

# 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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**Maine State Legislature**

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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](http://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:

- CARRIED OVER*.....*Bill carried over to Second Regular Session*
- CON RES XXX*.....*Chapter # of Constitutional Resolution passed by both Houses*
- CONF CMTE UNABLE TO AGREE*.....*Committee of Conference unable to agree; bill died*
- DIED BETWEEN BODIES*.....*House & Senate disagree; bill died*
- DIED IN CONCURRENCE*.....*One body accepts ONTP report; the other indefinitely postpones the bill*
- DIED ON ADJOURNMENT*.....*Action incomplete when session ended; bill died*
- EMERGENCY*.....*Enacted law takes effect sooner than 90 days*
- FAILED EMERGENCY ENACTMENT/FINAL PASSAGE*.....*Emergency bill failed to get 2/3 vote*
- FAILED ENACTMENT/FINAL PASSAGE*.....*Bill failed to get majority vote*
- FAILED MANDATE ENACTMENT*.....*Bill imposing local mandate failed to get 2/3 vote*
- INDEF PP*.....*Bill Indefinitely Postponed*
- ONTP*.....*Ought Not To Pass report accepted*
- OTP ND*.....*Committee report Ought To Pass In New Draft*
- OTP ND/NT*.....*Committee report Ought To Pass In New Draft/New Title*
- P&S XXX*.....*Chapter # of enacted Private & Special Law*
- PUBLIC XXX*.....*Chapter # of enacted Public Law*
- RESOLVE XXX*.....*Chapter # of finally passed Resolve*
- UNSIGNED*.....*Bill held by Governor*
- VETO SUSTAINED*.....*Legislature failed to override Governor's Veto*

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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Public Law 1997, chapter 49 allows the Department of Labor to develop model substance abuse testing policies for testing applicants and employees when probable cause has been determined to exist. The rules under which these model policies must be developed may provide for expedited approval of the drug testing policies for those employers adopting the model policies.

**LD 462**                      **An Act to Require Employers to Pay the Legal Fees of an Employee Who Wins a Workers' Compensation Case**                      **ONTP**

<u>Sponsor(s)</u> AHEARNE	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 462 proposed to return to the "prevail" standards that controlled the payment of attorney's fees prior to the changes contained in the Maine Workers' Compensation Act of 1992. The bill proposed to require the employer to pay the employee's attorney's fees in workers' compensation cases in which the employee ultimately receives a benefit greater than that offered by the employer by the conclusion of mediation.

**LD 568**                      **An Act to Implement the Recommendations of the Commission to Study Poverty Among Working Parents with Regard to Raising the Minimum Wage**                      **CARRIED OVER**

<u>Sponsor(s)</u> POVICH	<u>Committee Report</u>	<u>Amendments Adopted</u>
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LD 568 proposes a new state minimum wage consisting of a base wage that is 25 cents per hour more than the federal minimum wage. The bill also proposes to provide an annual adjustment based on the increase in the state average weekly wage. This bill was carried over along with LD 633 and LD 688.

**LD 577**                      **An Act Increasing the Number of Members of the Board of Trustees of the Maine State Retirement System**                      **ONTP**

<u>Sponsor(s)</u> O'NEAL	<u>Committee Report</u> ONTP      MAJ OTP-AM    MIN	<u>Amendments Adopted</u>
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LD 577 proposed to add two voting members to the Board of Trustees of the Maine State Retirement System, one of whom is a member of the retirement system and is appointed by the American Federation of State, County and Municipal Employees, Council 93 and one of whom is a member of the retirement system and is appointed by the Maine School Management Association. Currently the board consists of seven voting members and the State Treasurer as an ex officio, non-voting member. The bill also proposed to increase the number of board members needed for a quorum from four to five and the minimum number of votes to take action from four to five.