

MAINE STATE LEGISLATURE

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**STATE OF MAINE
115TH LEGISLATURE**

**FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION**

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
LABOR**

AUGUST 1991

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**ONE HUNDRED AND FIFTEENTH LEGISLATURE
FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION
JOINT STANDING COMMITTEE
BILL SUMMARIES
AUGUST 1991**

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 volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

All adopted amendments are listed, by paper number (e.g., H - 584 or S - 222), together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

PUBLIC XXX	<i>Chapter # of enacted Public Law</i>
P&S XXX	<i>Chapter # of enacted Private & Special Law</i>
RESOLVE XXX	<i>Chapter # of enacted Resolve</i>
CON RES XXX	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
EMERGENCY	<i>Enacted law takes effect sooner than 90 days</i>
CARRIED OVER	<i>Bill carried over to 2nd Session</i>
FAILED EMERGENCY ENACTMENT	<i>Bill failed to get 2/3 vote</i>
ONTP	<i>Ought Not to Pass report accepted</i>
LVWD	<i>Leave to Withdraw report accepted</i>
INDEF PP	<i>Bill Indefinitely Postponed</i>
DIED BETWEEN BODIES	<i>House & Senate disagree; bill died</i>
VETO SUSTAINED	<i>Legislature failed to override Governor's Veto</i>
UNSIGNED	<i>Not signed by Governor within 10 days</i>
DIED ON ADJOURNMENT	<i>Action incomplete when 1st session ended</i>

These summaries were 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.

If you have any suggestions or comments on these summaries, please let us know.

LD 170 An Act to Increase the Death Benefits under the Workers' Compensation Act ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
CLARK H MARTIN J. MCHENRY PRAY	ONTP	

SUMMARY

This bill increased death benefits from \$4,000 to \$10,000 and incidental benefits from \$3,000 to \$8,000 for employees who die as a result of the injury.

LD 172 An Act to Encourage Family Unity CARRIED OVER

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MCHENRY		

SUMMARY

LD 172 required premium pay for work performed on a Sunday by any employee of a manufacturing facility with over 250 employees that normally operates for 24 hours a day. The bill did not require an employer to pay an employee who works overtime on a Sunday more than the double time required under the bill.

The Committee selected this bill from several similar bills relating to premium pay on Sundays to carry over.

LD 173 An Act to Impose Mandatory Fines for Failure to Comply with Workers' Compensation Decisions ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
GRAHAM TREAT KERR	ONTP	

SUMMARY

This bill assessed self-insurers \$100 per day and insurance carriers \$1,000 per day for failure to pay workers' compensation benefits after a decision requiring payment.

LD 199 Resolve, to Establish the Commission to Study the Use of Professional Strikebreakers UNSIGNED

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MCHENRY	OTP-AM	H-185 S-421 BRANNIGAN

SUMMARY

LD 199 established the Commission to Study the Use of Professional Strikebreakers. The commission would study the use of professional strikebreakers in labor disputes and evaluate its impact upon collective bargaining between employees and their employers.

Committee Amendment "A" (H-185) increased the appropriation in the bill to provide sufficient funds for contractual services and added a fiscal note.

Senate Amendment "A" (S-421) required that the approval of the Executive Director of the Legislative Council be obtained prior to hiring of a consultant for the study.

LD 200 An Act Concerning the State Minimum Wage ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MCHENRY	ONTP	

SUMMARY

LD 200 provided for the state minimum wage to be adjusted annually by the percentage increase or decrease change in the state average weekly wage for the 2nd year previous to the adjustment. This adjustment was subject to 3 limitations. First, the adjustment could not exceed 5% in any single year. Second, the adjustment would be rounded off to the nearest 5¢ increment. Finally, if the federal minimum wage was increased to a rate above the state level, the state minimum wage would be increased to the same amount and the succeeding year's adjustment would not be made since the new federal wage would establish a new "base rate" from which future adjustments would be calculated.

LD 205 An Act to Facilitate Workers' Compensation Payments to Injured Workers ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
GAUVREAU ESTY RUHLIN BUSTIN	ONTP	

SUMMARY

This bill established the Apportionment Disability Fund to pay workers' compensation benefits to injured employees when compensability is not disputed, only the respective responsibility of 2 or more insurers. The fund would be initially funded by a one-time assessment of 1/4% on actual paid losses of all workers' compensation insurers and self-insurers, with reimbursement to the fund from the parties later determined to be responsible.

LD 268 An Act to Exempt Certain Small Employers from the Workers' Compensation Act ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
SAVAGE MARSANO BAILEY H NASH	ONTP	

SUMMARY

This bill exempted employers of 3 or fewer employees from the workers' compensation law if the employer maintains a group health insurance policy for the employees.