

# 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*

This amendment provides that land must be suspended from the Maine Tree Growth Tax Law for any year in which the landowner uses bonded labor or fails to provide the required notification to the Department of Conservation, Bureau of Forestry.

**LD 1558**

### **An Act Regarding Accidental Death Benefits for Beneficiaries of Deceased Firefighters**

**PUBLIC 513**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON	OTP-AM	S-379

This bill extends an accidental death benefit to the beneficiary of a professional firefighter who dies from cardiovascular injury or disease or pulmonary disease as described in the Maine Revised Statutes, Title 39-A, section 328 while in the line of duty. The benefit applies only if the firefighter was a member of the Participating Local District Retirement Program administered by the Maine Public Employees Retirement System and the injury or disease that caused the firefighter's death is the result of a condition that developed within six months of the firefighter's having been in service as a professional firefighter for a municipal fire department. The bill also makes the death benefit retroactive to November 1, 2004.

#### **Committee Amendment "A" (S-379)**

This amendment defines a qualifying member for accidental death benefits as a professional firefighter who dies as a result of developing a cardiovascular injury or disease or pulmonary disease resulting from a condition that develops within 30 days of participating in firefighting or training or a drill that involves firefighting. It also establishes a rebuttable presumption that if a professional firefighter develops a cardiovascular injury or disease or pulmonary disease and dies after 30 days, but within six months of participating in firefighting or training or a drill that involves firefighting, the firefighter's death is a result of a firefighting activity. The amendment also directs the Board of Trustees of the Maine Public Employees Retirement System to establish rules to implement the bill. These rules are defined as routine technical rules and must be submitted to the joint standing committee of the Legislature having jurisdiction over labor matters before implementation.

#### **Enacted Law Summary**

Public Law 2009, chapter 513, defines "professional firefighter" and "qualifying member" for accidental death benefits. In order to obtain accidental death benefits, the professional firefighter must die as a result of developing a cardiovascular injury or disease or pulmonary disease resulting from a condition that develops within 30 days of participating in firefighting or training or a drill that involves firefighting. It also establishes a rebuttable presumption that if a professional firefighter develops a cardiovascular injury or disease or pulmonary disease and dies after 30 days, but within six months of participating in firefighting or training or a drill that involves firefighting, the firefighter's death is a result of a firefighting activity. It directs the Board of Trustees of the Maine Public Employees Retirement System to establish rules to implement the law. These rules are routine technical rules and must be submitted to the joint standing committee of the Legislature having jurisdiction over labor matters at least 30 days prior to final adoption. The law makes the death benefit retroactive to November 1, 2004.