

MAINE STATE LEGISLATURE

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STATE OF MAINE
116TH LEGISLATURE

SECOND REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
AGING, RETIREMENT AND VETERANS

MAY 1994

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**ONE HUNDRED AND SIXTEENTH LEGISLATURE
SECOND REGULAR SESSION**

**JOINT STANDING COMMITTEE
BILL SUMMARIES**

MAY 1994

This document is a compilation of the bill summaries prepared by this office for the Joint Standing Committees and Joint Select Committees of the Maine Legislature. The volume is organized alphabetically by committee; within each committee, the summaries are arranged by LD number. A subject index is provided at the beginning of each committee's summaries.

The committee report or reports, the prime sponsor for each bill and the lead co-sponsor in each house if one has been designated are listed below each bill title. All adopted amendments are listed, by paper number, together with the sponsor for floor amendments. Final action on each bill is listed to the right of the title. Various types of final action are abbreviated as follows:

PUBLIC XXX

P&S XXX

RESOLVE XXX

CON RES XXX

EMERGENCY

ONTP

INDEF PP

FAILED ENACTMENT

FAILED EMERGENCY ENACTMENT

FAILED MANDATE ENACTMENT

DIED BETWEEN BODIES

CONF CMTE UNABLE TO AGREE

VETO SUSTAINED

UNSIGNED

DIED ON ADJOURNMENT

Chapter # of enacted Public Law

Chapter # of enacted Private & Special Law

Chapter # of enacted Resolve

Chapter # of Constitutional Resolution passed by both Houses

Enacted law takes effect sooner than 90 days

Ought Not to Pass report accepted

Bill Indefinitely Postponed

Bill failed to get majority vote

Emergency bill failed to get 2/3 vote

Bill imposing local mandate failed to get 2/3 vote

House & Senate disagree; bill died

Committee of Conference unable to agree; bill died

Legislature failed to override Governor's Veto

Not signed by Governor within 10 days

Action incomplete when session ended; bill died

These summaries were prepared by the analyst or analysts assigned to the committee. If you have any suggestions or comments on the summaries, please let us know.

5581LHS

LD 1389 An Act to Restructure the Department of Defense and Veterans' Services

ONTP

SPONSOR(S)
MORRISON

COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED

SUMMARY

This bill would have reorganized the Department of Defense and Veterans' Services by moving the Maine Emergency Management Agency to the Department of Public Safety and would have required the appointment of the Adjutant General to be reviewed and confirmed by the Legislature. The Deputy Adjutant General position would have been abolished. The Adjutant General could appoint an assistant adjutant general who would be the Director of the Military Bureau, a position that would have to rotate between members of the Air National Guard and the Army National Guard every 3 years. The bill also would have required the military to comply with all state statutes and rules unless expressly exempted. The bill clarified the required compliance with antidiscrimination requirements. Military personnel would have been allowed to appeal personnel decisions to the Maine Human Rights Commission. The bill also made persons activated in the National Guard subject to the Military Code of Justice.

LD 1411 An Act Concerning the Eligibility of Children of Disabled Veterans to Obtain Education Benefits

ONTP

SPONSOR(S)
SUMMERS

COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED

SUMMARY

This bill would have enabled a spouse or a child of an eligible veteran who wanted to pursue a course of study that is not available at a state-supported school or institution in Maine to attend a state-supported postsecondary school or institution in a state that offers that course of study, with tuition paid by the Division of Veterans' Services.

LD 1458 An Act to Clarify the Role and Purpose of the Maine State Retirement System

PUBLIC 595
EMERGENCY

SPONSOR(S)
TITCOMB

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
S-475

SUMMARY

This bill transfers the system's audit functions (monitoring employers' compliance with retirement system rules and policies) to the Department of Audit. It directs the Executive Director of the retirement system to simplify payroll and reporting requirements and it requires the establishment of a schedule of fees, interest and penalties for failure to provide accurate and complete information in a timely manner. The bill also allows the system to begin to pay retirement benefits on the basis of estimated benefits, with subsequent correction on receipt of final payroll information. The bill also permits the executive director, with approval of the Trustees, to delegate the executive director's duties to other retirement system staff. The bill revises the current statutory requirement that the system's actuary evaluate each legislative document so that it is only required when considered necessary by the retirement system or by the proper legislative committee.

COMMITTEE AMENDMENT "A" (S-475) removes all of the original bill except for 2 sections. The section of the original bill requiring an actuary's analysis of legislation is amended to require that analysis upon a request of either the retirement committee or a member of that committee. The section of the original bill permitting the imposition of fees and penalties against employers for the improper application of statutes is also retained. The amendment also extends the period during which the benefit level under the new disability plan will remain at 59% for 2 more years and requires the retirement system to continue to analyze the experience under the plan. The application of various cost-of-living provisions is clarified. The former cap on earnable compensation will be applied in any instances where the recently enacted cap does not apply and the application of the former cap in these instances is retroactive to July 1, 1993. The amendment also adds a fiscal note to the bill.

LD 1627 An Act to Amend the Structure of Veterans' Services

PUBLIC 694

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
CAHILL	OTP-AM	S-397
		S-411 TITCOMB
		S-623 PEARSON

SUMMARY

This bill changes the position title from Supervisor of the Division of Veterans' Services to Director of Operations of the Division of Veterans' Services throughout the Maine Revised Statutes, Title 37-B, chapter 7. This bill also reassigns the supervision of the Maine Veterans' Memorial Cemetery to the Director of Operations.

COMMITTEE AMENDMENT "A" (S-397) adds an appropriation and fiscal note to the bill.

SENATE AMENDMENT "A" (S-411) clarifies that the Adjutant General is the appointing authority for the Director of Operations of the Division of Veterans' Services.

SENATE AMENDMENT "A" TO COMMITTEE AMENDMENT "A" (S-623) replaces the appropriation section and provides funds for the position upgrade by eliminating one part-time Veterans' Counselor position.

**LD 1705 RESOLUTION, Proposing an Amendment to the Constitution of
Maine to Establish a Schedule for Paying Off the Unfunded
Liability of the Maine State Retirement System**

ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
BUSTIN	ONTP MAJ	
	OTP-AM MIN	

SUMMARY

This resolution proposed a constitutional amendment that would have established a schedule for paying off the unfunded liability of the Maine State Retirement System comparable to the payment schedule being followed prior to July 1, 1993. The resolution also proposed a constitutional amendment that would have required the State to fund the retirement system on an actuarially sound basis.