

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
115TH LEGISLATURE**

**FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION**

**BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
LABOR**

**AUGUST 1991**

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE  
FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION  
JOINT STANDING COMMITTEE  
BILL SUMMARIES  
AUGUST 1991**

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 volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H - 584 or S - 222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

|                                   |   |
|-----------------------------------|---|
| <b>PUBLIC XXX</b>                 | <i>Chapter # of enacted Public Law</i>                              |
| <b>P&amp;S XXX</b>                | <i>Chapter # of enacted Private &amp; Special Law</i>               |
| <b>RESOLVE XXX</b>                | <i>Chapter # of enacted Resolve</i>                                 |
| <b>CON RES XXX</b>                | <i>Chapter # of Constitutional Resolution passed by both Houses</i> |
| <b>EMERGENCY</b>                  | <i>Enacted law takes effect sooner than 90 days</i>                 |
| <b>CARRIED OVER</b>               | <i>Bill carried over to 2nd Session</i>                             |
| <b>FAILED EMERGENCY ENACTMENT</b> | <i>Bill failed to get 2/3 vote</i>                                  |
| <b>ONTP</b>                       | <i>Ought Not to Pass report accepted</i>                            |
| <b>LVWD</b>                       | <i>Leave to Withdraw report accepted</i>                            |
| <b>INDEF PP</b>                   | <i>Bill Indefinitely Postponed</i>                                  |
| <b>DIED BETWEEN BODIES</b>        | <i>House &amp; Senate disagree; bill died</i>                       |
| <b>VETO SUSTAINED</b>             | <i>Legislature failed to override Governor's Veto</i>               |
| <b>UNSIGNED</b>                   | <i>Not signed by Governor within 10 days</i>                        |
| <b>DIED ON ADJOURNMENT</b>        | <i>Action incomplete when 1st session ended</i>                     |

These summaries were prepared by the analyst or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

If you have any suggestions or comments on these summaries, please let us know.

**LD 300      An Act to Ensure the Equitable Payment of Costs Associated with Unemployment Compensation during a Strike      ONTP**

| SPONSOR(S)                        | COMMITTEE REPORT | AMENDMENTS ADOPTED |
|-----------------------------------|------------------|--------------------|
| MCHENRY<br>PINEAU<br>ESTY<br>RAND | ONTP             |                    |

**SUMMARY**

LD 300 required employers subject to the payment of contributions under the employment security law to reimburse the Unemployment Compensation Fund for the cost of unemployment benefits paid to workers of those employers involved in a strike or lockout.

**LD 308      An Act to Clarify the Definition of "Average Weekly Wages, Earnings or Salary" in the Workers' Compensation Act      ONTP**

| SPONSOR(S)                      | COMMITTEE REPORT | AMENDMENTS ADOPTED |
|---------------------------------|------------------|--------------------|
| MARSANO<br>HASTINGS<br>CARLETON | ONTP             |                    |

**SUMMARY**

This bill related to the Ashby case. It excluded from wages, earnings or salary for workers' compensation purposes employer contributions into a union-established fund of a specific dollar amount per unit of employee time worked.

**LD 349      An Act to Protect the Public from Unsafe Industrial and Commercial Facilities      UNSIGNED**

| SPONSOR(S)                           | COMMITTEE REPORT                     | AMENDMENTS ADOPTED                         |
|--------------------------------------|--------------------------------------|--|
| MCHENRY<br>JOSEPH<br>MILLS<br>PINEAU | OTP-AM      MAJ<br>ONTP          MIN | H-590      MAJ REP<br>S-428      BRANNIGAN |

**SUMMARY**

LD 349 required the Department of Labor to inspect certain industrial and commercial facilities that use potentially hazardous substances, equipment and machinery when such facilities initiate operation or experience more than a 50% turnover in employees who work in the facility or who handle hazardous substances in the facility. Opportunity was provided for public comment and input from local government and the facility's employees to ensure that adequate information would be obtained about potential hazards caused by the facility's operation. Upon request, the Department of Environmental Protection and the Maine Emergency Management Agency would assist the Department of Labor during the inspection of hazardous substances at a facility.

Committee Amendment "A" (H-590) made a number of substantive changes to the bill:

1. It restricted the definition of "hazardous equipment" to boiler or pressure vessels;
2. It replaced the term "hazardous substance" with "toxic chemical";