

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.
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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

time-consuming. Under the bill, benefits payable within each calendar month would be treated as a single award with interest to accrue only from the end of the month forward.

LD 546 **An Act to Promote Responsible Contracting Practices on State Projects** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EDMONDS	OTP-AM MAJ	
DUPLESSIE	ONTP MIN	

LD 546 proposed to require an employer on a state project to possess a federal and state tax identification number, be bonded, carry liability insurance and follow state requirements for unemployment and workers' compensation insurance. The bill further proposed to require the employer to provide its employees health insurance that is Dirigo Health or the equivalent of that of state employees and construction industry safety training as provided by the United States Department of Labor, Occupational Safety and Health Administration, and to participate in an apprenticeship program or equivalent training program to train construction workers.

Committee Amendment "A" (S-112), which was the majority amendment of the committee and was not adopted, proposed to replace the bill and change the title of the bill. The amendment proposed to provide that, in collecting information from employers and determining the prevailing rate for health insurance, the Department of Labor, Bureau of Labor Standards must assume that an employer pays costs for health insurance at a rate that is either the median rate for small group health insurance, including Dirigo Health, or at the rate the employer actually pays for health insurance, whichever is higher. This amendment also proposed to add an appropriations and allocations section.

LD 569 **An Act To Correct an Inequity in Calculating Maine State Retirement Benefits** **ONTP**

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

LD 569, a concept draft pursuant to Joint Rule 208, proposed to correct an inequity in current law, which provides that if a person receives disability benefits while a Maine State employee, the receipt of those disability benefits has an adverse effect on how that person's retirement benefit will be calculated. The bill proposed to calculate a person's Maine State Retirement System benefits to eliminate this adverse effect.