

MAINE STATE LEGISLATURE

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STATE OF MAINE
ONE HUNDRED AND THIRTEENTH LEGISLATURE
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE ON
LABOR
BILL SUMMARY



JUNE 1987

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ONE HUNDRED AND THIRTEENTH LEGISLATURE
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JOINT STANDING COMMITTEE
BILL SUMMARIES
JUNE 1987

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The summaries are arranged by LD number under each committee.

All Adopted Amendments are listed, by paper number (e.g., H-584 or S-222), together with the sponsor if it is a floor amendment or the designation "COMMITTEE" if it is a committee amendment.

Final action for each bill is listed to the right of the title. If final House action and Senate action differ, both are listed.

Please let us know if you would prefer a different format or additional information and if the summaries are helpful.

Key to Committee Reports and Floor Action:

OTP	Ought to Pass
OTP-ND	Ought to Pass in New Draft
OTP-ND-NT	Ought to Pass in New Draft, New Title
OTP-A	Ought to Pass as Amended
ONTP	Ought Not to Pass
LVWD	Leave to Withdraw
INDEF PP	Indefinitely Postponed

LD 390 AN ACT TO CLARIFY ENFORCEMENT OF INSURANCE
COVERAGE REQUIREMENTS OF THE WORKERS'
COMPENSATION LAW

PL 1987
c. 77
EMERGENCY

Sponsor: CONLEY, Willey, Dutremble D, Black
Committee Report: OTP-A
Amendments Adopted:
H-52 COMMITTEE

SUMMARY: LD 390 proposed to strengthen the ability of the Workers' Compensation Commission to enforce the requirement that all employers carry workers' compensation insurance covering their employees. The bill made the following changes in law:

1. Made it easier to use payroll reports sent to the Bureau of Employment Security as evidence in prosecutions to enforce the Workers' Compensation Act;
2. Clarified that the failure to carry workers' compensation insurance constituted a failure to provide compensation under the Act;
3. Increased the financial penalties for failing to carry insurance and added a penalty for corporations under which their operating charter could be suspended for a violation;
4. Clarified the criminal responsibility of corporate officers; and
5. Made it easier to use the insurance records of the Workers' Compensation Commission in prosecutions by allowing certification by the Administrative Director.

The Committee Amendment (H-52) clarified that an employer could meet the insurance requirement by self-insuring, clarified the criminal culpability provisions for corporate officers by cross-referencing to existing provisions of the criminal code, and clarified the provisions permitting use of insurance records in prosecutions.

LD 454 AN ACT RELATING TO SUITABLE WORK TRANSFERS
UNDER THE WORKERS' COMPENSATION ACT

LVWD

Sponsor: WILLEY,
Committee Report: LVWD

SUMMARY: LD 454 proposed to amend the Workers' Compensation Act to allow an employer to transfer an injured worker to suitable work, even if that transfer conflicted with a collective bargaining agreement, unless the agreement offered the employee greater protection than the Act.