

MAINE STATE LEGISLATURE

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*State Of Maine
121st Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Labor*

July 2003

Members:

*Sen. Betheda G. Edmonds, Chair
Sen. Steven S. Stanley
Sen. Kenneth Blais*

*Rep. William J. Smith, Chair
Rep. Deborah J. Hutton
Rep. Paul R. Hatch
Rep. John L. Patrick
Rep. Thomas R. Watson
Rep. Russell P. Treadwell
Rep. Philip Cressey, Jr.
Rep. Robert W. Nutting
Rep. Theodore H. Heidrich
Rep. Troy D. Jackson*

Staff:

Deborah C. Friedman, Senior 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 Office Of Fiscal And Program Review

121st Maine Legislature First Regular Session

Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint 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:

<i>CARRIED OVER PURSUANT TO HP 1212</i>	<i>Bills carried over to the 2nd Regular Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP-ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PASSED</i>	<i>Joint Order passed in both bodies</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

Please note that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

David C. Elliott, Director
Offices located in Room 215 of the Cross Office Building

Joint Standing Committee on Labor

LD 1248

An Act Concerning Disability Retirement Benefits under the Maine State Retirement System

PUBLIC 328

<u>Sponsor(s)</u> DUNLAP CATHCART	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-355
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LD 1248 proposed to change the formula used for reducing the disability retirement benefit for a person who is a member in a Participating Local District under the Maine State Retirement System, when the disability retiree also collects a benefit under either or both the United States Social Security System or workers' compensation laws. It proposed to limit the total of benefits collected to 80% of all wages and earnings, not just 80% of wages and earnings from employment covered by the retirement system.

Committee Amendment "A" (H-355) proposed to clarify that, in calculating the reduction in the disability retirement benefit, the only other wages and earnings taken into account are from employment.

Enacted Law Summary

Public Law 2003, chapter 328 changes the formula for reducing a disability retirement benefit in Participating Local Districts of the Maine State Retirement System in situations in which the disability retiree collects benefits under either or both the United States Social Security System or workers' compensation laws as well as receiving a benefit under the retirement system. Under current law, the retirement system benefit in such cases is reduced to an amount that, added to the Social Security or workers' compensation benefits, does not exceed 80% of the disability retiree's average final compensation from employment covered by the state retirement system. P.L. 2003, chapter 328 changes the formula in Participating Local Districts so that the 80% reduction is based on the retiree's total wages and compensation from all employment, not just employment covered by the retirement system.

LD 1277

An Act To Allow a Retiree Eligible for State-paid Health Insurance Coverage To Decline Coverage and Reenroll at a Later Date

PUBLIC 214

<u>Sponsor(s)</u> WESTON	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> S-102
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LD 1277 proposed to allow a retiree who is eligible for health insurance at the time of retirement to decline coverage for some period of time and then reenroll in the program at a later date without penalty.

Committee Amendment "A" (S-102) proposed to clarify the timing of an election to withdraw from the state health insurance plan and to preserve the option of reenrolling. A person may elect to decline health insurance coverage at the time of retirement and retain the option to reenroll pursuant to the provisions of this new law, or a person may elect to withdraw from health coverage at any time after retirement, provided the person had elected at the time of retirement to be covered by the state health insurance plan. It also proposed to clarify the conditions under which the spouse or dependent of a retiree may enroll in the state health insurance plan.

Joint Standing Committee on Labor

Enacted Law Summary

Public Law 2003, chapter 214 allows a retired state employee who is eligible for retiree health insurance to decline coverage for some period of time and then reenroll in the program at a later date without penalty. A person may elect to decline health insurance coverage at the time of retirement and retain the option to reenroll pursuant to the provisions of this new law, or a person may elect to withdraw from health coverage at any time after retirement, provided the person had elected at the time of retirement to be covered by the state health insurance plan. It also clarifies the conditions under which the spouse or dependent of a retiree who reenrolls may obtain coverage under the health insurance plan.

LD 1286 **An Act Regarding the Operation of Vending Services in Public Buildings** **ONTP**

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

LD 1286 proposed to remove the provision that gives the Department of Labor, Division for the Blind and Visually Impaired the first option for placing vending machines operated by the division in a public building or property if a vending facility operated by a blind person is not warranted at that location.

LD 1315 **An Act To Change the Retirement Eligibility Qualifications for Certain Military Firefighters and Police Officers** **ONTP**

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

LD 1315 proposed to allow certain military firefighters and police officers employed at the Bangor International Airport to elect to participate in the 1998 Special Plan.

LD 1318 **An Act To Provide Collective Bargaining Rights to Certain Forest Products Workers** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SMITH W MARTIN		

LD 1318 proposes to allow individual forest products harvesters and haulers to join together to bargain with forest landowners over the prices and other terms of contracts for harvesting and hauling trees in Maine forests. The bill proposes to create a Forest Products Bargaining Board to implement the law, set forth a procedure for mediation and arbitration if the parties can not come to agreement on their own and list prohibited unfair practices.