

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 AN ACT RELATING TO NOTICES OF CONTROVERSY UNDER ONTP
704 THE WORKERS' COMPENSATION ACT

Sponsor: GAUVREAU, Begley, Zirnkilton, Rand
Committee Report: ONTP

SUMMARY: LD 704 proposed to allow an employer to request a commissioner to order an extension of time, up to 90 days, in which to file a notice of controversy after a worker files a claim for workers' compensation benefits. The bill also included exceptions for an employer's failure to file f due to fraud, excusable neglect or upon discovery of new evidence.

LD AN ACT TO PROVIDE COLLECTIVE BARGAINING FOR ONTP
707 SUBSTITUTE TEACHERS

Sponsor: BAKER, Handy, Rand
Committee Report: ONTP (Majority)
OTP-A (Minority)

SUMMARY: LD 707 proposed to make substitute teachers in public schools eligible for membership in collective bargaining units under the Municipal Public Employees Labor Relations Act if they had received an assurance of continuing employment sufficient to disqualify them from receiving unemployment compensation.

The Committee Amendment to the Minority Report clarified references to school districts to ensure that municipal districts were included as well as school administrative districts and deleted the requirement that the substitute teacher receive an assurance of continued employment.

LD AN ACT TO RECONCILE STATE LAW WITH FEDERAL LAW PL 1987
725 REGULATING THE CONTINUATION OF GROUP HEALTH c. 25
INSURANCE COVERAGE

Sponsor: RUHLIN, Willey
Committee Report: New Draft of LD 69

SUMMARY: The original bill, LD 69, proposed to repeal the state law governing an employee's right to continue group health coverage at his own expense after a temporary layoff or loss of his job due to a workers' compensation injury.

The new draft, LD 725, proposed to amend the existing law so that it would apply only to those employers who are not subject to the Federal law governing the continuation of group health coverage (i.e. those employers with 20 or

fewer employees). The bill also increased the allowable charge for continuing group health coverage from 100% to 102% of the employer's costs to match the Federal law and to cover added administrative expenses.

LD 726 AN ACT TO EXEMPT PRISONERS FROM THE PROVISIONS OF THE WORKERS' COMPENSATION ACT PL 1987 c. 210

Sponsor: HEPBURN, Paradis P, Joseph
Committee Report: New Draft of LD 222
Amendments Adopted:
S-71 DUTREMBLE

SUMMARY: LD 222, the original bill, proposed to exclude any prisoner within a state correctional facility or a convicted offender who is ordered to perform restitutionary work by a court from coverage under the workers' compensation system. This would prevent any possible workers' compensation claims by a prisoner who was injured while working in that position.

The New Draft, LD 726, both extended and limited the original bill. It limited the scope of the bill by deleting any reference to persons ordered by a court to perform restitutionary work. It extended the original provisions by also preventing prisoners in a county jail who perform work in the jail from filing workers' compensation claims for a work-related injury.

Senate Amendment "B" (S-71) redrafted the bill to clarify that all prisoners in a state prison or county jail are excluded from the workers' compensation system except that prisoners in a county jail who are sentenced for 72 hours or less (commonly OUI offenders) and who are assigned work outside of the jail and prisoners on a work release program may be covered by workers' compensation if they meet the usual requirements of an employee.

LD 728 AN ACT TO EXTEND MEDICAL BENEFITS TO PERMANENTLY LAID-OFF EMPLOYEES LVWD

Sponsor: PRAY, Dutremble, Willey, Rand
Committee Report: LVWD

SUMMARY: LD 728 proposed to amend the law requiring employers to allow employees to continue group health insurance plans at their own expense if they were temporarily laid-off or out on workers' compensation so that it would apply to any terminated employee, whether on temporary lay-off or otherwise, and extended the time period for which the insurance could be extended to 18 months.