

MAINE STATE LEGISLATURE

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STATE OF MAINE
124TH LEGISLATURE
FIRST REGULAR SESSION



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

JOINT STANDING COMMITTEE ON LABOR

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STATE OF MAINE

124TH 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 124th 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 124th 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 639 An Act Regarding the Computation of Workers' Compensation Rates
Based on Past Claims**

ONTP

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

Under current law, an employer is placed in a high-risk pool if the employer has at least 2 lost-time claims, each greater than \$10,000 of incurred loss during the previous 3-year experience rating period. This bill increases the incurred loss amount from \$10,000 to \$40,000.

**LD 658 An Act To Require United States Occupational Safety and Health
Administration Training for Government Construction Contracts**

ONTP

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

This bill requires that a contractor or subcontractor entering into a public works contract that is for \$100,000 or more provide proof of documentation demonstrating that all nonexempt employees working on that project have completed a construction safety program, no shorter than 10 hours in duration, approved by the United States Department of Labor, Occupational Safety and Health Administration.

The exempt employees include law enforcement officers involved in traffic control or work site security, flagging personnel who have completed the training required by the Department of Transportation, all relevant federal, state and municipal government employees and inspectors and all individuals who are not considered to be on the work site under the federal Davis-Bacon Act.

The bill also specifies, notwithstanding fines provided in existing law, that a contractor or subcontractor who willfully and knowingly violates these requirements is subject to removal of an employee from the work site and the assessment of fines.

Committee Amendment "A" (H-121)

This amendment, which is the majority report of the Joint Standing Committee on Labor, clarifies that the bill applies only to those works entered into on or after July 1, 2010. It also amends the penalties and enforcement provision of the bill by eliminating the appointment by the Commissioner of Labor of as many individuals as necessary to carry out the section and states that the penalties are in addition to the penalties provided in the Maine Revised Statutes, Title 26, section 1312.

The Joint Standing Committee on Labor reconsidered the bill and the amendment and voted unanimously Ought Not To Pass.