

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
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Joint Standing Committee on Labor

supersedes the statute only if the employer is bound by the contract; and (4) that parent corporations are liable for severance pay of a subsidiary when the subsidiary's covered establishment is terminated or relocated.

Committee Amendment "B" (H-930), which was not adopted, was a minority report of the Joint Standing Committee on Labor. It proposed to replace the bill and make the same changes in the severance pay law as in the majority report, except that (1) it did not propose to eliminate bankruptcy as an excuse from paying severance pay, but clarified the application of that provision; (2) it did not propose to address liability of a parent corporation; (3) it proposed to clarify that employees who are on leave, disability or workers' compensation are eligible employees but payments under disability and workers' compensation are not counted as gross wages; (4) that interest would be determined in the same manner as for post-judgment interest, not pre-judgment interest as in the majority report; and (5) that employees could agree to be paid severance pay at a time other than with the last wage payment.

LD 2058

**Resolve, to Continue the Study of the Benefits and Costs for
Increasing Access to Family and Medical Leave for Maine Families**

RESOLVE 115

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM MAJ	H-847
	ONTP MIN	S-545 GOLDTHWAIT

LD 2058 was the recommendation of the Committee to Study the Benefits and Costs for Increasing Access to Family and Medical Leave for Maine Families, which was created by joint order in the First Regular Session of the 120th Legislature. The committee recommended that it be allowed to continue its work during another interim, since the lack of sufficient data prevented members from reaching a conclusion in 2001 regarding the costs and benefits of paid family and medical leave in Maine. Several state and interest groups are working on creating models for estimating costs and benefits of paid family and medical leave, which the committee may be able to use in 2002. Also, committee members intend to identify interest groups and experts in Maine to gather data for the next phase of the study and to provide economic analysis expertise necessary to use that data.

Committee Amendment "A" (H-847) proposed to add clarifying language to the section of the resolve authorizing the committee to introduce legislation.

Senate Amendment "A" to Committee Amendment "A" (S-545) proposed to strip the emergency preamble and emergency clause, remove language requiring that the Senator and the House member be from different political parties, change the convening date, clarify the use of outside funding, amend reimbursement language and strike the General Fund appropriation.

Enacted law summary

Resolve 2001, chapter 115 provides for continuation of the Committee to Study the Benefits and Costs for Increasing Access to Family and Medical Leave for Maine Families, which was created by joint order in the First Regular Session of the 120th Legislature.