

# 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 1511**

**RESOLUTION, Proposing an Amendment to the Constitution of Maine  
To Dispose of Unfunded Liabilities in State Retiree Health Care Plans**

**DIED BETWEEN  
HOUSES**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TURNER	OTP-AM	S-259

This constitutional resolution proposes the amendment of the Constitution of Maine to eliminate the unfunded liabilities of the state retiree health care plans by fiscal year 2033 and to prohibit any further plan liabilities unless those liabilities are fully funded when they are incurred.

**Committee Amendment "A" (S-259)**

This amendment provides a requirement for the allocation of funds in the proposed constitutional amendment, identifies state employee and teacher plans as the subject of the amendment, changes from 25 to 30 years the time period by the end of which unfunded liabilities will be retired, provides that actuarial analyses be conducted every 2 years as a basis for annual payments and removes a prohibition on incurring further liability.

**LD 1538**

**Resolve, To Further the Collection of Hospital Quality Data Regarding  
Nurse Staffing**

**RESOLVE 88**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FAIRCLOTH	OTP-AM	H-517

This bill provides minimum staffing requirements for direct-care registered nurse-to-patient staffing in all hospitals, with an increase of direct-care registered nurses and other licensed and unlicensed nursing staff required based on the individual acuity of the patients. The bill includes professional responsibilities for direct-care registered nurses and protections for certain functions and activities. The bill requires daily posting of staffing ratios, requires that patients be given the toll-free telephone number of the Division of Licensing and Regulatory Services within the Department of Health and Human Services and provides fines of up to \$25,000 for violations of the provisions of the bill. Hospital management, nursing services or medical personnel who violate or interfere with protected rights under the bill are also subject to penalties.

**Committee Amendment "A" (H-517)**

This amendment strikes the bill and the title and replaces the bill with a resolve. The resolve requires the Maine Health Data Organization to adopt rules that require the submission of measures of nursing satisfaction using only metrics that can be compared to national benchmark data. The resolve also requires the Department of Health and Human Services to adopt rules that direct hospitals to provide annual notice of the provisions of the Whistleblowers' Protection Act to registered nurses.

**Enacted Law Summary**

Resolves 2007, Chapter 88 requires the Maine Health Data Organization to adopt rules that require the submission of measures of nursing satisfaction using only metrics that can be compared to national benchmark data. The resolve also requires the Department of Health and Human Services to adopt rules that direct hospitals to provide annual notice of the provisions of the Whistleblowers' Protection Act to registered nurses.