## MAINE STATE LEGISLATURE

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#### STATE OF MAINE 118TH LEGISLATURE

## FIRST REGULAR SESSION AND FIRST SPECIAL SESSION

# BILL SUMMARIES JOINT STANDING COMMITTEE ON LABOR

#### **JULY 1997**

MEMBERS: Sen. Mary R. Cathcart, Chair Sen. Sharon Anglin Treat Sen. S. Peter Mills

Staff:

Lisa C. Copenhaver, Legislative Analyst Thomas H. Eyman, Legislative Analyst David C. Elliott, Principal Analyst

Office of Policy and Legal Analysis Room 101/107/135, 13 State House Station Augusta, ME 04333 (207)287-1670 Rep. Pamela H. Hatch, Chair Rep. Roland B. Samson Rep. Brian Bolduc Rep. Joseph E. Clark Rep. Benjamin L. Rines, Jr. Rep. Stephen S. Stanley Rep. Henry L. Joy Rep. Steven M. Joyce Rep. Robert E. Pendleton, Jr. Rep. Russell P. Treadwell



## Maine State Legislature OFFICE OF POLICY AND LEGAL ANALYSIS

13 State House Station, Augusta, Maine 04333-0013 Telephone: (207) 287-1670 Fax: (207) 287-1275

#### ONE HUNDRED EIGHTEENTH LEGISLATURE FIRST REGULAR AND FIRST SPECIAL SESSIONS

## Summary Of Legislation Before The Joint Standing Committees August 1997

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, <u>History and Final Disposition of Legislative Documents</u>, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

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	Bill carried over to Second Regular Session
DIED BETWEEN BODIES	
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
INDEF PP	Bill Indefinitely Postponed
ONTP	Bill imposing local mandate failed to get 2/3 voteBill Indefinitely PostponedOught Not To Pass report accepted
OTP ND	
OTP ND/NT	
<i>P&amp;S XXX</i>	Chapter # of enacted Private & Special Law
PUBLIC XXX	
VETO SUSTAINED	Legislature failed to override Governor's Veto

Please note the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

David E. Boulter, Director

## An Act to Establish Occupational Health and Safety Standards for Operators of Video Display Terminals

**ONTP** 

Sponsor(s)	Committee Report	Amendments Adopted	
RAND	ONTP		

LD 879 proposed to require employers to maintain a number of workplace standards with respect to video display terminals. It would have required an employer to locate video display terminals in such a way as to reduce glare on the video display screen caused by reflected light. If the glare continued to be unacceptable to the operator, the employer would have been required to take additional steps to limit glare. The bill proposed to require employers to provide swivel chairs for operators, unless the operator specifically declined such a chair, and would have required employers to provide paid leave for vision examinations and flexible work breaks for video display terminal operators. The bill also proposed enforcement and penalty provisions.

#### LD 901

## An Act to Allow Minors under 16 Years of Age to Work at Certain Commercial Places of Amusement

PUBLIC 353 EMERGENCY

Sponsor(s)	Committee Report	Amendments Adopted
KERR	OTP-AM	H-518
PENDLETON P		

LD 901 proposed to allow minors who are 15 years of age or older to work at games of skill at commercial places of amusement.

Committee Amendment "A" (H-518) proposed to allow minors under 16 years of age to work in fixed-location commercial places of amusement, except they may not work at games of chance or in hazardous occupations. The amendment would have prohibited minors under 16 from working in conjunction with an amusement, game or show that allows or conducts betting.

#### Enacted law summary

Public Law 1997, chapter 353 allows minors under 16 years of age to work in fixed-location commercial places of amusement, except they may not work at games of chance or in hazardous occupations. Minors under 16 years of age are also prohibited from working in conjunction with an amusement, game or show that allows or conducts betting. Chapter 353 was enacted as an emergency measure effective on May 31, 1997.

**LD 909** 

## An Act to Establish Mandatory Drug and Alcohol Testing of Emergency Vehicle Operators

**ONTP** 

Sponsor(s)	Committee Report	Amendments Adopted
LOVETT	ONTP	
PENDLETON P		

LD 909 proposed to require an endorsement on a driver's license for a person operating an authorized emergency vehicle. It would have required employers to have those operators tested for drug and alcohol use in a manner similar to the testing required by federal law for persons with commercial driver's licenses.

#### LD 979 An Act to Allow Options within the Legislative Retirement System

ONTP

Sponsor(s)	Committee Report	Amendments Adopted
UNDERWOOD	ONTP	

LD 979 proposed to limit continued membership in the Maine Legislative Retirement System after December 1, 1998 to Legislators who are vested as of that date. After that date, current Legislators who do not remain members of the Maine Legislative Retirement System and future Legislators would have been required to join either a 401(a) deferred compensation plan or a 457 defined contribution plan or both. The plans would have been administrated by the Maine State Retirement System. Legislators would have contributed at least 7.5% of their compensation to one of the plans. Additional contributions above that level would be subject to federal law. The State would not contribute to the plans on behalf of Legislators.

Any gains realized by the Maine State Retirement System as a result of this bill were to be used to reduce the unfunded liability of the Maine State Retirement System attributable to state employees and teachers.

This and several other bills proposing major changes in the retirement plans for state employees, teachers or legislators were reported out ONTP, and LD 1370 was carried over to the Second Session by the committee. That bill could serve as a legislative vehicle to address retirement plan changes in 1998. See also LD 1497.

## LD 988 An Act to Exclude Coaches from Participation in the Maine State Retirement System

PUBLIC 355 EMERGENCY

Sponsor(s)	Committee Report		Amendments Adopted
MARVIN	OTP-AM	MAJ	H-479
SMALL	ONTP	MIN	

LD 988 excluded part-time teachers, substitute teachers and coaches from the general requirement that "teachers" participate in the MSRS. That would have permitted those individuals to participate in retirement options such as IRA's that are limited if a person or that person's spouse is a member of another "qualified" retirement plan (like the MSRS).

**Committee Amendment "A" (H-479)** would have eliminated part-time and substitute teachers from the bill. Under the amendment, coaches employed by a public school who are not otherwise covered by the definition of "teacher" would not be members of the retirement system while working as coaches. The amendment also added an emergency preamble, emergency clause and a fiscal note to the bill.

#### Enacted law summary

Public Law 1997, chapter 355 excludes coaches from the general requirement that "teachers" participate in the Maine State Retirement System. Chapter 355 was enacted as an emergency measure effective July 1, 1997.