

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:

| | |
|-----------------------------------|---|
| 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.

An Act to Clarify the Definition of Public Employer under the Municipal Public Employees Labor Relations Laws

SPONSOR(S)
LUTHER
CONLEY
PINEAU

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-242

SUMMARY

LD 828 extended collective bargaining rights to all public employees in the state currently excluded from the coverage of state and federal labor laws.

Committee Amendment "A" (H-242) clarified the portion of the bill intended to prevent public employers from using paper corporations, employee leaseback arrangements or similar devices to avoid collective bargaining with employees actually controlled by the public employer.

An Act to Prohibit Employers from Harassing Employees Who Are Absent from Work Due to Illness

SPONSOR(S)
TRACY
PINEAU
MCHENRY
CONLEY

COMMITTEE REPORT
LV/WD

AMENDMENTS ADOPTED

SUMMARY

LD 832 prohibited an employer from requiring an employee to return to work or risk termination if the employee had a note stating that the employee must remain home to recuperate from illness.

An Act to Permit Predetermination of Independent Contractor Status

SPONSOR(S)
ESTY
PINEAU
CARPENTER
PRAY

COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED

SUMMARY

This bill allowed for predetermination in an expedited process of whether a worker, group of workers or job classification is an employee or an independent contractor for workers' compensation purposes. It provided for correction of premiums paid to insurers if the predetermination is overturned.