

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
117TH LEGISLATURE**

**SECOND REGULAR SESSION**

**BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
LABOR**

**JUNE 1996**

***MEMBERS:***

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*Sen. S. Peter Mills*

*Sen. Anne M. Rand*

*Rep. Pamela H. Hatch, Chair*

*Rep. John L. Tuttle*

*Rep. Gail M. Chase*

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*Rep. Robert E. Pendleton, Jr.*

*Rep. Vaughn A. Stedman*

*Rep. Tom J. Winsor*

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**ONE HUNDRED SEVENTEENTH LEGISLATURE  
SECOND REGULAR SESSION**

***Summary Of Legislation Before The Joint Standing Committees  
June 1996***

We are pleased to provide this summary of bills that were considered by the 15 Joint Standing Committees of the Maine Legislature staffed by this office. The document is a compilation of bill summaries which describe each bill, committee amendments and other relevant amendments, as well as the final action taken on the bill. Also included are statistical summaries of bill activity this Session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills handled by the joint standing committees. It is organized alphabetically by committees and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills.

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are 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 &amp; 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&amp;S XXX</i> .....	<i>Chapter # of enacted Private &amp; Special Law</i>
<i>PUBLIC XXX</i> .....	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i> .....	<i>Chapter # of finally passed 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>

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is July 4, 1996.

**LD 1606**      **An Act to Amend the Overtime Laws as They Pertain to Bonuses**

PUBLIC 510  
EMERGENCY

Sponsor(s)  
WINSOR  
MILLS

Committee Report  
OTP

Amendments Adopted

LD 1606 proposed to clarify that the calculation of overtime pay under Maine law is intended to be identical to the calculation of overtime pay under the federal Fair Labor Standards Act.

*Enacted law summary*

Public Law 1995, chapter 510 clarifies that the calculation of overtime pay under Maine law is identical to the calculation of overtime pay under the federal Fair Labor Standards Act.

Chapter 510 was enacted as an emergency measure effective February 22, 1996.

**LD 1609**      **An Act to Provide Consistent Retirement Plan Options for Game Wardens, Marine Patrol Officers, Forest Rangers and Baxter State Park Authority Rangers**

PUBLIC 624  
EMERGENCY

Sponsor(s)  
CHASE

Committee Report  
OTP-AM

Amendments Adopted  
H-817

Last year a retirement option was provided to game wardens, marine patrol officers and Baxter State Park Authority rangers allowing persons employed in those capacities to elect a retirement plan that provided full benefits at 55 years of age with at least 25 years of service. Any game warden, marine patrol officer or Baxter State Park Authority ranger electing this retirement plan was required to pay the full actuarial and administrative costs associated with the election. If the election is not made, the employee participates in the regular retirement plan for state employees, which is the plan under which wardens and rangers currently are covered. LD 1609 proposed to extend the election to forest rangers.

**Committee Amendment "A" (H-817)** retained the provisions of the bill and proposed to make several technical amendments to the bill and the law enacted last year to streamline administration of retirement options and plans for various groups of employees. The amendment proposed the following.

1. To establish January 1, 1997 as a standard date for exercise of an early retirement plan election.
2. To permit game wardens, marine patrol officers, Baxter State Park Authority rangers and forest rangers who elect the retirement plan option to retire before 55 years of age with at least 25 years of service at a reduced benefit. The rate of reduction is the same as for state police, prison guards and other state employees who retire before normal retirement age.
3. To clarify that game wardens, marine patrol officers and forest rangers electing to retire at 55 years of age with 25 years of service may have been first employed in those capacities both before and after August 31, 1984, the date when the prior special retirement plans for those employees were eliminated. Without this clarification, the election may not be available to employees having this employment history. The date of first hire may have

implications for the rate of reduction applied to the benefits of a person electing the retirement plan available to these employers.

4. To add a fiscal note to the bill.

***Enacted law summary***

Public Law 1995, chapter 624 extends to forest rangers a retirement option that was provided to game wardens, marine patrol officers and Baxter State Park Authority rangers last year. The option allows persons employed as a forest ranger to elect a retirement plan that provided full benefits at 55 years of age with at least 25 years of service. Any person electing this retirement plan is required to pay the full actuarial and administrative costs associated with the election. If the election is not made, the employee participates in the regular retirement plan for state employees, which is the plan under which forest rangers currently are covered.

Public Law 1995, chapter 624 also makes the following technical amendments to streamline administration of retirement options and plans for various groups of employees.

1. It establishes January 1, 1997 as a standard date for exercise of early retirement plan election.
2. It permits game wardens, marine patrol officers, Baxter State Park Authority rangers and forest rangers who elect the retirement plan to retire before 55 years of age with at least 25 years of service at a reduced benefit. The rate of reduction is the same as for state police, prison guards and other state employees who retire before normal retirement age.
3. It clarifies that game wardens, marine patrol officers and forest rangers electing to retire at 55 years of age with 25 years of service may have been first employed in those capacities both before and after August 31, 1984, the date when the prior special retirement plans for those employees were eliminated. Without this clarification, the election may not be available to employees having this employment history. The date of first hire may have implications for the rate of reduction applied to the benefits of a person electing the retirement plan available to these employers.

Chapter 624 was enacted as an emergency measure effective April 8, 1996.

**LD 1633      An Act to Clarify the Laws Governing the Calculation of  
Interest on Decrees under the Workers' Compensation Laws**

INDEF PP

Sponsor(s)  
MILLS

Committee Report  
OTP-AM    MAJ  
ONTP        MIN

Amendments Adopted

LD 1633 proposed to clarify the payment of interest on overdue workers' compensation benefits. Current law identifies 2 different rates of interest. The bill proposed to establish a rate of 1% per month for each calendar month that the benefit payment has been due and would have given a period of grace for the month in which each benefit first accrues. Benefits payable within each calendar month would be treated as a single award with interest to accrue only from the end of the month forward. The method of calculation would have applied to all workers' compensation obligations arising after the effective date of the bill regardless of the date of injury.