforts**

**DIED BETWEEN
HOUSES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAUGHTRY MILLETT	ONTP OTP	

This bill adds 2 members to the board of trustees of the Midcoast Regional Redevelopment Authority, one appointed by the town council of the Town of Brunswick and one appointed by the board of selectmen of the Town of Topsham. It also removes references to counties from the definition of "primary impact community."

LD 1482 An Act To Amend the Motor Vehicle Franchise Laws

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAIN FREDETTE		

This bill amends the motor vehicle dealer franchise laws. It defines "essential tool" as a tool specific to a manufacturer that is instrumental to the diagnosis or repair of a manufacturer's express warranty claim on a new motor vehicle. It amends the laws related to a manufacturer's requirement to provide a fair supply and mix of vehicles. It clarifies that when a manufacturer requires a dealer to purchase a special or essential tool a manufacturer may charge only its actual cost for such a tool. It establishes standards protecting dealership data from unauthorized use. It clarifies the right of a dealer to see the dealer's file regarding compliance with the franchise agreement. It also amends the warranty law to clarify that if a dealer performs warranty service and the work is done in a professional manner and the repair is otherwise completed to the benefit of the consumer, if the manufacturer objects to a technical requirement associated with the warranty submission process or to a specific aspect of the repair, those elements of the warranty claim that are not objectionable must be paid.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

**LD 1498 An Act To Amend the Labor Laws as They Relate to Payment for
Required Medical Examinations**

PUBLIC 363

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE HERBIG	OTP-AM	S-251

Current law provides that an employer may not require an employee or accepted applicant for employment to bear the medical expense of an examination when that examination is ordered or required by the employer. It also provides that an employer may pay for such an examination through group health insurance coverage of the employee. This bill provides that an employer may pay for such an examination through group health insurance coverage of the employee only if the employer pays 100% of the cost of that coverage.

Committee Amendment "A" (S-251)

This amendment clarifies that an employer may not require an employee or accepted applicant for employment to bear the expense of any copayments or other out-of-pocket expenses when the employer pays the medical expense of a medical exam ordered or required by the employer.

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

Enacted Law Summary

Public Law 2013, chapter 363 clarifies that an employer may not require an employee or accepted applicant for employment to bear the expense of any copayments or other out-of-pocket expenses when the employer pays the medical expense of a medical exam ordered or required by the employer.

**LD 1499 *Resolve, To Direct the Department of Economic and Community Development To Adopt Certain Eligibility Requirements Regarding Community Development Block Grants* VETO
SUSTAINED**

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

This resolve prohibits the Department of Economic and Community Development from establishing a minimum population requirement in the eligibility requirements of the housing assistance grant program and to allow certain community development strategies in the eligibility requirements of the public facilities grant program in the Community Development Block Grant Program statement.

LD 1506 *An Act To Require Disclosures by 3rd-party Vendors Contracted To Perform Fund-raising* ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAIN GOODE	ONTP	

Current law places certain restrictions on professional solicitors, who are persons or companies that solicit donations on behalf of charitable organizations.

This bill requires a professional solicitor who receives more than 25% of the solicited donation to disclose to the donator the percentage of the donation the professional solicitor receives, the percentage of the donation the charitable organization receives, whether the donation is sent by the donator to the professional solicitor or to the charitable organization and whether the professional solicitor's fee is paid prior to or after the distribution of the donation to the charitable organization.

As under the current law, a failure to make the disclosures required by this bill is a violation of the Maine Unfair Trade Practices Act and an intentional violation is a Class D crime.

LD 1554 *An Act To Increase International Cross-border Partnerships To Benefit Maine's Economy* PUBLIC 419

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FREDETTE SHERMAN	OTP	

This bill appropriates \$5,250 in fiscal years 2013-14 and 2014-15 for the Maine-Canadian Legislative Advisory Commission.

