

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:

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
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Joint Standing Committee on Labor

LD 1468

An Act to Change the Retirement Plan for Marine Patrol Officers

ONTP

Sponsor(s)
POVICH

Committee Report
ONTP

Amendments Adopted

LD 1468 proposed to remove marine patrol officers from the 1998 Special Retirement Plan and establish a new special retirement plan for those officers that would provide full retirement benefits after attaining 55 years of age and 25 years of service. As proposed, the special plan would apply to all newly hired marine patrol officers and would be retroactive for current officers.

See similar bills, LDs 1332, 1436 and 1584.

LD 1469

An Act to Restore Teacher and State Employee Retirement Benefits

ONTP

Sponsor(s)
GREEN

Committee Report
ONTP

Amendments Adopted

LD 1469 proposed to restore teacher and state employee retirement benefits that were reduced for employees who had less than 10 years of creditable service on July 1, 1993 so that the same benefits would be available to all teachers and state employees when they retire. Specifically, the bill proposed to do the following:

1. Revive the ability to use up to 30 days of unused sick or vacation time in calculating earnable compensation;
2. Eliminate the delay of cost-of-living adjustments to early retirees until attainment of normal retirement age;
3. Reestablish the normal retirement age at 60 years of age; and
4. Restore the reduction for early retirement to the pre-1993 level.

LD 1479

An Act to Allow Flexibility in Payment of School Year Employee Wages

PUBLIC 156

Sponsor(s)
WESTON
MITCHELL B

Committee Report
OTP-AM

Amendments Adopted
H-170

LD 1479 proposed to amend current law to allow school year employees to receive their pay over a period of either 10 or 12 months, as determined by a written agreement between the employees and the school administrative unit.

Joint Standing Committee on Labor

Committee Amendment "A" (H-170) proposed to allow payment to a school year employee to be spread out over any period up to 12 months, as provided in a written agreement between employees and the school administrative unit.

Enacted law summary

Public Law 2001, chapter 156 allows school administrative units to spread payments to school year employees over any period up to 12 months, as provided in a written agreement between employees and the school administrative unit.

LD 1509 **An Act to Clarify and Make Technical Corrections to Retirement Laws** **PUBLIC 118**

<u>Sponsor(s)</u> DOUGLASS MATTHEWS		<u>Committee Report</u> OTP		<u>Amendments Adopted</u>
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LD 1509 proposed to make technical corrections and clarifications in the laws governing the Maine State Retirement System. It proposed to correct cross references and insert inadvertently omitted language relating to normal retirement age, various reduced retirement benefit elections and death before service retirement.

Enacted law summary

Public Law 2001, chapter 118 makes technical corrections and clarifications in the laws governing the Maine State Retirement System. It corrects cross references and inserts inadvertently omitted language relating to normal retirement age, various reduced retirement benefit elections and death before service retirement.

LD 1527 **An Act to Provide Parity of Representation in Workers' Compensation Claims** **DIED BETWEEN BODIES**

<u>Sponsor(s)</u> HUTTON EDMONDS		<u>Committee Report</u> OTP-AM MAJ ONTP MIN		<u>Amendments Adopted</u>
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LD 1527 proposed to require an employer to pay attorney's fees for an employee in a workers' compensation case if the employee prevails in the action and the employer was represented by an attorney. If the employer was not represented by an attorney, the employee would not be entitled to attorney's fees.

Committee Amendment "A" (H-524) proposed to replace the bill. It proposed to require a hearing officer to order an employer to pay reasonable attorney's fees and expenses incurred by the employee if the hearing officer found that the employer's refusal to pay benefits was not based on any rational grounds.