

# 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  
123<sup>RD</sup> LEGISLATURE  
FIRST REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON LABOR**

July 2007

**MEMBERS:**

SEN. ETHAN STRIMLING, CHAIR  
SEN. NANCY B. SULLIVAN  
SEN. DANA L. DOW

REP. JOHN L. TUTTLE, JR., CHAIR  
REP. TROY DALE JACKSON  
REP. HERBERT E. CLARK  
REP. TIMOTHY E. DRISCOLL  
REP. ANNE M. HASKELL  
REP. RICHARD JOHN BURNS  
REP. BRIAN M. DUPREY  
REP. JAMES M. HAMPER\*  
REP. RICHARD M. SYKES  
REP. DOUGLAS A. THOMAS

**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

123<sup>RD</sup> 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 123<sup>rd</sup> 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 1327    An Act To Amend Survivors' Benefits under the Workers' Compensation Laws**

**PUBLIC 361**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WATSON	OTP-AM	H-504

This bill amends the law governing survivors' benefits under the workers' compensation laws to remove the 500-week limitation on survivors' benefits.

**Committee Amendment "A" (H-504)**

This amendment restores the 500-week limitation on payment of survivors' benefits removed by the bill but removes the death benefit credit employers have under current law for indemnity payments made to an injured worker up to the time of death.

**Enacted Law Summary**

Public Law 2007, Chapter 361 removes the death benefit credit employers have under current law for indemnity payments made to an injured worker up to the time of death.

**LD 1345    An Act To Simplify Standards for Determining Independent Contractor Status for Unemployment Compensation Purposes**

**CARRIED OVER**

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

This bill defines "independent contractor" under the laws governing unemployment compensation to make it consistent with the definition of that term under the laws governing workers' compensation. In addition, this bill authorizes the Bureau of Unemployment Compensation to issue a predetermination of independent contractor status. This bill is carried over to any special or regular session of the 123rd Legislature by joint order, H.P. 1369.

**Committee Amendment "A" (H-323)**

This amendment, which is the minority report of the Joint Standing Committee on Labor, adds an appropriations and allocations section to the bill. This amendment was not adopted.

**LD 1355    An Act Regarding the Calculation of the Livable Wage**

**ONTP**

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

This bill directs the Department of Labor to calculate annually the livable wage for various household sizes using the methodology used by the Maine Center for Economic Policy and to report the livable wage calculations to the Legislature. The bill also defines "livable wage." The bill is based on the work of the Study Commission Regarding Livable Wages established pursuant to Resolve 2005, chapter 128.