Enacted Law Summary

Public Law, chapter 416 appropriates \$5,250 in fiscal years 2013-14 and 2014-15 for the Maine-Canadian

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

Legislative Advisory Commission.

LD 1565 An Act To Preserve Code Enforcement Officer Training and Certification

CARRIED OVER

Sponsor(s)

CAREY

Committee Report

Amendments Adopted

This bill reassigns the responsibilities for code enforcement officer training and certification from the Department of Economic and Community Development, Office of Community Development to the Department of Environmental Protection, Bureau of Land Quality Control. Current law partially funds the position from the Maine Code Enforcement Training and Certification Fund, which receives fees and surcharges imposed for the examination of plans for construction, reconstruction or repairs, plumbing inspections and training and certification of municipal building officials and code enforcement officers. Current law also provides that if insufficient funds are available to support the training and certification program, the program is discontinued. This bill removes that provision.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

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

SUBJECT INDEX

Bonds

Enacted

LD 246 An Act To Provide for the 2013 and 2014 Allocations of the State Ceiling on Private Activity Bonds P & S 2

Business Regulation

Enacted

LD 71 An Act To Regulate Dealers in Secondhand Precious Metals PUBLIC 398

LD 364 An Act To Amend the Laws Regulating Suppliers of Agricultural, Construction, Industrial and Forestry Equipment PUBLIC 41

LD 808 An Act To Amend the Laws Concerning Scrap Metal Processors PUBLIC 141

LD 809 Resolve, Directing the Secretary of State To Study the Need for a State Regulatory Process for Scrap Metal Dealers RESOLVE 37

LD 934 An Act To Amend the Laws on Extended Warranties for Used Cars To Make Terms of Coverage Transparent PUBLIC 292

LD 1017 An Act Relating to Employee Leasing Company Registration PUBLIC 257

LD 1360 An Act To Amend the Motor Fuel Distribution and Sales Act PUBLIC 219

Not Enacted

LD 36 An Act To Amend the Laws Governing Record Keeping for Pawn Transactions ONTP

LD 263 An Act To Require Dealers of Secondhand Precious Metals To Keep Records To Aid Law Enforcement ONTP

LD 461 An Act To Allow Businesses with More than 5,000 Square Feet of Interior Customer Selling Space To Open on Easter Day, Thanksgiving Day and Christmas Day ONTP

LD 700 An Act To Require Elevators To Be Accessible for Ambulance Stretchers ONTP

LD 732 An Act To Impose a Holding Period during Which a Dealer in Secondhand Precious Metals Must Retain Property ONTP

LD 788 An Act To Provide Vehicle Owners and Repair Facilities Access to Vehicle Diagnostic and Repair Information and Equipment CARRIED OVER

LD 865 An Act Regarding Contract Indemnification MAJORITY (ONTP) REPORT

LD 977 An Act To Restore Uniformity to the Maine Uniform Building and Energy Code DIED BETWEEN HOUSES

LD 1041 An Act To Modify the Mandatory Enforcement of the Maine Uniform Building and Energy Code for a Municipality without a Building Code ONTP

LD 1156 An Act To Update a Reference Contained in the Maine Uniform Building and Energy Code ONTP

Business Regulation

Not Enacted

LD 1197	An Act To Allow Stores under 10,000 Square Feet To Be Open on Certain Holidays	MAJORITY (ONTP) REPORT
LD 1217	An Act To Modify Franchise Territories for Personal Sports Mobile Dealerships	ONTP
LD 1328	An Act To License Home Building and Improvement Contractors	CARRIED OVER
LD 1420	An Act To Return to Building Code Requirements in Effect Prior to the Adoption of the Maine Uniform Building and Energy Code	ONTP
LD 1458	An Act To Enact the Maine Small Business Investment Protection Act	CARRIED OVER
LD 1482	An Act To Amend the Motor Vehicle Franchise Laws	CARRIED OVER

