

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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STAFF:

JOHN T. MITCHELL, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

*Representative James M. Hamper replaced Representative Philip A. Cressey, Jr. on the Labor Committee

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

This bill provides that 10% of the reimbursement recovered by MaineCare for an employee's medical expenses for a work-related injury after compensation has been approved under the Maine Workers' Compensation Act of 1992 must be paid to the employee or the employee's attorney where the employee or employee's attorney had informed the Director of the Office of MaineCare Services of the reimbursement owed.

**LD 712 An Act To Continue To Allow Public Retiree Organizations Access to
the Maine State Retirement System's List of All State Retirees**

**PUBLIC 47
EMERGENCY**

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

Public Law 2005, chapter 149 allows nonprofit or public organizations established to provide programs and services to Maine public sector retirees access to the Maine State Retirement System's lists of names and home addresses of retirees for membership recruitment purposes, but repeals that law September 15, 2007. This bill repeals the sunset provision, allowing the Maine State Retirement System to continue to provide the names and home addresses of retirees to those organizations unless a retiree "opts out" from authorizing the disclosure. The bill also repeals the general waiver provision in current law.

Enacted Law Summary

Public Law 2007, Chapter 47, repeals a sunset provision, allowing the Maine State Retirement System to continue to provide the names and home addresses of retirees to nonprofit or public organizations established to provide programs and services to Maine public sector retirees, unless a retiree "opts out" from authorizing the disclosure. Public Law 2005, chapter 149 had allowed those organizations access to the Maine State Retirement System's lists of names and home addresses of retirees for membership recruitment purposes, but repealed that law September 15, 2007. The bill also repeals the general waiver provision in current law.

Public Law 2007, Chapter 47, was enacted as an emergency measure effective April 12, 2007.

**LD 729 An Act To Compensate Employees Required To Be "On-call" by Their
Employers**

**ACCEPTED ONTP
REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GREELEY	ONTP MAJ OTP MIN	

This bill prohibits an employer from requiring an employee to be on-call unless on-call status was a condition of employment agreed to by the employee. The bill also requires an employer to pay an employee for all on-call time unless the employer and employee concur in a written contractual agreement that compensation is neither needed nor expected.

Committee Amendment "A" (H-135)

This amendment incorporates a fiscal note.