

# 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](http://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 1537

**An Act to Increase Access to Unemployment Compensation for School Bus Drivers**

ONTP

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

LD 1537 proposed to repeal the provision in unemployment compensation law that makes school bus drivers employed by educational institutions or education service agencies ineligible for unemployment benefits when they are laid off between 2 successive academic years.

LD 1541

**An Act to Fund the Workers' Compensation Advocate Program**

ONTP

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

LD 1541 proposed to allocate funds for an additional 10 positions to the Workers' Compensation Board to provide more resources for the worker advocate program. It also proposed to increase the cap on the annual assessment for the Workers' Compensation Board Administrative Fund from \$6.735 million to \$7.735 million. The bill also proposed to specify that advocates must be hired as necessary to maintain an active caseload of no more than 100 cases per advocate.

**LD 1566**

**An Act to Improve Pension Benefits for Employees in the Department of Environmental Protection**

PUBLIC 409

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUPLESSIE	OTP-AM MAJ	H-619
EDMONDS	ONTP MIN	

LD 1566 proposed to open membership in the 1998 Special Retirement Plan to emergency and hazardous response workers at DEP who participate in a standby work rotation. The 1998 Special Plan offers full retirement benefits at age 55 or early retirement with a benefit reduction after 25 years of service. The bill also proposed to help fund the cost of adding oil and hazardous waste materials workers to the 1998 special plan by allocating 0.25¢ per barrel of the 3¢ per barrel of oil received by the Maine Coastal and Inland Service Oil Clean-up fund to the Maine State Retirement System.

**Committee Amendment "A" (H-619)** proposed to make the following changes in the bill:

1. To clarify which employees are covered by provisions of the bill;
2. To retroactively extend benefits for covered employees under the 1998 special retirement plan to the date of hire for all the employees' service in covered positions;

## Joint Standing Committee on Labor

3. To add an allocation section that allocates funds on a prorated basis from special revenue accounts to fund the costs of the bill based on the number of employees funded under each fund; and
4. To add a fiscal note to the bill.

See related LDs 1583 and 1789. Public Law 2001, c. 471, section E-9, the Errors Bill, clarified the funding of this bill.

### *Enacted law summary*

Public Law 2001, chapter 409 provides membership in the 1998 Special Retirement Plan for emergency and hazardous response workers at DEP who participate in a standby work rotation. The 1998 Special Plan offers full retirement benefits at age 55 or early retirement with a benefit reduction after 25 years of service. Chapter 409 covers all new employees in the designated categories and current employees retroactive to their date of hire. Funding for the bill is allocated among the 4 hazardous waste funds within the department; no General Funds are used.

**LD 1583**

**An Act to Provide Pension Equity for Mental Health Workers**

**DIED ON  
ADJOURNMENT**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAGGETT DUPLESSIE	OTP-AM	S-249

LD 1583 proposed to open the 1998 Special Plan to mental health workers in the Department of Mental Health, Mental Retardation and Substance Abuse Services. Under that existing plan a member would qualify for a service retirement benefit if that worker is at least 55 years of age and has completed at least 10 years of creditable service in a covered capacity. A reduced retirement benefit is available before age 55 if the member has completed at least 25 years of creditable service

**Committee Amendment "A" (S-249)** proposed to clarify the definition of "employees covered," the calculation of benefits and the employee contribution required under the 1998 Special Retirement Plan. The amendment also proposed to correct cross-references and add an appropriation section, allocation sections and a fiscal note to the bill.

The bill was adopted in the House but died on the Appropriations Table.

See related bills LDs 1566 and 1789