

# 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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**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:

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

**Resolve, Authorizing the Department of Labor and the University of Maine to Institute Conferences on Emerging Trends in Labor-Management Relations****SPONSOR(S)****COMMITTEE REPORT**

OTP-AM

**AMENDMENTS ADOPTED**

S-255

**SUMMARY**

This bill is one of the recommendations of the Commission on the Future of Maine's Paper Industry. It requires that the Governor convene yearly a series of conferences on labor-management systems and designates the Bureau of Labor Education and the School of Business at the University of Maine as the agencies responsible for putting on the conferences. The conferences are to focus on emerging trends in labor-management relations.

COMMITTEE AMENDMENT "A" (S-255) replaces the bill with a resolve requiring the Department of Labor to work with the Bureau of Labor Education and the College of Business Administration at the University of Maine to offer, if feasible, a conference or a series of conferences on labor-management relations. The resolve requires the conferences to be funded through participant fees or grants.

**LD 1090      An Act to Require Reimbursement of Unemployment Benefits by Workers' Compensation Insurers**

ONTP

**SPONSOR(S)**

RAND

**COMMITTEE REPORT**

ONTP

**AMENDMENTS ADOPTED****SUMMARY**

This bill would have repealed the current workers' compensation law that requires all workers' compensation awards to be reduced by the amount of any unemployment benefits received by an employee. This bill would have instead required the Workers' Compensation Board to reimburse the Unemployment Compensation Fund for any unemployment benefits received by an employee who is determined eligible to receive workers' compensation for the same period.

**LD 1141      An Act Concerning Employee Leasing Companies**

PUBLIC 221

**SPONSOR(S)**

BEGLEY

**COMMITTEE REPORT**

OTP-AM

**AMENDMENTS ADOPTED**

S-162

**SUMMARY**

The original bill was intended to protect the unemployment insurance trust fund from losses in revenue when the contributions unpaid by a leasing company exceed the amount of the bond posted. Under current law, if an employee leasing company posts a bond, the client company is relieved of liability regardless of the amount of unpaid taxes. The bill removes that option and makes the client company liable for the amount due in excess of the bond. The bill also clarifies the penalty provisions.

COMMITTEE AMENDMENT "A" (S-162) repeals the entire section describing the surety bond that, if posted, relieves the client company of liability for unpaid unemployment taxes since the intent is to make that option no longer available. The amendment also clarifies the situations in which the rebuttable presumption of tax avoidance arises. The amendment also adds a fiscal note to the bill.