Collective Bargaining

Not Enacted

LD 293	An Act To Ensure Parity in the Collective Bargaining Process among State Institutions of Higher Education	ONTP
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Consumer Protection

Enacted

LD 118	An Act To Ensure the Authenticity of Items Reported To Have Been Crafted by Native Americans	PUBLIC 302
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Not Enacted

LD 1390	An Act Regarding the Cancellation of Subscription Services	VETO SUSTAINED
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Economic Development- Agencies

Enacted

LD 35	An Act To Amend the Law Concerning the Membership of the Maine Economic Growth Council	PUBLIC 102
LD 1554	An Act To Increase International Cross-border Partnerships To Benefit Maine's Economy	PUBLIC 419

Not Enacted

LD 314	An Act To Create the Office of Marketing	CARRIED OVER
LD 554	Resolve, Requiring the Department of Economic and Community Development To Market the Positive Attributes of the State of Maine	ONTP
LD 656	Resolve, Requiring the Department of Economic and Community Development To Develop Incentives for Industries in the State To Increase Employment of Maine Residents	ONTP
LD 1275	An Act To Implement the Recommendations of the Maine Economic Growth Council Regarding Prosperity	ONTP
LD 1476	An Act To Protect Local Input in Economic Development and Redevelopment Efforts	DIED BETWEEN HOUSES
LD 1499	Resolve, To Direct the Department of Economic and Community Development To Adopt Certain Eligibility Requirements Regarding Community Development Block Grants	VETO SUSTAINED

Economic Development-Programs

Economic Development-Programs

Enacted

LD 260	An Act To Extend Funding for the Loring Job Increment Financing Fund	PUBLIC 413
LD 1276	An Act Regarding Research and Development in Maine	PUBLIC 225

Not Enacted

LD 116	An Act To Amend the Laws Governing Pine Tree Development Zones To Require Payment of a Livable Wage	ONTP
LD 739	Resolve, To Establish a Task Force To Study Economic Development in Rural Areas	ONTP
LD 1179	An Act To Create the Brunswick Landing Job Increment Financing Fund	ONTP
LD 1341	An Act Directing the Department of Economic and Community Development To Establish a Program To Promote Economic Growth and Development	ONTP
LD 1354	An Act To Create the Aging in Place Program	CARRIED OVER

Employment Practices

Enacted

LD 605	An Act To Allow a Minor in the Police Explorer Program To Assist with Traffic Control at Civic Events	PUBLIC 142
LD 1498	An Act To Amend the Labor Laws as They Relate to Payment for Required Medical Examinations	PUBLIC 363

Not Enacted

LD 431	An Act To Amend the Laws Governing the Work Permit Process for Minors and To Conform the Laws Governing Allowable Places of Work for Minors to Federal Law	MAJORITY (ONTP) REPORT
LD 491	An Act Regarding Timber Harvesting on Land Managed by the Division of Parks and Public Lands	VETO SUSTAINED
LD 976	An Act To Reform Employer-provided Benefits	MAJORITY (ONTP) REPORT
LD 1103	An Act To Encourage Development in the Logging Industry	VETO SUSTAINED
LD 1157	An Act To Establish the Fair Chance for Employment Act	CARRIED OVER
LD 1195	An Act To Protect the Privacy of Job Applicants	ONTP
LD 1201	Resolve, Directing the Workers' Compensation Board To Study the Issue of Addressing Psychological and Physical Harm to Employees Due to Abusive Work Environments	VETO SUSTAINED
LD 1259	Resolve, Regarding Legislative Review of Portions of Chapter 17: Rules Regarding Proof of Ownership and Recruitment by Employers Employing Foreign Laborers To Operate Logging Equipment, a Major Substantive Rule of the Department of Labor	VETO SUSTAINED

Housing

Enacted

LD 1203	An Act To Encourage Financing of Manufactured Housing for the Workforce	PUBLIC 295
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Housing

