

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
118TH LEGISLATURE

SECOND REGULAR SESSION  
AND  
SECOND SPECIAL SESSION

BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
LABOR

MAY 1998

**MEMBERS:**

*Sen. Mary R. Cathcart, Chair*  
*Sen. Sharon Anglin Treat*  
*Sen. S. Peter Mills*

*Rep. Pamela H. Hatch, Chair*  
*Rep. Roland B. Samson*  
*Rep. Brian Bolduc*  
*Rep. Joseph E. Clark*  
*Rep. Benjamin L. Rines, Jr.*  
*Rep. Stephen S. Stanley*  
*Rep. Henry L. Joy*  
*Rep. Steven M. Joyce*  
*Rep. Robert E. Pendleton, Jr.*  
*Rep. Russell P. Treadwell*

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

**Summary Of Legislation Before The Joint Standing Committees  
May 1998**

We are pleased to provide this summary of bills that were considered by the Joint Standing Committees of the Maine Legislature. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. 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 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:

- CON RES XXX*..... Chapter # of Constitutional Resolution passed by both Houses
- CONF CMTE UNABLE TO AGREE*.....Committee of Conference unable to agree; bill died
- DIED BETWEEN BODIES*.....House & Senate disagree; bill died
- DIED IN CONCURRENCE*.....One body accepts ONTP report; the other indefinitely postpones the bill
- DIED ON ADJOURNMENT*.....Action incomplete when session ended; bill died
- EMERGENCY*.....Enacted law takes effect sooner than 90 days
- FAILED EMERGENCY ENACTMENT/FINAL PASSAGE*.....Emergency bill failed to get 2/3 vote
- FAILED ENACTMENT/FINAL PASSAGE*.....Bill failed to get majority vote
- FAILED MANDATE ENACTMENT*.....Bill imposing local mandate failed to get 2/3 vote
- INDEF PP*.....Bill Indefinitely Postponed
- ONTP*..... Ought Not To Pass report accepted
- OTP ND*..... Committee report Ought To Pass In New Draft
- OTP ND/NT*..... Committee report Ought To Pass In New Draft/New Title
- P&S XXX*..... Chapter # of enacted Private & Special Law
- PUBLIC XXX*..... Chapter # of enacted Public Law
- RESOLVE XXX*..... Chapter # of finally passed Resolve
- UNSIGNED*.....Bill held by Governor
- VETO SUSTAINED*.....Legislature failed to override Governor's Veto

Please note the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is June 30, 1998 and July 9, 1998 for the Second Special Session. Second Special Session laws include Public Laws beginning with Chapter 718, Private and Special Laws beginning with Chapter 82 and Resolves beginning with Chapter 117.

**LD 2121****An Act to Repeal Certain Changes Made to State Employee and Teacher Retirement Benefits****DIED ON  
ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BERRY D	OTP-AM MAJ ONTP MIN	H-1054

LD 2121 proposed to repeal the 1.15 percent increase in employee contributions and reinstate the cost-of-living adjustment for retirement system members retiring before normal retirement age which were enacted in 1993.

**Committee Amendment "A" (H-1054)** proposed to strike from the bill the section that reinstates the cost-of-living adjustment of Maine State Retirement System members retiring before normal retirement age and to retain the provisions of the bill that restore the contribution level required of members to the pre-1993 rate and makes the change effective January 1, 1999. The amendment also adds an appropriation, an allocation and a fiscal note to the bill. The amended bill died on the Appropriations Table.

**LD 2125****An Act to Improve Public Sector Labor Relations****PUBLIC 773**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HATCH	OTP-AM	H-937 S-569 MILLS S-776 MICHAUD

LD 2125 proposed to amend the Municipal, State and Judicial Employees Labor Relations Acts by stating that the terms of an expired contract between a public employer and a bargaining agent remain in effect until the parties agree upon a new contract.

**Committee Amendment "A" (H-937)** proposed to replace the bill and to require the grievance arbitration provisions of an expired contract to remain in effect until the parties execute a new contract. The amendment proposed to specify that the bill applies to all contracts that expire on or after August 1, 1998. The amendment also proposed to add a fiscal note to the bill.

**Senate Amendment "A" to Committee Amendment "A" (S-569)** proposed to specify that the grievance arbitration provisions of expired contracts that must remain in effect until the parties execute a new contract are only those that pertain to disciplinary action.

**Senate Amendment "D" to Committee Amendment "A" (S-776)** proposed to remove persons who are employed by a person who has contracted to perform services for the Bureau of Revenue Services from the definition of persons who are not state employees for the purpose of the State Employees Labor Relations Act, effective retroactively to April 2, 1998. The amendment also proposed to add a mandate preamble and a fiscal note to the bill.