

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 allows an elected official who had chosen not to be a member of the Maine State Retirement System the opportunity to buy credit for part or all of the period the official was not a member. The amount of payment required is the amount the official would have contributed as a member for that period, plus interest. The decision to make back contributions must be made by December 31, 1995.

COMMITTEE AMENDMENT "A" (H-196) makes the following changes:

1. It expands the application of the buyback provision to officials appointed for a fixed term to be consistent with existing law;
2. It requires officials who purchase back service under this provision to pay the actuarial equivalent of the benefit being purchased to avoid increasing the unfunded liability of the retirement system; and
3. It eliminates the option for officials who purchase back service to select the period of service they wish to buy back.

LD 777 An Act to Amend the Composition of the Board of Trustees of the Maine State Retirement System ONTP

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
MITCHELL EH	ONTP MAJ	
	OTP MIN	

SUMMARY

This bill would have amended the laws governing the composition of the Board of Trustees of the Maine State Retirement System by authorizing the Maine Association of Retirees to submit a list of nominees for one of 4 board members appointed by the Governor.

LD 790 An Act to Allow the Workers' Compensation Board to Submit Legislative Proposals Annually PUBLIC 103

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
BEGLEY	OTP	
CHASE		

SUMMARY

This bill allows the Workers' Compensation Board to recommend to the Legislature changes annually instead of in first regular sessions only.

LD 839 An Act to Allow the Workers' Compensation Board to Regulate Nonfinancial Aspects of Workers' Compensation Arbitration PUBLIC 105

SPONSOR(S)	COMMITTEE REPORT	AMENDMENTS ADOPTED
BEGLEY	OTP-AM	S-73
CHASE		

SUMMARY

This bill allows the Workers' Compensation Board to adopt rules to establish administrative processes to review and adopt individual arbitration plans and performances. The Attorney General's office has advised the board that under the current law, it has no authority to regulate any issue beyond the amount of fee to be paid to the arbitrator.

COMMITTEE AMENDMENT "A" (S-73) adds a fiscal note to the bill.

LD 842 An Act to Preserve the Solvency of the Unemployment Compensation Fund

PUBLIC 9
EMERGENCY

SPONSOR(S)	COMMITTEE REPORT		AMENDMENTS ADOPTED
BEGLEY	OTP-AM	MAJ	S-24
	ONTP	MIN	

SUMMARY

This bill is intended to ensure the solvency of the Unemployment Compensation Fund by reducing benefits and continuing an employer surtax. Benefits are reduced by reducing the maximum weekly benefit amount by 6% from October 29, 1995 to May 31, 1997 and by reducing the weekly benefit amount by \$3 for all new claims filed from April 1, 1995 to December 31, 1997. A surtax on employers of 4/10 of 1% of covered wages is imposed for 1995, 1996 and 1997. The bill is based on recommendations of the state advisory council appointed by the Commissioner of Labor. The bill also repeals the repeal date for the alternate base period for determining eligibility for unemployment benefits and the repeal date for the dislocated workers benefits program. The committee amendment adds a fiscal note to the bill.

LD 856 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
BENEDIKT	ONTP	
BUSTIN		

SUMMARY

This resolution proposed an amendment to the Constitution of Maine that would have established a schedule for paying off the unfunded liability for the Maine State Retirement System by the year 2018.

LD 868 An Act to Amend the Substance Abuse Testing Law

PUBLIC 344

SPONSOR(S)	COMMITTEE REPORT		AMENDMENTS ADOPTED
BAILEY	OTP-AM	MAJ	H-420
	OTP-AM	MIN	H-485 JOY

SUMMARY

On January 1, 1995, new federal regulations mandated that all commercial vehicle drivers and certain employees in the railroad, airline and mass transportation industries be tested for drug and alcohol abuse. The original bill exempted commercial drivers subject to the regulations promulgated by the Federal Highway Administration from the State's substance abuse testing law.

COMMITTEE AMENDMENT "A" (H-420) replaces the original bill entirely. It exempts municipalities and other political subdivisions of the State from the requirement that an employer with more than 20 full-time employees pay half the costs of rehabilitation prior to taking any disciplinary action against an employee for a confirmed positive test result.

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" (H-485) provides that an employer who has tested an employee because of federal drug testing requirements is also exempt from the requirement to pay for 1/2 the cost of rehabilitation.