

# 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 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.

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	S-589 MARTIN
	ONTP MIN	

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.