

MAINE STATE LEGISLATURE

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**STATE OF MAINE
119TH LEGISLATURE**

SECOND REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
LABOR**

JULY 2000

MEMBERS:

*Sen. Neria R. Douglass, Chair
Sen. Lloyd P. LaFountain III
Sen. S. Peter Mills*

*Rep. Pamela Henderson Hatch, Chair
Rep. Roland B. Samson
Rep. Zachary E. Matthews
Rep. Roger D. Frechette
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ONE HUNDRED NINETEENTH LEGISLATURE
SECOND REGULAR SESSION

Summary Of Legislation Before The Joint Standing Committees
July 2000

We are pleased to provide this summary of 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:

- 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
- 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 Second Regular Session (unless otherwise specified in a particular law) is August 11, 2000.

David E. Boulter, Director
 Offices Located in the State House, Rooms 101 & 107

Joint Standing Committee on Labor

LD 136

An Act Relating to Employment Contracts

VETO
SUSTAINED

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
AHEARNE	OTP-AM MAJ	H-1018
PARADIS	ONTP MIN	

LD 136 proposed to repeal the provisions in current law that attempt to restrict an employer's right to hire replacement workers during a labor dispute, since those provisions were found by the state Superior Court Chief Justice to be preempted by the National Labor Relations Act.

The bill also proposed to add a provision requiring that a contract between an employer and replacement workers provide that when the strike is settled or if the employees offer unconditionally to return to work, the replacement workers would not be retained in preference to the strikers.

Committee Amendment "A" (H-1018) proposed to replace the bill. It proposed to invalidate a contract that attempts to prevent an employer from rehiring employees displaced during a labor dispute and from removing workers who were hired to replace striking employees. It proposed to specify that no cause of action lies in state courts to require an employer to retain an employee or employees hired to replace workers who participate in a labor dispute.

LD 357

An Act Raising the Minimum Wage

VETO
SUSTAINED

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HATCH	OTP-AM MAJ	H-918
DOUGLASS	ONTP MIN	

LD 357 proposed to raise the state minimum wage to \$5.50 per hour, beginning January 1, 2000 and to \$6.00 per hour starting January 1, 2001. The bill also proposed to adjust the minimum wage on each January 1st thereafter to reflect the percentage change in the Consumer Price Index for the previous 12 months.

Committee Amendment "A" (H-918) proposed to replace the bill. It proposed to raise the minimum wage to \$5.75 per hour beginning January 1, 2001 and to \$6.25 per hour beginning January 1, 2002. It also proposed to adjust the minimum wage every 3rd January 1st thereafter, based on the 3-year average increase in the Consumer Price Index.