

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
116TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
LABOR

JULY 1993

Staff:
Lisa Copenhaver, Legal Analyst

*Office of Policy and Legal Analysis
Room 101, State House Station 13
Augusta, ME 04333
(207)287-1670*

MEMBERS:

**Sen. James R. Handy
Sen. M. Ida Luther
Sen. Charles M. Begley*

**Rep. Richard P. Ruhlin
Rep. Vivian St. Onge
Rep. Gail M. Chase
Rep. Arthur H. Clement
Rep. Ralph I. Coffman
Rep. Mary E. Sullivan
Rep. Rosalie H. Aikman
Rep. Robert B. Carr
Rep. James D. Libby
Rep. David A. Lindahl*

**Denotes Chair*

MARTHA E. FREEMAN, DIRECTOR
WILLIAM T. GLIDDEN, JR., PRINCIPAL ANALYST
JULIE S. JONES, PRINCIPAL ANALYST
DAVID C. ELLIOTT, PRINCIPAL ANALYST
MARION HYLAN BARR
JON CLARK
LISA COPENHAVER
DEBORAH C. FRIEDMAN
MICHAEL D. HIGGINS
JILL IPPOLITI



JOHN B. KNOX
ROY W. LENARDSON
PATRICK NORTON
JANE ORBETON
MARGARET J. REINSCH
PAUL J. SAUCIER
JOHN G. KELLEY, RESEARCHER
DARLENE A. SHORES LYNCH, RESEARCHER
CARRIE C. McFADDEN, RESEARCHER

STATE OF MAINE
OFFICE OF POLICY AND LEGAL ANALYSIS
ROOM 101/107/135
STATE HOUSE STATION 13
AUGUSTA, MAINE 04333
TEL: (207) 287-1670
FAX (207) 287-1275

**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&S XXX</i>	<i>Chapter # of enacted Private & 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 & 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 498 An Act to Transfer the Predetermination of Independent Contractor Status Responsibility in the Workers' Compensation Laws

PUBLIC 65

SPONSOR(S)
PINEAU

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-84

SUMMARY

This bill transfers the authority to make predeterminations of independent contractor status under the workers' compensation laws from the Department of Labor to the Workers' Compensation Board.

The Committee Amendment (H-84) specifies that the board has the rulemaking authority, rather than the chair of the board, and adds a fiscal note and allocation.

Public Law 1993, chapter 65 (LD 498) was repealed and re-enacted with an effective date of July 1, 1993 by Public Law 1993, chapter 120 (LD 1184).

LD 507 An Act Regarding the Selection of Arbitrators in Labor Disputes

PUBLIC 53

SPONSOR(S)
CARR

COMMITTEE REPORT
OTP

AMENDMENTS ADOPTED

SUMMARY

This bill permits the parties to agree to use the neutral member of the State Board of Arbitration and Conciliation who was selected to represent the public interests of the State rather than the full 3-member board to resolve controversies.

LD 545 An Act to Amend the Labor Laws for Minors

ONTP

SPONSOR(S)
CHASE

COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED

SUMMARY

This bill would have increased the maximum number of hours that a 16 or 17 year old would be permitted to work on a day when school is in session from 4 to 6 hours.

LD 585 An Act to Further Clarify Appellate Procedures under the Public Sector Labor Laws

PUBLIC 90

SPONSOR(S)
LIBBY J D

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-133

SUMMARY

This bill ensures that under all 4 of the public sector collective bargaining laws administered by Maine Labor Relations Board, both prohibited practice decisions and decisions in connection with board review of representation matters are appealable pursuant to the Maine Rules of Civil Procedure, Rule 80C while interest arbitrations are appealable pursuant to Rule 80B. This bill corrects certain inconsistencies that were not resolved by the changes to the appellate procedures made in Public Law 1991, chapter 143.

The Committee Amendment (H-133) makes two comparable technical changes and corrects a typographical error.