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

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.

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



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, <u>History and Final Disposition of Legislative Documents</u>, 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	Bill Carried Over to Second Regular Session Chapter # of Constitutional Resolution passed by both Houses
CONF CMTE UNABLE TO AGREE	
	House & Senate disagree; bill died
	accepts ONTP report; the other indefinitely postpones the bill
DIED ON ADJOURNMENT	Action incomplete when session ended; bill died
FMFRGFNCY	Enacted law takes effect sooner than 90 days
FAILED EMERGENCY ENACTMENT/FINAL PASSAG	E Emergency bill failed to get 2/3 vote
FAILED ENACTMENT/FINAL PASSAGE	
FAILED MANDATE FNACTMENT	Bill imposing local mandate failed to get 2/3 vote
NOT PROPERLY REFORE THE RODY	Ruled out of order by the presiding officers; bill died
INDEE DE	Rill Indefinitely Postnored
ONTP	Bill Indefinitely Postponed Ought Not To Pass report accepted
OTP ND	
OTD ND/NT	Committee report Ought To Pass In New Draft/New Title
DLC VVV	
DIDIIC VVV	Chapter # of enacted Public I au
DECOIVE VVV	Chapter # of finally passed Deschie
INGICNED	Chapter # of enacted Public LawChapter # of finally passed ResolveBill held by Governor
VETO CICTAINED	But neta by GovernorLegislature failed to override Governor's Veto
VEIU SUSIAINED	Legisiaiure jailea to overriae 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.

Joint Standing Committee on Labor

LD 1197 An Act to Amend the Limits on Earnable Compensation for State Employee Retirement

ONTP

Sponsor(s)	Committee Report	Amendments Adopted
GAGNON	ONTP	_
RICHARD		

LD 1197 proposed to increase the cap on increases in earnable compensation for purposes of determining average final compensation under the Maine State Retirement System law from 10% over the 3 highest years of earnings to 15% over the 3 highest years of earnings. The annual cap of 5% would remain in place.

See also LD 1631 which proposed to exclude certain types of payment increases from application of the caps.

LD 1205 An Act to Improve Enforcement of Wage and Hour, Safety and Other Labor Laws

ONTP

CARRIED OVER

Sponsor(s)	Committee Report	Amendments Adopted
EDMONDS	ONTP	
HUTTON		

LD 1205 proposed to authorize a representative of a construction labor union to inspect a work site and records relating to the work site to investigate complaints of possible violations of wage and hour, safety or other labor laws.

LD 1211

An Act to Supplement Benefits for State Employees and Teachers whose Pensions are Subject to Reductions Enacted in 1993

Sponsor(s)	Committee Report	Amendments Adopted
MILLS		

LD 1211 is a concept draft pursuant to Joint Rule 208. The concept the bill proposed was to create a new defined contribution plan as a supplemental retirement benefit for those state employees and teachers who are subject to benefit reductions enacted in 1993 -- so-called "cliff employees"-- and who are in service under the Maine State Retirement System on or after January 1, 2001.

- 1. The new plan would not cover:
 - A. A member who was in service and had 10 years of creditable service on July 1, 1993;
 - B. A member covered by the 1998 Special Plan; or

Joint Standing Committee on Labor

- C. A member covered by the plan for Maine State Police officers.
- 2. Contributions to the plan would be at the rate of 2% of an employee's salary or wages earned after December 31, 2000. The bill proposed to deduct that amount from the employee's existing required contribution to the Maine State Retirement System but the employee's defined benefits under the Maine State Retirement System would not be diminished.
- 3. The added cost of maintaining the employee's defined benefits would be allocated to the employer's share of the pension contribution and, for state employees, apportioned across the entire payroll for state employees covered under the Maine State Retirement System whether or not they are covered by the new plan.
- 4. Amounts contributed to the plan would be managed by or under the direction of the Maine State Retirement System for the benefit of each employee in a nonlapsing fund. Each employee's share of the fund would be tax sheltered and portable as provided in Section 457 and other provisions of the Internal Revenue Code.
- 5. Each employee's accumulated contributions and net earnings are nonlapsing and could be withdrawn or rolled over in accordance with the Internal Revenue Code when the employee dies, retires or departs from state service. The employee will have a range of annuity options for payment of benefits to the employee or the employee's spouse.

This bill has been carried over to the Second Regular Session of the 120th Legislature so that the MSRS and the committee may more fully explore ways to provide supplemental retirement benefits to "cliff employees".

LD 1212 An Act to Improve Maine's Unemployment Compensation System for School Bus Drivers

ONTP

Spansor(s)

Committee Report
ONTP

Amendments Adopted

LD 1212 proposed to allow school bus drivers who are offered lower-paying jobs by the school district during the summer than what that drivers earn as school bus drivers during the school year to file for unemployment benefits for the difference in pay. See also LD 1537.

LD 1224 An Act to Provide Public Employees Equal Access to Personnel BODIES BODIES

Sponsor(s)Committee ReportAmendments AdoptedHUTTONOTP-AMH-319EDMONDS

LD 1224 proposed to include public sector employees in the law that requires an employer to provide written reasons for terminating an employee if the employee requests an explanation, that provides an employee access to