

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature coming from the

JOINT STANDING COMMITTEE ON LABOR

July 2007

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STATE OF MAINE

123RD LEGISLATURE

FIRST REGULAR SESSION

LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS



This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature, which was in session from December 6, 2006 to June 21, 2007.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter 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 (or Accepted ONTP report).....	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.....	Bill held by Governor
VETO SUSTAINED.....	Legislature failed to override Governor's Veto

Please note that the effective date for non-emergency legislation enacted in the First Regular Session is **September 20, 2007**. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

Joint Standing Committee on Labor

LD 412 An Act To Clarify the Application of Prevailing Wage Requirements

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLARK		

This bill clarifies that in publicly-funded construction projects under the jurisdiction of the federal Davis-Bacon Act or other federal act, minimum wages and benefits under Maine law apply unless minimum wages and benefits established by the federal Secretary of Labor are higher than the minimum wages and benefits under Maine law.

This bill is carried over to any special or regular session of the 123rd Legislature by joint order, H.P. 1369.

LD 457 An Act To Require Nonprofit Employers To Disclose All Benefits Available, Including Unemployment Insurance, to Employees and Prospective Employees

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WEBSTER	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to require nonprofit organizations to disclose the benefits provided with employment, including unemployment insurance, so an employee will know if unemployment benefits are available.

LD 512 An Act To Change the Name of the Maine State Retirement System

PUBLIC 58

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STRIMLING	OTP	

This bill changes the name of the Maine State Retirement System to the Maine Public Employees Retirement System and requires the Revisor of Statutes to implement this revision throughout the Maine Revised Statutes.

Enacted Law Summary

Public Law 2007, Chapter 58 changes the name of the Maine State Retirement System to the Maine Public Employees Retirement System and requires the Revisor of Statutes to implement this revision throughout the Maine Revised Statutes.

LD 522 An Act To Require the Posting of Proof of Workers' Compensation Insurance at Construction Sites

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CLARK STRIMLING	ONTP	

This bill requires the Workers' Compensation Board to appoint an abuse investigator to investigate whether construction contractors provide workers' compensation insurance coverage and are posting notices as required by the Workers' Compensation Act of 1992. It allows the workers' compensation audit, enforcement and monitoring program to stop work at a construction site if a contractor on the site has failed to provide workers' compensation

Joint Standing Committee on Labor

insurance coverage and requires employers to post notice. The bill also provides penalties and for a redirection of penalties to the Workers' Compensation Board Administrative Fund.

LD 541 An Act To Encourage the Owners of Sole Proprietorships To Hire More Employees

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill seeks to encourage the owners of sole proprietorships to hire more employees by reducing the regulatory burdens placed on employers during the probationary period for employees.

LD 549 An Act To Fund the Purchase of Maine State Retirement System Time by Certain Veterans

**DIED ON
ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON	OTP-AM	H-500

This bill makes General Fund appropriations of \$88,202 in fiscal year 2007-08 and \$127,138 in fiscal year 2008-09 to the Maine State Retirement System to allow for 3 members per year who the Maine State Retirement System has determined are qualified to purchase military service credit at a subsidized rate pursuant to Public Law 2003, chapter 693.

Committee Amendment "A" (H-500)

This amendment replaces the appropriations and allocations section of the bill.

LD 591 An Act Regarding Occupational Safety and Health Training for Workers on State-funded Construction Projects

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PATRICK		

This bill requires a successful bidder and all subcontractors of the successful bidder entering into a public works contract on or after July 1, 2008 that is worth \$10,000 or more to certify and provide documentation demonstrating that all employees working on the project have completed a course in construction safety, no shorter than 10 hours in duration, approved by the United States Occupational Safety and Health Administration. The bill also specifies that, in addition to fines provided in existing law, violation of these requirements may result in removal of employees for whom the required documentation is not provided, as well as cancellation or enforcement of performance of the contract.

This bill is carried over to any special or regular session of the 123rd Legislature by joint order, H.P. 1369.