

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
118TH LEGISLATURE**

**FIRST REGULAR SESSION  
AND  
FIRST SPECIAL SESSION**

**BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
LABOR**

**JULY 1997**

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**ONE HUNDRED EIGHTEENTH LEGISLATURE**  
**FIRST REGULAR AND FIRST SPECIAL SESSIONS**

**Summary Of Legislation Before The Joint Standing Committees**  
**August 1997**

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. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet ([www.state.me.us/legis/opla](http://www.state.me.us/legis/opla)).

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 Regular 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 IN CONCURRENCE</i> .....	<i>One body accepts ONTP report; the other indefinitely postpones the bill</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/FINAL PASSAGE</i> .....	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</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>OTP ND</i> .....	<i>Committee report Ought To Pass In New Draft</i>
<i>OTP ND/NT</i> .....	<i>Committee report Ought To Pass In New Draft/New Title</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>Bill held by Governor</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 First Regular Session (unless otherwise specified in a particular law) is June 26, 1997 and September 19, 1997 for the First Special Session.

*David E. Boulter, Director*  
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LD 909 proposed to require an endorsement on a driver's license for a person operating an authorized emergency vehicle. It would have required employers to have those operators tested for drug and alcohol use in a manner similar to the testing required by federal law for persons with commercial driver's licenses.

**LD 979**

**An Act to Allow Options within the Legislative Retirement System**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
UNDERWOOD	ONTP	

LD 979 proposed to limit continued membership in the Maine Legislative Retirement System after December 1, 1998 to Legislators who are vested as of that date. After that date, current Legislators who do not remain members of the Maine Legislative Retirement System and future Legislators would have been required to join either a 401(a) deferred compensation plan or a 457 defined contribution plan or both. The plans would have been administrated by the Maine State Retirement System. Legislators would have contributed at least 7.5% of their compensation to one of the plans. Additional contributions above that level would be subject to federal law. The State would not contribute to the plans on behalf of Legislators.

Any gains realized by the Maine State Retirement System as a result of this bill were to be used to reduce the unfunded liability of the Maine State Retirement System attributable to state employees and teachers.

This and several other bills proposing major changes in the retirement plans for state employees, teachers or legislators were reported out ONTP, and LD 1370 was carried over to the Second Session by the committee. That bill could serve as a legislative vehicle to address retirement plan changes in 1998. See also LD 1497.

**LD 988**

**An Act to Exclude Coaches from Participation in the Maine State Retirement System**

**PUBLIC 355  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARVIN	OTP-AM MAJ	H-479
SMALL	ONTP MIN	

LD 988 excluded part-time teachers, substitute teachers and coaches from the general requirement that “teachers” participate in the MSRS. That would have permitted those individuals to participate in retirement options such as IRA’s that are limited if a person or that person’s spouse is a member of another “qualified” retirement plan (like the MSRS).

**Committee Amendment "A" (H-479)** would have eliminated part-time and substitute teachers from the bill. Under the amendment, coaches employed by a public school who are not otherwise covered by the definition of "teacher" would not be members of the retirement system while working as coaches. The amendment also added an emergency preamble, emergency clause and a fiscal note to the bill.

***Enacted law summary***

Public Law 1997, chapter 355 excludes coaches from the general requirement that “teachers” participate in the Maine State Retirement System. Chapter 355 was enacted as an emergency measure effective July 1, 1997.