

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON
LABOR AND HOUSING**

August 2019

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LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 129th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

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; legislation died
DIED BETWEEN HOUSES..... House & Senate disagreed; legislation died
DIED IN CONCURRENCE..... defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE..... emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT..... legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY..... ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX..... chapter # of enacted public law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 129th Legislature is Thursday, September 19, 2019. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on Labor and Housing

LD 1253 An Act To Fairly Compensate for Fatal Accidents under the Maine Workers' Compensation Act of 1992

ONTP

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

Current law limits to 500 weeks the duration of death benefits under the laws governing workers' compensation. This bill removes the 500-week cap.

While LD 1253 was voted "Ought Not to Pass," a provision requiring death benefits be paid to parents of a deceased worker with no dependents was included in LD 756, An Act To Improve the Maine Workers' Compensation Act of 1992. See LD 756, which was enacted as Public Law 2019, chapter 344.

LD 1319 An Act To Prohibit Employer Disciplinary Action against Firefighters and Emergency Medical Services Persons Responding to an Emergency

PUBLIC 218

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GROHOSKI N LUCHINI L	OTP-AM	H-282

Current law protects a firefighter from disciplinary action by an employer when the firefighter is absent from work at the beginning of the work day because the firefighter is responding to an emergency. This bill extends the protection to a firefighter who leaves work during regular working hours to respond to an emergency and provides the same protections to an emergency medical services person. The bill revises provisions regarding employer notification regarding absences and employee status as a firefighter or emergency medical services person and removes an employer's ability to designate an employee as essential.

Committee Amendment "A" (H-282)

This amendment restores the ability of an employer to designate an employee as essential, as removed by the bill, but requires the disruption to the business by the employee's absence to be significant and requires the designation to be in writing and signed by both the employee and employer.

Enacted Law Summary

Public Law 2019, chapter 218 further protects a firefighter from disciplinary action by an employer when the firefighter is absent from work because the firefighter is responding to an emergency by extending the protection under current law to a firefighter who leaves work during regular working hours to respond to an emergency and provides the same protections to an emergency medical services person. The bill also revises provisions regarding employer notification regarding absences and employee status as a firefighter or emergency medical services person. It continues to allow an an employer to designate an employee as essential, but requires the disruption to the business by the employee's absence to be significant to be designated as essential and requires the designation to be in writing and signed by both the employee and employer.