

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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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:

<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 & 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>ENACTMENT FAILED</i>	<i>Bill failed to get vote required for enactment or final passage</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</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&S XXX</i>	<i>Chapter # of enacted Private & 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 September 18, 1999.

violation. It also provides for a forfeiture of up to \$50 for failure to provide information requested by the department for the purpose of determining the prevailing wage and benefits.

LD 987 **An Act to Validate Voluntary Collective Bargaining Provisions that May Affect Educational Policies** **CARRIED OVER**

<u>Sponsor(s)</u> MILLS		<u>Committee Report</u>		<u>Amendments Adopted</u>
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LD 987 proposes to allow teachers and public employers to include educational policy issues in their negotiations for a collective bargaining agreement. It provides that the parties are not required to negotiate on those issues, but provides that educational policy issues agreed to by the parties and included in the collective bargaining agreement would be enforceable. It also proposes to rewrite the section of law relating to these issues to clarify language.

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

LD 995 **Resolve, Directing the Maine State Retirement System to Provide Each Member with a Statement of Account No Later Than December 31, 1999** **ONTP**

<u>Sponsor(s)</u> HARRIMAN BERRY R		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 995 proposed that the Maine State Retirement System prepare and deliver before December 31, 1999 a member's statement of account to every vested and nonvested member of the system stating the member's contributions and benefits accrued at the date of the statement. The resolve would have directed the Maine State Retirement System to prepare each member's statement of account on a date as close to December 31, 1999 as practical that still allows for the statements to be delivered before a possible computer disruption on January 1, 2000. The issue raised by the bill will be considered with LD 1091 which has been carried over to next session.

LD 1016 **An Act to Require That a Translator Be Available to Employees In the Workers' Compensation Process** **PUBLIC 202**

<u>Sponsor(s)</u> HATCH MILLS		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-262
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LD 1016 proposed to require the Workers' Compensation Board to provide or pay the cost of an interpreter during workers' compensation proceedings for an employee who is not fluent in English. It also proposed to require the board to share the services of interpreters in the Department of Labor to the extent possible.

Committee Amendment "A" (H-262) proposed to direct the Workers' Compensation Board to seek advice in locating interpreters from the Department of Labor, rather than requiring the board to use interpreters employed by the department.

Enacted law summary

Public Law 1999, chapter 202 requires the Workers' Compensation Board to provide or pay the cost of an interpreter during workers' compensation proceedings for an employee who is not fluent in English. It also directs the board to seek advice from the Department of Labor in locating interpreters.

LD 1017 **An Act to Ensure That Funds Received from Penalties Due to Lack of Workers' Compensation Coverage Go to the Workers' Compensation Board** **ONTP**

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

LD 1017 proposed to require that penalties paid by employers for failure to secure workers' compensation coverage be paid to the Workers' Compensation Board Administrative Fund, to be used to reimburse an employee for mileage incurred to undergo a medical examination required by an employer or the employer's insurer.

LD 1018 **An Act to Amend the Prevailing Wage Laws** **DIED BETWEEN BODIES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HATCH RUHLIN	ONTP MAJ OTP MIN	

LD 1018 proposed to require contractors subject to the prevailing wage laws to keep payroll records on the work site and to make the records available to labor department officials and the public to enable them to oversee compliance with the prevailing wage law.

LD 1019 **An Act to Limit Mandatory Overtime** **CARRIED OVER**

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

LD 1019 proposes to limit mandatory overtime to 40 overtime hours in a 2-week period. The bill proposes to define overtime as any time over 8 hours in a day and any time over 40 hours in a week.

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

LD 1033 **An Act to Allow Former Employees of Head Start Credit in the Maine State Retirement System** **PUBLIC 250**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RINES	OTP-AM	H-360