

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

**STATE OF MAINE
114TH LEGISLATURE
FIRST REGULAR SESSION**



**BILL SUMMARY
JOINT STANDING COMMITTEE
ON
LABOR**

JULY 1989

MEMBERS

Sen. Donald E. Esty, Jr. *
Sen. Zachary E. Matthews
Sen. R. Peter Whitmore

Rep. Edward A. McHenry *
Rep. Tony J. Tamaro
Rep. Richard P. Ruhlin
Rep. Anne M. Rand
Rep. M. Ida Luther
Rep. Elden McKeen
Rep. Edward L. Pineau
Rep. Gary W. Reed
Rep. Jeffrey H. ButlanD
Rep. John S. McCormick, Jr.

* Denotes Chair

Staff: Gilbert Brewer, Legislative Analyst

Office of Policy & Legal Analysis
Room 101, State House Sta. 13
Augusta, ME 04333
(207) 289-1670

MARTHA E. FREEMAN, DIRECTOR
WILLIAM T. GLIDDEN, PRINCIPAL ANALYST
ULIE S. JONES, PRINCIPAL ANALYST
DAVID C. ELLIOTT, PRINCIPAL ANALYST
GILBERT W. BREWER
GODD R. BURROWES
MICHAEL FLATEBO
REBECCA C. FRIEDMAN
JOHN B. KNOX



STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107/135
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL: (207) 289-1670

ANNIKA E. LANE
EDWARD POTTER
MARGARET J. REINSCH
LARS H. RYDELL
JOHN R. SELSER
HAVEN WHITESIDE
CAROLYN J. CHICK, RES. ASST
ROBERT W. DUNN, RES. ASST
HARTLEY PALLESCHI, JR., RES. ASST

ONE HUNDRED AND FOURTEENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE
BILL SUMMARIES
AUGUST 1989

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The summaries are arranged by LD number for each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor for floor amendments. Final action is listed to the right of the title. If final House and Senate action differ, both are listed. Committee Reports and Floor Action are abbreviated as follows:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-A	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

Each individual summary was prepared by the analyst assigned, as noted for each committee. But, this document was produced by the efforts of all the office staff, including Research Assistant Barbara McGinn, and secretaries: Charlene Brann, and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

Please give us your suggestions and comments on these summaries and tell us of any inaccuracies.

6. Allowing an evaluation of suitability or plan development to proceed without an order from the administrator when the parties agreed to that action;
7. Adopting specific criteria to determine if an injured employee is suitable for rehabilitation;
8. Requiring a report to the Legislature regarding the effectiveness of the LD; and
9. Providing that the new rehabilitation provisions would apply to all employees injured on or after January 1, 1986.

Committee Amendment "A" (H-586) made the following changes:

1. Reduced the employer's penalty from double payment to 180% of plan implementation costs;
2. Corrected several drafting errors in the LD;
3. Clarified the use of an employee's prior earnings history in developing a rehabilitation plan;
4. Clarified the informal nature of a request for an order of plan implementation and provided that neither party may appeal the administrator's decision;
5. Restricted an employer's obligation to pay the 180% penalty by redefining when an employee had returned to suitable employment;
6. Provided for an automatic trial work period for every employee who returned to work after completing a rehabilitation plan;
7. Restricted the application of the LD to those employees who had not had a rehabilitation plan developed before the effective date of the LD; and
8. Added an appropriation section.

Senate Amendment "A" to Committee Amendment "A" (S-380) clarified the continued application of voluntary trial work periods voluntarily agreed to by an employer/insurer and an employee and further restricted the LD's application to employees who were injured on or after November 20, 1987.

LD 1680 **An Act to Eliminate the Dual Minimum Wage Scheme**

LV/WD

SPONSOR(S)

BURKE
PINEAU
ESTY
RUHLIN

COMMITTEE REPORT

LV/WD

AMENDMENTS ADOPTED

SUMMARY

LD 1680 proposed to repeal the student minimum wage.