

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.

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limitations stayed during bankruptcy proceedings or judicial review. The bill also authorizes the bureau to effect a denial, suspension or revocation of specific licenses to conduct a profession, trade or business for failure to file reports or make required payments to the fund. The bill authorizes the bureau to pursue collection of a corporation's delinquent payments from an officer, director or shareholder of the corporation in specific instances. The bill also raises the penalty for failure to file timely payroll reports from \$10 to \$25.

The majority report of the committee (S-156) amends the section removing the statute of limitations by adding the requirement that the intent to evade liability be "willful", by removing the section of the bill imposing personal liability on corporate officers, by raising the filing fee for recording liens from \$5 to the usual and customary fee, and by replacing the section on revocation of licenses to more closely parallel the statute giving comparable authority to the Bureau of Taxation.

House Amendment "B" to Committee Amendment "A" (H-439) prohibits the Department of Labor from revoking a license if there is a dispute about the amount owed until all appeals are exhausted and also provides for a fact-finding interview to determine a reasonable payment agreement.

LD 860 **An Act to Amend the Workers' Compensation Laws for Workers in Certain Marine Resources Industries** PUBLIC 209

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
FOSTER	OTP-AM	S-134

SUMMARY

This bill amends the definition of aquaculture to include employees whose work involves lobsters under the alternative liability and medical insurance provisions in the Maine Workers' Compensation Act of 1992.

The Committee Amendment (S-134) replaces the original bill with a definition of aquaculture which includes commercial production at hatcheries or nurseries and cultivating activities on water. This language is based on the sales tax exemption for aquaculture production found in Public Law 1993, c. 151 (LD 702).

LD 875 **An Act to Improve Access of Injured Workers to Medical Care** PUBLIC 261

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
ST. ONGE	OTP-AM	H-331

SUMMARY

This bill extends the reporting periods for providers of health care treating workers' compensation cases from 5 days to 10 days, requires insurers to pay the health care providers within 30 days and allows for criminal penalties only where the provider "knowingly" filed a false claim. In addition, the bill eliminates the provision disqualifying from serving as an independent medical examiner any health care provider who had treated any patient during the previous 52 weeks at the request of an insurance company, employer or employee but retains the disqualification when the provider had treated that particular patient previously.

The Committee Amendment (H-331) removes all sections of the bill except the provision allowing for criminal penalties only when the provider knowingly files a false claim.