

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).

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

LD 1708

An Act to Streamline the Administration and Enforcement of the Work Permit Provisions of Child Labor Laws and to Enhance the Use of the Occupational Safety Loan Fund

PUBLIC 398

<u>Sponsor(s)</u> EDMONDS	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-295
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LD 1708 proposed to amend the laws relating to work permits for minors. It proposed to clarify that a work permit is effective when approved and issued by the Department of Labor, Bureau of Labor Standards. It also proposed to clarify that the permit is in force only for the specific employer listed on the permit. Finally, the bill proposed to allow the Bureau of Labor Standards to adopt an electronic transmittal system to speed up the work permit process.

Committee Amendment "A" (S-295) proposed to add language allowing the Department of Labor to use the Occupational Safety Loan Fund to provide grants for services that would improve employers' workplace safety and health performance. The amount would be limited to the income to the Fund from interest payments and investments in the previous fiscal year.

Enacted law summary

Public Law 2001, chapter 398 makes several changes in the law regarding work permits for minors. It clarifies that a work permit is effective when approved and issued by the Department of Labor, Bureau of Labor Standards and clarifies that the permit is in force only for the specific employer listed on the permit. Chapter 398 allows the Bureau of Labor Standards to adopt an electronic transmittal system to speed up the work permit process.

Chapter 398 also allows the Department of Labor to use the Occupational Safety Loan Fund to provide grants for services that would improve employers' workplace safety and health performance. The amount would be limited to the income to the fund from interest payments and investments in the previous fiscal year.

LD 1719

An Act Regarding Dismissal of Municipal Employees for Cause

DIED BETWEEN BODIES

<u>Sponsor(s)</u> DOUGLASS	<u>Committee Report</u> OTP-AM MAJ ONTP MIN	<u>Amendments Adopted</u>
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LD 1719 proposed that all municipal employees be subject to termination only for cause and after notice and hearing. Under current law, as interpreted by the Maine Law Court in *Farley v. Washburn*, 704 A.2d 347 (1997), only municipal officials and employees whose appointment is required by general law, charter or ordinance, or who are appointed by the town manager, are removable for cause after notice and hearing. All other employees are "at-will" employees.