

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

*State Of Maine  
120th Legislature*

*Second Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Labor*

*May 2002*

**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*

**Members:**

*Sen. Betheda G. Edmonds, Chair  
Sen. Karl W. Turner  
Sen. W. Tom Sawyer, Jr.*

*Rep. George H. Bunker, Jr., Chair  
Rep. Zachary E. Matthews  
Rep. Deborah J. Hutton  
Rep. Jacqueline R. Norton  
Rep. William J. Smith  
Rep. Frank J. Tarazewich  
Rep. Russell P. Treadwell  
Rep. Jay MacDougall  
Rep. Gerald M. Davis  
Rep. Philip Cressey, Jr.*



**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**  
**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](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:

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
PASSED	Joint Order passed in both bodies
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 Second Regular Session (unless otherwise specified in a particular law) is July 25, 2002.

**Patrick T. Norton, Interim Director**  
**Offices located in Room 215 of the Cross Office Building**

## Joint Standing Committee on Labor

**LD 2051**

### **An Act to Increase the Workers' Compensation Insurance Assessment to Fund a Hearing Officer Position**

**PUBLIC 692**

<u>Sponsor(s)</u>	<u>Committee Report</u>		<u>Amendments Adopted</u>
	OTP-AM	MAJ	
	ONTP	MIN	S-589 MARTIN

LD 2051 proposed to increase the assessment for the Workers' Compensation Board Administrative Fund by \$125,000 in order to provide funding for a full-time hearing officer for the Board's Caribou office.

**Committee Amendment "A" (H-1036)**, which was not adopted, proposed to replace the bill. It proposed to increase the cap on the assessment to fund the Workers' Compensation Board to \$8,300,000 beginning in fiscal year 2002-03. It proposed to reduce the limit on the reserve fund created by over-collections from 25% of the board's budget to 10% of the board's budget and to authorize the board to use the reserve fund, at its discretion, to support the activities of the board. The amendment also proposed to add an allocation section authorizing the board to spend \$1,415,108 in fiscal year 2002-03 in addition to the funds allocated for fiscal year 2002-03 in a previously enacted budget bill. The amendment proposed to direct the board to use its reserve account to fund the increased allocation for fiscal year 2002-03.

**Senate Amendment "A" (S-589)** proposed to replace the committee amendment. It proposed to amend the bill to add a position count for the Workers' Compensation Board for the Caribou hearing officer.

#### ***Enacted law summary***

Public Law 2001, chapter 692 increases the cap on the Workers Compensation Board Administrative Fund assessment from \$6,735,000 to \$6,860,000 beginning in fiscal year 2002-03. It also allocates the additional \$125,000 to be used by the Board to fund a hearing officer in the Caribou regional office of the Workers Compensation Board, and authorizes an additional hearing officer position for the Board.

**LD 2052**

### **An Act to Clarify the Application of Workers' Compensation Coverage Requirements to Wood Harvesters**

**PUBLIC 490**

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

LD 2052 proposed to clarify the application of workers' compensation coverage requirements to wood harvesters.

#### ***Enacted law summary***

Public Law 2001, chapter 490 clarifies the exemption from workers compensation law for persons engaged in harvesting forest products. It provides that family members and certain partners of persons who contract with landowners need not themselves qualify as independent contractors as long as the person who contracts with the landowner meets the criteria for obtaining a certificate of independent status or a predetermination of independent contractor status.