

# 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  
RON CLARK  
RYAN M. DYTTER  
BRO FLATEBO  
DEBORAH C. FRIEDMAN  
MICHAEL D. HIGGINS  
KANE ORBETON



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

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.

**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.

2. It required the filing of appeals to Superior Court for the review of prohibited practice decisions and unit decisions within 15 days of the issuance date; and
3. It clarified that the appellate procedures of the Maine Revised Statutes, Title 26, section 972, do not apply to grievance arbitrations as well as interest arbitrations.

**LD 1327      An Act to Create a Duty of Fair Representation under the University of Maine System Labor Relations Act      PUBLIC 166**

SPONSOR(S) GILL BOST HASTINGS	COMMITTEE REPORT OTP	AMENDMENTS ADOPTED
--	-------------------------	--------------------

**SUMMARY**

Three of the 4 public sector labor relations laws impose a duty of fair representation on the bargaining agent of a unit, without regard to union membership of the employees in that unit. This bill amended the University of Maine System labor relations law to include a duty of fair representation provision.

**LD 1328      An Act to Clarify the Provisional Payments Provision of the Workers' Compensation Laws Regarding Disability and Medical Payments      ONTP**

SPONSOR(S) CONLEY GAUVREAU MCKEEN RAND	COMMITTEE REPORT ONTP	AMENDMENTS ADOPTED
--	--------------------------	--------------------

**SUMMARY**

This bill expanded the law prohibiting delays in payment of or refusal to pay disability and medical benefits because of the filing of a workers' compensation claim. It authorized the Workers' Compensation Commission, upon application of any interested person, to issue a binding order for payment and repayment of such benefits.

**LD 1329      An Act Concerning Salary Provisions for Automotive Industry Personnel      PUBLIC 507**

SPONSOR(S) BALDACCI	COMMITTEE REPORT OTP-AM	AMENDMENTS ADOPTED S-354
------------------------	----------------------------	-----------------------------

**SUMMARY**

This bill conformed provisions of state minimum wage law to those of federal law with respect to individuals employed in automobile parts departments.

Committee Amendment "A" (S-354) replaced the original bill and provided that the overtime provisions of the state minimum wage law are not applicable to automobile parts clerks who are employed by businesses selling vehicles to the ultimate purchaser and who are not paid on an hourly basis.