

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

*State Of Maine
120th Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Labor*

August 2001

Staff:

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

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

Members:

*Sen. Betheda G. Edmonds, Chair
Sen. Karl W. Turner
Sen. W. Tom Sawyer, Jr.*

*Rep. George H. Bunker, Jr., Chair
Rep. Zachary E. Matthews
Rep. Deborah J. Hutton
Rep. Jacqueline R. Norton
Rep. William J. Smith
Rep. Frank J. Tarazewich
Rep. Russell P. Treadwell
Rep. Jay MacDougall
Rep. Gerald M. Davis
Rep. Philip Cressey, Jr.*



**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

**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:

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*
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 First Regular Session (unless otherwise specified in a particular law) is **September 21, 2001**.

David E. Boulter, Director
Offices Located in the State House, Rooms 101/107/135

Joint Standing Committee on Labor

LD 747

An Act to Ensure That State Employees Receiving Workers' Compensation and Filling a Limited Period Position Remain in Their Respective Bargaining Units

PUBLIC 427

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HUTTON	OTP-AM MAJ ONTP MIN	S-328 EDMONDS

LD 747 proposed to amend a 1997 budget bill to clarify the bargaining unit status of a state employee who is placed in a limited period position to enable the person to return to employment following a work-related injury. The bill proposed that the person is a member of the same bargaining unit of which the person was a member prior to the injury.

Committee Amendment "A" (H-547) proposed to add a fiscal note to the bill. This amendment was not adopted.

Senate Amendment "A" (S-328) proposed to replace the bill. Rather than amending the 1997 budget bill, it proposed to add a section to the State Employees Labor Relations Act to describe the status of an employee who is receiving workers' compensation payments from the State and is placed in a limited-period position to enable that person to return to work. The amendment proposed to state that the employee has the same employment and bargaining unit status as before the injury, but that the scope of representation does not include work capacity, rehabilitation and other workers' compensation-related matters, unless such representation is specifically bargained for.

Enacted law summary

Public Law 2001, chapter 427 amends the State Employees Labor Relations Act to describe the status of an employee who is receiving workers' compensation payments from the State and is placed in a limited-period position to enable that person to return to work. Chapter 427 provides that the employee has the same employment and bargaining unit status as before the injury, but that the scope of representation by the bargaining unit representative does not include work capacity, rehabilitation and other workers' compensation-related matters, unless such representation is specifically bargained for.

LD 748

An Act to Lower the Early Withdrawal Penalty on Teacher Retirement to 2 1/2 Percent

ONTP

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

LD 748 proposed to lower the early retirement reduction for teachers who retire before normal retirement age from 6% to 2 1/2% for each year of early retirement. LD 748 was one of several bills that proposed to restore benefits or compensate state employees and teachers for benefit reductions passed in 1993 affecting the so-called "cliff employees". The others were LDs 890, 1469 1631 and 1211. LD 1211 was carried over by the Labor Committee.