

# MAINE STATE LEGISLATURE

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



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

**JOINT STANDING COMMITTEE ON LABOR**

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# STATE OF MAINE

124<sup>TH</sup> LEGISLATURE  
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## 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 Second 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:

<i>CARRIED OVER</i> .....	<i>Carried over to a subsequent session of the Legislature</i>
<i>CON RES XXX</i> .....	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i> .....	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN HOUSES</i> .....	<i>House &amp; Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i> .....	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i> .....	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i> .....	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i> .....	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i> .....	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i> .....	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i> .....	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i> .....	<i>Bill Indefinitely Postponed; bill died</i>
<i>ONTP (or Accepted ONTP report)</i> .....	<i>Ought Not To Pass report accepted; bill died</i>
<i>P&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>PUBLIC XXX</i> .....	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i> .....	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i> .....	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i> .....	<i>Legislature failed to override Governor's Veto</i>

The effective date for non-emergency legislation enacted in the Second Regular Session of the 124<sup>th</sup> Legislature is Monday, July 12, 2010. 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 934      An Act To Clarify Public Sector Employee Fair Choice in Collective Bargaining**

**ONTP**

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

This bill was carried over from the First Regular Session of the 124th Legislature by joint order, H.P. 1053.

Under current law, if a state employee organization or public employee organization files a request with a public employer alleging that a majority of the employees in an appropriate bargaining unit wish to be represented for the purpose of collective bargaining, the public employer may request an election to determine whether there exists majority support among the employees for such representation. This bill provides instead that the public employer may request an inspection of the evidence of written majority authorization on the part of the employees.

**LD 1524      Resolve, Directing the Department of Labor To Research and Analyze the Methods Other States Utilize To Assess Benefit Charges When a Worker Becomes Unemployed and Receives Benefits**

**RESOLVE 147**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAULIEU CRAVEN	OTP-AM	H-594

The original bill addresses the situation of two employers who both lay off the same employee within 30 days of each other. The bill requires that both employers be considered the claimant's last employer for purposes of the laws governing unemployment compensation.

### **Committee Amendment "A" (H-594)**

This amendment changes the bill to a resolve. It directs the Commissioner of Labor or the commissioner's designee to examine the methods used by other states to assess benefit charges when a worker who has multiple employers becomes unemployed and receives unemployment benefits. The commissioner or the designee shall also analyze the findings to determine how to best protect Maine employers from inequitable assessments and how to best use technology to implement the findings. The commissioner or the designee shall report findings and recommendations to the joint standing committee of the Legislature having jurisdiction over labor matters by January 15, 2011. The committee is authorized to submit a bill to the First Regular Session of the 125th Legislature.

### **Enacted Law Summary**

Resolve 2009, chapter 147 directs the Commissioner of Labor or the commissioner's designee to examine the methods used by other states to assess benefit charges when a worker who has multiple employers becomes unemployed and receives unemployment benefits. The commissioner or the designee shall also analyze the findings to determine how to best protect Maine employers from inequitable assessments and how to best use technology to implement the findings. The commissioner or the designee shall report findings and recommendations to the joint standing committee of the Legislature having jurisdiction over labor matters by January 15, 2011. The committee is authorized to submit a bill to the First Regular Session of the 125th Legislature.