

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).

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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to \$50 per day, to remove the \$500 cap on the forfeiture and to make it payable to the employee. The bill also would allow an employee to bring an action in the District Court or the Superior Court to recover the civil forfeiture and seek equitable relief, including an injunction. The bill also proposed to authorize the court to order an employer to reimburse the employee for costs of suit including a reasonable attorney's fee.

Committee Amendment "A" (S-300) proposed to keep the civil forfeiture at \$25 per day, retain the \$500 total cap on forfeitures and remove the language in the bill making the forfeiture payable to the employee. This amendment limits the employee's civil remedy to equitable relief and limits the recovery of costs of suit and attorney's fees from the employer to suits in which the employee receives a judgment in the employee's favor.

Enacted law summary

Public Law 1997, chapter 420 makes a number of changes to the law that requires an employer to permit an employee or former employee to review and copy that person's personnel file. It allows an employee to bring an action in the District Court or the Superior Court to seek an injunction or other equitable relief the court considers appropriate. It authorize the court to order an employer to reimburse the employee for costs of suit including a reasonable attorney's fee if the judgment is in the employee's favor.

LD 683 **An Act to Increase the Penalties for Violations of State Wage and Hour Laws** **ONTP**

<u>Sponsor(s)</u> HATCH	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 683 proposed to allow the Attorney General to seek the license revocation of any business that violates the minimum wage laws of this State or similar federal provisions, including signing a consent decree to that effect, two or more times in a 10-year period.

LD 688 **An Act to Increase Maine's Minimum Wage** **CARRIED OVER**

<u>Sponsor(s)</u> VOLENIK RAND	<u>Committee Report</u>	<u>Amendments Adopted</u>
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LD 688 proposes to raise the minimum wage to \$5.60 per hour effective January 1, 1998 and to \$6.05 per hour effective January 1, 1999. This bill was carried over along with LD 568 and LD 633.