

MAINE STATE LEGISLATURE

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STATE OF MAINE
118TH LEGISLATURE

FIRST REGULAR SESSION
AND
FIRST SPECIAL SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
LABOR

JULY 1997

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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
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LD 329

Resolve, Directing the Commissioner of Labor to Implement the Recommendations of the Commission to Study Poverty Among Working Parents with Regard to Pay Discrimination Based on Gender

RESOLVE 43

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
POVICH MILLS	OTP-AM	H-588

LD 329 proposed to direct the Commissioner of Labor to adopt rules to implement the provisions of the Maine Revised Statutes, Title 26, section 628 prohibiting discrimination in pay on the basis of gender.

Committee Amendment "A" (H-588) proposed that the Commissioner of Labor consult with the Maine Human Rights Commission in developing the rules and required the rules to be submitted to the Joint Standing Committee on Labor by March 1, 1998. The amendment also proposed that the Department of Labor enforce the rules within currently available resources.

Enacted law summary

Resolves 1997, chapter 43 directs the Commission of Labor to adopt rules in consultation with the Maine Human Rights Commission to implement the provisions of the Maine Revised Statutes, Title 26, section 628 prohibiting discrimination in pay on the basis of gender. The Department of Labor is required to enforce those rules within currently available resources.

LD 332

Resolve, to Establish the Commission to Study the Unemployment Compensation System

**RESOLVE 65
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
POVICH DAGGETT	OTP-AM	H-549 S-358 MICHAUD

LD 332 proposed to direct the Commissioner of Labor to study the unemployment compensation program to assess whether it is meeting the changing needs of the labor force and the business community. The commissioner would be required to study the seasonality exclusion, disqualification of persons who lose work because of child care or transportation problems, the extended benefit trigger, and benefit duration for the dislocated worker benefit program. The proposed date for a report from the commissioner is December 1, 1997.

Committee Amendment "A" (H-549) proposed to create the Commission to Study the Unemployment Compensation System, made up of four Legislators, the State Advisory Council, the Commissioner of Labor and one member representing women's issues, to assume responsibility for studying the issues identified in the original resolve. The amendment proposed to have the following issues also studied: the solvency of the unemployment compensation fund, the experience rating system, the disqualification of persons who seek part-time work, and minimum earnings thresholds. The amendment proposed to change the reporting date from December 1, 1997 to February 1, 1998, and authorized both the commission and the Labor Committee to recommend legislation. The amendment also proposed to add an emergency preamble.

Senate Amendment "A" to Committee Amendment "A" (S-358) proposed to change the reporting date to January 1, 1998, limit per diem and expenses to commission members who are Legislators, and limit the commission to 4 meetings.

Enacted law summary

Resolve 1997, chapter 65 establishes the Commission to Study the Unemployment Compensation System, made up of four Legislators, the State Advisory Council, the Commissioner of Labor and one member representing women’s issues, to assess whether the changing needs of the labor force and the business community are being met. The Commission may meet up to four times to study and make recommendations regarding the following issues: the seasonality exclusion, disqualification of persons who lose work because of child care or transportation problems, the extended benefit trigger, and benefit duration for the dislocated worker benefit program, the solvency of the unemployment compensation fund, the experience rating system, the disqualification of persons who seek part-time work, and minimum earnings thresholds. The Commission must report to the Labor Committee by February 1, 1998, with its recommendations and any necessary legislation. Resolve, chapter 65 was enacted as an emergency measure effective on June 12, 1997.

LD 336 An Act Regarding Survivor Benefits in the Event of Divorce and ONTP
Remarriage

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAYO SMALL	ONTP	

LD 336 proposed to eliminate from the current law governing survivor benefits paid by the Maine State Retirement System the requirement that a spouse or former spouse who was originally named retirement beneficiary must agree to a change of beneficiary after a divorce. The bill allows a recipient of a reduced service retirement benefit to name a new beneficiary after a divorce without the permission of the former spouse.

LD 346 An Act to Exempt Retail Shoe Store Employees Who Are Paid on a ONTP
Commission Basis from the Minimum Wage Laws

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LEMAIRE	ONTP	

LD 346 proposed to exempt retail shoe store employees whose pay is at least one and one-half times the minimum wage from the overtime provisions of the minimum wage laws.