

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE

FIRST SPECIAL SESSION
August 29, 2013

SECOND REGULAR SESSION
January 8, 2014 to May 2, 2014

THE EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
EMERGENCY LAW IS
SEPTEMBER 6, 2013

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 1, 2014

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2014

JOINT STUDY ORDERS

**JOINT STUDY ORDER ESTABLISHING
THE COMMISSION TO IMPROVE
PROTECTIONS FOR INJURED WORKERS
WHOSE EMPLOYERS HAVE
WRONGFULLY NOT SECURED
WORKERS' COMPENSATION
INSURANCE**

S.P. 759

ORDERED, the House concurring, that, notwithstanding Joint Rule 353, the Commission To Improve Protections for Injured Workers Whose Employers Have Wrongfully Not Secured Workers' Compensation Insurance, referred to in this order as "the commission," is established.

1. Membership. The commission consists of the following members.

A. The President of the Senate shall appoint:

- (1) Two members of the Senate;
- (2) One representative of the American Federation of Labor and Congress of Industrial Organizations;
- (3) One representative of the Maine State Chamber of Commerce;
- (4) One representative of the National Federation of Independent Business; and
- (5) One attorney who primarily represents injured workers.

B. The Speaker of the House of Representatives shall appoint:

- (1) Three members of the House of Representatives;
- (2) Two representatives of workers' compensation insurance carriers;
- (3) One representative of the Workers' Compensation Coordinating Council of Maine; and
- (4) One representative of the construction industry.

C. The President of the Senate and the Speaker of the House shall invite the participation of the executive director of the Workers' Compensation Board, or a designee.

Legislative members of the commission must be from each of the 2 parties holding the largest number of seats in the Legislature.

2. Chairs. The first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the commission.

3. Appointments; convening of commission. All appointments must be made no later than 30 days following the passage of this order. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the commission. If 30 days or more after the passage of this order a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business.

4. Duties. The commission shall study the issue of improving protections for injured workers whose employers have wrongfully not secured workers' compensation payments, including the prevalence of the problem, and identify potential funding sources to address the problem.

5. Staff assistance. The Legislative Council shall provide necessary staffing services to the commission.

6. Report. No later than November 5, 2014, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, to the Joint Standing Committee on Labor, Commerce, Research and Economic Development.

**Passed by the Senate May 1, 2014 and
the House of Representatives May 1, 2014.**

**JOINT STUDY ORDER ESTABLISHING
THE COMMISSION ON INDEPENDENT
LIVING AND DISABILITY**

H.P. 1361

ORDERED, the Senate concurring, that, notwithstanding Joint Rule 353, the Commission on Independent Living and Disability, referred to in this order as "the commission," is established.

1. Membership. The commission consists of the following members, a majority of whom must be individuals with disabilities:

- A. The President of the Senate shall appoint:
 - (1) Two members of the Senate;
 - (2) Two members of the public with experience or expertise in the challenges of independent living for individuals with disabilities in the State; and
 - (3) One representative of a program serving individuals with disabilities who are members of a federally recognized Indian tribe in the State;
- B. The Speaker of the House of Representatives shall appoint:
 - (1) Two members of the House of Representatives;
 - (2) One member of the public with experience or expertise in the challenges of independent living for individuals with disabilities in the State;
 - (3) One representative of a business that is a model workplace for individuals with disabilities;
 - (4) One representative of a statewide association of providers of services for individuals with intellectual disabilities and autism; and
 - (5) One representative of a statewide association of adults with developmental disabilities and autism; and
- C. The commission shall invite the participation of the Commissioner of Health and Human Services, or a designee; the executive director of the Disability Rights Center, or a designee; the executive director of Alpha One, or a designee; the chair of the Maine Statewide Independent Living Council, or a designee; and the Attorney General, or a designee.

2. Chairs. The first-named Senate member is the Senate chair and the first-named House of Representatives member is the House chair of the commission.

3. Appointments; convening of commission. All appointments must be made no later than 30 days following the passage of this order. The appointing authorities shall notify the Executive Director of the

Legislative Council once all appointments have been completed. After appointment of all members, the chairs shall call and convene the first meeting of the commission. If 30 days or more after the passage of this order a majority of but not all appointments have been made, the chairs may request authority and the Legislative Council may grant authority for the commission to meet and conduct its business.

4. Duties. The commission shall evaluate the needs of Maine citizens with disabilities, review existing available resources and services and recommend priorities for cost-effective changes designed to promote independent living and community inclusion. Specifically, the commission shall examine the State's laws governing access to housing, transportation, public accommodation, education and employment. In developing its recommendations on measures to improve the lives of, and increase overall community participation by, Maine citizens with disabilities, the commission shall consider the expansion of access to:

- A. Assistive technology;
- B. Appropriate and accessible housing and community-based living opportunities;
- C. Appropriate education and training opportunities to promote employment of individuals with disabilities; and
- D. Cost-effective transportation.

5. Staff assistance. The Legislative Council shall provide necessary staffing services to the commission.

6. Report. No later than November 5, 2014, the commission shall submit a report that includes its findings and recommendations, including suggested legislation, to the joint standing committee of the Legislature having jurisdiction over health and human services matters.

**Passed by the House of Representatives
May 1, 2014 and the Senate May 1, 2014.**
