

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
124<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during  
the First Regular Session of the 124<sup>th</sup> Maine Legislature coming from the

**JOINT STANDING COMMITTEE ON LABOR**

July 2009

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# STATE OF MAINE

124<sup>TH</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 124<sup>th</sup> Maine Legislature.

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:

CARRIED OVER.....	Carried over to a subsequent session of the Legislature
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; bill died
ONTP (or Accepted ONTP report).....	Ought Not To Pass report accepted; bill died
P&S XXX.....	Chapter # of enacted Private & Special Law
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

The effective date for non-emergency legislation enacted in the First Regular Session of the 124<sup>th</sup> Legislature is September 12, 2009. 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 149**      **An Act To Amend the Laws Relating to the Maine Jobs Council**

**PUBLIC 12**

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

This bill repeals a provision of law relating to membership of the Maine Jobs Council so that the law accurately reflects membership that is consistent with the representation requirements of the federal Workforce Investment Act of 1998. It amends provisions of law relating to the scope of work of the council's Standing Committee on Employment of People with Disabilities.

### Enacted Law Summary

Public Law 2009, chapter 12 repeals a provision of law relating to membership of the Maine Jobs Council so that the law accurately reflects membership that is consistent with the representation requirements of the federal Workforce Investment Act of 1998. It amends provisions of law relating to the scope of work of the council's Standing Committee on Employment of People with Disabilities.

**LD 154**      **An Act To Enhance the Safety of Forestry Workers and Contracted Farm Workers**

**PUBLIC 201  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLODGETT	OTP-AM	H-112 S-131 JACKSON

This bill adds migrant and seasonal farm workers to the law providing protections for forestry workers. Farm labor contractors who are required to register under the federal Migrant and Seasonal Agricultural Worker Protection Act are required to file their federal registration with the state Department of Labor, listing a contact within the State. They are also required to provide first aid training, first aid kits and safe transportation for their workers.

### Committee Amendment "A" (H-112)

This amendment clarifies that the number of occupants in a 15-person or 12-person van may not exceed 12 (11 passengers and one driver).

### Senate Amendment "A" (S-131)

This amendment adds an emergency preamble and clause to the bill and applies the requirement that employers of bond workers provide proof of the employer's ownership of logging equipment for any temporary alien worker, not just nonagricultural temporary laborers.

### Enacted Law Summary

Public Law 2009, chapter 201 adds migrant and seasonal farm workers to the law providing protections for forestry workers. Farm labor contractors who are required to register under the federal Migrant and Seasonal Agricultural Worker Protection Act are required to file their federal registration with the state Department of Labor listing a contact within the State. They are also required to provide first aid training, first aid kits and safe transportation for their workers. The law requires that employers of bond workers provide proof of the employer's ownership of

## *Joint Standing Committee on Labor*

logging equipment for any temporary alien worker, not just nonagricultural temporary laborers.

Public Law 2009, chapter 201 was enacted as an emergency measure effective May 26, 2009.

**LD 176      An Act To Equitably Adjust the Workers' Compensation Board's Assessment      PUBLIC 109**

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

This bill requires the Workers' Compensation Board to use collections that exceed the maximum assessment by more than 10% to reduce the assessment on insured employers.

### **Enacted Law Summary**

Public Law 2009, chapter 109 requires the Workers' Compensation Board to use collections that exceed the maximum assessment by more than 10% to reduce the assessment on insured employers.

**LD 192      An Act To Index the State Minimum Wage to Inflation      Carried Over**

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

This bill provides for the state minimum hourly wage to be adjusted for inflation beginning January 1, 2010 and annually thereafter. The bill requires the Department of Labor to calculate the inflation-adjusted minimum hourly wage based on changes in the consumer price index and to exclude from the calculation any month in which the State's unemployment rate exceeds the national unemployment rate.

This bill is carried over to any special or regular session of the 124th Legislature by joint order, H.P. 1053.

**LD 292      An Act To Restore Equity to the Maine Public Employees Retirement System      ACCEPTED ONTP REPORT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SCHATZ DAMON	ONTP MAJ OTP-AM MIN	

The Maine Public Employees Retirement System currently contains 2 separate benefit structures based upon the status of participants on July 1, 1993. Part A of this bill:

1. Reduces the early retirement reduction factor from 6% to 3% for employees who were already employed in a position that is covered under the State Employee and Teacher Retirement Program, the Legislative Retirement Program or the Judicial Retirement Program on July 1, 1993, and only those employees who do not have the option