

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
116TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
LABOR

JULY 1993

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**ONE HUNDRED AND SIXTEENTH LEGISLATURE  
FIRST REGULAR SESSION**

**JOINT STANDING COMMITTEE  
BILL SUMMARIES**

**JULY 1993**

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.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. 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:

<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>P&amp;S XXX</i>	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of enacted Resolve</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>CARRIED OVER</i>	<i>Bill carried over to Second Session</i>
<i>ONTP</i>	<i>Ought Not to Pass report accepted</i>
<i>ENACTMENT FAILED</i>	<i>Bill failed to get majority vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>FAILED EMERGENCY ENACTMENT</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>DIED BETWEEN BODIES</i>	<i>House &amp; Senate disagree; bill died</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference formed but unable to agree</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>
<i>UNSIGNED</i>	<i>Not signed by Governor within 10 days</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</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.

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

4693NRG

LD 303

**An Act to Amend the Exclusivity Provisions of the Workers' Compensation Laws**

ONTP

**SPONSOR(S)**  
RUHLIN  
HANDY

**COMMITTEE REPORT**  
ONTP

**AMENDMENTS ADOPTED**

**SUMMARY**

This bill would give the injured employee the right to sue the employer for damages if the injury is due to an intentional tort of the employer. An intentional tort occurs when an employer intentionally engages in misconduct knowing it is substantially certain to cause serious injury or death to an employee. The right of action provided by this bill would be in addition to the rights provided under the Maine Workers' Compensation Act of 1992 but the employee could not be compensated twice for the same loss.

LD 309

**An Act to Require Written Reason for Discharge, Demotion or Discipline**

CONF CMTE UNABLE TO AGREE

**SPONSOR(S)**  
PARADIS J

**COMMITTEE REPORT**  
OTP-AM MAJ  
ONTP MIN

**AMENDMENTS ADOPTED**

**SUMMARY**

This bill would have required that employers provide an affected employee with a written statement of the reasons for the employee's termination, demotion or discipline. Current law requires only that an employer respond to a request from an employee for written reasons for that employee's termination.

The majority report of the committee amended the bill so that the employer would be required to respond to an employee's request for written reasons for that employee's termination or demotion if the demotion results in a reduction in pay. The amendment also added a fiscal note.

LD 310

**An Act to Require the State to Pay for Mediation Sessions**

INDEF PP

**SPONSOR(S)**  
HANDY  
RUHLIN

**COMMITTEE REPORT**  
OTP-AM MAJ  
ONTP MIN

**AMENDMENTS ADOPTED**  
S-39

**SUMMARY**

This bill would have restored state funding for state-provided mediation services under the municipal public employees labor relations laws. The majority report of the committee added a fiscal note.

LD 317

**An Act to Require Tentative Agreements to be Considered a Part of the Arbitration Panel's Binding Recommendations**

ONTP

**SPONSOR(S)**  
HANDY  
RUHLIN

**COMMITTEE REPORT**  
ONTP MAJ  
OTP MIN

**AMENDMENTS ADOPTED**

**SUMMARY**

This bill would have amended the Municipal Public Employees Labor Relations Law to require the arbitration panel to include in its binding determinations any tentative agreements negotiated by the parties.