

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 2066

An Act to Expedite Employment in Maine Industry

PUBLIC 556

<u>Sponsor(s)</u> BENNETT		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-459
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LD 2066 proposed to amend the law relating to substance abuse testing of job applicants to allow employers to perform a screening test using a rapid response test method in order to quickly determine whether to have an applicant undergo a confirmation test.

Committee Amendment "A" (S-459) proposed to replace the bill. It proposed to allow the use of rapid response tests and to clarify the procedures that must be followed by employers using such a test.

Enacted law summary

Public Law 2001, chapter 556 permits employers to perform a screening test on job applicants using a so-called "rapid response" test. Such tests are read at the point of collection rather than being sent to a laboratory for analysis. If the screening test is positive, it must be sent to a qualified laboratory for analysis. Positive results may be used to reject an applicant only if the laboratory confirms the positive result. If the "rapid-response" test is used, the employer's written policy must include procedures for ensuring confidentiality of test results and for training.

LD 2077

An Act to Require Logging Contractors to Notify Landowners and Employees of the Cancellation of Workers' Compensation Insurance Coverage

PUBLIC 622

<u>Sponsor(s)</u>		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-907
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LD 2077 proposed to require any person engaged in harvesting wood products and not exempt from carrying workers' compensation coverage for that person's employees to notify landowners and employees within 3 business days of canceling a workers' compensation insurance policy. The bill also proposed to require the Workers' Compensation Board to (1) study its enforcement policies and practices concerning persons engaged in harvesting wood products who fail to maintain required workers' compensation coverage for their employees; (2) refocus its attention on safety in the forest products harvesting industry; and (3) work with the industry to develop incentive-based systems to reduce the number of accidents in the industry.

Committee Amendment "A" (H-907) proposed to change the section of the bill requiring the Workers' Compensation Board to study the forest products harvesting industry. Instead of requiring the board to perform these tasks, the amendment proposed to require the Department of Labor to convene an interagency working group to review enforcement efforts, develop accident-reduction systems and report to the Joint Standing Committee of the Legislature having jurisdiction over labor matters by January 15, 2003.

Enacted law summary

Public Law 2001, chapter 622 requires any person who is engaged in harvesting wood products and who is not exempt from carrying workers' compensation coverage for his or her employees to notify landowners and employees within 3 business days of cancellation of a workers' compensation insurance policy. Failure to comply with this