Not Enacted

LD 722	Resolve, To Establish a Task Force To Review Section 8 Housing Construction Standards	ONTP
LD 1072	An Act To Provide Accountability in the Handling of Affordable Housing Tenants' Security Deposits	ONTP
LD 1199	An Act Regarding Mobile Home Ownership	ONTP

Independent Contractor Status

Not Enacted

LD 418	An Act To Enforce Wage Laws by Preventing Misclassification of Employees	ONTP
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Individuals with Disabilities Employment

Enacted

LD 1352	An Act To Provide Integrated Community-based Employment and Customized Employment for Persons with Disabilities	PUBLIC 335
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Labor Department

Not Enacted

LD 853	Resolve, Requiring the Department of Labor To Establish a Fund To Assist Unemployed Individuals Lacking Transportation to Job Interviews	ONTP
LD 1221	An Act To Preserve the Dynamic Status Quo Pending Expiration of Collective Bargaining Agreements	ONTP

Labor Relations

Enacted

LD 689	Resolve, Directing the Maine Labor Relations Board To Convene a Task Force To Examine Compensation for the Panel of Mediators	RESOLVE 26
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Not Enacted

LD 786	An Act To Ensure the Voluntary Membership of Public Employees in Unions	MAJORITY (ONTP) REPORT
LD 831	An Act To Prohibit Mandatory Membership in a Union or Payment of Agency Fees as a Condition of Employment	MAJORITY (ONTP) REPORT
LD 1436	An Act To Avoid Conflicts of Interest in State Government Labor Relations	MAJORITY (ONTP) REPORT

Miscellaneous

Enacted

LD 1151	An Act Regarding the Administration and Financial Transparency of the Citizen Trade Policy Commission	PUBLIC 427 EMERGENCY
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Not Enacted

LD 149	An Act To Make Gold and Silver Coins and Bars Legal Tender	MAJORITY (ONTP) REPORT
LD 691	An Act To Prohibit Enforcement of Federal Laws Regulating Commerce in Violation of the Constitution of the United States	MAJORITY (ONTP) REPORT

Miscellaneous

Not Enacted

LD 890	An Act To Buy American-made Products	VETO SUSTAINED
LD 1108	An Act To Modify the Qualifications for a Person To Be Able To Teach Driver's Education	ONTP
LD 1295	An Act To Require the Use of Preapproved Subcontractors for Publicly Funded Construction Projects	DIED BETWEEN HOUSES
LD 1381	An Act To Promote Rural Job Creation and Workforce Development	ONTP

Occupational and Professional Regulation

Enacted

LD 32	An Act To Expand the Types of Vaccines That May Be Administered by Pharmacists	PUBLIC 6
LD 148	An Act To Amend the Laws Governing Pharmacy Interns	PUBLIC 98
LD 171	An Act To Facilitate the Personal Importation of Prescription Drugs from International Mail Order Prescription Pharmacies	PUBLIC 373
LD 237	An Act To Establish Uniform Quorum, Meeting and Chair Requirements for Professional and Occupational Licensing Boards	PUBLIC 246
LD 249	Resolve, Directing the Board of Dental Examiners To Amend Its Rules To Improve Access to Oral Health Care in Maine	RESOLVE 36
LD 411	An Act To Amend the Health Care Practitioner Licensing, Disciplinary and Reporting Laws Regarding Alcohol and Drug Abuse	PUBLIC 105
LD 414	An Act To Restructure the Licensing and Regulation of Boilers and Pressure Vessels and Elevators and Tramways	PUBLIC 70
LD 416	An Act To Allow Complainants in Disciplinary Actions To Attend Informal Conferences Held by the State Board of Nursing in Executive Session	PUBLIC 23
LD 426	An Act To Provide for the Continuity of a Veterinary Practice Subsequent to the Death or Incapacitation of the Owner	PUBLIC 46
LD 553	An Act To Remove the Statement of Oral Condition as a Requirement for Denturists Making Partial Dentures	PUBLIC 83
LD 556	An Act To Modernize the Statutes Governing Physician Assistants	PUBLIC 101
LD 867	An Act To Streamline, Amend and Clarify Certain Professional and Occupational Licensing Statutes	PUBLIC 217
LD 1134	An Act To Allow Collaborative Practice Agreements between Authorized Practitioners and Pharmacists	PUBLIC 308
LD 1137	An Act To Facilitate Veterans' and Their Spouses' Access to Employment, Education and Training	PUBLIC 311
LD 1238	An Act To Improve Professional Training for Licensed Mental Health Clinicians	PUBLIC 262
LD 1267	An Act To Recodify the Land Surveyor Licensing Laws	PUBLIC 180
LD 1313	An Act To Amend Licensing Requirements for Professional Engineers	PUBLIC 296
LD 1373	An Act To Update the Polygraph Examiner Licensing Laws	PUBLIC 316
LD 1437	An Act To Amend the Laws Regarding Licensure of Physicians and Physician Assistants	PUBLIC 355

