

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
119TH LEGISLATURE**

**FIRST REGULAR SESSION**

**BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
LABOR**

**JULY 1999**

***MEMBERS:***

*Sen. Neria R. Douglass, Chair*

*Sen. Lloyd P. LaFountain, III*

*Sen. S. Peter Mills*

*Rep. Pamela Henderson Hatch, Chair*

*Rep. Roland B. Samson*

*Rep. Zachary E. Matthews*

*Rep. Roger D. Frechette*

*Rep. Albion D. Goodwin*

*Rep. Christopher T. Muse*

*Rep. Russell P. Treadwell*

*Rep. Jay MacDougall*

*Rep. Adam Mack*

*Rep. Gerald M. Davis*

***Staff:***

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**ONE HUNDRED NINETEENTH LEGISLATURE**  
**FIRST REGULAR SESSION**

**Summary Of Legislation Before The Joint Standing and Select Committees**  
**August 1999**

We are pleased to provide this summary of all bills that were considered by the Joint Standing and Select Committees of the Maine Legislature this past session. 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 and select committees.

The document is organized for convenient reference to information on bills considered by the 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:

*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  
*ENACTMENT FAILED*..... Bill failed to get vote required for enactment or final passage  
*NOT PROPERLY BEFORE THE BODY*..... Ruled out of order by the presiding officers; bill died  
*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 September 18, 1999.

**LD 302****An Act to Repeal the Prevailing Wage**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WATERHOUSE	ONTP MAJ OTP-AM MIN	

LD 302 proposed to repeal the laws requiring that workers employed in the construction of public works be paid a wage of no less than the prevailing hourly rate of wages and benefits for work of a similar character in this State.

**Committee Amendment “A” (H-304)**, the minority report of the committee, proposed to add an appropriation section and a fiscal note to the bill. (not adopted)

**LD 330****An Act to Prohibit the Replacement of Striking Workers**

ONTP

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

LD 330 proposed to prohibit an employer from hiring replacement workers during a labor dispute and to repeal the current law that makes it a Class D crime for a person involved in a labor dispute to be armed with a dangerous weapon.

**LD 339****An Act to Amend the Law Regarding Leaves of Absence for Legislative Service****DIED BETWEEN BODIES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HATCH	OTP-AM A OTP-AM B OTP-AM C ONTP D	

LD 339 proposed to remove the 2-year time limit on the leave of absence that an employer must grant an employee to serve as a Legislator.

**Committee Amendment “A” (H-354)** proposed to increase the number of terms for which an employer must give a leave of absence from one term to 4 terms (8 years). The amendment also proposed to clarify that the parties to an appeal of the leave requirement share in paying for the services of the State Board of Arbitration and Conciliation, which hears the appeal. (not adopted)

**Committee Amendment “B” (H-355)** proposed to increase the number of terms for which an employer must grant a leave of absence from one term to 2 terms (4 years) and to raise the threshold for size of employer subject to the law from 5 employees to 15 employees. It also proposed to clarify that the parties to an appeal of the leave requirement share in paying for the services of the State Board of Arbitration and Conciliation, which hears the appeal. (not adopted)

**Committee Amendment “C” (H-356)** did not propose a change in the length of leave an employer must grant. It proposed to raise the threshold for size of employer subject to the law from 5 employees to 15 employees and to clarify that the parties to an appeal of the leave requirement share in paying for the services of the State Board of Arbitration and Conciliation, which hears the appeal. (not adopted)