

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
114TH LEGISLATURE  
FIRST REGULAR SESSION**



**BILL SUMMARY  
JOINT STANDING COMMITTEE  
ON  
LABOR**

**JULY 1989**

**MEMBERS**

Sen. Donald E. Esty, Jr. \*  
Sen. Zachary E. Matthews  
Sen. R. Peter Whitmore

Rep. Edward A. McHenry \*  
Rep. Tony J. Tamaro  
Rep. Richard P. Ruhlin  
Rep. Anne M. Rand  
Rep. M. Ida Luther  
Rep. Elden McKeen  
Rep. Edward L. Pineau  
Rep. Gary W. Reed  
Rep. Jeffrey H. ButlanD  
Rep. John S. McCormick, Jr.

\* Denotes Chair

Staff: Gilbert Brewer, Legislative Analyst

Office of Policy & Legal Analysis  
Room 101, State House Sta. 13  
Augusta, ME 04333  
(207) 289-1670

MARTHA E. FREEMAN, DIRECTOR  
WILLIAM T. GLIDDEN, PRINCIPAL ANALYST  
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JEBORAH C. FRIEDMAN  
JOHN B. KNOX



STATE OF MAINE  
**OFFICE OF POLICY AND LEGAL ANALYSIS**  
ROOM 101/107/135  
STATE HOUSE STATION 13  
AUGUSTA, MAINE 04333  
TEL: (207) 289-1670

ANNIKA E. LANE  
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HARTLEY PALLESCHI, JR., RES. ASST

ONE HUNDRED AND FOURTEENTH LEGISLATURE  
FIRST REGULAR SESSION

JOINT STANDING COMMITTEE  
BILL SUMMARIES  
AUGUST 1989

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 for 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 abbreviated as follows:

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

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 Research Assistant Barbara McGinn, and secretaries: Charlene Brann, and Valarie Parlin, and especially Laurette Knox who coordinated preparation of the overall document.

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

An Act Relating to Notice of Injury for Purposes of Workers' Compensation and Occupational Disease Claims

VETOED

SPONSOR(S)  
GAUVREAU  
MATTHEWS  
RUHLIN  
RAND

COMMITTEE REPORT  
MAJ (OTP-AM) MAJ  
ONTP MIN

AMENDMENTS ADOPTED  
H-619 CARTER  
S-295 MAJ REP

SUMMARY

LD 855 proposed to create a new standard for excusing late-filed notices of injury under the Workers' Compensation Act. Under the LD, an employee's workers' compensation claim would not be barred for late notice unless the employer suffered actual prejudice from the late filing.

Committee Amendment "A" (S-295) replaced the bill and simply provided an additional exception from the 30-day filing requirement if notice was not filed due to an employee's excusable neglect. This exception is limited to 180 days from the date of the employee's injury.

House Amendment "A" to Committee Amendment "A" (H-619) added a fiscal note.

LD 857 An Act Relating to Partial Disability under the Workers' Compensation Act

LV/WD

SPONSOR(S)  
HOBBINS  
PINEAU  
CLARK H  
MCHENRY

COMMITTEE REPORT  
LV/WD

AMENDMENTS ADOPTED

SUMMARY

LD 857 proposed to repeal the 400-week limitation upon partial incapacity benefits under the Workers' Compensation Act.

LD 870 An Act Regarding Voluntary Return to Service by Teachers

ONTP

SPONSOR(S)  
BAILEY  
DUTREMBLE L  
RICHARD  
SMALL

COMMITTEE REPORT  
ONTP

AMENDMENTS ADOPTED

SUMMARY

LD 870 proposed to repeal the current hiring preference given to former public employees receiving disability retirement benefits and require public employers to rehire those employees only if the former employee was the best qualified person for the job.