

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

STATE OF MAINE  
116TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
LABOR

MAY 1994

**Staff:**  
*Lisa Copenhaver, Legislative Analyst*

*Office of Policy and Legal Analysis  
Room 101, State House Station 13  
Augusta, ME 04333  
(207)287-1670*

**MEMBERS:**

*\*Sen. James R. Handy  
Sen. M. Ida Luther  
Sen. Charles M. Begley*

*\*Rep. Richard P. Ruhlin  
Rep. Vivian St. Onge  
Rep. Gail M. Chase  
Rep. Arthur H. Clement  
Rep. Ralph I. Coffman  
Rep. Mary E. Sullivan  
Rep. Rosalie H. Aikman  
Rep. Robert B. Carr  
Rep. James D. Libby  
Rep. David A. Lindahl*

*\*Denotes Chair*

MARTHA E. FREEMAN, DIRECTOR  
WILLIAM T. GLIDDEN, JR., PRINCIPAL ANALYST  
JULIE S. JONES, PRINCIPAL ANALYST  
DAVID C. ELLIOTT, PRINCIPAL ANALYST  
MARION HYLAN BARR  
JON CLARK  
LISA COPENHAVER  
DEBORAH C. FRIEDMAN  
MICHAEL D. HIGGINS  
JILL IPPOLITI



JOHN B. KNOX  
ROY W. LENARDSON  
PATRICK NORTON  
JANE ORBETON  
MARGARET J. REINSCH  
PAUL J. SAUCIER  
JOHN G. KELLEY, RESEARCHER  
DARLENE A. SHORES LYNCH, RESEARCHER  
CARRIE C. McFADDEN, RESEARCHER

STATE OF MAINE  
OFFICE OF POLICY AND LEGAL ANALYSIS  
ROOM 101/107/135  
STATE HOUSE STATION 13  
AUGUSTA, MAINE 04333  
TEL: (207) 287-1670  
FAX (207) 287-1275

**ONE HUNDRED AND SIXTEENTH LEGISLATURE  
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE  
BILL SUMMARIES**

**MAY 1994**

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.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. All adopted amendments are listed, by paper number, 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:

<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>P&amp;S XXX</i>	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of enacted Resolve</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>ONTP</i>	<i>Ought Not to Pass report accepted</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>FAILED ENACTMENT</i>	<i>Bill failed to get majority vote</i>
<i>FAILED EMERGENCY ENACTMENT</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>DIED BETWEEN BODIES</i>	<i>House &amp; Senate disagree; bill died</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>
<i>UNSIGNED</i>	<i>Not signed by Governor within 10 days</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>

These summaries were prepared by the analyst or analysts assigned to the committee. If you have any suggestions or comments on the summaries, please let us know.

5581LHS

**LD 1843 An Act to Extend Penalty Sanctions to Employee Health Benefit Plans**

PUBLIC 648

**SPONSOR(S)**  
HANDY

**COMMITTEE REPORT**  
OTP-AM

**AMENDMENTS ADOPTED**  
S-563

**SUMMARY**

This bill provides penalties for violations of laws governing employee health benefit plans. The law currently provides penalties for violations of the law pertaining to time of payment, cessation of employment, equal pay and unfair agreements. These penalties are attorney's fees, court costs, interest and liquidated damages. This bill extends these same penalties to violations of the law pertaining to employee health benefit plans.

COMMITTEE AMENDMENT "B" (S-563) provides for the same penalties as in the original bill except that liquidated damages are not available in actions for unpaid health benefits. The amendment also adds a fiscal note to the bill.

**LD 1847 An Act Concerning Agency Service Fees**

ONTP

**SPONSOR(S)**  
BUSTIN

**COMMITTEE REPORT**  
ONTP

**AMENDMENTS ADOPTED**

**SUMMARY**

This bill would have required that a public employer make the payment of union membership dues or agency service fees a condition of employment. An employee who is not a member of the union would be required to pay an agency service fee to the union, but the bill specifies that the cost of activities not germane to collective bargaining and grievance administration could not be included in the calculation of the fee. The bill also would have provided the procedural safeguards required to protect the First Amendment rights of the nonmember as presented by the United State Supreme Court in Chicago Teachers Union v. Hudson, 475 U.S. 292 (1986).

**LD 1861 An Act Concerning Registered Apprenticeship Programs**

PUBLIC 630

**SPONSOR(S)**  
BUSTIN

**COMMITTEE REPORT**  
OTP-AM

**AMENDMENTS ADOPTED**  
S-489

**SUMMARY**

This bill requires the Maine Youth Apprenticeship Program to develop an option for eligible students to enter a registered apprenticeship program either during or at the conclusion of the student's formal education requirements under the Maine Youth Apprenticeship Program. The bill also requires the Department of Labor to adjust the fund allocation formula for the State's private industry councils to provide a financial incentive to increase registered apprenticeship placements within the Maine Job Training System. The Department of Labor is required to inform job training applicants about registered apprenticeship programs and to work with the Maine Apprenticeship and Training Council to see if a registered apprenticeship program can be established for an interested applicant. The bill also clarifies the use of the term "apprenticeship" in the Maine Revised Statutes by referring to "registered apprenticeship" wherever reference is made to an apprenticeship program registered with the Maine Apprenticeship and Training Council.

COMMITTEE AMENDMENT "A" (S-489) removes the sections of the bill that affect the Maine Youth Apprenticeship Program and the distribution of funds under the State's Job Training Partnership Act program. The amendment also removes unnecessary language concerning the Maine Job Training System and

updates the job titles of certain ex officio members of the State Apprenticeship and Training Council. The amendment establishes a committee of representatives of both the Maine Youth Apprenticeship Program and the State Apprenticeship and Training Council to consider the need for developing standards regarding the use of the term apprenticeship and directs the committee to report to the joint standing committee of the Legislature having jurisdiction over labor matters by December 1, 1994. The amendment also adds a fiscal note.

**LD 1946 An Act Concerning Summer Work Permits**

**PUBLIC 527  
EMERGENCY**

**SPONSOR(S)**

HANDY  
RUHLIN

**COMMITTEE REPORT**

**AMENDMENTS ADOPTED**

H-775 CHONKO  
S-423 HANDY

**SUMMARY**

This bill adds an exception to the requirement that minors need work permits when they are participants in summer employment and training programs.

HOUSE AMENDMENT "A" (H-775) adds a fiscal note to the bill.

SENATE AMENDMENT "A" (S-423) exempts participants in summer youth employment and training programs funded by the Department of Labor as long as the programs have submitted a master permit. The amendment also directs the Director of Labor Standards to develop a master permit system.

**LD 1981 An Act to Establish a Self-employment Assistance Program**

**PUBLIC 710**

**SPONSOR(S)**

CARPENTER

**COMMITTEE REPORT**

OTP-AM

**AMENDMENTS ADOPTED**

S-571

**SUMMARY**

This bill establishes a self-employment assistance program as permitted under the North American Free Trade Agreement Implementation Act. The program is designed to pay eligible individuals a self-employment assistance allowance in lieu of regular unemployment insurance benefits to assist these individuals in establishing a business and becoming self-employed. These persons would not be required to continue a work search and could have earned income without affecting their benefit. The individual must be participating in self-employment assistance programs approved by the Commissioner of Labor.

COMMITTEE AMENDMENT "A" (S-571) permits an individual who has been denied acceptance into the self-employment assistance program the right to appeal that denial. The amendment requires the Commissioner of Labor to report annually to the joint standing committee of the Legislature having jurisdiction over labor matters and also adds a fiscal note to the bill.

#6328LHS