

# 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](http://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;

## *Joint Standing Committee on Labor*

4. Requiring security systems with “panic buttons” for those businesses that are open other than during regular business hours; and
5. Creating a task force to improve workplace safety and reduce workplace violence. Members of the task force would include representatives from law enforcement, business, the Department of Labor, the Maine Human Rights Commission, the Society for Human Resource Management or a similar association of human resource managers and an advocate for victims of workplace violence.

**Committee Amendment “A” (H-828)** proposed to replace the bill and make it a resolve. It proposed to require the Department of Labor to coordinate a task force to conduct a study of issues relating to the workplace for the purpose of making recommendations for legislation to improve workplace safety and reduce workplace violence. The resolve would define the membership of the task force and would require it to submit a report to the joint standing committee of the Legislature having jurisdiction over labor matters with its findings, recommendations and any proposed implementing legislation.

### *Enacted law summary*

Resolve 2005, chapter 167 requires the Department of Labor to coordinate a task force to conduct a study of issues relating to the workplace for the purpose of making recommendations for legislation to improve workplace safety and reduce workplace violence. The resolve defines the membership of the task force and requires it to submit a report to the joint standing committee of the Legislature having jurisdiction over labor matters with its findings, recommendations and any proposed implementing legislation.

**LD 1715**                      **An Act To Amend the Laws Governing Employees of the Workers' Compensation Board**                      **PUBLIC 498**

<u>Sponsor(s)</u>		<u>Committee Report</u>		<u>Amendments Adopted</u>
		OTP-AM		H-761

LD 1715 proposed to add the position of Deputy Director of Information Management and the salary range of the position to the list of salary ranges of deputy directors of the Workers' Compensation Board.

**Committee Amendment “A” (H-761)** proposed to incorporate a fiscal note.

### *Enacted law summary*

Public Law 2005, chapter 498 adds the position of Deputy Director of Information Management and the salary range of the position to the list of salary ranges of deputy directors of the Workers' Compensation Board.