MAINE STATE LEGISLATURE

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STATE OF MAINE 117TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES JOINT STANDING COMMITTEE ON LABOR

AUGUST 1995

MEMBERS:

*Sen. Charles M. Begley Sen. S. Peter Mills Sen. Anne M. Rand

*Rep. Pamela H. Hatch Rep. John L. Tuttle, Jr. Rep. Gail M. Chase Rep. Patricia Lemaire Rep. Roland B. Samson Rep. Henry L. Joy Rep. Steven Joyce Rep. Robert E. Pendleton, Jr. Rep. Vaughn A. Stedman Rep. Tom J. Winsor

*Denotes Chair

Staff:

Lisa Copenhaver, Legislative Analyst David Elliott, Principal Analyst

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

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 887

An Act to Encourage Job Creation by Exempting Small Businesses from the Current Workers' Compensation System

CARRIED OVER

SPONSOR(S)

COMMITTEE REPORT

AMENDMENTS ADOPTED

WATERHOUSE

SUMMARY

This bill exempts 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. The committee reported this bill out as a divided report, with the majority ONTP, and the minority OTP-A. Eventually, the bill was re-referred to the Banking and Insurance Committee which received approval to carry this bill over to the Second Regular Session.

LD 917

An Act to Establish Occupational Health and Safety Standards for Operators of Video Display Terminals

ONTP

SPONSOR(S)

COMMITTEE REPORT

AMENDMENTS ADOPTED

MCCORMICK

ONTP

SUMMARY

This bill would have required all employers in this State who use 2 or more video display terminals to: locate video display terminals in such a way as to reduce glare on the video display screen caused by reflected light; provide swivel chairs for operators, unless the operator specifically declines such a chair; provide flexible work breaks for video display terminal operators; and provide for paid leave for vision examinations. The bill also included enforcement and penalty provisions. The committee wrote a letter to the Commission on Safety and Health in the Maine Workplace asking them to consider the safety issues related to video display terminals and report back in 1997 on how the Legislature and Maine employers can best address the issue.

LD 924 An Act to Repeal Laws Regarding Minimum Wages on Construction Projects

ONTP

SPONSOR(S)

COMMITTEE REPORT

AMENDMENTS ADOPTED

L00K

ONTP

MAJ

OTP-AM

MIN

SUMMARY

This bill would have repealed what is sometimes called "the mini Davis-Bacon Act" or the State's prevailing wage law. That law requires that in the employment of laborers in state-funded construction projects, the workers must be paid the amount set by the Department of Labor for that job classification based on the prior year's prevailing wage paid in that locality for similar types of construction.

LD 926

An Act to Prevent Impasse in Collective Bargaining by Allowing Parties of Either Side to Request Mediation

CARRIED OVER

SPONSOR(S)

COMMITTEE REPORT

AMENDMENTS ADOPTED

SAMSON

SUMMARY

This bill provides that the duty of a public employer and public employees to bargain in good faith continues after an arbitrator has made advisory recommendations. It also provides that the most recent collective bargaining agreement remains in force until a new agreement is ratified. The bill was carried over to the Second Regular Session.

RESOLUTION, Proposing an Amendment to the Constitution of Maine to Establish a Contractual Obligation for Members of the Maine State Retirement System

DIED BETWEEN BODIES

SPONSOR(S)

COMMITTEE REPORT

MAJ

AMENDMENTS ADOPTED

MITCHELL EH CASSIDY

OTP-AM

ONTP MIN

JACQUES

SUMMARY

This resolution proposed an amendment to the Constitution of Maine that would have established a contractual relationship between the State and public employees for pension benefits that may not be diminished or impaired. Pension benefits may be diminished only for public employees hired after the effective date of a law diminishing benefits.

LD 939

An Act to Exclude Services Provided by Home Stitchers from the Definition of Employment for Purposes of Unemployment Compensation PUBLIC 204

SPONSOR(S)

COMMITTEE REPORT.

AMENDMENTS ADOPTED

LINDAHL

OTP

SUMMARY

This bill amends the laws governing unemployment compensation to specifically exclude from the definition of "employment" services performed by an individual as a home stitcher as long as that employment is not subject to federal unemployment tax.

LD 946

An Act Concerning Preference to Maine Workers and Contractors

CARRIED OVER

SPONSOR(S)

COMMITTEE REPORT

AMENDMENTS ADOPTED

LONGLEY JACQUES

SUMMARY

This bill gives preference in the award of construction and public works contracts by the State and its political subdivisions to in-state bidders, provided their bids are no more than 5% over bids submitted by out-of-state bidders. The bill defines "in-state bidder" as a bidder whose principal place of business or a branch of the bidder's principal place of business has been located in the State for a period of at least 2 years and who will employ at least 90% Maine residents to perform the conditions of the contract. This bill was carried over to the Second Regular Session.