

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

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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, History and Final Disposition of Legislative Documents, 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:

<i>CARRIED OVER</i>	<i>Bill carried over to Second Regular Session</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 BODIES</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>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i>	<i>Committee report Ought To Pass In New Draft/New Title</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>

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
 Offices Located in the State House, Rooms 101/107/135

LD 1226 proposed to require that survivor benefits be paid to a spouse, former spouse, child or other dependent of a State Police Officer when the spouse, etc. has been recognized by a domestic relations order as having a right to receive all or a portion of the benefits. This requirement would have applied to any current cases in which the issue of survivorship has not yet been litigated. Current law provides that the person married to the officer at the time of the officer's death is entitled to the benefits, regardless of whether the officer was married to and divorced from another person prior to the officer's death.

Committee Amendment "A" (S-238) proposed to replace the language in section 1 of the bill to clarify the intent of the bill. The amendment also made similar provisions for survivors of certain inland fisheries and wildlife officers and marine resources officers.

Enacted law summary

Public Law 1997, chapter 396 resolves a conflict in current law between the provision that defines “surviving spouse” for the purposes of distribution of survivor benefits on the death of certain state police, inland fisheries and wildlife and marine resources officers and the provisions that govern distribution of those benefits under a qualified domestic relations order. Chapter 396 provides that, when affected by a QDRO, the benefits that would otherwise go to a surviving spouse must be distributed in accordance with the QDRO. Passage of this chapter means that all retirees will be treated similarly with respect to the impact of QDRO in the distribution of post-retirement death benefits.

LD 1244 An Act to Clarify Part-time School Week for the Purpose of PUBLIC 131
Enforcing Child Labor Laws in the State

<u>Sponsor(s)</u> PENDLETON R	<u>Committee Report</u> OTP	<u>Amendments Adopted</u>
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LD 1244 proposed to allow a minor to work up to 50 hours during any week that school is in session less than three days and in the first and last week of the school year. It also proposed to define the term "in session" in accordance with the compulsory education requirements.

Enacted law summary

Public Law 1997, chapter 131 allows a minor to work up to 50 hours during any week that school is in session less than three days and in the first and last week of the school year. The term "in session" has the same meaning as used in the compulsory education requirements.

LD 1245 An Act to Revise the Confidentiality Provisions of the Maine PUBLIC 132
Revised Statutes, Title 26

<u>Sponsor(s)</u> HATCH	<u>Committee Report</u> OTP	<u>Amendments Adopted</u>
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LD 1245 proposed to allow the Director of the Bureau of Labor Standards to share information with other government agencies to increase the protection of the public welfare and to ensure that bureau enforcement activities are coordinated across all branches of government. The bill also proposed to allow the bureau to release information to the

public related to final bureau action. Appropriate safeguards remain to fully address the confidentiality concerns of employers and employees.

Enacted law summary

Public Law 1997, chapter 132 allows the Director of the Bureau of Labor Standards to share information with other government agencies to increase the protection of the public welfare and to ensure that bureau enforcement activities are coordinated across all branches of government. The law also allows the bureau to release information to the public related to final bureau action. Appropriate safeguards remain in the law to fully address the confidentiality concerns of employers and employees.

**LD 1259 Resolve, to Phase Out the Maine State Retirement System and ONTP
Replace it with a System of Individual Retirement Accounts**

<u>Sponsor(s)</u> GOODWIN		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1259 proposed to require the Commissioner of Administrative and Financial Services to prepare a plan for the gradual phaseout of the Maine State Retirement System and its replacement with a system of individual retirement accounts that would be completely portable and would require the State to match the employee's contribution to the account. The system to be developed in consultation with representatives of affected groups would apply to state employees, teachers and PLD employees.

This and several other bills proposing major changes in the retirement plans for state employees, teachers or legislators were reported out ONTP, and related bill LD 1370 was carried over to the Second Regular Session. That bill could serve as a legislative vehicle to address retirement plan changes in 1998. See also LD's 1014 and 1494.

**LD 1309 An Act to Provide for the Interception of an Individual's ONTP
Unemployment Compensation to Repay an Overissue of Food
Stamp Coupons**

<u>Sponsor(s)</u> PENDLETON R		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1309 proposed to require that if the State over-issued food stamp coupons to a household the amount of the over-issue must be collected by withholding amounts from unemployment compensation payable to a member of the household. This bill is proposed to address issues raised by Public Law 104-193, commonly called the "welfare reform" law, enacted by Congress in August of 1996.