

# 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](http://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 844**

**An Act to Classify Employer-provided Medical Treatment as a Payment under the Maine Workers' Compensation Act of 1992**

**PUBLIC 435**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT	OTP-AM MAJ	H-244
EDMONDS	ONTP MIN	

LD 844 proposed to state that medical treatment provided by an employee or direct contractor of an employer constitutes a benefit payment by the employer for purposes of determining when an injured employee must file a petition with the Workers' Compensation Board.

**Committee Amendment "A" (H-244)** proposed to rewrite the language of the bill to make it more specific. It proposed to clarify that an employer has made a payment of benefits with respect to an injury or illness if:

1. The employee is treated by an in-house health care provider;
2. The treatment continues on at least 6 occasions within a year of the first treatment; and
3. The employer or the provider knew or should have known that the injury or illness was work-related.

Classifying this type of treatment as a payment extends the period within which the employee may file a petition for benefits from 2 years from the date of injury to 6 years from the date of the last payment made voluntarily by the employer.

### *Enacted law summary*

Public Law 2001, chapter 435 amends the Workers Compensation Act of 1992 to specify that the provision of medical treatment by an in-house health care provider constitutes the payment of a workers' compensation benefit if the treatment continues on at least 6 occasions within a year of the first treatment and the employer or the provider knew or should have known that the injury or illness was work-related. Classifying this type of treatment as a "payment" extends the period of time within which the employee may file a petition for benefits from 2 years from the date of injury to 6 years from the date of the last treatment or other payment made voluntarily by the employer.

**LD 847**

**An Act to Examine Issues Regarding the Canadian Workforce**

**CARRIED OVER**

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

LD 847 is a concept draft that proposed to study issues regarding the Canadian workforce and the ability of workers in Maine to effectively compete with the Canadian workforce.

LD 847 has been carried over to the Second Regular Session.