Occupational and Professional Regulation

Not Enacted

LD 117	An Act To Change the Composition of the Board of Dental Examiners	ONTP
LD 348	An Act Concerning the Scope of Practice of Cardiovascular Technologists	ONTP
LD 445	An Act To Improve Efficiencies in Dental Offices	ONTP
LD 449	An Act To Ensure Consumer Choice in the Purchase of Prescription Drugs	CARRIED OVER
LD 509	An Act To Exempt Certain Supervised Medical Assistants from Licensing under the Medical Radiation Health and Safety Laws	ONTP
LD 555	Resolve, Directing the Commissioner of Professional and Financial Regulation To Convene a Working Group To Consider Reforms of the Practices of the Nursing Home Administrators Licensing Board	VETO SUSTAINED
LD 747	An Act To Protect Doctors Who Prescribe a Complementary Course of Treatment and To Provide Insurance Coverage for That Treatment	ONTP
LD 914	An Act To Certify Nuclear Medicine Technologists in Computed Tomography	ONTP
LD 933	An Act To Establish a Separate Regulatory Board for Dental Hygienists	CARRIED OVER
LD 993	Resolve, To Amend Maine Board of Pharmacy Rules Regarding Automated Pharmacy Systems in Hospitals	ONTP
LD 1070	Resolve, Directing the Department of Professional and Financial Regulation To Conduct a Sunrise Review Regarding the Proposal To License Certain Mechanical Trades	MAJORITY (ONTP) REPORT
LD 1071	An Act Regarding Qualifications for Real Estate Licensees	ONTP
LD 1196	An Act To Amend the Postgraduate Education Requirements for Physicians Who Have Completed an Accredited Residency Program in Oral and Maxillofacial Surgery	ONTP
LD 1202	An Act To Update the Maine Veterinary Practice Act	ONTP
LD 1230	An Act To Improve Access to Oral Health Care	CARRIED OVER
LD 1281	Resolve, Directing the Department of Professional and Financial Regulation To Conduct a Sunrise Review Regarding the Proposal To License Recreational Therapists	VETO SUSTAINED
LD 1310	An Act To Improve Access to Dental Care through the Establishment of the Maine Board of Oral Health	CARRIED OVER
LD 1315	Resolve, Directing the Commissioner of Professional and Financial Regulation To Convene a Stakeholder Group To Review Changes in Federal and State Regulations and Rules Governing Compounding Pharmacies	VETO SUSTAINED
LD 1351	An Act To Attract Military Families to Maine	ONTP
LD 1368	An Act To Temporarily Restore Boxing Rules	ONTP
LD 1506	An Act To Require Disclosures by 3rd-party Vendors Contracted To Perform Fund-raising	ONTP
LD 1565	An Act To Preserve Code Enforcement Officer Training and Certification	CARRIED OVER

