

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
118TH LEGISLATURE

SECOND REGULAR SESSION  
AND  
SECOND SPECIAL SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
LABOR

MAY 1998

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**ONE HUNDRED EIGHTEENTH LEGISLATURE  
SECOND REGULAR AND SECOND SPECIAL SESSIONS**

**Summary Of Legislation Before The Joint Standing Committees  
May 1998**

We are pleased to provide this summary of bills that were considered by the Joint Standing Committees of the Maine Legislature. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. 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 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:

*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 Second Regular Session (unless otherwise specified in a particular law) is June 30, 1998 and July 9, 1998 for the Second Special Session. Second Special Session laws include Public Laws beginning with Chapter 718, Private and Special Laws beginning with Chapter 82 and Resolves beginning with Chapter 117.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WRIGHT	OTP-AM MAJ	H-804
LAWRENCE	ONTP MIN	S-475 CATHCART
		S-772 MICHAUD

LD 1454 was considered by the Labor Committee in the First Session, carried over from the First Session by the Appropriations Committee, and rereferred to the Labor Committee this year. The bill proposed to require that workers employed in the construction of public works be given at least the prevailing rate of benefits given for work of a similar nature performed in the state, in addition to the current requirement that they be paid at least the prevailing hourly rate of wages. The bill proposed to require the Bureau of Labor Standards to determine prevailing wages and benefits in September 1997, at which time they would become effective. This bill also proposed to give the Office of the Attorney General jurisdiction to investigate and enforce violations of the wage and benefits provisions.

**Committee Amendment "B" (H-804)** was the majority report of the Joint Standing Committee on Labor and proposed to eliminate the requirement that the Office of the Attorney General investigate violations of the wage and benefit provisions in Maine Revised Statutes, Title 26, chapter 15. Under current law, the Department of Labor, Bureau of Labor Standards is responsible for investigations, and the Office of the Attorney General is responsible for bringing enforcement actions. The amendment also proposed to add an appropriation and a fiscal note to the bill.

**Senate Amendment "A" to Committee Amendment "B" (S-475)** proposed to remove the appropriation section.

**Senate Amendment "A" (S-772)** proposed to change the date the Bureau of Labor Standards must determine from September 1997 to September 1999.

#### *Enacted law summary*

Public Law 1997, chapter 757 requires workers employed in the construction of public works to be given at least the prevailing rate of benefits given for work of a similar nature performed in the state, in addition to the current requirement that they be paid at least the prevailing hourly rate of wages. The law requires the Bureau of Labor Standards to determine the prevailing wages and benefits in September 1999, at which time they will become effective. The law does not require the Office of the Attorney General to investigate violations of the wage and benefit chapter.

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

LD 1457 proposed to extend the period of payment for workers' compensation benefits for partial incapacity from 260 weeks to 520 weeks.