

MAINE STATE LEGISLATURE

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**STATE OF MAINE
119TH LEGISLATURE**

SECOND REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
LABOR**

JULY 2000

MEMBERS:

*Sen. Neria R. Douglass, Chair
Sen. Lloyd P. LaFountain III
Sen. S. Peter Mills*

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ONE HUNDRED NINETEENTH LEGISLATURE
SECOND REGULAR SESSION

Summary Of Legislation Before The Joint Standing Committees
July 2000

We are pleased to provide this summary of bills that were considered by the Joint Standing and Select Committees of the Maine Legislature this past session. 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 and select committees.

The document is organized for convenient reference to information on bills considered by the 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).

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
NOT PROPERLY BEFORE THE BODY..... Ruled out of order by the presiding officers; bill died
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 August 11, 2000.

David E. Boulter, Director
Offices Located in the State House, Rooms 101 & 107

LD 835

**Resolve, to Study Pension Plan Design and Benefits under the
Maine State Retirement System**

INDEF PP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MURPHY T | OTP-AM | |

LD 835 proposed to establish the Commission to Study the Interrelationship among the Maine State Retirement System, federal Social Security System and Tax-advantaged Accounts. The commission would have consisted of 12 members, 6 with expertise or experience in retirement systems and 6 who are Legislators and would have reported to the Second Regular Session of the 119th Legislature and the Joint Standing Committee on Labor.

Committee Amendment "A" (H-1054) proposed to replace the resolve and to direct the Joint Standing Committee on Labor to study the design of pension plans for state employees and teachers, the level and equity of the benefits and early retirement options available under those plans and submit a report for consideration by the First Regular Session of the 120th Legislature. At the end of the session, the study was not funded and the Labor Committee will conduct the study as part of its monthly meetings during the interim.

LD 987

**An Act to Validate Voluntary Collective Bargaining Provisions that
May Affect Educational Policies**

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MILLS | ONTP MAJ OTP MIN | |

LD 987 proposed to allow enforcement of provisions in public school teacher contracts relating to educational policy.

LD 1019

An Act to Limit Mandatory Overtime

PUBLIC 750

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|--------------------------------|---------------------------|
| HATCH RUHLIN | OTP-AM A ONTP B OTP-AM C | H-1145 HATCH H-893 |

LD 1019 proposed to prohibit an employer from requiring an employee to work more than 40 overtime hours in any period of 2 calendar weeks and to count the hours worked over 8 in a day or 40 in a week as overtime. It also proposed to prohibit an employer from retaliating against an employee who does not consent to work those hours.

Committee Amendment "A" (H-893) proposed to replace the bill. It proposed to change the limit on overtime to 80 hours in a 2-week period, to apply the law to all employers including the State and to exempt from the limit certain types of work and certain employees, including essential public service

workers, seasonal employees, certain salaried workers, employed immediate family members and work performed in response to an emergency declared by the Governor under state law.

House Amendment "A" to Committee Amendment "A" (H-1145), proposed to add to the list of employees who are exempt from the overtime limit employees who work during a shut-down operation for annual maintenance and medical interns and residents working in a health care facility.

Enacted law summary

Public Law 1999, chapter 750 prohibits an employer from requiring an employee to work more than 80 overtime hours in any period of 2 calendar weeks and prevents the employer from retaliating against an employee who does not consent to work those hours. The following employees and types of work are exempted from the limit: essential public service workers such as utility workers and road maintenance crews, seasonal employees, executives whose annual salary exceeds 3000 times the minimum wage, employees who work during a shut-down operation for annual maintenance, medical interns and residents working in health care facilities, fisheries employees, agricultural workers, domestic workers, salespeople, camp counselors, cottage industry workers, employed immediate family members and work performed in response to an emergency declared by the Governor under state law.

LD 1091

An Act to Amend Maine State Retirement System Rules to Allow Monthly Partial Direct Service Payments to Purchase Service Credit

PUBLIC 537

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| MCKEE DAGGETT | OTP-AM | H-785 |

LD 1091 which was carried over from the First Regular Session of the 119th Legislature proposed to provide that annual payments for purchase of service credits by members of the Maine State Retirement System may be either by a single yearly payment or by periodic payments through payroll deduction. Service credits could also be purchased by a single lump sum, which would be unaffected by this bill.

Committee Amendment "A" (H-785) proposed to provide that annual payments for payment of contributions for back time, repayment of contributions or purchase of service credit by members of the Maine State Retirement System made by single annual payments or periodic payments through payroll deduction be made at a rate that will allow for some progress in the purchase of credit provided for in the bill. The amendment also proposed to provide a delayed effective date for the bill and add a fiscal note to the bill.

Enacted law summary

Public Law 1999, chapter 537 provides that annual payment of contributions for purchase of back time, repayment of contributions or purchase of service credit by members of the Maine State Retirement System may be made by periodic payments through payroll deduction in addition to a single annual payment which was previously authorized by law. Whichever method of payment is used, the new law also requires that payments must be made at a rate that will allow for some progress in the purchase of credit rather than just paying off the interest. The change in the law takes effect March 1, 2001.