

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

LD 552 An Act Regarding Employer Errors and the Maine State Retirement System

ONTP

SPONSOR(S)
BERUBE

COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED

SUMMARY

Current law gives the Board of Trustees of the Maine State Retirement System the option of waiving payment of all or part of an amount a member owes the retirement system because of an error or omission on the part of an employer. This bill would have required the board to waive payment of all or part of the amount due because of an error or omission on the part of an employer. This bill was introduced to deal with a particular set of circumstances and became unnecessary when the Retirement System Board of Trustees agreed to waive all repayment requirements in that case upon request and approval of the participating local district employer.

LD 556 An Act Concerning the Participation of Teachers of Adult Education in the Maine State Retirement System

PUBLIC 471
EMERGENCY

SPONSOR(S)
MCCORMICK

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
S-278

SUMMARY

Current law states that education funds appropriated pursuant to the School Finance Act of 1985 are not considered "public grants" for purposes of determining whether the State shall pay the employer's portion of a teacher's retirement costs. This bill adds a reference to the Maine Revised Statutes, Title 20-A, chapter 315, which governs the financing of adult education, in order that adult education teachers be treated the same as other public school teachers for purposes of the employer's share of retirement costs.

Current law requires that all part-time adult education teachers participate in the Maine State Retirement System. The bill eliminates the requirement that part-time adult education teachers who teach courses that do not require certification participate in the Maine State Retirement System.

The bill also resolves a conflict in Title 5, section 17154, subsection 6 caused by 2 laws enacting the same paragraph.

COMMITTEE AMENDMENT "A" (S-278) replaces language in the bill to clarify the bill's intent to exempt part-time adult education teachers working in positions not requiring certification from the requirement that they be members of the Maine State Retirement System. The amendment also adds a mandate preamble, emergency preamble, emergency clause and fiscal note to the bill.

LD 597 An Act to Increase Paid Health Insurance Benefits to Retired Teachers

INDEF PP

SPONSOR(S)
ESTY

COMMITTEE REPORT
OTP-AM MAJ
ONTP MIN

AMENDMENTS ADOPTED

SUMMARY

This bill would have provided funds to increase the State's contribution for health insurance on behalf of eligible retired teachers. This bill would have increased the state payment to retired teachers by

increasing the percentage of state payment for health insurance for retired teachers from 25% to 30%. The bill would have required General Fund appropriations of over \$1 million in this biennium. The bill was indefinitely postponed after failing to receive funding on the Appropriation Table.

LD 599 An Act to Reimburse Former Temporary Hearing Officers of the Workers' Compensation Board for Lapsed Vacation Time VETO SUSTAINED

SPONSOR(S)	COMMITTEE REPORT		AMENDMENTS ADOPTED
BEGLEY	OTP-AM	REP	S-88
CHASE	ONTP	REP	
	OTP-AM	REP	

SUMMARY

This bill would have required that former workers' compensation commissioners who worked as temporary hearing officers during 1993 be compensated for all vacation time accrued even if that amount exceeded the maximum amount payable to terminating State employees.

COMMITTEE AMENDMENT "A" (S-88) would have added a requirement that those temporary hearing officers who were rehired as state employees by May 31, 1994 are also entitled to receive longevity pay and vacation accrual rates as if no break in service had occurred. The Committee amendment also added an allocation section and a fiscal note to the bill. The Governor vetoed the bill on June 21, 1995. The Senate voted to override the Governor's veto the next day but the House sustained the veto on June 26, 1995.

LD 605 An Act to Require the State to Pay for Mediation Sessions ONTP

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

SUMMARY

This bill would have restored state funding for mediation services provided by the State under the municipal public employees labor relations laws. The Committee amendment added a fiscal note and appropriation section to the bill.

LD 624 An Act Concerning Binding Arbitration ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
ROTONDI	ONTP	

SUMMARY

This bill would have removed the fact-finding procedures from the municipal public employees labor relations laws and would have changed the arbitration procedures so that the decision of the arbitration panel is binding on all issues. In a letter dated April 28, 1995, the Attorney General indicated that a similar bill, LD 537, would constitute a municipal mandate under Article IX, Section 21 of the Maine Constitution.