

# 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:

<b>PUBLIC XXX</b>	<i>Chapter # of enacted Public Law</i>
<b>P&amp;S XXX</b>	<i>Chapter # of enacted Private &amp; Special Law</i>
<b>RESOLVE XXX</b>	<i>Chapter # of enacted Resolve</i>
<b>CON RES XXX</b>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<b>EMERGENCY</b>	<i>Enacted law takes effect sooner than 90 days</i>
<b>CARRIED OVER</b>	<i>Bill carried over to 2nd Session</i>
<b>FAILED EMERGENCY ENACTMENT</b>	<i>Bill failed to get 2/3 vote</i>
<b>ONTP</b>	<i>Ought Not to Pass report accepted</i>
<b>LVWD</b>	<i>Leave to Withdraw report accepted</i>
<b>INDEF PP</b>	<i>Bill Indefinitely Postponed</i>
<b>DIED BETWEEN BODIES</b>	<i>House &amp; Senate disagree; bill died</i>
<b>VETO SUSTAINED</b>	<i>Legislature failed to override Governor's Veto</i>
<b>UNSIGNED</b>	<i>Not signed by Governor within 10 days</i>
<b>DIED ON ADJOURNMENT</b>	<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 491**

**An Act Relating to Compensation for Hearing Loss Under the Workers' Compensation Act**

**ONTP**

**SPONSOR(S)**  
ESTY  
CLARK H  
LEMKE  
CONLEY

**COMMITTEE REPORT**  
ONTP

**AMENDMENTS ADOPTED**

**SUMMARY**

This bill added the level of 3,000 cycles per second to hearing loss measurements in the workers' compensation law. It adopted federal OSHA noise standards and compensated for hearing loss based on state average weekly wage rather than the individual's wage.

**LD 503**

**An Act Related to Workers' Compensation Evaluations**

**ONTP**

**SPONSOR(S)**  
BUSTIN  
FARNSWORTH  
DUTREMBLE D  
RAND

**COMMITTEE REPORT**  
ONTP

**AMENDMENTS ADOPTED**

**SUMMARY**

This bill required that a workers' compensation medical examination be done by a physician or surgeon with no prior knowledge of the case and one who has not seen the employee in connection with the case.

**LD 509**

**An Act Concerning Illegally Employed Minors and Workers' Compensation**

**LV/WD**

**SPONSOR(S)**  
ESTY  
BUSTIN

**COMMITTEE REPORT**  
LV/WD

**AMENDMENTS ADOPTED**

**SUMMARY**

LD 509 permitted minors employed in willful violation of the child labor laws to sue their employers under the common law or any statutory cause of action while continuing to receive compensation under the Workers' Compensation Act. If the minor prevailed in this action, the employer's workers' compensation liability was deducted from the civil action damages. If the employer was insured for workers' compensation liability, the employer's insurer could recover any compensation paid to the minor from the employer.

Provisions of the bill were incorporated into an omnibus child labor bill, the new draft of LD 905.

**LD 510**

**An Act to Retain Workers' Compensation Appeals to Correct Manifest Error or Injustice**

**ONTP**

**SPONSOR(S)**  
ESTY  
CONLEY

**COMMITTEE REPORT**  
ONTP

**AMENDMENTS ADOPTED**

**SUMMARY**

This bill allowed the continuation of appeals from workers' compensation commissioner decisions to correct manifest error or injustice.