

# MAINE STATE LEGISLATURE

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FIRST SPECIAL SESSION

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ONE HUNDRED AND SEVENTH LEGISLATURE

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**Legislative Document**

**No. 2215**

H. P. 2041

House of Representatives, February 13, 1976

Referred to the Committee on Labor. Sent up for concurrence and ordered printed.

EDWIN H. PERT, Clerk

Presented by Mr. Tierney of Durham.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-SIX

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**AN ACT Concerning the Statutes Relating to Labor.**

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Be it enacted by the People of the State of Maine, as follows:

**Sec. 1.** 26 MRSA § 2, first sentence, as last amended by PL 1975, c. 519, § 3, is further amended to read:

The person in charge of any workplace as defined in section 1 provided by the State, state agency, county, municipal corporation, school district or other public corporation or political subdivision shall, within 48 hours, exclusive of weekends and holidays, after the occurrence, report in writing or by telephone to the Director of the Bureau of Labor ~~and Industry~~ all deaths or serious physical injuries requiring immediate hospitalization sustained by any person therein or on the premises, stating as fully as possible the cause of the death or the extent and cause of the injury, and the place where the injured person has been sent, with such other or further information relative thereto as may be required by said director, who may investigate the causes thereof and require such precautions to be taken as will prevent the recurrence of similar happenings.

**Sec. 2.** 26 MRSA § 5, as amended by PL 1975, c. 623, § 35-A, is further amended by adding at the end the following new paragraphs:

As used in sections 5 and 6, the term "labor dispute" includes any controversy concerning terms or conditions of employment, or concerning the association or representation of persons in negotiating, picketing, maintaining, changing or seeking to arrange terms or conditions of employment, regardless of whether or not the disputant's stand in approximate relation of employer and employee.

This section does not apply to labor disputes subject to chapters 9-A or 9-B.

Sec. 3. 26 MRSA § 563, sub-§ 3, as repealed and replaced by PL 1975, c. 519, § 13, is amended to read:

3. **Bureau.** "Bureau" means the Bureau of Labor ~~and Industry~~.

Sec. 4. 26 MRSA § 563, sub-§ 4, as repealed and replaced by PL 1975, c. 519, § 13, is amended to read:

4. **Director.** "Director" means the Director of the Bureau of Labor ~~and Industry~~.

Sec. 5. 26 MRSA § 625-A, sub-§ 10, ¶ C, as enacted by PL 1975, c. 512, § 3, is amended to read:

C. That employee accepts employment at the new location; ~~and or~~

Sec. 6. 26 MRSA § 663, sub-§ 3, ¶ A, is amended to read:

A. Any individual employed in agriculture as defined in the Maine Employment Security Law and the Federal Unemployment Insurance Tax Law, **except when that individual is employed by a corporation engaged in agriculture which has a gross income of \$1,000,000 or more during any calendar year;**

Sec. 7. 26 MRSA § 663, sub-§ 3, ¶ F, as last repealed and replaced by PL 1975, c. 92, is amended to read:

F. Those employees who are counsellors or junior counsellors at summer camps for boys and girls; and employees who are under the age of ~~19~~ 18 and are regularly enrolled in an educational institution or are on vacation therefrom, and who are employees of summer camps operated by or belonging to corporations or associations existing under the provisions of Title 13, Part 2.

Sec. 8. 26 MRSA § 664, 3rd ¶, as amended by PL 1969, c. 504, § 43, is further amended to read:

Employees who are under the age of ~~19~~ 18 and are regularly enrolled in an educational institution or are on vacation therefrom may be paid a rate of not less than 75% of the applicable minimum wage rate required for other employees in the same occupation.

Sec. 9. 26 MRSA § 965, sub-§ 3, ¶ D, is enacted to read:

D. If the parties do not agree to follow the fact-finding procedures outlined in paragraphs A or B, they may jointly apply to the executive director or his designee to waive fact-finding. The executive director or his designee may accept or refuse to accept the parties' agreement to waive fact-finding, and his decision shall not be reviewable.

Sec. 10. 17 MRSA c. 117, is repealed.

#### STATEMENT OF FACT

The purpose of this Act is reflected in the Title.