

MAINE STATE LEGISLATURE

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*State Of Maine
120th Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Labor*

August 2001

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**120th Legislature
First Regular Session**

**Summary Of Legislation Before The Joint Standing Committees
August 2001**

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing 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 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:

<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 & 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>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</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&S XXX</i>	<i>Chapter # of enacted Private & 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 **September 21, 2001**.

David E. Boulter, Director
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LD 152 **An Act to Require the State to Pay Medicare Costs for Retired Employees, Retired Teachers and Retirees in Participating Local Districts** **DIED ON ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FULLER DAGGETT	OTP-AM	H-132

LD 152 proposed to require the State to pay Medicare Part B premiums for state retirees, retired teachers and retirees from participating local districts. The bill which was amended to add appropriations and allocation sections and a fiscal note was passed in the House but died on the Appropriations Table.

LD 196 **An Act to Increase the Number of Members of the Board of Trustees of the Maine State Retirement System** **ONTP**

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

LD 196 proposed to add one member to the Board of Trustees of the Maine State Retirement System, who would be selected from a list of 3 nominees submitted by the Maine Association of Retirees.

LD 979, a similar bill, was also reported ONTP by the committee.

LD 198 **An Act to Provide Notice of Termination Status** **PUBLIC 242**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRYANT GAGNON	OTP-AM MAJ ONTP MIN	H-172

LD 198 proposed to require an employer to post in a conspicuous place the terms under which an employee may be terminated. The bill proposed to prohibit an employer from retaliating against an employee if the employee signs or files an affidavit, petition or complaint or gives information or testimony against the employer. The bill also proposed to require the Department of Labor to include the "at-will" employee notice in the next reprinting of the regulation of employment poster.

Committee Amendment "A" (H-172) proposed to replace the bill. It proposed to move to a more appropriate place in the statutes the law requiring the Department of Labor, Bureau of Labor Standards to produce and distribute posters or notices regarding regulation of employment, which all employers are required to post. It also proposed to add to the poster or notice language explaining that, unless covered by a collective bargaining

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agreement or other contract, employees are generally "at-will employees" and may be terminated from their jobs for any reason not specifically prohibited by law.

Enacted law summary

Public Law 2001, chapter 242 moves to a more appropriate place in the statutes the law requiring the Department of Labor, Bureau of Labor Standards to produce and distribute posters or notices regarding regulation of employment, which all employers are required to post. It also adds to the poster or notice language explaining that, unless covered by a collective bargaining agreement or other contract, employees are generally "at-will employees" and may be terminated from their jobs for any reason not specifically prohibited by law.

LD 237

An Act Concerning Eligibility Requirements for State Employees, Teachers and Participating Local District Employees to Purchase Military Service Credit

PUBLIC 114

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL B WESTON	OTP-AM	S-61

LD 237 proposed to reduce from 15 to 5 the number of years of creditable service a state employee, teacher or participating local district employee who is a member of the Maine State Retirement System must have before the employee is eligible to purchase service credits for service in the Armed Forces of the United States. It also proposed to remove a requirement that members joining the state retirement system after January 1, 1976 have served in a federally recognized period of conflict to be eligible to purchase military service credits.

Committee Amendment "A" (S-61) proposed to strike the provisions of the bill and, thereby, retain the current law governing the purchase of military time for retirement credit by state employees, teachers and employees of participating local districts. Under current law, members of the Maine State Retirement System must have at least 15 of years creditable service, have served in a federally recognized period of conflict and have received a discharge other than a dishonorable discharge to be eligible to buy credit for up to 4 years of credit for their full-time military service. The amendment also proposed to provide an additional option allowing any member who doesn't have the required 15 years of creditable service or the necessary service during a recognized period of conflict or who lacks both to buy credit for military service by paying the actuarial cost of the portion of the retirement benefit based on the additional creditable service.

LD 268, which was similar to the original LD 237, was reported out favorably by the Legal and Veterans Affairs Committee but died on the Appropriations Table.

Enacted law summary

Public Law 2001, chapter 114 provides an additional option for state employees, teachers and participating local district employees wishing to purchase credit for military service performed prior to membership in the Maine State Retirement System. Chapter 114 allows any member who doesn't have the 15 years of creditable service or the necessary service during a federally recognized period of conflict required under current law or who lacks both to buy credit for up to 4 years of military service by paying the actuarial cost of the portion of the retirement benefit based on the additional creditable service.