

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature coming from the

JOINT STANDING COMMITTEE ON LABOR

July 2007

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STATE OF MAINE

123RD LEGISLATURE

FIRST REGULAR SESSION

LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS



This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature, which was in session from December 6, 2006 to June 21, 2007.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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 (or Accepted ONTP report).....	Ought Not To Pass report accepted
OTP-ND.....	Committee report Ought To Pass In New Draft
P&S XXX.....	Chapter # of enacted Private & Special Law
PASSED.....	Joint Order passed in both bodies
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 that the effective date for non-emergency legislation enacted in the First Regular Session is **September 20, 2007**. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

Joint Standing Committee on Labor

Enacted Law Summary

Resolves 2007, Chapter 100, was enacted as an emergency measure effective June 20, 2007. This resolve establishes the Working Group to Study the Prevalence and Cost of Hearing Loss and Use of Hearing Aids and Other Devices in Maine's Elderly Population. The working group shall submit a report of its findings and recommendations, including suggested legislation, to the Joint Standing Committee on Labor and the Joint Standing Committee on Health and Human Services by December 7, 2007. The committees are authorized to submit legislation pertaining to the report.

LD 1060 **Resolve, To Study the State's Career Center Network and Create a Sustainable System**

CARRIED OVER

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

This resolve is a concept draft pursuant to Joint Rule 208. The purpose of this resolve is to study the State's job opportunities with the intent of creating a sustainable career center network.

This resolve is carried over to any special or regular session of the 123rd Legislature by joint order, H.P. 1369.

LD 1086 **An Act To Clarify Worker Payment for Clothing and Equipment**

PUBLIC 357

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SMITH N SCHNEIDER	OTP-AM	H-371

This bill provides that, in the context of employee compensation required to be returned to the employer for the payment of a debt owed to the employer, uniforms, personal protective equipment or other tools of the trade that are considered to be primarily for the benefit or convenience of the employer may not be considered a "debt". The bill also prohibits an employer from mandating that an employee pay for the cleaning and maintenance of a uniform, but may have a written agreement with the employee whereby the employee chooses to have a payroll deduction for the cost of cleaning and maintenance.

Committee Amendment "A" (H-371)

This amendment clarifies the provisions of the bill and incorporates the provisions of federal law in Maine statutory determinations as to what, in the context of employee compensation required to be returned to the employer for the payment of a debt owed to the employer, is considered to be primarily for the benefit or convenience of the employer and may not be considered a "debt."

Enacted Law Summary

Public Law 2007, Chapter 357 incorporates the provisions of federal law in Maine statutory determinations regarding employee compensation required to be returned to the employer for the payment of a debt owed to the employer. The bill provides that the cost of uniforms and of their laundering, the cost of any construction by and for the employer, the cost of tools of the trade and other materials and services incidental to carrying on the employer's business and other costs of furnishing facilities primarily for the benefit or convenience of the employer may not be considered a "debt."