

MAINE STATE LEGISLATURE

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*State Of Maine
120th Legislature*

Second Regular Session

Bill Summaries

*Joint Standing Committee
on
Labor*

May 2002

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120th Legislature
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Summary Of Legislation Before The Joint Standing Committees
May 2002

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 arranged alphabetically by committee name 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:

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
PASSED.....	Joint Order passed in both bodies
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 Second Regular Session (unless otherwise specified in a particular law) is July 25, 2002.

Patrick T. Norton, Interim Director
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Labor

pursuant to the Maine Revised Statutes, Title 20-A, section 13451, including state payment of a percentage of the cost of that teacher's health insurance premium.

LD 1988 **An Act to Increase the Opportunities of Retired State Employees to Enroll a Spouse or Dependents in the Maine State Health Insurance Plan** **PUBLIC 641**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS P COLWELL	OTP-AM	S-461

LD 1988 proposed to increase the ability of a retired state employee to add a dependent to the employee's health insurance plan by establishing an annual 2-week open enrollment period to add dependents.

Committee Amendment "A" (S-461) proposed to replace the bill. It proposed that a retired state employee be allowed to add coverage of a spouse or dependent under the retiree's state group health insurance plan at the time of retirement or at a later date if, at retirement, the retiree had designated the spouse or dependent for later coverage and the spouse or dependent can demonstrate continuity of coverage under another health insurance plan at the time of enrollment.

Enacted law summary

Public Law 2001, chapter 641 authorizes a retired state employee to add coverage of a spouse or dependent under the retiree's state group health insurance plan at the time of retirement or at a later date if the retiree had designated that spouse or dependent for later coverage and the spouse or dependent can demonstrate at least 18 months of continuous coverage under another health insurance plan at the time of enrollment. Current law, which is not changed by chapter 641, allows a spouse or dependents to be added at the time of significant life events, such as marriage or birth of a child. The retiree is responsible for payment of the premiums for a spouse or dependent enrolled in coverage under the state group plan.

LD 2001 **An Act to Amend the Law Regarding Severance Pay** **PUBLIC 625**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BOWLES CARPENTER	OTP-AM	H-948

LD 2001 proposed to amend the law governing severance pay. It proposed to set forth criteria for determining when a substantial cessation of operations occurs, triggering the requirement to make severance payments. It also proposed that any employee laid off within a period of one year prior to the substantial cessation of operations would be eligible.

Committee Amendment "A" (H-948) proposed to replace the bill. It proposed to require the Department of Labor to adopt major substantive rules to implement the severance pay law and to submit an initial set of rules to the Legislature by January 15, 2003.

Joint Standing Committee on Labor

Enacted law summary

Public Law 2001, chapter 625 requires the Department of Labor to adopt rules to clarify implementation of the severance pay law. Initial rules must be provisionally adopted as major substantive rules and submitted to the Legislature for review by January 15, 2003.

LD 2006

An Act to Protect Retirement Income

PUBLIC 657

<u>Sponsor(s)</u> COLWELL MARTIN	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-873
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LD 2006 proposed to preserve retirement benefits for teachers who serve in the Legislature. Under the bill, any legislator who is a public school teacher or an employee of the Vocational-Technical Institute System and a member of the Maine State Retirement System who takes a leave of absence in order to serve as a legislator may make contributions to the Retirement System on the amount that represents the difference between the salary earned as a legislator and the salary the legislator would have received in the legislator's job as a teacher.

Committee Amendment "A" (H-873) proposed to clarify that the right of a legislator on leave of absence from teaching or from the Maine Technical College System to make additional contributions to the Maine State Retirement System is prospective beginning July 1, 2002. The amendment also proposed to require the State to pay the employer share of contributions on the difference between the legislative salary and the teaching salary of those who elect the option provided in the bill.

Enacted law summary

Public Law 2001, chapter 657 provides that, beginning July 1, 2002, a Legislator who is a public school teacher or an employee of the Vocational-Technical Institute System who takes a leave of absence in order to serve as a Legislator may make contributions to the Maine State Retirement System on the amount that represents the difference between the salary earned as a Legislator and the salary the Legislator would have received in the Legislator's job as a teacher thus preserving a higher level of compensation for purposes of calculating retirement benefits. The law also requires the State to pay the employer share of contributions on the difference between the legislative salary and the teaching salary of those who elect the option.

LD 2028

An Act to Provide Retirement Equity for Capital Security Officers

**PUBLIC 646
EMERGENCY**

<u>Sponsor(s)</u> COLWELL DAGGETT	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-846
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LD 2028 proposed to include capital security officers in the Maine State Retirement System 1998 Special Plan beginning January 1, 2002. A capital security officer eligible to transfer to the 1998 Special Plan who has been contributing to another retirement plan would be required to decide whether to transfer within 90 days of the effective date of eligibility in the 1998 Special Plan.