

# MAINE STATE LEGISLATURE

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*State Of Maine  
122nd Legislature*

*First Regular Session and  
First Special Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Labor*

*August 2005*

**Members:**

*Sen. Ethan Strimling, Chair  
Sen. Philip L. Bartlett, II  
Sen. Lois A. Snowe-Mello*

*Rep. William J. Smith, Chair  
Rep. John L. Tuttle, Jr.  
Rep. Deborah J. Hutton  
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Rep. Darren M. Hall  
Rep. James M. Hamper*

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Maine State Legislature

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122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included 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
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 First Regular Session (unless otherwise specified in a particular law) is June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

*Joint Standing Committee on Labor*

**LD 425**

**An Act To Amend the Laws Relating to Unemployment Compensation**

**PUBLIC 35**

<u>Sponsor(s)</u> FISCHER		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-31
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LD 425 proposed to amend the exemption from the definition of "employment," for the purposes of unemployment compensation and insurance, as it relates to the delivery and distribution of periodicals. Under current law, only those delivery or distribution workers who deliver directly to consumers fall within the exemption. LD 425 proposed to expand the exemption to include workers that deliver bundles of periodicals to businesses and the like, thereby making state law consistent with federal law governing social security and unemployment taxes.

**Committee Amendment "A" (H-31)** proposed to replace the bill. The amendment proposed to clarify the exemption to the definition of "employment," for the purposes of unemployment compensation and insurance, as it relates to the delivery and distribution of periodicals by replacing the term "periodicals" with the term "newspapers or magazines."

*Enacted law summary*

Public Law 2005, chapter 35 clarifies the exemption from the definition of "employment," for the purposes of unemployment compensation and insurance, concerning the delivery and distribution of periodicals by replacing the term "periodicals" with the term "newspapers or magazines."

**LD 430**

**An Act To Modify the Obligation To Bargain under the Municipal Public Employees Labor Relations Law** CARRIED OVER

<u>Sponsor(s)</u> NORTON EDMONDS		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 430, a concept draft pursuant to Joint Rule 208, proposed to modify the obligations of public employers and their employees to bargain collectively, as is currently required under the Maine Revised Statutes, Title 26, section 965.

This bill was carried over by H.P. 1203 to the next special or regular session of the 122<sup>nd</sup> Legislature.

**LD 435**

**An Act To Conform Maine Law to Federal Overtime Standards**

**ONTP**

<u>Sponsor(s)</u> MCKANE SNOWE-MELLO		<u>Committee Report</u> ONTP MAJ OTP MIN		<u>Amendments Adopted</u>
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