

MAINE STATE LEGISLATURE

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STATE OF MAINE
117TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
BANKING AND INSURANCE

JUNE 1996

MEMBERS:

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Sen. Mary E. Small

Sen. Dale McCormick

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ONE HUNDRED SEVENTEENTH LEGISLATURE
SECOND REGULAR SESSION

Summary Of Legislation Before The Joint Standing Committees
June 1996

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills.

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

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

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is July 4, 1996.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WATERHOUSE	OTP-AM MAJ ONTP MIN	

LD 887, originally titled “An Act to Encourage Job Creation by Exempting Small Employers from the Current Workers’ Compensation System”, was carried over from the First Regular Session after referral from the House floor during consideration of the committee report of the Joint Standing Committee on Labor. The bill proposed to exempt employers with 5 or fewer employees from the requirement to obtain workers' compensation insurance. In order to be exempt and to obtain a defense against claims by insured employees, the employer would have to provide disability and health insurance coverage to all employees.

Committee Amendment "A" (H-295) was the minority report of the Joint Standing Committee on Labor in the First Regular Session and proposed to add a fiscal note to the bill. Committee Amendment “A” was not adopted.

House Amendment "A" (H-363) was offered in the First Regular Session and proposed to allow employers of 5 or fewer employees to choose not to utilize the workers' compensation system and requires those employers to maintain liability insurance, health care coverage and disability income coverage. It provides that employers who maintain coverage in this manner are still responsible for assessment under the Maine Revised Statutes, Title 24-A, section 2386-A, the fresh start provisions of workers' compensation insurance. This amendment is modeled on the existing provision that applies to employees of small agricultural employers. House Amendment “A” was not adopted.

Committee Amendment "B" (H-689) is the majority report of the Joint Standing Committee on Banking and Insurance upon its consideration of the bill and its proposed amendments in the Second Regular Session. This amendment replaced the bill and its proposed amendments with a resolve. The amendment proposed to establish the Study Commission on the Workers' Compensation Laws Relating to Small Business. The commission consists of 17 members representing the Joint Standing Committee on Banking and Insurance, the Joint Standing Committee on Labor, the Bureau of Insurance, the Department of Labor, the Workers' Compensation Board, the insurance industry, the small business community and labor interests. The amendment also proposed to add an appropriation section and a fiscal note to the resolve. The resolve is an emergency and takes effect when enacted. Committee Amendment “B” died on the Special Appropriations Table.

House Amendment "A" To Committee Amendment "B" (H-698) proposed to remove the language that entitles members of the commission that are Legislators to remove the language that entitles members of the commission that are Legislators to legislative per diem. House Amendment “A” was not adopted.

House Amendment "B" To Committee Amendment "B" (H-721) proposed to change the membership of the Study Commission on Workers' Compensation Laws Relating to Small Business by giving the Joint Standing Committee on Banking and Insurance and the Joint Standing Committee on Labor equal representation. House Amendment “B” was not adopted.