

# 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

**MEMBERS:**

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*Sen. Sharon Anglin Treat*  
*Sen. S. Peter Mills*

*Rep. Pamela H. Hatch, Chair*  
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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.

**LD 1567**

**An Act to Require the Workers' Compensation Board to Evaluate Rehabilitation in the Workers' Compensation System and to Develop a System for Collecting Rehabilitation Data**

**PUBLIC 649**

<u>Sponsor(s)</u> MILLS	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-519
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LD1567 was carried over from the First Session and proposed to reinstate limited rehabilitation benefits under the Maine Workers' Compensation Act of 1992 for people with long-term disabilities. It proposed to make a rehabilitation evaluation available to an employee whose period of disability is likely to exceed 90 days; require an employer adjudicated as liable for the underlying claim to pay up to two times the state's average weekly wage toward the cost of the evaluation; require the Workers' Compensation Board to act on a rehabilitation application within 30 days; authorize a hearing only if the board finds it necessary to resolve issues not adequately addressed in the written material; authorize the board to order a rehabilitation plan to be implemented immediately; increase the maximum rehabilitation period from 52 weeks to 104 weeks; allow the board to suspend review rights and order total disability benefits for the duration of a rehabilitation plan; and require the board to conduct a hearing to enforce, modify, suspend or terminate a plan when either party is not meeting the plan requirements or when the employer is found not responsible for the disability.

**Committee Amendment "A" (S-519)** proposed to replace the bill. It proposed to require the Workers' Compensation Board to develop a system for collecting data regarding rehabilitation. The amendment also proposed to require the board to report to the joint standing committee of the Legislature having jurisdiction over labor matters by January 15, 1999, with an analysis of the progress made toward developing a data-collection system and an evaluation of the existing rehabilitation program. The amendment also proposed to add a fiscal note to the bill.

*Enacted law summary*

Public Law 1997, chapter 649 requires the Workers' Compensation Board to develop a system for collecting data regarding rehabilitation. It also requires the board to report to the joint standing committee of the Legislature having jurisdiction over labor matters by January 15, 1999, with an analysis of the progress made toward developing the data-collection system and an evaluation of the existing rehabilitation program.

**LD 1708**

**Resolve, Establishing the Commission to Study the Issue of Discrimination against Veterans in Workers' Compensation Cases**

**ONTP**

<u>Sponsor(s)</u> LANE RUHLIN	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 1708 proposed to establish the Commission to Study the Issue of Discrimination against Veterans in Workers' Compensation Cases, to examine whether insurance companies discriminate against veterans when processing workers' compensation cases in which the injured worker is a veteran.