

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 571 An Act Requiring Overtime Pay on Sunday for Retail Sales Employees LV/WD

SPONSOR(S) PINEAU ESTY MILLS	COMMITTEE REPORT LV/WD	AMENDMENTS ADOPTED
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SUMMARY

LD 571 required that retail establishments with over 5,000 square feet of selling space pay time and a half to an employee who works on Sundays, regardless of the number of hours that the employee works during the week.

Several bills providing for premium pay on Sundays similar to LD 571 were considered by the Committee; LD 172 was carried over.

LD 596 An Act to Repeal the Student Minimum Wage LV/WD

SPONSOR(S) PINEAU MARTIN J ESTY	COMMITTEE REPORT LV/WD	AMENDMENTS ADOPTED
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SUMMARY

LD 596 repealed the law allowing employers to pay students under the age of 19 years less than the State's minimum wage rate required for other employees in the same occupation.

A provision to increase the student minimum wage was incorporated into an omnibus child labor bill, the new draft of LD 905.

LD 665 An Act Concerning Prevailing Wages Established by the Department of Labor CARRIED OVER

SPONSOR(S) MCKEEN CONLEY	COMMITTEE REPORT	AMENDMENTS ADOPTED
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SUMMARY

LD 665 mandated that wages and fringe benefits paid on state public works projects pursuant to the State's prevailing wage law must be set at least equivalent to wages and fringe benefits paid on federal Davis-Bacon projects.

LD 671 An Act to Amend the Premium Pay for Sunday Workers LV/WD

SPONSOR(S) MCKEEN CONLEY	COMMITTEE REPORT LV/WD	AMENDMENTS ADOPTED
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SUMMARY

LD 671 provided that work performed on Sundays must be compensated at 1 1/2 times an employees' regular hourly rate, except for work performed in the public sector involving health and safety.

Several bills providing for premium pay on Sundays similar to LD 671 were considered by the Committee; LD 172 was carried over.

LD 676 An Act to Allow Unemployment Compensation Benefits to be Payable to Individuals Who are Forced to Leave Employment to Protect Their Health and Safety PUBLIC 560

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
PINEAU HASTINGS ESTY CATHCART	OTP-AM	H-405

SUMMARY

LD 676 modified the voluntary leaving section of the Employment Security Law and allowed the payment of benefits to individuals who are forced to leave employment when their health or safety is threatened outside of the workplace. The bill also restructured the Maine Revised Statutes, Title 26, section 1193, subsection 1, to make it easier to read and reworded the "leaving in good faith" exception to state its meaning more clearly.

Committee Amendment "A" (H-405) limited the original bill, allowing the payment of unemployment benefits to individuals who are forced to leave employment due to domestic abuse and added a definition of domestic abuse to the unemployment compensation law. It also added a fiscal note.

LD 692 An Act to Clarify the Definition of Return to Suitable Employment in the Maine Workers' Compensation Act ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MCHENRY RUHLIN ESTY MARTIN J	ONTP	

SUMMARY

This bill provided that when an employee is utilizing a vocational rehabilitation plan under the Office of Employment Rehabilitation and the employer and employee settle the underlying workers' compensation claim, the employee is deemed to have returned to suitable employment. The employer would be liable to the Employment Rehabilitation Fund for money spent on the plan.

LD 778 An Act to Encourage Health Insurance in Public Contracts ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MCKEEN CONLEY	ONTP	

SUMMARY

LD 778 required the provision of health insurance for laborers on public works projects.