

MAINE STATE LEGISLATURE

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**STATE OF MAINE
119TH LEGISLATURE**

FIRST REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
LABOR**

JULY 1999

MEMBERS:

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Sen. Lloyd P. LaFountain, III

Sen. S. Peter Mills

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ONE HUNDRED NINETEENTH LEGISLATURE
FIRST REGULAR SESSION

Summary Of Legislation Before The Joint Standing and Select Committees
August 1999

We are pleased to provide this summary of all bills that were considered by the Joint Standing and Select Committees of the Maine Legislature this past session. 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 and select committees.

The document is organized for convenient reference to information on bills considered by the 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:

CARRIED OVER.....Bill carried over to Second Regular Session
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
ENACTMENT FAILED..... Bill failed to get vote required for enactment or final passage
NOT PROPERLY BEFORE THE BODY..... Ruled out of order by the presiding officers; bill died
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 First Regular Session (unless otherwise specified in a particular law) is September 18, 1999.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAYO	ONTP	

LD 290 proposed to repeal the requirement that a recipient of optional, reduced benefits under the Maine State Retirement System who desires to change the beneficiary of survivor benefits must obtain the agreement of the recipient's spouse or former spouse in the event of divorce if the spouse was originally named the beneficiary. The bill would have allowed the recipient to name a new beneficiary after a divorce without obtaining the permission of the spouse originally named the beneficiary.

LD 292

An Act to Enhance the Payment Options for Certain Employers

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL	ONTP MAJ OTP-AM MIN	H-477 S-361 MILLS S-412 MICHAUD

LD 292 proposed to repeal the law requiring certain employers, such as mercantile, hotel and manufacturing employers, to pay their employees weekly.

Committee Amendment “A” (H-477) proposed to replace the bill. It proposed to repeal the weekly pay requirement and substitute a general rule requiring most employees to be paid at least semimonthly. An employer that paid more frequently than semimonthly would be required to give employees at least 30 days’ notice before extending the payment interval. The amendment proposed to exclude from the requirement family members of the employer and bona fide executive, administrative and professional employees who are paid an annual salary of at least 3000 times the minimum wage. The amendment proposed to specify when an employee is entitled to receive remedies for unpaid wages.

Senate Amendment “A” to Committee Amendment “A” (S-361) proposed that wages be paid at intervals not to exceed 16 days.

Senate Amendment “E” to Committee Amendment “A” (S-412) proposed to strike the appropriation to the Department of Labor for revising the Regulation of Employment poster, because the revision was funded in a different bill.

Enacted Law Summary

Public Law 1999, chapter 465 repeals the law requiring certain employers to pay their employees weekly and replaces it with a law requiring all employers to issue paychecks to employees at regular intervals not to exceed 16 days. Each payment must include wages earned to within 8 days of payday. An employer that issues paychecks at intervals less than 16 days may not lengthen the interval without giving employees at least 30 days’ notice of the change. Family members of the employer and bona fide executive, administrative and professional employees who earn an annual salary of at least 3000 times the minimum wage are exempt from the requirement.

The law also specifies that an employee becomes eligible for remedies for unpaid wages 8 days after the due date for payment, if there is no dispute over the amount due, and 8 days after demand when there is a dispute that has been resolved and the amount is in fact owed.