

MAINE STATE LEGISLATURE

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**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*

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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 970 An Act to Repeal the Child Labor Laws

ONTP

SPONSOR(S)
CLARK**COMMITTEE REPORT**
ONTP**AMENDMENTS ADOPTED****SUMMARY**

This bill would have repealed the state laws restricting child labor and would have imposed strict liability on employers who hire students who are habitual truants.

LD 978 An Act to Preserve the Solvency of the Unemployment Compensation FundPUBLIC 22
EMERGENCY**SPONSOR(S)**
CARPENTER**COMMITTEE REPORT**
OTP-AM**AMENDMENTS ADOPTED**
S-54**SUMMARY**

This bill increases employer contributions to the Unemployment Compensation Fund and limits unemployment benefits to eliminate the deficit for 1993 and 1994. The fund is projected to have a deficit of \$14,400,000 for 1993 and \$43,600,000 for 1994, based on insured unemployment rates of 4.8% and 4.6%, respectively, for these years. Benefits are reduced by freezing the maximum weekly benefit amount until June 1, 1995 and by reducing the weekly benefit amount by \$6 for all new claims filed from April 1, 1993 to December 31, 1994. A flat surtax is imposed on employers which is .7% of covered wages for 1993 and .8% for 1994. In addition, the contribution rate for employers who have the maximum rate is increased by 1.0%.

This bill extends the sunset dates for the alternate base period and the dislocated worker benefits program, or DWB, through March 31, 1995 and allows that program to continue to exist through that date despite the low Unemployment Compensation Fund reserves. The bill makes one change to the extended benefit program by eliminating the special work search and suitable work requirements from March 6, 1993 to January 1, 1995. This is a change required by federal law.

The Committee Amendment (S-54) adds a fiscal note and transfers funds from the Department of Labor's Special Administrative Expense Fund to the General Fund to cover the cost of the increased contribution rate for the Department of Agriculture, Food and Rural Resources.

LD 1108 An Act to Amend the Child Labor Laws

PUBLIC 434

SPONSOR(S)
AIKMAN**COMMITTEE REPORT**
OTP-AM**AMENDMENTS ADOPTED**
H-484
S-366 PEARSON**SUMMARY**

This bill amends the child labor laws by expanding the hours 16 year olds and 17 year olds may work when school is not in session from 8 to 12 hours per day and from 48 to 60 hours per week, by establishing an exemption in the section concerning the hours of employment for work performed as a theatrical actor, by revising the language controlling the hours of the day 14 year olds and 15 year olds may work to parallel the federal child labor laws, and by giving the Director of the Bureau of Labor Standards rulemaking authority.

The Committee Amendment (H-484) replaces the original bill, adds an emergency clause and incorporates many of the changes proposed in LD 164, LD 203, LD 708 and LD 1144. It expands the maximum hours for 16 and 17 year olds to 10 hours per day and 50 hours per week when school is not in session, and from 20 to 28 hours in a school week if there is an authorized school closure. It allows the older minor to begin work as early as 5 a.m. on a non-school day and clarifies that they may not work past 10 p.m. on a day before a school day or past midnights on other days. The amendment also changes the language controlling the hours of the day a 14 or 15 year old may work so that all days of the year are covered and it repeals the subminimum wage effective September 1, 1993. It exempts work as a theatrical or film actor and clarifies the exemption for work in the initial processing of farm crops, it gives the Bureau rulemaking authority, and it provides that the Bureau's poster on employment laws need not be updated.

The Senate Amendment (S-366) to the Committee Amendment adds the standard mandate preamble and replaces the fiscal note.

LD 1128 An Act Concerning Unemployment Insurance ONTP

SPONSOR(S) HANDY	COMMITTEE REPORT ONTP	AMENDMENTS ADOPTED
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SUMMARY

This bill would have amended the so-called ABC test in the unemployment security laws. Under this bill, a contractor could use an independent contractor to perform services that may or may not be in the usual course of the contractor's business and, if the other prongs of the ABC test are met, the independent contractor would not be an employee of the contractor.

**LD 1130 An Act to Amend the Minimum Safety Standards for Firefighters PUBLIC 285
EMERGENCY**

SPONSOR(S) CONLEY	COMMITTEE REPORT OTP-AM	AMENDMENTS ADOPTED S-153
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SUMMARY

This bill provides firefighters with greater flexibility in protective clothing while still ensuring adequate safety by allowing them to wear 3/4 length boots in conjunction with approved station uniforms.

The Committee Amendment (S-153) removes any change to the statutory safety standard on firefighter clothing and addresses the problem by allowing the Board of Occupational Safety and Health to issue advisory rulings on the application of the safety standards.

LD 1144 An Act Concerning the Working Hours of Minors ONTP

SPONSOR(S) MELENDY	COMMITTEE REPORT ONTP	AMENDMENTS ADOPTED
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SUMMARY

This bill broadens the exemptions from the laws limiting the working hours of minors to include work performed as a theatrical or film actor.

This provision was incorporated into LD 1180.