

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

*First Regular Session and
First Special Session*

Bill Summaries

*Joint Standing Committee
on
Labor*

August 2005

Members:

*Sen. Ethan Strimling, Chair
Sen. Philip L. Bartlett, II
Sen. Lois A. Snowe-Mello*

*Rep. William J. Smith, Chair
Rep. John L. Tuttle, Jr.
Rep. Deborah J. Hutton
Rep. Troy D. Jackson
Rep. Herbert E. Clark
Rep. Timothy E. Driscoll
Rep. Brian M. Duprey
Rep. Philip A. Cressey, Jr.
Rep. Darren M. Hall
Rep. James M. Hamper*

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Maine State Legislature

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122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included 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
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
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 June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

Joint Standing Committee on Labor

LD 896

An Act To Encourage State Employees To Continue Employment

ONTP

<u>Sponsor(s)</u> PERRY J JACKSON	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 896 proposed to direct the Maine State Retirement System to amend its rules to clarify that a participant in the system who has reached normal retirement age may retire and begin receiving state retirement benefits and then may return to employment with the same employer while receiving those retirement benefits.

LD 901

Resolve, To Create a New Pension System for Newly Hired Teachers and State Employees

ONTP

<u>Sponsor(s)</u> MILLS P	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 901 proposed to direct the Maine State Retirement System to develop a new uniform supplemental pension system for teachers from participating local districts and state employees hired after December 31, 2005 that would:

1. Make participation in the federal Social Security system mandatory;
2. Contain a defined benefit component that has an actuarial cost of 4% of payroll, with 3% allocated to the State and 1% to the employee;
3. Contain a defined benefit modeled on current law with a normal retirement age of 62 years but with the penalty for early retirement of 4% per year; and
4. Provide an optional benefit package of up to 6% of payroll with the State matching the employee's contribution on a 2-for-1 basis.

LD 912

An Act Regarding Noncompete Agreements

ONTP

<u>Sponsor(s)</u> MOORE G	<u>Committee Report</u> ONTP	<u>Amendments Adopted</u>
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LD 912 proposed to provide that an employer who requires an employee to enter into a noncompete agreement meet in person with the employee and review and disclose the terms of the agreement. The bill also proposed to allow the enforcement of a noncompete agreement only if the employee leaves within 3 months from the beginning of that employment.