

MAINE STATE LEGISLATURE

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*State Of Maine
120th Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Labor*

August 2001

Staff:

*Deborah C. Friedman, Senior Analyst
David C. Elliott, Principal Analyst*

*Office of Policy and Legal Analysis
13 State House Station
Augusta, ME 04333
(207) 287-1670*

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**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

**120th Legislature
First Regular Session**

**Summary Of Legislation Before The Joint Standing Committees
August 2001**

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 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*
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 First Regular Session (unless otherwise specified in a particular law) is **September 21, 2001**.

David E. Boulter, Director
Offices Located in the State House, Rooms 101/107/135

Joint Standing Committee on Labor

LD 647

An Act to Expand Parental Control of a Minor Child

ONTP

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

LD 647 proposed to direct the Department of Labor to adopt rules setting forth a process under which minors may be exempted from laws limiting the type of work they may perform and the hours and conditions under which they may work. The exemption would only be effective if the potential employer and the minor's parent, guardian or custodian give permission to the exemption.

LD 663

An Act to Provide Funding for Positions to Provide Computer Services to the Blind

**DIED ON
ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'GARA	OTP-AM MAJ	S-200
NORBERT	ONTP MIN	

LD 663 proposed to require the Division for the Blind and Visually Impaired to fill a vacant position assigned to the Iris Network computer access program.

Committee Amendment "A" (S-200) proposed to provide a \$200,000 appropriation to the Division to support the cost of 3 computer access service positions to blind and visually impaired consumers.

Although LD 663 was not enacted, Part LLL of the "Part II" budget bill, Public Law 2001, chapter 439, appropriates \$67,000 a year for one new computer access specialist position.

LD 670

An Act to Strengthen Maine's Worker Advocate Program

PUBLIC 393

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING J	OTP-AM MAJ	S-262 NUTTING J
BERRY R	ONTP MIN	

LD 670 proposed to allocate funds for 7 additional positions at the Workers' Compensation Board to provide more resources for the worker advocate program. It also proposed to increase the cap on the annual assessment for the Workers' Compensation Board Administrative Fund by \$300,000. The bill also proposed to require troubleshooters within the workers' compensation system to conduct factual investigations and gather medical records as part of their required attempts to resolve disputes over worker injuries.

Committee Amendment "A" (S-189) proposed to replace the bill with a resolve. Instead of increasing the number of worker advocates and staff at the Workers' Compensation Board, the amendment proposed to reduce the workload of existing advocates by improving board efforts to identify and penalize companies that are misusing and

Joint Standing Committee on Labor

overloading the system by unreasonably contesting claims. It proposed to authorize the board to use up to \$40,000 of its reserve account to improve technology for the audit, enforcement and monitoring program. It also proposed to require the board to report to the Joint Standing Committee on Labor its plan for improving implementation of the law that imposes penalties on insurers, self-insurers and 3rd-party administrators who engage in questionable claims-handling practices and in repeated, unreasonable contesting of claims. This amendment was not adopted.

Senate Amendment "B" (S-262) proposed to replace the bill and the committee amendment. It proposed to increase the cap on the Workers' Compensation Board assessment by \$300,000 only for fiscal year 2001-02 and to allocate funds to the Workers' Compensation Board to allow it to contract for services of worker advocates and support staff for the worker advocate program. It also proposed to incorporate the provisions of the committee amendment to allow the board to use \$40,000 from its reserve account to fund technology improvements and to require the board to submit a written plan to improve implementation of the auditing program.

Enacted law summary

Public Law 2001, chapter 393 increases the cap on the Workers' Compensation Board assessment by \$300,000 for fiscal year 2001-02 and allocates funds to the Workers' Compensation Board to allow it to contract for worker advocates and clerical support in the worker advocate program in 2001-2002. It also allows the board to use \$40,000 from its reserve account to fund technology improvements in the auditing, enforcement and monitoring program and requires the board to submit a written plan to improve implementation of that program.

LD 691 **An Act to Allow Unemployment Recipients to Declare Estimated Income for Part-time Work** **ONTP**

<u>Sponsor(s)</u> MICHAEL		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 691 proposed to allow a claimant for unemployment compensation to estimate earnings during a claim week, rather than requiring a claimant to produce pay stubs or other proof of earnings, if the claimant has not yet been paid for the work during that claim week.

LD 705 **An Act to Increase the State's Share of Retired Teacher Health Insurance** **DIED ON ADJOURNMENT**

<u>Sponsor(s)</u> DAVIS G EDMONDS		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-366
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LD 705 proposed to increase the State's contribution for health insurance for retired educators from 30% to 35% beginning January 1, 2002 and from 35% to 40% beginning January 1, 2003. The bill died on the Appropriations Table, but a percentage increase to 35% beginning 7/1/02 was included in the Part II Budget—Public Law 2001, chapter 439, Part QQ.