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

Office of Policy and Legal Analysis Room 101/107/135, 13 State House Station Augusta, ME 04333 (207)287-1670



Maine State Legislature OFFICE OF POLICY AND LEGAL ANALYSIS

State House Station 13, Augusta, Maine 04333 Telephone (207) 287-1670 Telecopier (207) 287-1275

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 1346 An Act to Amend the Occupational Disease Law

INDEF PP

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

OTP-AM MAJ MIN ONTP

SUMMARY

This bill would have amended the Occupational Disease Law to provide the same level of coverage for all occupational diseases as is currently provided for radiation-related and asbestos-related diseases. The definition of "occupational disease" is amended to clarify that it does not include repetitive trauma syndromes, which are covered under the Maine Workers' Compensation Act as injuries. This bill also rejects the holding of the Maine Law Court in Manzo v. Great Northern Paper Company, 615 A.2d 605 (Me. 1992) by amending the Maine Workers' Compensation Act of 1992 and the Occupational Disease Law to provide that an employee who has been diagnosed as having an occupational disease is entitled to medical services even if the employee has not been incapacitated by the disease. The majority committee amendment would have retained only those provisions in the original bill that relate to the Manzo decision. The amendment would have provided that the employee is entitled to medical benefits even if the employee is not yet incapacitated by the occupational disease. These medical benefits would not be available unless the diagnosis of the occupational disease was made within 3 years of the last injurious exposure, the same limitation that applies to wage loss benefits for an occupational disease. The amendment made these changes retroactive to the day after the Manzo decision, regardless of the date of the diagnosis.

LD 1364 Resolve, Concerning the Workweek of Department of **Corrections Personnel**

ONTP

COMMITTEE REPORT SPONSOR(S) AMENDMENTS ADOPTED

BUSTIN OTP-AM MAJ

MIN ONTP

SUMMARY

This resolve would have increased the basic workweek for certain Department of Corrections personnel from 40 hours per week to 42.5 hours per week.

An Act to Establish the Employee Partnership Reward Act LD 1476

CARRIED OVER

ONTP

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

SUMMARY

This bill creates a performance-based reward plan that provides incentives for awards to employees and directs the Commissioner of Economic and Community Development to establish a program to promote the implementation of performance-based reward plans and employee decision-making participation programs. This bill was carried over to the Second Regular Session.

An Act to Create a Special Accidental Death Benefit for the LD 1478 Surviving Family Members of Law Enforcement Officers Killed

in the Line of Duty

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

ONTP CAREY

SUMMARY

This bill would have created a special accidental death benefit for the surviving family members of a law enforcement officer who participated in the Maine State Retirement System and who died as a result of an injury arising out of and in the course of the officer's employment.

LD 1490 An Act to

An Act to Prohibit Retirement Contributions by Employees of Agricultural Commodity Groups from Being Applied towards the Unfunded Liability of the Maine State Retirement System ONTP

SPONSOR(S)

COMMITTEE REPORT

AMENDMENTS ADOPTED

ONTP

SUMMARY

This bill was reported by the Commission to Study Potato Quality Issues. The bill would have prohibited retirement contributions by agricultural commodity group employees who are paid entirely from Other Special Revenue funds from being applied towards payment of the unfunded liability of the Maine State Retirement System. This provision would have taken effect beginning in fiscal year 1995-96.

An Act to Extend the Deadline for a Maine State Police Officer to Choose a Certain Retirement Option

PUBLIC 367

SPONSOR(S)

COMMITTEE REPORT

AMENDMENTS ADOPTED

BAILEY

OTP-AM

H-443

SUMMARY

This bill extends the deadline by which must exercise their option to retire early with full benefits if they pay the actuarial equivalent of the cost of that early retirement from July 1, 1995 to January 1, 1997.

COMMITTEE AMENDMENT "A" (H-443) adds an emergency preamble and emergency clause to the bill.

LD 1518

An Act to Amend the Maine State Retirement System with Respect to the Consolidated Plan for Participating Local Districts

PUBLIC 274
EMERGENCY

SPONSOR(S) COMMITTEE REPORT

AMENDMENTS ADOPTED

BEGLEY

OTP

SUMMARY

This bill makes changes to the provisions of the consolidated plan for participating local districts related to earnable compensation and restoration to service to reflect recommendations of the Participating Local District Advisory Committee.

LD 1520

An Act to Amend the Earnings Limitations under the Disability Plan

P & S 38

EMERGENCY

SPONSOR(S)

COMMITTEE REPORT

AMENDMENTS ADOPTED

JACQUES HANLEY OTP-AM

H-495

28 Labor