

MAINE STATE LEGISLATURE

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STATE OF MAINE
124TH LEGISLATURE
SECOND REGULAR SESSION



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

JOINT STANDING COMMITTEE ON LABOR

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STATE OF MAINE

124TH LEGISLATURE
SECOND 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 Second 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:

<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 & 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&S XXX</i>	<i>Chapter # of enacted Private & 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 124th 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 bill clarifies that certain prisoners are not considered employees with regard to minimum wage laws unless they fit within one of the listed categories. The categories include sentenced prisoners who are employed by a private employer; participating in a work release program, sentenced outside an institution under a set of rigorous conditions imposed at sentencing (17-A MRSA 1261); participating in one of more than 50 non-Federal prison work pilot projects (18 USC 1761); or on probation (34-A MRSA 2020-A).

Committee Amendment "A" (H-676)

This amendment adds persons employed while in a community confinement monitoring program to the list of persons protected by minimum wage law. It also adds this same group to the definition of "employee" in the workers' compensation laws. The amendment conforms a section of workers' compensation law that deals with incarcerated individuals to that definition.

Enacted Law Summary

Public Law 2009, chapter 529 clarifies that certain prisoners are not considered employees with regard to minimum wage laws unless they fit within one of the listed categories. The categories include sentenced prisoners who are employed by a private employer; participating in a work release program, sentenced outside an institution under a set of rigorous conditions imposed at sentencing (17-A MRSA 1261); participating in one of more than 50 non-Federal prison work pilot projects (18 USC 1761); or on probation (34-A MRSA 2020-A).

The law adds persons employed while in a community confinement monitoring program to the list of persons protected by minimum wage law. It adds this same group to the definition of "employee" in the workers' compensation laws. The law conforms a section of workers' compensation law that deals with incarcerated individuals to that definition.

LD 1715

An Act To Provide the Finance Authority of Maine with Flexible Health Care Options

ONTP

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

This bill adds the employees of the Finance Authority of Maine to those eligible for participation in the state group health plan.

The bill was no longer necessary because it was identical to a provision in the supplemental budget, Public Law 2009, chapter 571.

LD 1776

An Act To Protect Retirement Income

**PUBLIC 630
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SIMPSON	OTP-AM	S-405 S-542 DIAMOND

This bill allows teachers covered by the Maine Public Employees Retirement System to purchase time attributable to days off without pay as a result of budget decisions made by local school administrative units for fiscal years