

MAINE STATE LEGISLATURE

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*State Of Maine
121st Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Labor*

July 2003

Members:

*Sen. Betheda G. Edmonds, Chair
Sen. Steven S. Stanley
Sen. Kenneth Blais*

*Rep. William J. Smith, Chair
Rep. Deborah J. Hutton
Rep. Paul R. Hatch
Rep. John L. Patrick
Rep. Thomas R. Watson
Rep. Russell P. Treadwell
Rep. Philip Cressey, Jr.
Rep. Robert W. Nutting
Rep. Theodore H. Heidrich
Rep. Troy D. Jackson*

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Maine State Legislature



Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

121st Maine Legislature First Regular Session

Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint 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 committees.

The document is organized for convenient reference to information on bills considered by the committees. It is arranged alphabetically by committee name 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:

<i>CARRIED OVER PURSUANT TO HP 1212</i>	<i>Bills carried over to the 2nd Regular Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP-ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PASSED</i>	<i>Joint Order passed in both bodies</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

Please note that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

David C. Elliott, Director
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Labor

LD 954

An Act To Require Disclosure of the Amount and Duration of Unemployment Benefits to Recipients

PUBLIC 95

<u>Sponsor(s)</u> JACKSON EDMONDS	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-104
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LD 954 proposed to require the Department of Labor to provide information concerning the amount and duration of unemployment benefit payments over the telephone upon inquiry of the person receiving the benefits.

Committee Amendment "A" (H-104) proposed to state that the information given by the Department of Labor to a person who inquires about unemployment compensation benefits is an estimate, not an actual calculation of benefits and to clarify that an inquiry is not considered an application for benefits. It also proposed that the estimate be provided for benefits that would be paid if the individual applied on the day of the inquiry, and, if the inquiry is made within 2 weeks before the beginning of a calendar quarter, the department must also give an estimate for benefits that would be paid if the individual applied after the beginning of that calendar quarter.

Enacted Law Summary

Public Law 2003, chapter 95 requires the Department of Labor, upon inquiry from a person, to provide that person an estimate of the amount and duration of unemployment benefit payments likely to be paid to that person. Inquiry may be made by telephone, and is not considered to be an application for benefits. The estimate will be provided for benefits that would be paid if the individual applied on the day of the inquiry, and, if the inquiry is made within 2 weeks before the beginning of a calendar quarter, an estimate will be provided of benefits that would be paid if the individual applied after the beginning of that calendar quarter.

LD 955

An Act To Allow Recipients To Withdraw from Receiving Unemployment Benefits by Phone and at Any Time before Receiving Benefits

PUBLIC 96

<u>Sponsor(s)</u> JACKSON EDMONDS	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-103
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LD 955 proposed to allow a claimant for unemployment benefits to withdraw the claim, by telephone, at any time before receiving benefits. It also proposed to require the Department of Labor to treat a claimant who has withdrawn a claim as not having filed the claim.

Committee Amendment "A" (H-103) proposed to allow the Department of Labor to require a person to submit a signed withdrawal authorization after initiating authorization to withdraw benefits by telephone. It also proposed that a person who cashes a benefit check is deemed to have revoked any withdrawal of that claim.

Enacted Law Summary

Public Law 2003, chapter 96 allows a claimant for unemployment benefits to withdraw the claim at any time before receiving benefits. Withdrawal may be initiated by telephone, but the Department of Labor may require a person to

Joint Standing Committee on Labor

submit a signed withdrawal authorization following the withdrawal by phone. A person who cashes a benefit check is deemed to have revoked any withdrawal of that claim.

LD 974 **An Act To Prohibit the Use of Workers' Compensation Trust Funds for Political Contributions** **PUBLIC 424**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HATCH PH	OTP-AM MAJ	S-161
HATCH PR	ONTP MIN	S-213 EDMONDS

LD 974 proposed to prohibit self-insuring employers and employer groups from using workers' compensation trust funds to make contributions to political candidates or political action committees. It also proposed to require the Department of Administrative and Financial Services, Bureau of Revenue Services to review the tax filings related to self-insurer trust funds to determine whether funds removed from the trusts for the purpose of political contributions prior to the effective date of this bill were properly accounted for.

Committee Amendment "A" (S-161) proposed to add an appropriations and allocations section to fund the review by the Bureau of Revenue Services.

Senate Amendment "A" (S-213) proposed to strike the language from the bill that requires the Bureau of Revenue Services to review the tax filings of self-insurers and replace it with language that requires an individual or group self-insurer to include a certification that no political contributions have been made from the trust fund. The amendment also proposed to strike the appropriations and allocations section.

Enacted Law Summary

Public Law 2003, chapter 424 prohibits self-insuring employers and employer groups from using workers' compensation trust funds to make contributions to political candidates or political action committees. It also requires individual or group self-insurers, when they apply to the Superintendent of Insurance for renewal of authority to self-insure, to include a certification that no political contributions have been made from the trust fund in violation of the Maine Revised Statutes, Title 39-A, section 403, subsection 18.

LD 990 **An Act To Provide an Alternative Method of Payment under the Maine State Retirement System** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL	ONTP	
DAVIS G		

LD 990 proposed to allow a retired member of the Maine State Retirement System who elects to receive reduced benefits in order to enable a beneficiary to continue to receive benefits after the member dies, to revert to receiving full benefits if the named beneficiary predeceases the member.