

# 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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**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
ONT P.....	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

LD 1585

**An Act to Restore a Workers' Compensation Hearing Officer  
Position in Aroostook County**

**P & S 24**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN SMITH	OTP	S-150

LD 1585 proposed to require the Workers' Compensation Board to permanently assign a full-time administrative hearing officer to the Caribou office no later than 30 days after the effective date of the bill and to implement the assignment within existing budgeted resources.

**Committee Amendment "A" (S-150)** proposed to remove the emergency preamble and the emergency clause from the bill.

### *Enacted law summary*

Private and Special Law 2001, chapter 24 requires the Workers' Compensation Board to permanently assign a full-time administrative hearing officer to the Caribou office no later than 30 days after the effective date of the bill and to implement this assignment within existing budgeted resources.

**LD 1591**

**An Act to Raise the Minimum Wage**

**PUBLIC 297**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MICHAUD MH SAXL	OTP-AM MAJ ONTP MIN	S-63

LD 1591 proposed to raise the minimum wage from \$5.15 per hour to \$5.65 per hour starting January 1, 2002 and \$6.15 per hour starting January 1, 2003. It proposed to provide an income tax credit for an employer who employs fewer than 15 employees equal to the lesser of 20% of health benefits paid under a health benefit plan or \$125 per employee with health benefits coverage.

It also proposed to increase the earned income credit to 10% of the federal earned income credit for the tax year that begins on January 1, 2002 and 15% of the federal earned income credit for tax years that begin on or after January 1, 2003.

**Committee Amendment "A" (S-63)** proposed to increase the state minimum wage from \$5.15 per hour to \$5.75 per hour beginning January 1, 2002 and to \$6.25 per hour beginning January 1, 2003. The amendment also proposed to retain language in current law providing that the state minimum wage increases to conform to any increases in the federal minimum wage, up to a maximum of \$1.00 per hour above the specified state minimum. It proposed to delete the section of the bill providing a tax credit for employers who provide health benefits and the section that increased the earned income credit.

### *Enacted law summary*

## Joint Standing Committee on Labor

Public Law 2001, chapter 297 increases the state minimum wage from \$5.15 per hour to \$5.75 per hour beginning January 1, 2002 and to \$6.25 per hour beginning January 1, 2003. The amendment also retains language in current law providing that the state minimum wage increases to conform to any increases in the federal minimum wage, up to a maximum of \$1.00 per hour above the specified state minimum.

**LD 1594**

**An Act to Provide Disclosure and Financial Protections to  
Temporary Workers**

**CARRIED OVER**

Sponsor(s)  
TREAT  
DUPLESSIE

Committee Report

Amendments Adopted

LD 1594 proposed to regulate the practices of temporary services companies and to require that such companies fully disclose wages, charges, work hours and other conditions prior to assigning temporary workers to a job. It also proposed to require an employer to pay a temporary worker the same compensation and benefits as it pays its own employees if the temporary worker has worked for that employer for at least 90 days.

LD 1594 has been carried over to the Second Regular Session.

**LD 1610**

**An Act to Clarify the Legal Status of Employees of the Governor  
Baxter School for the Deaf**

**PUBLIC 239  
EMERGENCY**

Sponsor(s)  
WATSON

Committee Report  
OTP-AM

Amendments Adopted  
H-364

LD 1610 proposed to clarify several of the transition provisions applicable to employees of the Governor Baxter School for the Deaf, which became an independent state agency pursuant to Public Law 1999, chapter 775. The bill proposed to provide that employees who were hired after the effective date of that law have the same rights and benefits as employees hired before, except for seniority rights in executive branch agencies. The bill proposed to provide that employees hired before and after the change in the school's status are eligible to participate in the state employee health plan and the regular state employee plan of the Maine State Retirement System.

It proposed to provide that collective bargaining agreements between the State and bargaining agents for bargaining units in state employment do not cover comparable bargaining units at the Governor Baxter School for the Deaf. However, the agreements between the State and the bargaining agents in effect at the time of the school's status change and successor agreements are evidence of the status quo at the school, which must be maintained until changed in accordance with applicable labor law principles. LD 1610 also proposed to provide that Governor Baxter School for the Deaf employees are eligible to participate in the state employee health plan and the state employee plan of the Maine State Retirement System unless a binding agreement signed by both the employee or employee representative and the school board of the Governor Baxter School for the Deaf otherwise provides.

**Committee Amendment "A" (H-364)** proposed to clarify when the health insurance and retirement status of employees of the Governor Baxter School for the Deaf may be changed.