

MAINE STATE LEGISLATURE

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*State Of Maine
120th Legislature*

Second Regular Session

Bill Summaries

*Joint Standing Committee
on
Labor*

May 2002

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120th Legislature
Second Regular Session

Summary Of Legislation Before The Joint Standing Committees
May 2002

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 arranged alphabetically by committee name 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:

<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i>	<i>Committee report Ought To Pass In New Draft/New Title</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PASSED</i>	<i>Joint Order passed in both bodies</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is July 25, 2002.

Patrick T. Norton, Interim Director
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Joint Standing Committee on Labor

LD 1258 was carried over from the First Regular Session. It proposed to amend the unemployment compensation laws in 3 ways. First, it proposed to provide coverage to part-time workers if they are able and available to work at least 20 hours a week. Second, it proposed to prevent disqualification of a person who loses a job because of a child-care or transportation-related problem provided that the person took all reasonable steps to maintain that employment. Finally, it proposed to remove a provision from current law that penalizes persons who have worked in seasonal industries even though they are able, available and actively seeking employment on a full-time, year-round basis.

LD 1258 was reported out of committee in the First Regular Session, but referred back to committee and carried over. In the Second Regular Session, the bill was again reported out of committee on a divided report.

Committee Amendment "C" (H-839) proposed to replace the bill. It proposed to delete provisions relating to seasonal workers and to persons who leave work because of child-care or transportation difficulties. The amendment proposed to provide that, beginning June 1, 2003, a person is not ineligible for unemployment benefits solely because the person is not available for full-time work, provided that the person is available to work at least part-time. The amendment proposed to require the Department of Labor to provisionally adopt rules to implement the part-time worker standard and to submit the rule and any necessary statutory changes to the Legislature by February 1, 2003.

House Amendment "B" to Committee Amendment "C" (H-1027) proposed to state that the extension of benefits to part-time workers was made pursuant to the federal Job Creation and Worker Assistance Act of 2002, Public Law 107-147, which provides federal Reed Act funds to states. It also proposed to require the Department of Labor to report to the joint standing committee of the Legislature having jurisdiction over labor matters no later than March 15, 2008 regarding unemployment benefits provided to part-time workers.

LD 1258 was vetoed by the Governor. See also LD 2218.

LD 1594

An Act to Provide Disclosure and Financial Protections to Temporary Workers

DIED BETWEEN BODIES

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TREAT	ONTP MAJ	
DUPLESSIE	OTP-AM MIN	

LD 1594 proposed to regulate the practices of temporary services companies and to require such companies to disclose wages, charges, work hours and other work conditions prior to assigning temporary workers to a job. The bill proposed to require that a temporary worker who has worked for a client employer for 90 days or more be provided the same compensation and benefits as permanent employees of the client employer.

Committee Amendment "A" (S-425), the minority report of the Joint Standing Committee on Labor, proposed to strike several provisions in the bill. It proposed to retain the provisions that would (1) prohibit a temporary services company from restricting a temporary worker from accepting a permanent position with a client company, (2) prohibit a temporary services company from charging to cash a paycheck and (3) prohibit discrimination against a temporary worker who asserts rights under the law. (Not adopted)