

MAINE STATE LEGISLATURE

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*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*

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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

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- C. A member covered by the plan for Maine State Police officers.
- 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.
 - 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.
 - 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.
 - 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**

<u>Sponsor(s)</u> LONGLEY		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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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 Files** **DIED BETWEEN BODIES**

<u>Sponsor(s)</u> HUTTON EDMONDS		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-319
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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

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his or her own personnel file, and that provides civil remedies and reimbursement for attorney fees for failure to comply.

LD 1235 **An Act to Speed Up the Decision Process on Workers' Compensation Claims** **ONTP**

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

LD 1235 proposed to impose 7-day deadlines on several steps of the workers' compensation dispute resolution process and to require the Workers' Compensation Board to maintain a staffed telephone number to provide assistance to employees filing claims.

Committee Amendment "A" (H-488) proposed to replace the bill. It proposed to prohibit an employer from requiring an injured employee to undergo more than one 2nd opinion examination unless the additional examination is approved by the employee or a hearing officer. It proposed to provide that the hearing officer may approve the additional examination only if it is needed to provide information on an issue that was not addressed in the first examination and that could not have been addressed in that examination.

LD 1243 **An Act to Reform Maine's Prevailing Wage Law** **ONTP**

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

LD 1243 was a concept draft that proposed to clarify the application and enforcement of laws concerning the wage and benefits required to be paid to workers on public construction jobs, also known as the "prevailing wage."

LD 1244 **An Act to Allow Maine Technical College System Faculty and Administrative Units to Participate in a Defined Contribution Plan** **ONTP**

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

LD 1244 proposed to reopen for approximately 1 year the timeframe for certain employees of the Maine Technical College System to exercise the option to participate in a defined contribution retirement plan in lieu of membership in the Maine State Retirement System under a law passed in 1998.