

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
122nd Legislature*

Second Regular Session

Bill Summaries

*Joint Standing Committee
on
Labor*

July 2006

Staff:

John T. Mitchell, Legislative Analyst

*Office of Policy and Legal Analysis
13 State House Station
Augusta, ME 04333
(207) 287-1670*

Members:

*Sen. Ethan Strimling, Chair
Sen. Philip L. Bartlett, II
Sen. Lois A. Snowe-Mello*

*Rep. William J. Smith, Chair
Rep. John L. Tuttle, Jr.
Rep. Deborah J. Hutton
Rep. Troy D. Jackson
Rep. Herbert E. Clark
Rep. Timothy E. Driscoll
Rep. Brian M. Duprey
Rep. Philip A. Cressey, Jr.
Rep. Darren M. Hall
Rep. James M. Hamper*

Maine State Legislature



Office of Policy and Legal Analysis Office of Fiscal and Program Review

122nd Maine Legislature Second Regular Session

Summary of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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/billsumm.htm).

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 |
| 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 (Pocket Veto)..... | Bill held by Governor |
| VETO SUSTAINED..... | Legislature failed to override Governor's Veto |

Please note that the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is August 23, 2006.

Joint Standing Committee on Labor

This amendment was not adopted.

Committee Amendment “A” (H-491) proposed to:

1. Eliminate the penalties of removal of workers and cancellation of the contract;
2. Allow the Director of the Bureau of General Services within the Department of Administrative and Financial Services to deduct penalties assessed to contractors and subcontractors from contract payments for public works;
3. Afford contractors and subcontractors 30 days to correct a failure to provide the required training or, if the contractor or subcontractor does not have a certified trainer on staff, the longer of 30 days and until the date of the next available and appropriate training by the Department of Labor that occurs within a 2-hour drive of the work site; and
4. Allow the Director of General Services to refuse to release plans and specifications to a contractor or subcontractor for the purpose of bidding on a future project if the contractor or subcontractor has violated the training requirements.

This amendment was not adopted.

LD 1654

An Act To Prevent the Loss of Jobs through Outsourcing

ONTP

| | | |
|------------------------------|---------------------------------|---------------------------|
| <u>Sponsor(s)</u> ROTUNDO | <u>Committee Report</u> ONTP | <u>Amendments Adopted</u> |
|------------------------------|---------------------------------|---------------------------|

LD 1654, a concept draft pursuant to Joint Rule 208, proposed to enact a variety of measures that would serve to prevent or reduce the loss of jobs in the State through outsourcing.

LD 1699

Resolve, To Direct the Department of Labor To Coordinate a Task Force To Examine and Study Issues Relating to Workplace Safety and Workplace Violence

RESOLVE 167

| | | |
|------------------------------|-----------------------------------|------------------------------------|
| <u>Sponsor(s)</u> FISCHER | <u>Committee Report</u> OTP-AM | <u>Amendments Adopted</u> H-828 |
|------------------------------|-----------------------------------|------------------------------------|

LD 1699, a concept draft pursuant to Joint Rule 208, proposed to improve workplace safety and eliminate workplace violence by:

1. Requiring the Department of Labor to develop a policy on violence in the workplace;
2. Requiring the policy to be posted in all places of employment;
3. For employers with 15 or more employees, requiring education regarding the policy for new hires and managers;