

# 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](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:

<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 &amp; 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&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; 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 1318**

**An Act to Clarify the Doctrine of Res Judicata in Workers' Compensation Cases**

**CARRIED OVER**

Sponsor(s)  
HATCH

Committee Report

Amendments Adopted

LD 1318 proposes that if the Workers' Compensation Board has determined that the effects of a compensable injury have ended, an employee may seek a restoration of benefits if the employee comes into possession of medical information that was not previously known to the parties or litigated before the board. This bill was carried over to the Second Regular Session.

**LD 1351**

**An Act to Amend the Maine Workers' Compensation Act of 1992 Regarding Nonresident Employers**

**PUBLIC 366**

Sponsor(s)  
SAMSON

Committee Report  
OTP-AM

Amendments Adopted  
H-481

LD 1351 proposed to clarify that nonresident employers whose employees are in the State on a regular basis are required to obtain coverage for their employees under the Maine Workers' Compensation Act of 1992.

**Committee Amendment "A" (H-481)** proposed to clarify that the required workers' compensation coverage must be from an insurer or self-insurer authorized in this State.

***Enacted law summary***

Public Law 1997, chapter 366 clarifies that the workers' compensation coverage required by the Maine Workers' Compensation Act of 1992 must be from an insurer or self-insurer authorized in this State.

**LD 1370**

**Resolve, to Create Pension Portability for State and Local Government**

**CARRIED OVER**

Sponsor(s)  
SAXL M  
DAGGETT

Committee Report

Amendments Adopted

LD 1370 proposed to establish a commission to study pension portability for public sector employees. The commission would report to the Second Regular Session of the 118th Legislature.

Several other bills were introduced this session proposing major changes in the retirement plans for state employees, teachers and legislators. This bill was carried over to the Second Regular Session to serve as a legislative vehicle to address any necessary retirement plan changes in 1998. The other bills were reported out ONTP. See also LDs 1014, 1259, 1494, 979 and 1497.