

MAINE STATE LEGISLATURE

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**STATE OF MAINE
119TH LEGISLATURE**

SECOND REGULAR SESSION

**BILL SUMMARIES
JOINT STANDING COMMITTEE
ON
LABOR**

JULY 2000

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Staff:

*Deborah C. Friedman, Senior Legislative Analyst
David C. Elliott, Principal Analyst*

*Office of Policy and Legal Analysis
13 State House Station
Augusta, ME 04333
(207)287-1670*



Maine State Legislature
OFFICE OF POLICY AND LEGAL ANALYSIS

13 State House Station, Augusta, Maine 04333-0013
 Telephone: (207) 287-1670
 Fax: (207) 287-1275

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 2352 presented the fiscal year 2000-01 operating budget of the Maine State Retirement System to the Legislature for approval as required by state law. Section 1 of the bill identifies the Maine State Retirement System's personal services costs and its costs for all other operating expenses. Section 2, provided for information purposes, presents the attribution of expenses to the 3 Maine State Retirement System member/employer categories: General Fund, Non-General Fund and Participating Local District.

Committee Amendment "A" (H-844) proposed to reduce the Retirement System's administrative operating budget by \$119,620, increase the amount of the budget to be provided from the system's reserve account by \$108,000 and add a fiscal note.

Enacted law summary

Private and Special Law 1999, chapter 69 establishes the administrative operating budget for the Maine State Retirement System for fiscal year 2000-2001 in the amount of \$8,387,142. Referral of the budget to the Labor Committee and approval by the Legislature has been required since the system was granted independent agency status in 1993.

Private and Special Law 1999, chapter 69 was enacted as an emergency measure effective July 1, 2000.

LD 2363

An Act Regarding Length of Service, Retirement Age and Retirement Benefits for State Police Officers and Certain Other State Employees

**DIED ON
ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS P	OTP-AM A	
CARR	OTP-AM B	
	OTP-AM C	

LD 2363 proposed that a state police officer would qualify for full benefits under the Maine State Retirement System if the officer was hired after August 31, 1984 and completed 25 years of creditable service. This bill also proposed to remove state police officers from the coverage under the 1998 Special Plan.

Committee Amendment "A" (S-643), the majority report of the committee, proposed to make several technical amendments to the bill to fully implement its intent to remove state police officers from the 1998 special retirement plan and establish a 25-years-of-service and no-age-requirement retirement plan for state police officers. The amendment proposed to clarify that state police officers who elected an option available under prior law to pay increased contributions to purchase an early retirement plan similar to that being established by the bill would have their excess contributions refunded with interest.

The amendment also proposed to add direct care mental health workers in the Department of Mental Health, Mental Retardation and Substance Abuse Services, certain hazardous material responders in the Department of Environmental Protection and Capitol Security officers to the 1998 Special Retirement Plan. Under that existing plan a member qualifies for a service retirement benefit if that worker is at least 55 years of age and has completed at least 10 years of creditable service in a covered capacity. A reduced retirement benefit is available before age 55 if the member has completed at least 25 years of creditable service.

The amendment also proposed to add an appropriation section, an allocation section and a fiscal note to the bill.

The provisions of this amendment affecting state police were incorporated into the budget bill (P.L. c. 731, Part CC).

Committee Amendment "B" (S-644) is a minority report, Report B, of the Labor Committee. The amendment proposed to replace the bill and establish a legislative commission to study the need for early retirement options and special retirement plans for state employees engaged in law enforcement, public safety, institutional direct care services and other dangerous or stressful jobs. The commission would also be directed to consider the costs and benefits to the State and employees of providing early retirement options and special retirement plans for certain categories of state employees and to develop criteria and procedures for deciding which categories of employees should have the options.

The amendment also proposed to add an appropriation section and a fiscal note.

Committee Amendment "C" (S-645) is a minority report, Report C, of the committee. The amendment proposed to make several technical amendments to the bill to fully implement its intent to remove state police officers from the 1998 special retirement plan and establish a 25-years-of-service and no-age-requirement retirement plan for state police officers. The new early retirement plan for state police officers would be retroactive to date of hire for current officers. The amendment proposed to clarify that state police officers who elected an option available under prior law to pay increased contributions to purchase an early retirement plan similar to that being established by the bill would have their excess contributions refunded with interest. The amendment also proposed to add an appropriation section, an allocation section and a fiscal note to the bill.

Senate Amendment "A" to Committee Amendment "A" (S-739) proposed to remove the State Police from coverage under the bill (the provisions covering them were included in the budget bill, P.L. c. 731, Part CC) but would have retained the provisions that add direct care mental health workers in the Department of Mental Health, Mental Retardation and Substance Abuse Services, certain hazardous material responders in the Department of Environmental Protection and Capitol Security officers to the 1998 Special Retirement Plan.

LD 2364

An Act to Restore Early Retirement Options for Teachers

ONTP

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

LD 2364 proposed to reduce the early retirement penalty for teacher members of the Maine State Retirement System and provide for a study of the options available for teachers to retire early. See LD 835.