

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
115TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
LABOR**

AUGUST 1991

MEMBERS:

**Sen. Donald E. Esty, Jr.
Sen. Gerard P. Conley, Jr.
Sen. David L. Carpenter*

**Rep. Edward A. McHenry
Rep. Richard P. Ruhlin
Rep. Anne M. Rand
Rep. Elden McKeen
Rep. Edward L. Pineau
Rep. Vivian St. Onge
Rep. Rosalie H. Aikman
Rep. Peter Hastings
Rep. Richard A. Bennett
Rep. Sumner H. Lipman*

Staff:

Dyan M. Dyttmer, Legislative Analyst

*Office of Policy and Legal Analysis
Room 101, State House Station 13
Augusta, ME 04333
(207) 289-1670*

**Denotes Chair*

MARTHA E. FREEMAN, DIRECTOR
WILLIAM T. GLIDDEN, JR., PRINCIPAL ANALYST
ULIE S. JONES, PRINCIPAL ANALYST
DAVID C. ELLIOTT, PRINCIPAL ANALYST
DON CLARK
DYAN M. DYTTER
BRO FLATEBO
DEBORAH C. FRIEDMAN
MICHAEL D. HIGGINS
KANE ORBETON



KAREN L. HRUBY
JILL IPPOLITI
JOHN B. KNOX
PATRICK NORTON
MARGARET J. REINSCH
PAUL J. SAUCIER
HAVEN WHITESIDE
MILA M. DWELLEY, RES. ASST.
ROY W. LENARDSON, RES. ASST.
BRET A. PRESTON, RES. ASST.

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

**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:

PUBLIC XXX	<i>Chapter # of enacted Public Law</i>
P&S XXX	<i>Chapter # of enacted Private & Special Law</i>
RESOLVE XXX	<i>Chapter # of enacted Resolve</i>
CON RES XXX	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
EMERGENCY	<i>Enacted law takes effect sooner than 90 days</i>
CARRIED OVER	<i>Bill carried over to 2nd Session</i>
FAILED EMERGENCY ENACTMENT	<i>Bill failed to get 2/3 vote</i>
ONTP	<i>Ought Not to Pass report accepted</i>
LVWD	<i>Leave to Withdraw report accepted</i>
INDEF PP	<i>Bill Indefinitely Postponed</i>
DIED BETWEEN BODIES	<i>House & Senate disagree; bill died</i>
VETO SUSTAINED	<i>Legislature failed to override Governor's Veto</i>
UNSIGNED	<i>Not signed by Governor within 10 days</i>
DIED ON ADJOURNMENT	<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 491 An Act Relating to Compensation for Hearing Loss Under the ONTP
Workers' Compensation Act

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
ESTY	ONTP	
CLARK H		
LEMKE		
CONLEY		

SUMMARY

This bill added the level of 3,000 cycles per second to hearing loss measurements in the workers' compensation law. It adopted federal OSHA noise standards and compensated for hearing loss based on state average weekly wage rather than the individual's wage.

LD 503 An Act Related to Workers' Compensation Evaluations ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
BUSTIN	ONTP	
FARNSWORTH		
DUTREMBLE D		
RAND		

SUMMARY

This bill required that a workers' compensation medical examination be done by a physician or surgeon with no prior knowledge of the case and one who has not seen the employee in connection with the case.

LD 509 An Act Concerning Illegally Employed Minors and Workers' LV/WD
Compensation

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
ESTY	LV/WD	
BUSTIN		

SUMMARY

LD 509 permitted minors employed in willful violation of the child labor laws to sue their employers under the common law or any statutory cause of action while continuing to receive compensation under the Workers' Compensation Act. If the minor prevailed in this action, the employer's workers' compensation liability was deducted from the civil action damages. If the employer was insured for workers' compensation liability, the employer's insurer could recover any compensation paid to the minor from the employer.

Provisions of the bill were incorporated into an omnibus child labor bill, the new draft of LD 905.

LD 510 An Act to Retain Workers' Compensation Appeals to Correct ONTP
Manifest Error or Injustice

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
ESTY	ONTP	
CONLEY		

SUMMARY

This bill allowed the continuation of appeals from workers' compensation commissioner decisions to correct manifest error or injustice.