

MAINE STATE LEGISLATURE

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STATE OF MAINE
118TH LEGISLATURE

SECOND REGULAR SESSION
AND
SECOND SPECIAL SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
LABOR

MAY 1998

MEMBERS:

Sen. Mary R. Cathcart, Chair

Sen. Sharon Anglin Treat

Sen. S. Peter Mills

Rep. Pamela H. Hatch, Chair

Rep. Roland B. Samson

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**ONE HUNDRED EIGHTEENTH LEGISLATURE
SECOND REGULAR AND SECOND SPECIAL SESSIONS**

**Summary Of Legislation Before The Joint Standing Committees
May 1998**

We are pleased to provide this summary of bills that were considered by the Joint Standing Committees of the Maine Legislature. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

- CON RES XXX*..... Chapter # of Constitutional Resolution passed by both Houses
- CONF CMTE UNABLE TO AGREE*.....Committee of Conference unable to agree; bill died
- DIED BETWEEN BODIES*.....House & Senate disagree; bill died
- DIED IN CONCURRENCE*.....One body accepts ONTP report; the other indefinitely postpones the bill
- DIED ON ADJOURNMENT*.....Action incomplete when session ended; bill died
- EMERGENCY*.....Enacted law takes effect sooner than 90 days
- FAILED EMERGENCY ENACTMENT/FINAL PASSAGE*.....Emergency bill failed to get 2/3 vote
- FAILED ENACTMENT/FINAL PASSAGE*.....Bill failed to get majority vote
- FAILED MANDATE ENACTMENT*.....Bill imposing local mandate failed to get 2/3 vote
- INDEF PP*.....Bill Indefinitely Postponed
- ONTP*..... Ought Not To Pass report accepted
- OTP ND*..... Committee report Ought To Pass In New Draft
- OTP ND/NT*..... Committee report Ought To Pass In New Draft/New Title
- P&S XXX*..... Chapter # of enacted Private & Special Law
- PUBLIC XXX*..... Chapter # of enacted Public Law
- RESOLVE XXX*..... Chapter # of finally passed Resolve
- UNSIGNED*.....Bill held by Governor
- VETO SUSTAINED*.....Legislature failed to override Governor's Veto

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is June 30, 1998 and July 9, 1998 for the Second Special Session. Second Special Session laws include Public Laws beginning with Chapter 718, Private and Special Laws beginning with Chapter 82 and Resolves beginning with Chapter 117.

Resolve, Instructing the Workers' Compensation Board to Study and Make Recommendations Regarding the Occupational Disease Law

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WINSOR	OTP-AM MAJ ONTP MIN	H-814

LD 835 was carried over from the First Session. The resolve proposed to direct the Workers' Compensation Board to study the unique issues involved in providing workers' compensation benefits to employees under the Occupational Disease Law and to make recommendations for ensuring that the purposes of the Workers' Compensation Act of 1992 are achieved with respect to occupational diseases. The specific issues proposed to be studied included proof of causation when the occupational disease is thought to arise from exposure to hazardous materials, long latency periods, the apportionment of liability and the handling of benefits when the employee has not lost any work time. The resolve also proposed to require the board to report to the Legislature by January 1, 1999, with a discussion of the issues studied, approaches for handling any problems identified, recommendations and any necessary implementing legislation.

Committee Amendment "A" (H-814) proposed to require the Bureau of Health, the Bureau of Insurance and the Bureau of Labor Standards to participate in the occupational disease study with the Workers' Compensation Board. It proposed to require the groups to recommend a definition for occupational disease and to recommend a means of tracking occupational disease data. The amendment proposed to change the reporting date from January 1, 1999 to January 15, 1999. The amendment also proposed to add a fiscal note to the bill.

Enacted law summary

Resolve 1997, chapter 94 requires the Workers' Compensation Board, the Bureau of Health, the Bureau of Insurance and the Bureau of Labor Standards to study the unique issues involved in providing workers' compensation benefits to employees under the Occupational Disease Law and to make recommendations for ensuring that the purposes of the Workers' Compensation Act of 1992 are achieved with respect to occupational diseases. The issues to be studied must include proof of causation when the occupational disease is thought to arise from exposure to hazardous materials, long latency periods, the apportionment of liability and the handling of benefits when the employee has not lost any work time. The groups must report to the Legislature by January 15, 1999, with a discussion of the issues studied, approaches for handling any problems identified, recommendations, including a recommended definition for occupational disease and a recommended means of tracking occupational disease data, and any necessary implementing legislation.