

MAINE STATE LEGISLATURE

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**STATE OF MAINE
119TH LEGISLATURE**

SECOND REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
LABOR**

JULY 2000

MEMBERS:

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Sen. Lloyd P. LaFountain III
Sen. S. Peter Mills*

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ONE HUNDRED NINETEENTH LEGISLATURE
SECOND REGULAR SESSION

Summary Of Legislation Before The Joint Standing Committees
July 2000

We are pleased to provide this summary of 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:

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
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 Second Regular Session (unless otherwise specified in a particular law) is August 11, 2000.

David E. Boulter, Director
Offices Located in the State House, Rooms 101 & 107

LD 1989 proposed to allow binding arbitration of matters relating to salary, pensions and insurance for state, legislative and municipal employees. It also proposed a process for sending the arbitrators' determination to municipal voters or the Legislature for approval, when the arbitrators do not select the last best offer of the municipality or Legislature.

LD 1995

An Act to Clarify the Workers' Compensation Laws Regarding the Agricultural Laborer Exemption

PUBLIC 610

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PIEH KILKELLY	OTP-AM	H-857

LD 1995 proposed to clarify the exemption in workers' compensation law for agricultural and aquacultural laborers by specifying that an employer who has employed more than 6 laborers for 240 man hours or more per week is not entitled to the exemption.

Committee Amendment "A" (H-857) proposed to replace the bill. It proposed to rewrite the paragraph relating to the agricultural exemption to clarify it. As amended, the law would exempt employers of agricultural or aquacultural employees if they employ 6 or fewer such laborers or they employ more than 6 but the total number of hours worked by all such laborers in a week does not exceed 240 and has not exceeded 240 in any week during the year prior to an injury.

Enacted law summary

Public Law 1999, chapter 610 revises the provision of law exempting certain agricultural employees from the workers' compensation law. It provides that employers of agricultural or aquacultural employees are exempt from the requirement to provide workers' compensation coverage if they employ 6 or fewer such laborers or they employ more than 6 but the total number of hours worked by all such laborers in a week does not exceed 240 and has not exceeded 240 in any week during the year prior to an injury.

LD 2075

An Act to Amend the Maine Workers' Compensation Act of 1992 as DIED BETWEEN it Pertains to Occupational Health BODIES

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COWGER DOUGLASS	OTP-AM MAJ ONTP MIN	H-1034

LD 2075 proposed to allow a person suffering from an occupational disease to recover under the occupational disease law for diseases caused by exposure to one or more of 30 chemicals and metals listed in the bill, regardless of when incapacity from the disease occurred. Under current law, a worker is entitled to benefits under the occupational disease law only if the worker becomes incapacitated within 3 years of the last exposure to the disease-causing element, with some exceptions. It also proposed to extend the notice period from 90 days to 180 days, make all employers in whose employment the worker was exposed liable for the disease, require appointment of impartial physicians in all occupational disease cases, and eliminate apportionment in cases where non-employment causes contributed to the incapacity.