

MAINE STATE LEGISLATURE

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*State Of Maine
120th Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Labor*

August 2001

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Maine State Legislature
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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
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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.

Joint Standing Committee on Labor

Committee Amendment "A" (H-366) added an appropriation section and a fiscal note to the bill.

See related LDs 211 (referred to the Appropriations Committee) and 1629. LD 1629 was carried over by the Labor Committee.

LD 706 **Resolve, Requiring the Department of Labor, Bureau of Labor Standards to List its Mailing Address and Telephone Number on the Card Used to File for Unemployment** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SNOWE-MELLO SAWYER	ONTP	

LD 706 proposed to direct the Department of Labor to revise the initial unemployment compensation claim form by adding the telephone number and address of the Department.

LD 728 **An Act to Ensure Continued Health Insurance Coverage for the Spouse and Dependents of a Teacher or State Employee who Dies** **PUBLIC 341**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CARR DAVIS P	OTP-AM	H-546

LD 728 proposed to require that all benefits paid on the death of a participating member of the Maine State Retirement System be paid to the surviving spouse of that member. The spouse of a member could waive the payment by filing a waiver with the Board of Trustees of the Maine State Retirement System. If the participating member is not married, then the beneficiary designated by that member would receive the benefits.

Committee Amendment "A" (H-546) replaced the bill and proposed to require that a state employee's spouse or other dependents covered by the state group health plan or a teacher's spouse or dependents covered by a group health insurance plan provided by a school board have an opportunity to continue coverage under the group plan after the death of the state employee or teacher. The spouse or dependent would be responsible for paying the premium for the coverage.

Enacted law summary

Public Law 2001, chapter 341 requires that a state employee's spouse or other dependents covered by the state group health plan or a teacher's spouse or dependents covered by a group health insurance plan provided by a school board have an opportunity to continue coverage under the group plan after the death of the state employee or teacher. The spouse or dependent would be responsible for paying the premium for the coverage.