

MAINE STATE LEGISLATURE

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STATE OF MAINE
117TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
LABOR

AUGUST 1995

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**Denotes Chair*



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**ONE HUNDRED AND SEVENTEENTH LEGISLATURE
FIRST REGULAR SESSION**

**SUMMARY OF LEGISLATION BEFORE
THE JOINT STANDING COMMITTEES**

AUGUST 1995

This document is a compilation of the bill summaries prepared by this office for the Joint Standing 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 publication, History and Final Disposition of Legislative Documents, is helpful in determining to which committee any particular bill was referred.

In this document, 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 categories of final action are abbreviated as follows:

<i>CARRIED OVER</i>	<i>Bill carried over to Second Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not to Pass report accepted</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of enacted Resolve</i>
<i>UNSIGNED</i>	<i>Not signed by Governor within 10 days</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

These summaries were prepared by the analyst or analysts assigned to the committee. If more detailed information is needed on a bill, contact the committee analyst.

5581LHS

SUMMARY

This bill extends the Health Occupations Training Project for 3 more years, to October 1, 1998. The Committee Amendment added an appropriations section and a fiscal note to the bill. This bill was not enacted because the same provision and the accompanying appropriation of \$200,000 per year was included in the budget bill, LD 706.

LD 301 An Act Regarding the Testing of Public Employees for Drugs ONTP

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

SUMMARY

The original bill made it illegal for a public employee represented by a collective bargaining agent to be required to submit to a substance abuse test unless the policy to do so is first negotiated. The minority report of the Committee would have clarified that the partial exception for employees covered by federal testing laws does not preclude the negotiation collective bargaining agreements providing greater protections. The minority report was adopted as a Senate amendment to LD 1191.

LD 304 An Act Concerning the Offset of Workers' Compensation PUBLIC 76
Benefits by Social Security Benefits

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
HATCH	OTP-AM	H-136

SUMMARY

This bill provides that a workers' compensation benefit may not be reduced to offset old-age insurance benefits received under social security if those benefits were being received prior to the date of injury or if those benefits are spouse's benefits. This bill is intended to overturn the Law Court's decisions in Casey v. Town of Portage Lake, 598 A.2d 448 (1991) and in Berry v. H.R. Beal & Sons, et. al., Decision no. 7040, November 9, 1994.

COMMITTEE AMENDMENT "A" (H-136) provides that the exception for the offset in workers' compensation benefits only applies prospectively. The amendment also adds a fiscal note to the bill.

LD 306 An Act to Change the Retirement Provisions of ONTP
Department of Corrections Personnel

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
HATCH	ONTP	

SUMMARY

Currently, employees of the Maine State Prison employed prior to September 1, 1984 qualify for a service retirement if they retire on or after reaching age 50 and have 20 years of service. Those who were employed after September 1, 1984 qualify if they retire with 25 years of service regardless of age. This bill would have changed the provisions for the latter group to require that retirement be after the age of 55. It also would have extended these retirement provisions to employees of the Maine Correctional Center.