

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

July 2009

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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 669 **An Act To Clarify an Employer's Ability To Collect the Overcompensation of Wages**

**LEAVE TO
WITHDRAW**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON	LTW	

This bill is a concept draft pursuant to Joint Rule 208. It proposes to limit an employer's ability to collect an overpayment of wages due to the employer's error.

LD 672 **An Act To Add Maine Maritime Academy Representation to the State Employee Health Commission**

PUBLIC 64

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

This bill adds representatives of labor and management of the Maine Maritime Academy to the State Employee Health Commission.

Enacted Law Summary

Public Law 2009, chapter 64 adds representatives of labor and management of the Maine Maritime Academy to the State Employee Health Commission.

LD 685 **An Act To Clarify the Minimum Wage Exemption for Summer Camp Counselors Working at Day Camps**

**PUBLIC 120
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SULLIVAN	OTP-AM	S-64

Under current law, counselors at summer camps are exempt from minimum wage requirements. This bill defines "summer camp" and specifically includes day camps, residential camps, trip and travel camps and seasonal recreation programs.

Committee Amendment "A" (S-64)

This amendment adds an emergency preamble and clause and clarifies that counselors, junior counselors or counselors-in-training employed by organized camps licensed by the Department of Health and Human Services and those employees under 18 years of age who work for nonprofit organized camps and similar seasonal recreation programs are exempt from minimum wage requirements.

Enacted Law Summary

Public Law 2009, chapter 120 clarifies the minimum wage and overtime exemption for summer camp counselors. It

Joint Standing Committee on Labor

states that counselors, junior counselors or counselors-in-training employed by organized camps licensed by the Department of Health and Human Services and those employees under 18 years of age who work for nonprofit organized camps and similar seasonal recreation programs are exempt from the definition of employee under subchapter 3 of employment practice law.

Public Law 2009, chapter 120 was enacted as an emergency measure effective May 11, 2009.

LD 693 An Act To Clarify the Status and Benefits of Employees of the Child Development Services System

PUBLIC 233

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BARTLETT	OTP-AM	S-189

This bill clarifies the status of employees of the Child Development Services System, who through collective bargaining may join the state employee health plan and for the purpose of collective bargaining be considered an agency of the executive branch and a public employer covered by the laws governing state employees and legislative employees labor relations.

Committee Amendment "A" (S-189)

This amendment replaces the bill. The amendment clarifies the provision that allows employees of a regional site of the Child Development Services System to join the State Employee Health Insurance Program as long as it is agreed to in collective bargaining and funds are available.

Enacted Law Summary

Public Law 2009, chapter 233 provides that employees of a regional site of the Child Development Services System may join the State Employee Health Insurance Program as long as it is agreed to in collective bargaining and funds are available.

LD 737 An Act To Require the State To Provide Bonita Rogan with Health Insurance Benefits

**DIED ON
ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PERRY J	OTP-AM	S-190

This bill makes Bonita Rogan eligible for a group health plan as a retired employee of the State.

Committee Amendment "A" (S-190)

This amendment adds an appropriations and allocations section.