

# **MAINE STATE LEGISLATURE**

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*State Of Maine  
121st Legislature*

*First Regular Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Labor*

*July 2003*

**Members:**

*Sen. Betheda G. Edmonds, Chair  
Sen. Steven S. Stanley  
Sen. Kenneth Blais*

*Rep. William J. Smith, Chair  
Rep. Deborah J. Hutton  
Rep. Paul R. Hatch  
Rep. John L. Patrick  
Rep. Thomas R. Watson  
Rep. Russell P. Treadwell  
Rep. Philip Cressey, Jr.  
Rep. Robert W. Nutting  
Rep. Theodore H. Heidrich  
Rep. Troy D. Jackson*

**Staff:**

*Deborah C. Friedman, Senior Analyst*

*Office of Policy and Legal Analysis  
13 State House Station  
Augusta, ME 04333  
(207) 287-1670*

# Maine State Legislature



## Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

### 121st Maine Legislature First Regular Session

#### ***Summary Of Legislation Before The Joint Standing Committees***

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint 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 committees.

The document is organized for convenient reference to information on bills considered by the committees. It is arranged alphabetically by committee name 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](http://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 PURSUANT TO HP 1212 .....	Bills carried over to the 2 <sup>nd</sup> 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
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
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
P&S XXX.....	Chapter # of enacted Private & Special Law
PASSED .....	Joint Order passed in both bodies
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 that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

## *Joint Standing Committee on Labor*

**LD 992**

**An Act To Clarify the Purchase of Military Time Served under the  
Maine State Retirement System**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>		<u>Amendments Adopted</u>
MITCHELL	ONTP	MAJ	
ANDREWS	OTP-AM	MIN	

LD 992 proposed to allow certain members of the Maine State Retirement System to purchase past military time and to count the purchased service credit toward meeting the requirement of 10 years of service credit in order to have retirement benefits calculated under a more favorable formula than for people who do not meet the 10-year requirement. This amendment proposed to allow a person who was not eligible to purchase military time before July 1, 1993 to also count that time toward qualifying for the more favorable benefit formula, but only if the person pays the actuarial cost of obtaining the right to the more favorable benefit as well as paying the cost of the service credits.

**LD 1009**

**An Act Concerning Retirement Benefits for State Employees**

**PUBLIC 486**

<u>Sponsor(s)</u>	<u>Committee Report</u>		<u>Amendments Adopted</u>
DUPLESSIE	OTP-AM	MAJ	H-441
DAGGETT	ONTP	MIN	S-298 CATHCART

LD 1009 proposed to amend the definition of “average final compensation” in the Maine State Retirement System laws to provide that days taken without pay as a result of legislative or Executive action during the 2002-03 fiscal year would be counted as if they were paid days, for purposes of determining a member’s average final compensation for that fiscal year.

**Committee Amendment "A" (H-441)** proposed to fund the additional cost of including compensation that would have been paid for certain days during fiscal year 2002-03 in a member’s average final compensation. It proposed to provide for an immediate appropriation of \$76,081 to represent the employer contribution and to require employees who gain a higher retirement benefit as a result of the bill to pay the amount that would have been paid as an employee contribution on compensation for those days, plus interest, when they retire.

**Senate Amendment "A" to Committee Amendment "A" (S-298)** proposed to allow state employees who took days off without pay during the 2002-03 fiscal year to have the compensation that would have been paid on those days included in their average final compensation, provided they elect to do so and to pay the employee portion of the cost by contributing to the Maine State Retirement System the employee contribution that would have been paid on that compensation, plus interest. This amendment proposed a special retirement cost assessment to be applied to all departments and agencies from July 1, 2003 to September 30, 2003 to fund the employer’s share of the costs associated with the bill.

### ***Enacted Law Summary***

Public Law 2003, chapter 486 allows Maine State Retirement System retirees to have their average final compensation calculated as if they did not take days off without pay during the 2002-2003 fiscal year, provided they elect at the time of retirement to make a retroactive payment of the contribution that would have been made on that compensation, plus interest. This applies to persons who took days off without pay pursuant to legislative