

MAINE STATE LEGISLATURE

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**STATE OF MAINE
119TH LEGISLATURE**

FIRST REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
LABOR**

JULY 1999

MEMBERS:

Sen. Neria R. Douglass, Chair

Sen. Lloyd P. LaFountain, III

Sen. S. Peter Mills

Rep. Pamela Henderson Hatch, Chair

Rep. Roland B. Samson

Rep. Zachary E. Matthews

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Rep. Jay MacDougall

Rep. Adam Mack

Rep. Gerald M. Davis

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ONE HUNDRED NINETEENTH LEGISLATURE
FIRST REGULAR SESSION

Summary Of Legislation Before The Joint Standing and Select Committees
August 1999

We are pleased to provide this summary of all bills that were considered by the Joint Standing and Select Committees of the Maine Legislature this past session. 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 and select committees.

The document is organized for convenient reference to information on bills considered by the 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:

CARRIED OVER.....Bill carried over to Second Regular Session
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
ENACTMENT FAILED..... Bill failed to get vote required for enactment or final passage
NOT PROPERLY BEFORE THE BODY..... Ruled out of order by the presiding officers; bill died
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 First Regular Session (unless otherwise specified in a particular law) is September 18, 1999.

Joint Standing Committee on Labor

LD 14

An Act to Protect Pensions of Teachers and Public Employees in a Fashion Consistent with Federal ERISA Standards

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLS JOY	ONTP	

LD 14 proposed to provide in statute that the retirement benefits of state employees and teachers under the Maine State Retirement System represent a solemn contractual commitment of the State, the value of which may not be reduced once those benefits are earned. The bill was intended to specifically supplant, with respect to the earned retirement benefits of the named groups of retirement system members, the holding of the United States Court of Appeals for the First Circuit in Parker v. Wakelin et al., 123 F 3d 1 (1997). In that case, the court held that Maine public pension law creates no enforceable private contractual right against the modification of teacher members' retirement benefits until those benefits are actually receivable. The bill would not have limited the ability of the Legislature in the future to reduce public pension retirement benefits prospectively or to remove or to limit the contractual protection provided by this bill with respect to future benefits. Under the bill, however, public employee retirement benefits, once earned, could not be reduced because the value of those benefits is protected under the contract clauses of the Constitution of Maine and the United States Constitution.

See also LD 566 which proposed to amend the Maine Constitution to protect state employee and teacher retirement benefits from the date of hire and LD 267 proposing to reduce from 10 years to 5 years the vesting period for state employees and teachers.

LD 15

An Act to Exempt Owners of Amusement Parks from Paying Overtime

ONTP

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

LD 15 proposed to exempt amusement park owners from paying overtime to their employees.

LD 23

An Act to Increase Health Insurance Benefits for Retired Educators

ONTP

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

LD 23 proposed to increase the State's contribution for health insurance for retired educators from 30% to 50%. See also LD's 829, 1614 and 1730.