

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&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

employee's job performance and legitimate business decisions made by an employer. The requirement of good cause does not apply if the employee contracted to work for a specific duration or the employer agreed to provide severance pay equal to one month's pay for every year of service. The bill would have provided for all disputes concerning employment terminations to be submitted to binding arbitration. If the arbitrator decides that a violation has occurred, the arbitrator may award reinstatement and back pay or severance pay, and attorney's fees and costs. If the arbitrator finds that the employee's complaint was frivolous, attorney's fees and costs may be awarded to the employer. The arbitrator's decision would be subject to judicial review in accordance with the Uniform Arbitration Act, Title 14, chapter 706.

LD 707 An Act Concerning the Maine Unemployment Insurance Commission ONTP

| SPONSOR(S) | COMMITTEE REPORT | | AMENDMENTS ADOPTED |
|-------------------|-------------------------|-----|---------------------------|
| PENDEXTER | ONTP | MAJ | |
| BEGLEY | OTP | MIN | |

SUMMARY

This bill would have amended the employment security laws to specify that a decision of the Unemployment Insurance Commission must be made by the chair and at least one other member of the commission. Under current law, the chair of the commission must decide a case alone if one of the other two commissioners is absent or disqualified from a case.

LD 708 An Act to Change the Labor Laws that Apply to Students under 18 Years of Age ONTP

| SPONSOR(S) | COMMITTEE REPORT | | AMENDMENTS ADOPTED |
|-------------------|-------------------------|--|---------------------------|
| PINEAU | ONTP | | |
| CAREY | | | |

SUMMARY

This bill would have changed the child labor laws related to minors 16 and 17 years of age to allow them to work additional hours when an authorized school closure occurs. The maximum hours allowed in a week would be increased from 20 to 28 in any week in which there is an authorized school closure.

A similar provision was incorporated into LD 1180.

LD 802 An Act to Improve the Unemployment Collection Process for Employer Contributions PUBLIC 312

| SPONSOR(S) | COMMITTEE REPORT | | AMENDMENTS ADOPTED |
|-------------------|-------------------------|-----|---------------------------|
| BEGLEY | OTP-AM | MAJ | H-439 AIKMAN |
| | ONTP | MIN | S-156 |

SUMMARY

This bill expands the powers of the Bureau of Employment Security to collect delinquent unemployment taxes from employers and pass along the costs of collection efforts to delinquent taxpayers rather than raising employer taxes or borrowing federal funds to replenish the state's Unemployment Compensation Fund. The bill removes a 6-year statute of limitations for cases with intent to evade liability and establishes a 4-year period in which assessments must be made, with the running of the period of