

# 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. 2332

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H. P. 2259 House of Representatives, March 29, 1976  
Reported by Mr. Tierney of Durham from the Committee on Labor and  
printed under Joint Rules No. 18.

EDWIN H. PERT, Clerk

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STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED  
SEVENTY-SIX

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AN ACT to Clarify the Labor and Industry Statutes.

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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 a new paragraph to read:

This section does not apply to labor disputes subject to chapters 9-A, 9-B, 12 or chapter 671 of the Public Laws of 1975.

**Sec. 3.** 26 MRSA § 563, sub-§ 3, as repealed and replaced by PL 1975, c. 519, § 13, is amended to read: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**Sec. 4.** 26 MRSA § 563, sub-§ 4, as repealed and replaced by PL 1975, c. 519, § 13, is amended to read: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 performs services for or on a farm with over 300,000 laying birds;~~

**Sec. 7.** 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. 8.** 26 MRSA § 1026, sub-§ 4, ¶ A, first sentence, as enacted by PL 1975, c. 603, § 1, is amended to read:

At any time after participating in the ~~initiation of mediation~~ procedures set forth in ~~pursuant to subsection~~ subsections 2 and 3, either party, or the parties jointly, may petition the board to initiate arbitration procedures.