

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 1207 **An Act to Correct Certain Errors and Inconsistencies
in Employer's Contributions and Coverage in Unemployment
Compensation**

PUBLIC 220

SPONSOR(S)
MILLS
TUTTLE

COMMITTEE REPORT
OTP

AMENDMENTS ADOPTED

SUMMARY

This bill is intended to eliminate confusion in the meaning of the current language regarding the use of experience rating under the unemployment compensation system. The change allows an employer's experience rating record to be credited with contributions when paid and avoids the perception that the employer's experience rating record will be credited with contributions payable but not actually paid. This change maintains consistency with other sections of the Employment Security Law. The bill also allows a state governmental entity the choice of electing to meet its obligations under the Maine Employment Security Law by changing from a taxable entity to a direct reimbursing entity.

LD 1227 **Resolve, to Establish a Task Force to Identify the
Part-time Workforce in the State**

ONTP

SPONSOR(S)
CHASE
TUTTLE

COMMITTEE REPORT
ONTP

AMENDMENTS ADOPTED

SUMMARY

This resolve would have established the Task Force to Identify the Part-time Workforce in the State.

LD 1230 **An Act Concerning Educational Technicians**

P & S 35

SPONSOR(S)
MORRISON

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
H-441

SUMMARY

This bill amends the Private and Special Law that dealt with the classification for educational technicians prior to 1991 for retirement coverage purposes. This bill allows for corrections to be made in the classification of educational technicians.

COMMITTEE AMENDMENT "A" (H-441) allows the Department of Education to reclassify a person formerly in the position of teacher aide or teacher assistant to educational technician II or educational technician III if the employee was not recommended to be upgraded prior to the September 1, 1991 deadline due to error on the part of a school administrative unit. School administrative units must apply on behalf of their employees for the upgrade provided in this amendment by July 1, 1996. The amendment also adds a fiscal note to the bill and a mandate preamble.

LD 1269 **An Act to Provide Retirement Benefit Options for Game
Wardens and Marine Patrol Officers**

PUBLIC 466

SPONSOR(S)
HALL

COMMITTEE REPORT
OTP-AM

AMENDMENTS ADOPTED
S-327
S-346 MICHAUD

SUMMARY

This bill permits law enforcement officers in the Department of Inland Fisheries and Wildlife to retire with full benefits at 55 years of age if they have worked in that capacity for 25 years. The bill applies to game wardens hired after August 31, 1984. Wardens hired before that date are covered by a special plan that permits retirement after 20 years of service; those wardens are not affected by this bill.

COMMITTEE AMENDMENT "A" (S-327) replaces the bill and provides a retirement option for Game Wardens and Marine Patrol Officers hired after August 31, 1984. Anyone hired in either of those capacities after that date may participate in either the regular retirement plan for state employees or a special retirement plan that permits retirement with full benefits at age 55 with at least 25 years of service in those positions. Each employee who elects the special plan must pay to the Maine State Retirement System the full actuarial and administrative costs of retiring under that plan, including interest on back payments due for current employees. The option takes effect November 1, 1995. Current employees may elect the plan within one year and future employees within 90 days of being hired.

SENATE AMENDMENT "A" TO COMMITTEE AMENDMENT "A" (2-346) expands the committee amendment to provide a retirement option for Baxter State Park Authority rangers. Anyone employed in that capacity now or in the future may participate in either the regular retirement plan for state employees or the optional retirement plan provided in the committee amendment.

LD 1318 An Act to Allow Employees to Recover Damages from Employers Who Refuse Access to Personnel Files ONTP

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

SUMMARY

The original bill would have increased the penalties from \$25 to \$50 a day for an employer who fails to provide an opportunity for a terminated employee to review and copy the personnel files of the employee. The bill also would have removed the \$500 cap on the penalties. The bill allowed the employee to bring the suit against the employer and made the penalties payable to the employee along with attorneys' fees and costs. The Committee amendment would have retained the current penalty level and cap of \$500. The amendment would have added language to allow either the affected employee or the Department of Labor to bring suit to enforce the right without any provision for attorneys' fees or costs. The amendment clarified that the penalty is payable to the State.

LD 1319 An Act to Allow Terminated Employees to Recover Damages from Employers Who Refuse to Provide a Written Reason for Termination ONTP

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

SUMMARY

This bill would have changed the penalty for an employer who does not respond to a written request of a terminated employee for written reasons for the termination of employment. Under current law, the employer is subject to a forfeiture of \$50 to \$500. This bill would have changed that penalty to \$50 per day. The minority committee amendment would have permitted either the employee or the Department of Labor to bring the suit. It also clarified that the penalty is payable to the State.