

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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Sen. S. Peter Mills
Sen. Anne M. Rand*

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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

LD 364

An Act to Protect the Rights of Employees and to Ensure the Proper Expenditure of Public Funds

DIED BETWEEN BODIES

SPONSOR(S)

CHASE
BUSTIN

COMMITTEE REPORT

ONTP MAJ
OTP-AM MIN

AMENDMENTS ADOPTED

SUMMARY

This bill would have made it unlawful for an employer to use state funds or state-administered funds to influence employees for or against unionization or to commit a violation of a labor, wage and hour, fair employment or human rights law or rule. The minority report of the committee would have amended Title 5 rather than Title 26. The amendment contained exemptions so that the restrictions would not have applied to municipalities and school administrative districts and to health care facilities already covered by a similar law in Title 22.

LD 365

An Act to Extend the Jurisdiction of the Maine Labor Relations Board to Public Employees Who Have Been Employed Fewer Than 6 Months

DIED BETWEEN BODIES

SPONSOR(S)

CHASE

COMMITTEE REPORT

ONTP MAJ
OTP-AM MIN

AMENDMENTS ADOPTED

SUMMARY

Under the current labor relations law governing municipal public employees and University of Maine System and Maine Technical College System employees, any person who has been employed for fewer than 6 months is excluded from the protection of the collective bargaining laws. This bill would have removed the 6-month exclusion. The committee amendment would have removed the 6-month exclusion from the chapter covering municipal employees, but not University employees, and would have clarified that the length of the probationary period is a mandatory subject of bargaining.

LD 421

An Act to Require the Maine State Retirement System to Annually Report to Its Members and to Investigate the Issue of Privatization

ONTP

SPONSOR(S)

AMERO

COMMITTEE REPORT

ONTP

AMENDMENTS ADOPTED

SUMMARY

This bill would have required that (1) the Maine State Retirement System issue annual statements to each member showing the amount of contributions in that member's account and interest earned; (2) the retirement system develop standards governing the time at which the first retirement check is issued; and (3) the board of trustees study the feasibility of privatizing the operations of the retirement system.

LD 441

An Act to Promote Apprentice Education in the State

ONTP

SPONSOR(S)

MARSHALL

COMMITTEE REPORT

ONTP

AMENDMENTS ADOPTED

SUMMARY

This bill would have required the Maine Technical College System to work with Maine private industry to develop on-site apprentice training programs. It broadly defined the responsibilities of the private company and the Maine Technical College System, and specified that student apprentices are not employees of the company.

LD 483 An Act to Abolish the Legislative Retirement System

CARRIED OVER

SPONSOR(S)

UNDERWOOD

COMMITTEE REPORT**AMENDMENTS ADOPTED****SUMMARY**

This bill was carried over to the Second Regular Session. The bill limits continued membership in the Maine Legislative Retirement System after September 30, 1995 to Legislators who have 10 years of creditable service as of that date. Former Legislators who are currently receiving a retirement allowance or a disability retirement allowance will not have their benefits affected by this bill. Former and current Legislators who, as of September 30, 1995, are eligible to receive a retirement benefit at some point in the future will not have their accrued benefits affected. The Board of Trustees of the Maine Legislative Retirement System will continue to oversee the administration of the system. Once all of the remaining beneficiaries of the system have died, the system is required to submit legislation to repeal the Maine Revised Statutes, Title 3, chapter 29.

LD 496 An Act to Permit an Employer to Offer a Compressed Time Workweek to Consenting Employees

INDEF PP

SPONSOR(S)

SMALL

COMMITTEE REPORT

OTP-AM MAJ

ONTP MIN

AMENDMENTS ADOPTED**SUMMARY**

Under current law, an employer may not require an employee to work more than 40 hours in one week, unless the hours exceeding 40 are compensated at a rate of 1 1/2 times the regular hourly rate. This bill would have permitted employers to offer to consenting employees who wish to participate the ability to work 44 hours in one week and 36 hours in the succeeding week, resulting in a 2-week, 80-hour work period that is completed in 9 work days, rather than 10.

The committee amendment added an appropriation section and a fiscal note to the bill. A Senate amendment that was adopted would have added a requirement that the employee's consent to the compressed workweek option be made in writing on a form that specifies the beginning date of the 2-week cycle. The Senate amendment also provided that the employee may withdraw consent at any time effective at the beginning of the next cycle and clarified that the provision does not affect the employer's obligations under federal law. The bill was indefinitely postponed after failing to receive funding on the Appropriations table.

LD 523 An Act Concerning Sick Leave and Vacation Benefits

INDEF PP

SPONSOR(S)

TOWNSEND

COMMITTEE REPORT

OTP-AM MAJ

ONTP MIN

AMENDMENTS ADOPTED