

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
119TH LEGISLATURE**

**FIRST REGULAR SESSION**

**BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
LABOR**

**JULY 1999**

***MEMBERS:***

*Sen. Neria R. Douglass, Chair*

*Sen. Lloyd P. LaFountain, III*

*Sen. S. Peter Mills*

*Rep. Pamela Henderson Hatch, Chair*

*Rep. Roland B. Samson*

*Rep. Zachary E. Matthews*

*Rep. Roger D. Frechette*

*Rep. Albion D. Goodwin*

*Rep. Christopher T. Muse*

*Rep. Russell P. Treadwell*

*Rep. Jay MacDougall*

*Rep. Adam Mack*

*Rep. Gerald M. Davis*

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**ONE HUNDRED NINETEENTH LEGISLATURE**  
**FIRST REGULAR SESSION**

**Summary Of Legislation Before The Joint Standing and Select Committees**  
**August 1999**

We are pleased to provide this summary of all 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](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:

*CARRIED OVER*.....Bill carried over to Second Regular Session  
*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  
*ENACTMENT FAILED*..... Bill failed to get vote required for enactment or final passage  
*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 First Regular Session (unless otherwise specified in a particular law) is September 18, 1999.

**LD 1448****An Act to Eliminate the Legislative Retirement System****ONTP**

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

LD 1448 proposed to eliminate the Maine Legislative Retirement System for legislators who are not vested on December 31, 1999. After that date, current Legislators who were not vested would not remain members of the system and future Legislators would have been required to join either a 401(a) defined contribution plan or a 457 deferred compensation plan or both. The plans were to be administrated by the Maine State Retirement System. The bill proposed that legislators contribute 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 have been required to contribute to the plans on behalf of Legislators at the same rate as Legislators up to the contribution rate for employers under the United States Social Security Act. 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. See also LD 2041.

**LD 1463****An Act to Require the Department of Labor to Pay for Workers' Compensation Related Translation Services****ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRAGDON MITCHELL B	ONTP	

LD 1463 proposed to require the Department of Labor to pay for an interpreter during workers' compensation proceedings for an employee who is not fluent in English. See also LD 1016.

**LD 1510****An Act to Clarify the Medical Fee Schedule in Workers' Compensation Cases****ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL B BROOKS	ONTP MAJ OTP MIN	

LD 1510 proposed to prohibit unpaid medical claims recovered in workers' compensation cases from being reduced by contingent attorney's fees.

**LD 1512****An Act to Amend Maine's Family and Medical Leave Law****VETO  
SUSTAINED**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CATHCART HATCH	OTP-AM MAJ ONTP MIN	H-576 HATCH S-217 S-323 DOUGLASS

LD 1512 proposed to expand the family and medical leave law to allow parents to take leave from work to care for a child with a bona fide medical problem, to attend a child's medical and dental appointments and to attend parent-teacher conferences.

**Committee Amendment "A" (S-217)** proposed to add an appropriation section and a fiscal note to the bill.

**House Amendment "A" (H-576)** proposed to remove language allowing leave to an employee for a child with a bona fide medical problem. It also proposed to limit an employee to no more than 24 hours of family medical leave in each calendar year for attending necessary medical and dental appointments of a child and no more than 24 hours of family medical leave in each calendar year for attending parent-teacher conferences in a child's school.

**Senate Amendment "B" to House Amendment "A" (S-323)** proposed to limit to not more than a total of 24 hours annually the family medical leave available for attending necessary medical and dental appointments of a child and for attending parent-teacher conferences in a child's school. It also proposed to clarify that the 30 days' notice of the intended date upon which family medical leave will commence for attending necessary medical and dental appointments of a child or for attending parent-teacher conferences in a child's school is not necessary if the notice could not reasonably be provided within the 30 days.

**LD 1547                      Resolve, to Modify the Retirement Laws for a Certain School Principal                      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
USHER O'GARA	ONTP      MAJ OTP-AM    MIN	

LD 1547 proposed that the Maine State Retirement System retirement benefits of Westbrook High School Principal Peter Curran be calculated using the pre-June 30, 1993 definition of "earnable compensation". That would have exempted Mr. Curran from application of the 5% and 10% caps on increases in earnable compensation that apply to other retirees when his or her retirement benefits are calculated.

**LD 1571                      An Act to Protect the Rights of Employees Who Volunteer Time As Firefighters                      ONTP**

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

LD 1571 proposed to prohibit an employer from penalizing an employee who is absent from work to perform volunteer firefighting duties if the employee provided proper notice to the employer.

**LD 1614                      An Act to Increase the Health Benefits for Retired Educators                      ONTP**

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

LD 1614 proposed that the State contribute 100% of the cost of health insurance for retired educators. See also LD's 23, 829 and 1730.