

# 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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**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.

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.

**Committee Amendment "A" (S-424)**, the majority report, would have clarified that the interest charged would be simple, not compound, and that it would only be charged for each complete calendar month that the payment had been due. The amendment would have also added a fiscal note to the bill.

**LD 1637      An Act to Establish the Administrative Operating Budget for the Maine State Retirement System for the Fiscal Year Ending June 30, 1997** P & S 58  
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP	S-440

The Maine State Retirement System is required by law to present its annual operating budget to the Legislature for approval. LD 1637 is the system's 3rd annual budget. The budget is for the fiscal year 1996-97.

The bill identifies the system's Personal Services costs and its costs for All Other operating expenses. The bill attributes the expenses of the system proportionally among the General Fund; Non-General Fund; and Participating Local Districts.

**Senate Amendment "A" (S-440)** expresses legislative approval of the collective bargaining agreements between the Maine State Retirement System and its employees as required by law.

***Enacted law summary***

Private and Special Law 1995, chapter 58 is the Maine State Retirement System's annual operating budget for the fiscal year 1996-97. Legislative approval is required by law. Private and Special Law 1995, chapter 58 also expresses legislative approval of the collective bargaining agreements between the Maine State Retirement System and its employees as required by law.

Chapter 58 was enacted as an emergency measure effective July 1, 1996.

**LD 1698      An Act to Make Changes to the Disability Plans Administered by the Maine State Retirement System and to Establish a Process for Further Improvements** PUBLIC 643  
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HATCH RAND	OTP-AM	H-899 H-911

LD 1698 proposed to expedite the decision-making process for disability retirement under the Maine State Retirement System. This bill would have:

1. Permitted the Board of Trustees of the Maine State Retirement System to designate additional medical boards to review applications for disability retirement;
2. Required that the executive director of the system submit to the medical board within 30 days of receipt applications for disability retirement; and