

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
113TH LEGISLATURE  
SECOND REGULAR SESSION



BILL SUMMARY  
JOINT STANDING COMMITTEE  
ON  
LABOR

MAY 1988

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Sen. Thomas H. Andrews  
Sen. Donald F. Collins

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Rep. Stephen M. Zirnkilton

\* Denotes Chair

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**ONE HUNDRED AND THIRTEENTH LEGISLATURE  
FIRST & SECOND SPECIAL SESSIONS  
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE  
BILL SUMMARIES  
MAY 1988**

*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 for floor amendments. Final action is listed to the right of the title. If final House and Senate action differ, both are listed. Committee Reports and Floor Action are indicated as follows::*

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

*Each individual summary was prepared by the analyst assigned, as noted for each committee. But, this document was produced by the efforts of all the office staff, including Secretaries: Charlene Brann, Janet Jean, Earl Knox, Valarie Parlin; Research Assistant Hartley Palleschi. Finally, Secretary Lorette Knox, Legal Assistant Carolyn Chick, and Research Assistant Robert Dunn had special responsibilities in the preparation of the overall document.*

*Please give us your suggestions and comments on these summaries and tell us of any inaccuracies.*

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
ANDREWS	OTP-AM	H-620 MCHENRY
DUTREMBLE D		S-396
MCHENRY		
RUHLIN		

SUMMARY

This bill amends the Whistleblower's Protection Act to give the Human Rights Commission authority to enforce the Act. In addition, it extends protection against employer retribution to employees who report work practices that may not be illegal but may pose significant public health and safety risks. Finally, the bill requires the Department of Labor to develop a new poster to inform workers about this law.

The committee amendment (S-396) rewords the paragraph relating to employees refusing to carry out directives. The new paragraph includes employees reporting practices that are not necessarily violations but which could pose safety risks. It requires the employee to first seek a correction of the dangerous condition from the employer. The committee amendment also adds a fiscal note to support a position in the Human Rights Commission.

A House amendment (H-620) makes technical corrections.

<u>SPONSOR(S)</u>	<u>COMMITTEE REPORT</u>	<u>AMENDMENTS ADOPTED</u>
COLLINS		H-750 GWADOSKY
DUTREMBLE D		
HEPBURN		
TAMMARO		

SUMMARY

New Draft Majority Report of LD 2039

The Strategic Training for Accelerated Reemployment (STAR) program is envisioned to provide education and training to unemployed or laid-off workers. It provides workers with training opportunities while providing the support they need to take advantage of those opportunities, namely unemployment compensation, child care and transportation assistance.

The new draft grandfathers currently unemployed people from being excluded from the program, clarifies the requirements for notifying unemployed workers and ensures that claimants have input into individual employment plans that are developed under the program. In addition, the new draft establishes an appeal process for any determinations made under the program, adds flexibility for covering the cost of dependent care and transportation and, after a year of training, allows participants to supplement training costs with any

financial assistance for education. STAR was proposed to be funded through a payroll tax on employers. Essentially, a scheduled decrease in the tax would not be phased in.

The new draft passed the Senate but was amended in the House by H-478 which transferred funding of the program to the General Fund. The Senate did not concur. A conference committee met and could not come to agreement. A second committee of conference proposed H-696, an amendment to shift funding of the program to the General Fund and repeal the program after one year. Several reporting requirements also were included. That amendment was not adopted either.

The bill finally passed with H-750, which places the STAR program under the Job Training Partnership Act, changes the county allocation formula, clarifies the period during which supportive services may be paid and removes several reporting requirements contained in earlier bills. Funding for the program was contained in the Part II budget and came from the General Fund.

LD An Act to Make the Exemption for Home Knitters from the ONTP  
2509 Unemployment Insurance Tax Retroactive

<u>SPONSOR(S)</u>	<u>COMMITTEE</u>	<u>REPORT</u>	<u>AMENDMENTS ADOPTED</u>
SIMPSON	ONTP	MAJ	
BRAGG	OTP	MIN	
JOSEPH			
TAMMARO			

SUMMARY

This bill sought to abate unemployment compensation taxes for home knitters for the period 1982 to 1986. In 1986, the Legislature enacted a bill to exempt home-knitters from having to pay this tax. However, five firms still owe back taxes for their employees for 1982 to 1986, before this exemption. During the First Regular Session, a bill was introduced to exempt home-knitters for this period, raising a conformity issue. The abatement for home-knitters was proposed to avoid problems with conformity, however, the committee did not pass the bill.

LD An Act to Increase Work Incentive in the Unemployment PUBLIC  
2517 Insurance Partial Benefit Structure 636

<u>SPONSOR(S)</u>	<u>COMMITTEE</u>	<u>REPORT</u>	<u>AMENDMENTS ADOPTED</u>
RYDELL			
COLLINS			
JOSEPH			
RAND			

SUMMARY

New Draft Of LD 2105

Currently, unemployment compensation recipients may work part-time but can only keep up to \$10 of their earnings before their benefits are reduced for their earnings. This provision has not been changed since 1957. The original