

MAINE STATE LEGISLATURE

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STATE OF MAINE
117TH LEGISLATURE

FIRST REGULAR SESSION

BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
LABOR

AUGUST 1995

Staff:

*Lisa Copenhaver, Legislative Analyst
David Elliott, Principal Analyst*

*Office of Policy and Legal Analysis
Room 101/107/135, 13 State House Station
Augusta, ME 04333
(207)287-1670*

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**Denotes Chair*



**Maine State Legislature
OFFICE OF POLICY AND LEGAL ANALYSIS**

State House Station 13, Augusta, Maine 04333
Telephone (207) 287-1670
Telecopier (207) 287-1275

**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 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

SUMMARY

This bill would have required employers who provide sick leave or vacation benefits to employees to develop a written policy describing the benefits. The policy must be available at the time of hire and must be provided to all employees whenever it is changed. The committee amendment would have added a fiscal note and a penalty provision so that whoever violates the requirement would be subject to a forfeiture of \$100 to \$500 for each violation. The bill was indefinitely postponed after failing to receive funding on the Appropriations table.

LD 534 **An Act to Require the Department of Labor to Keep Statistics on the Number of Jobs That are Full-time, Part-time and Temporary** ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
TREAT	ONTP	

SUMMARY

This bill would have required the Department of Labor to keep statistics on whether the jobs held by employees in this State are permanent or temporary, full-time or part-time within each of the current classifications relating to age and sex of the employees.

LD 537 **An Act to Include Salaries, Pensions and Insurance for Binding Arbitration under the Municipal Public Employee Labor Relations Laws** ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MORRISON	ONTP	

SUMMARY

This bill would have included salaries, pensions and insurance among those subjects eligible for binding determination by arbitrators under the municipal public employees labor relations laws. In a letter dated April 28, 1995, the Attorney General indicated that this bill would constitute a mandate within the meaning of Article IX, Section 21 of the Maine Constitution.

LD 541 **An Act to Establish the Administrative Operating Budget for the Maine State Retirement System for the Fiscal Year Ending June 30, 1996** P & S 36
EMERGENCY

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
	OTP-AM	S-266

SUMMARY

The Maine State Retirement System is required to present its annual operating budget to the Legislature for approval. This bill is the system's annual budget for fiscal year 1995-96. Section 1 identifies the retirement system's personal services costs and its costs for all other operating expenses. Section 2 presents the attribution of retirement system expenses to the 3 categories: General Fund; Non-General Fund; and Participating Local District.

COMMITTEE AMENDMENT "A" (S-266) makes changes in the allocation of funds and the attribution of costs of the Maine State Retirement System set out in the bill to reflect a reduction in the General Fund share of the administrative costs of the system as provided in Part N of the Part I budget LD 706. The amendment also adds a fiscal note to the bill.