

# 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. Tony J. Tammaro  
Rep. Ruth Joseph  
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Rep. Anne M. Rand  
Rep. Ralph M. Willey  
Rep. Jeanne F. Begley  
Rep. Michael F. Hepburn  
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 Laurette 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.*

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

bill would have increased the money a part time employee receiving unemployment compensation would be allowed to keep under a formula contained in the bill. The new draft allows partial benefit recipients to keep \$25 of their earnings before their weekly benefits are docked. LD 2517 also requires the department to provide data related to this change and a report to the Labor Committee.

LD An Act to Include Certain Prisoners Within the Provisions of PUBLIC  
2525 the Workers' Compensation Act 654

SPONSOR(S)                      COMMITTEE REPORT                      AMENDMENTS ADOPTED  
BUSTIN  
THISTLE  
GILL  
GREENLAW

SUMMARY  
New Draft Of LD 2038

The Department of Corrections would like to participate in an on-site prison work program developed by the federal government. In order to participate, a prisoner must be eligible for workers' compensation. Under current Maine law, a prisoner is not eligible for workers' compensation benefits while imprisoned. The original bill proposed to make prisoners employed by a private employer eligible for workers' compensation. The new bill clarifies the exemption and adds an application section so that these changes only apply to injuries after this bill goes into effect.

LD An Act To Promote the Prompt and Peaceful Settlement of VETO  
2531 Labor Disputes SUSTAINED

SPONSOR(S)                      COMMITTEE REPORT                      AMENDMENTS ADOPTED  
DUTREMBLE D                      OTP-MAJ                      H-777 MCHENRY  
MCHENRY                      ONTP-MIN  
TAMMARO  
ERWIN E

SUMMARY  
ND Maj Rpt of 2255

LD 2255 proposed to prohibit the hiring of professional strikebreakers. Professional strikebreakers were defined as persons or businesses that "customarily and repeatedly" offer their services as strikebreakers. The customarily and repeatedly standard is used in the current statutes prohibiting strikebreakers.

The new draft, LD 2531, defined professional strikebreaking activity as contracting to do work normally assigned to persons involved in a labor dispute on at least three previous occasions. The bill received a divided report in committee, passed both the House and Senate, but was vetoed by the Governor. The veto was sustained.