

MAINE STATE LEGISLATURE

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STATE OF MAINE
118TH LEGISLATURE

SECOND REGULAR SESSION
AND
SECOND SPECIAL SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
LABOR

MAY 1998

MEMBERS:

Sen. Mary R. Cathcart, Chair

Sen. Sharon Anglin Treat

Sen. S. Peter Mills

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

Staff:

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ONE HUNDRED EIGHTEENTH LEGISLATURE
SECOND REGULAR AND SECOND SPECIAL SESSIONS

Summary Of Legislation Before The Joint Standing Committees
May 1998

We are pleased to provide this summary of bills that were considered by the Joint Standing Committees of the Maine Legislature. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. 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 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:

- CON RES XXX*..... Chapter # of Constitutional Resolution passed by both Houses
- CONF CMTE UNABLE TO AGREE*.....Committee of Conference unable to agree; bill died
- DIED BETWEEN BODIES*.....House & Senate disagree; bill died
- 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*..... Ought Not To Pass report accepted
- OTP ND*..... Committee report Ought To Pass In New Draft
- OTP ND/NT*..... Committee report Ought To Pass In New Draft/New Title
- P&S XXX*..... Chapter # of enacted Private & Special Law
- PUBLIC XXX*..... Chapter # of enacted Public Law
- RESOLVE XXX*..... Chapter # of finally passed Resolve
- UNSIGNED*.....Bill held by Governor
- VETO SUSTAINED*.....Legislature failed to override Governor's Veto

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is June 30, 1998 and July 9, 1998 for the Second Special Session. Second Special Session laws include Public Laws beginning with Chapter 718, Private and Special Laws beginning with Chapter 82 and Resolves beginning with Chapter 117.

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCALEVEY	OTP-AM MAJ	S-717 MICHAUD
CAREY	OTP-AM MIN	

LD 1847 proposed to change the cutoff date for qualification for retirement benefits after 20 years of creditable service under the special retirement plan for state police officers from September 1 to September 16, 1984. The purpose of this bill is to give members of the Maine State Police 38th Training Troop the same benefits that were available when applications were being accepted for that class.

Committee Amendment "A " (H-858)

The majority report of the committee proposed to add an appropriation section and a fiscal note to the bill.

Senate Amendment "A" (S-512) proposed to provide that the Maine State Retirement System retirement benefit of Maine State Police Sergeant David McPherson must be calculated under the requirements of the so-called "25/50 special retirement plan" that Sergeant McPherson was covered by when he began law enforcement service as a forest ranger. Although approved in both Houses, this amendment was not adopted.

Senate Amendment "C" (S-717) proposed to authorize the creation of the General Fund Service Retirement Benefit Reserve for the purpose of accumulating the funds necessary to pay the full actuarial costs of the change in the retirement plan for the Maine State Police 38th Training Troop. The amendment proposed to divert unappropriated surplus otherwise payable to the Retirement Allowance Fund under the Maine Revised Statutes, Title 5, section 1517 to this reserve fund in an amount up to \$2,820,000 or any greater amount certified by the Maine State Retirement System as the full actuarial cost of this change.

The amendment also established that those retirement plan changes will not take effect unless and until the Legislature takes additional action to direct payment of the full actuarial costs to the Maine State Retirement System. No contractual claim or right or any other claim is created by this law for any state employee.

Enacted law summary

Public Law 1997, chapter 740 reopens the closed special retirement plan for state police officers that permitted retirement with full benefits after 20 years of service regardless of age in order to permit members of the 38th training troop to qualify for the "20-year" plan. Currently, that special retirement plan is available only to state police officers hired before September 1, 1984. Troop 38 members were hired on or about September 3, 1984, making them the first training class to miss the eligibility date for the 20 year plan. Apparently, most members of the 38th training troop were unaware of the fact that a law change affecting their eligibility for the special plan had been enacted until they had already committed to entering the training class.