Prevailing Wage and Benefits

Prevailing Wage and Benefits

Not Enacted

LD 1069	An Act To Provide Flexibility in the State Prevailing Wage and Benefit Rates	VETO SUSTAINED
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Retirement

Not Enacted

LD 992	An Act To Create a State-sponsored 401(k) Retirement Plan for Participation by Private Employers	ONTP
LD 1154	An Act To Establish the Maine Length of Service Award Program	CARRIED OVER

State Retirement System

Not Enacted

LD 1288	An Act Regarding Impairment of Health of a Correctional Employee Caused by Infectious Disease	ONTP
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Unemployment Compensation

Enacted

LD 1250	An Act To Revise Maine's Unemployment Compensation Laws	PUBLIC 175
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LD 1311	An Act To Amend the Laws Governing Unemployment Compensation To Ensure Conformity with the Federal Trade Adjustment Assistance Extension Act of 2011	PUBLIC 314
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Not Enacted

LD 159	An Act Regarding the Laws Governing Unemployment Compensation Benefits for Employees of Temporary Staffing Agencies	ONTP
LD 690	An Act To Ensure Efficiency in the Unemployment Insurance System	CARRIED OVER
LD 1033	An Act To Help the Unemployed Find Work	MAJORITY (ONTP) REPORT
LD 1198	An Act To Protect Earned Pay	VETO SUSTAINED
LD 1329	An Act To Provide Equity for Seasonal Public School Employees Concerning Unemployment	LEAVE TO WITHDRAW

Wages

Enacted

LD 103	An Act To Correct an Inconsistency in Maine's Apprenticeship Laws	PUBLIC 5
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Not Enacted

LD 611	An Act To Adjust Maine's Minimum Wage Annually Based on Cost-of-living Changes	VETO SUSTAINED
LD 952	An Act To Ensure Increased Wages for Wabanaki Tribal Members	MAJORITY (ONTP) REPORT
LD 1035	An Act To Report Certain Information in Response to Growing Financial Inequality	ONTP

Workers' Compensation

Enacted

LD 1	An Act To Amend the Maine Workers' Compensation Act of 1992	PUBLIC 63
LD 444	Resolve, Directing the Workers' Compensation Board To Study Improving Protections for Injured Workers Whose Employers Have Wrongfully Not Secured Workers' Compensation Payments	RESOLVE 40
LD 696	An Act To Include Raising Equines in the Definition of Agriculture for the Purpose of the Maine Workers' Compensation Act of 1992	PUBLIC 111
LD 761	An Act To Clarify the Agricultural Exemption to the Workers' Compensation Laws	PUBLIC 87
LD 949	An Act To Ensure the Proportional Offset against Retirement Benefits of Workers' Compensation Awards	PUBLIC 152
LD 1376	An Act To Ensure the Choice of a Pharmacy for Injured Employees under the Maine Workers' Compensation Act of 1992	PUBLIC 164

Not Enacted

LD 235	An Act To Improve Insurance Coverage for Volunteer First Responders	DIED IN CONCURRENCE
LD 443	An Act To Amend the Maine Workers' Compensation Act of 1992 To Provide Benefits to Seriously Injured Workers	VETO SUSTAINED
LD 1087	An Act Concerning Workers' Compensation and Short-term Disability Insurance in Maine	ONTP
LD 1149	An Act To Establish a Rebuttable Presumption Regarding a Corrections Employee That Contracts Hypertension or Cardiovascular Disease	ONTP
LD 1380	Resolve, To Establish a Consistent Workers' Compensation Classification for Pharmacies	ONTP

Workforce Investment

Enacted

LD 1150	An Act To Continue Certain Position Distributions in the Department of Labor and to Amend the Competitive Skills Scholarship Program	PUBLIC 422 EMERGENCY
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Not Enacted

LD 1451	An Act To Require the Membership of the State Workforce Investment Board To Include Representatives of the Local Workforce Investment Boards	VETO SUSTAINED
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