

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
114TH LEGISLATURE  
SECOND REGULAR SESSION



BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
LABOR  
JUNE 1990

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**One Hundred and Fourteenth Legislature  
Second Regular Session**

**Joint Standing Committee  
Bill Summaries**

**June 1990**

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. 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 or analysts assigned to the committee. But, this document was produced by the efforts of all the office staff, including secretaries: Charlene Raymond, 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.

## Joint Standing Committee on Labor

**LD 879**      **An Act to Create a Standard for Respiratory Rescue Personnel  
Who Are State Employees**

**PUBLIC 606**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
GREENLAW MARTIN J DUTREMBLE D PARADIS E	OTP	

### **SUMMARY**

LD 879 requires all state employees who are required to use respiratory rescue equipment to receive training in the proper use of the equipment. The training must meet the OSHA requirements for firefighter training in the use of respiratory equipment.

**LD 908**      **An Act to Create a Workers' Compensation Logging Industry  
Fund**

**LV/WD**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
GOULD R A TRACY MARTIN J PRAY	LV/WD	

### **SUMMARY**

LD 908 proposed to create a Workers' Compensation Logging Industry Fund to reduce workers' compensation insurance costs for logging employers. The fund would be established by an assessment upon all insurers and self-insured employers in the state and would pay the costs of any logging industry claim exceeding \$25,000.

**LD 1747**      **An Act to Protect the Public from Unsafe Industrial and  
Commercial Facilities**

**VETO SUSTAINED**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
MILLS JACQUES	OTP-AM      MAJ OTP-AM      MIN	H-1050    MAJ REP

### **SUMMARY**

LD 1747 was initially referred to the Energy & Natural Resources Committee which carried it over to the 2nd Regular Session. After being reported from that committee, it was re-committed to the Labor Committee. LD 1747 proposed to require any commercial or industrial facility that had over 250 employees and that used hazardous equipment or substances to cease operation if more than 1/2 of the employees at the facility had worked there for less than 6 months. The facility was not permitted to resume operation until the Bureau of Labor Standards had inspected the facility and found it to be safe for operation.

Committee Amendment "B" (H-1050) was the majority report of the committee and made several changes to the original LD, including the following:

1. Allowed the facility to continue operations while the inspection was conducted;

2. Reduced the threshold number of employees from 250 to 50;
3. Permitted the Bureau of Labor Standards to contract with private parties to conduct the inspection and further provided that all costs of the inspection were to be paid by the facility operator; and
4. Made several other minor changes to the original LD.

Committee Amendment "C" was the minority report of the committee and provided for an inspection of a facility using hazardous substances when more than 1/2 of the employees who were assigned to handle those substances had worked in that capacity for less than 6 months. The inspection was coordinated by the Commissioner of Environmental Protection and was intended to determine compliance with existing legal requirements related to the use of hazardous substances.

**LD 1871      An Act to Limit Apportionment of Workers' Compensation Liability      LV/WD**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
RAND	LV/WD	
MATTHEWS		
REED		
BUTLAND		

**SUMMARY**

LD 1871 proposed to resolve workers' compensation apportionment claims by simply dividing liability on a pro rata basis among the various insurers or employers. It also prevented any reapportionment if the later injury occurred more than 2 years after an earlier injury for which apportionment would otherwise be due.

**LD 1880      An Act to Increase Death Benefits under the Workers' Compensation Act      PUBLIC 897**

<b>SPONSOR(S)</b>	<b>COMMITTEE REPORT</b>	<b>AMENDMENTS ADOPTED</b>
SMITH	OTP-AM	H-786
MATTHEWS		
MCHENRY		
LUTHER		

**SUMMARY**

LD 1880 proposed to increase the workers' compensation burial allowance from "up to \$1,000" to "up to \$5,000" and also increase the incidental compensation paid as a result of an employee's death from \$1,000 to \$25,000.

Committee Amendment "A" (H-786) increased the burial allowance to a maximum of \$4,000 and increased the incidental compensation to \$3,000. It also provided that the burial reimbursement would be paid to the person responsible for the funeral costs and the incidental compensation would be paid to the employee's estate.