

MAINE STATE LEGISLATURE

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STATE OF MAINE
117TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
LABOR

AUGUST 1995

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**Denotes Chair*



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**ONE HUNDRED AND SEVENTEENTH LEGISLATURE
FIRST REGULAR SESSION**

**SUMMARY OF LEGISLATION BEFORE
THE JOINT STANDING COMMITTEES**

AUGUST 1995

This document is a compilation of the bill summaries prepared by this office for the Joint Standing 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 publication, History and Final Disposition of Legislative Documents, is helpful in determining to which committee any particular bill was referred.

In this document, 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 categories of final action are abbreviated as follows:

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

These summaries were prepared by the analyst or analysts assigned to the committee. If more detailed information is needed on a bill, contact the committee analyst.

5581LHS

LD 650 **An Act to Accelerate the Amortization of the Maine State Retirement System** ONTP

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
REED

SUMMARY

This bill which was referred to the Appropriations Committee would have required the annual transfer of certain excess General Fund revenues, if they occurred, to the Retirement Allowance Fund (the fund in which employer contributions are held). The bill also would have required the system's actuary to identify in the annual valuation the impact of any such transfer on the employer contributions vote.

LD 677 **An Act to Increase the Employability of Homeless Persons in This State** ONTP

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
BRENNAN ONTP

SUMMARY

This bill would have required the Department of Labor to create a 2-county demonstration project with one site in the northern part of the State and the other in the southern part, that assists homeless persons to become employed. The committee wrote a letter to the Commissioner of Labor asking her to work with various interest groups to discuss the delivery of employment and training programs to the homeless population.

LD 678 **An Act to Allow Employees to Observe Holidays** ONTP

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
BOUFFARD ONTP MAJ
 OTP-AM MIN

SUMMARY

This bill would have prohibited an employer from requiring an employee to work on holidays unless the employer pays the employee 3 times the employee's regular hourly rate. The bill also penalized an employer who requires an employee to work on a holiday without triple-time pay with a \$5,000 penalty for each violation. The committee amendment would have reduced the holiday premium to 2 times the normal pay and reduced the penalties to back pay plus a maximum fine of \$200. The amendment would have exempted the public sector from the holiday pay requirement as well as hospitals and nursing homes, restaurants, hotels, emergency services and small employers.

LD 686 **An Act to Prohibit the Employment of Professional Strikebreakers** DIED BETWEEN BODIES

SPONSOR(S) **COMMITTEE REPORT** **AMENDMENTS ADOPTED**
SAMSON OTP-AM MAJ
 ONTP MIN

SUMMARY

This bill would have prohibited the recruitment or employment of professional strikebreakers. It defined the term "professional strikebreaking activity" so that the bill applies only to those persons or organizations that have made a practice of supplying replacement workers during labor disputes. The bill

provided for enforcement through a civil action filed by any interested party and repealed the current provision making it a crime to employ a person who customarily and repeatedly offers services in place of a striking worker. In a letter dated May 8, 1995, the Attorney General indicated that it is very likely that a court would find LD 686 and LD 316 preempted by federal law.

LD 693 An Act to Allow Seasonal Public Employees to Be Eligible for Unemployment Compensation ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
BUSTIN	ONTP	

SUMMARY

This bill would have amended the Employment Security Law so that certain employees working in an educational institution may be eligible for unemployment benefits during periods when the school is not in session. Prior to 1991, the Federal Unemployment Tax Act required that the State deny benefits to those individuals. Public Law 102-164, Section 302(a)(1) and Section 302(a)(2) amended the federal law so that the states are no longer required to deny benefits to those individuals.

LD 695 An Act to Authorize Municipalities to Pay Employees Biweekly PUBLIC 340

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
AMERO	OTP MAJ	
	ONTP MIN	

SUMMARY

This bill removes municipalities from the statutory requirement that certain employers pay their employees on a weekly basis. House amendment "A" (H-343) would have exempted from the bill employees in a collective bargaining unit unless the less frequent pay schedule is agreed to by the collective bargaining unit.

LD 696 An Act to Amend the Maine State Retirement System Laws Regarding the Buy-back of Time Served in the Peace Corps DIED BETWEEN BODIES

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MICHAUD	OTP-AM MAJ	
	ONTP MIN	

SUMMARY

This bill would have allowed members who served in the Peace Corps, VISTA or in a foreign teaching capacity to purchase service credits through the Maine State Retirement System at the rate allowed for out-of-state service. The committee amendment would have restricted purchase of retirement service credits provided in the original bill to members of the Maine State Retirement System who were formerly Peace Corps workers. The amendment required payment for the service credit purchased at the same rate as for purchase of prior armed forces service credits under the Maine Revised Statutes, Title 5, section 17713, subsection 2, paragraph A. The amendment also added a fiscal note to the bill.