

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

STATE OF MAINE
118TH LEGISLATURE

FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
LABOR

JULY 1997

Staff:

Lisa C. Copenhaver, Legislative Analyst
Thomas H. Eyman, Legislative Analyst
David C. Elliott, Principal Analyst

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

MEMBERS:

Sen. Mary R. Cathcart, Chair
Sen. Sharon Anglin Treat
Sen. S. Peter Mills

Rep. Pamela H. Hatch, Chair
Rep. Roland B. Samson
Rep. Brian Bolduc
Rep. Joseph E. Clark
Rep. Benjamin L. Rines, Jr.
Rep. Stephen S. Stanley
Rep. Henry L. Joy
Rep. Steven M. Joyce
Rep. Robert E. Pendleton, Jr.
Rep. Russell P. Treadwell



Maine State Legislature
OFFICE OF POLICY AND LEGAL ANALYSIS

13 State House Station, Augusta, Maine 04333-0013
 Telephone: (207) 287-1670
 Fax: (207) 287-1275

ONE HUNDRED EIGHTEENTH LEGISLATURE
FIRST REGULAR AND FIRST SPECIAL SESSIONS

Summary Of Legislation Before The Joint Standing Committees
August 1997

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. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

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 Regular 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 IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</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/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</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>OTP ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i>	<i>Committee report Ought To Pass In New Draft/New Title</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>Bill held by Governor</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 First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

David E. Boulter, Director
 Offices Located in the State House, Rooms 101/107/135

LD 270 **An Act to Have Taxi Drivers Deemed as Independent Contractors** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HARRIMAN PINKHAM R	ONTP	

LD 270 proposed to exempt taxi drivers who own and operate their own vehicles as taxis from the definition of employment for unemployment compensation purposes.

LD 277 **An Act to Require the State to Pay the Full Insurance Premium for Retired Public School Teachers** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BAKER J CATHCART	ONTP	

LD 277 proposed to increase the State’s contribution for health insurance for retired teachers from 25% to 100% of the retiree’s share of the premiums. LD 174 was a related bill.

LD 298 **An Act to Establish the Administrative Operating Budget for the Maine State Retirement System for the Fiscal Year Ending June 30, 1998** **P & S 12
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-176

LD 298 proposed the annual operating budget for The Maine State Retirement System for fiscal year 1997-98. The Retirement System is required by law to present its annual operating budget to the Legislature for approval. The bill identified the system's Personal Services costs and its costs for All Other operating expenses. The bill also attributed the expenses of the system among General Fund, Non-General Fund, and Participating Local District and Group Life Insurance accounts.

Committee Amendment "A" (H-176) proposed approval of collective bargaining agreements for FY 1997-98 to FY 1999-2000 as required by law and increased the allocation of funds to the Maine State Retirement System for administrative operating expenses by \$131,251 in fiscal year 1997-98 to fund the recently ratified collective bargaining agreements with the system's administrative services, professional-technical and supervisory employees during that year. The increased allocations are authorized to be spent from excess administrative operating funds. The amendment also authorized the use of \$500,000 in reserve administrative operating funds to reduce General Fund charges for administrative expenses attributable to the teachers' retirement program in fiscal year 1997-98. The amendment also authorized the retirement system to expend up to \$1,200,000 in reserve administrative operating funds on a temporary project to automate member records and files.

Enacted law summary

Private and Special Law 1997, chapter 12 is the Maine State Retirement Systems annual operating budget for the 1997-98 fiscal year. Legislative approval of the annual budget is required by law. As also required by law, chapter 12 approves the recently ratified collective bargaining agreement with the system’s administrative services, professional-technical and supervisory employees. This law also authorizes use of reserve administrative operating funds during FY 1997-98 in the following amounts for the following uses: (1) \$131,251 to fund the collective bargaining agreement, (2) \$500,000 to reduce General Fund charges for administrative expenses attributable to the teacher retirement program and (3) up to \$1.2 million to fund a temporary records automation project. Chapter 12 was enacted as an emergency measure effective July 1, 1997.

LD 300 An Act to Prohibit an Employer from Hiring Replacement Workers CARRIED OVER During a Strike

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAMSON CATHCART		

LD 300 proposes to prohibit an employer from hiring replacement workers during a labor dispute. This bill also proposes to repeal that provision of current law that makes it a Class D crime for a person involved in a labor dispute to be armed with a dangerous weapon. This bill was carried over to the Second Regular Session.

LD 321 An Act to Amend the Maine Workers' Compensation Act of 1992 as DIED BETWEEN It Relates to Compensation for Total Incapacity BODIES

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

LD 321 proposed to amend the Maine Workers' Compensation Act of 1992 to provide a lump sum benefit in addition to the current weekly benefit when the employee's injury is an amputation or total loss of function of a body part. The amount of the lump sum benefit would be equal to the amount of the weekly benefit times the period of presumed incapacity.

Committee Amendment "A" (H-616) proposed to limit the benefits payable under the bill to amputations by eliminating the availability of benefits when there is functional loss of a body part.