

MAINE STATE LEGISLATURE

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**STATE OF MAINE
119TH LEGISLATURE**

FIRST REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
LABOR**

JULY 1999

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Staff:

Deborah C. Friedman, Principal Analyst

David C. Elliott, Legislative Analyst

Office of Policy and Legal Analysis

Room 101/107/135, 13 State House Station

Augusta, ME 04333

(207)287-1670



Maine State Legislature
OFFICE OF POLICY AND LEGAL ANALYSIS

13 State House Station, Augusta, Maine 04333-0013
Telephone: (207) 287-1670
Fax: (207) 287-1275

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).

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 796

An Act to Require Employees to be Paid at Least Once Every 2 Weeks

ONTP

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

LD 796 proposed to require employers to pay their employees at least once every two weeks and proposed to make the change retroactive to January 1, 1988. See also LD 292.

LD 806

An Act to Provide Adjustments to Accommodate Increases in the Cost of Living for Injured Workers

**VETO
SUSTAINED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CATHCART SAXL M	OTP-AM MAJ ONTP MIN	S-189

LD 806 proposed to allow annual cost-of-living adjustments in workers' compensation benefits for an employee who was injured on or after January 1, 1993, experienced total incapacity or partial incapacity that meets statutory thresholds and has reached the 6th anniversary of the injury. The proposed adjustment could not exceed 3%.

Committee Amendment "A" (S-189) proposed to make the cost-of-living adjustment prospective for injuries occurring on or after January 1, 2000 instead of retroactive to January 1, 1993 as in the bill.

LD 810

An Act to Encourage Responsible Employment Practices

CARRIED OVER

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

LD 810 proposes to require employers who wish to contract with the State to perform public improvement or public works projects to meet certain criteria, including providing health insurance and a minimum employer contribution to all employees, providing a state-approved training or apprenticeship program and other criteria established by the Bureau of General Services.

This bill has been carried over to the Second Regular Session of the 119th Legislature.

LD 821

Resolve, to Amend the Qualifications for Participation in the Governor's Training Initiative Program

ONTP

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

LD 821 proposed to require the Department of Labor and the Department of Economic and Community Development to revise rules setting forth selection criteria for funding under the Governor's Training Initiative Program. It proposed

that the rules be amended to allow businesses to qualify even if they have a waiting period or a minimum work week to receive an employer contribution to health insurance premiums, or a graduated contribution schedule.

LD 829 **An Act to Increase the State's Contribution for the Cost of Health Insurance Premiums for Retired Educators** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BERRY D PENDLETON	ONTP	

LD 829 proposed to increase the State's contribution for health insurance for retired educators from 30% to 50%. See also LD's 23, 1614 and 1730.

LD 835 **Resolve, Establishing a Commission to Study the Interrelationship Among the Maine State Retirement System, Social Security and Tax-advantaged Accounts** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MURPHY T		

LD 835 proposes to establish the Commission to Study the Interrelationship among the Maine State Retirement System, federal Social Security System and tax-advantaged retirement accounts. The bill proposed a study commission consisting of 12 members, 6 with expertise or experience in retirement systems and 6 who are Legislators. The commission would report to the Second Regular Session of the 119th Legislature and the Joint Standing Committee on Labor.

This bill has been carried over to the Second Regular Session of the 119th Legislature.

LD 838 **An Act to Provide Paralegal Assistants to the Workers' Compensation Advocate Program and an Auditor to the Monitoring, Auditing and Enforcement Program** **PUBLIC 359**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TESSIER KONTOS	OTP-AM MAJ ONTP MIN	H-350

LD 838 proposed to establish 9 new paralegal assistant positions for the Workers' Compensation Board so that a Paralegal Assistant can be assigned to each Workers' Compensation Advocate employed by the board. It also proposed to increase the assessment limit of the board from \$6.6 million to \$7 million in order to allow sufficient funding levels for the new positions.

Committee Amendment "A" (H-350) proposed to replace the bill. It proposed to add one auditor and 2 paralegal assistant positions to the Workers' Compensation Board, instead of providing for 9 paralegal positions. It also proposed to provide for a cap of \$6,735,000 on the assessments against insurers and self-insurers instead of \$7,000,000, as provided in the bill.