

MAINE STATE LEGISLATURE

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*State Of Maine
121st Legislature*

*Second Regular Session and
Second Special Session*

Bill Summaries

*Joint Standing Committee
on
Labor*

May 2004

Staff:

Deborah C. Friedman, Senior Analyst

*Office of Policy and Legal Analysis
13 State House Station
Augusta, ME 04333
(207) 287-1670*

Members:

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

*Rep. William J. Smith, Chair
Rep. Deborah J. Hutton
Rep. Paul R. Hatch
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Rep. Theodore H. Heidrich*

Maine State Legislature



*Office Of Policy And Legal Analysis
Office Of Fiscal And Program Review*

*121st Maine Legislature
Second Regular Session and
Second Special 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/billsumm.htm).

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
- 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 that the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is April 30, 2004; and non-emergency legislation enacted in the Second Special Session is July 30, 2004. Four bills (LD's 1572, 1629, 1636 and 1637) that were considered at the First Special Session in August 2003 are also included in these summaries.

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

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LD 1618 **An Act To Clarify the Employment Status of Court Reporters,
Stenographers and Videographers** **ONTP**

<u>Sponsor(s)</u> WATSON		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1618 proposed to add court reporters, stenographers and videographers to the list of persons whose services are not covered by the unemployment compensation law.

LD 1656 **An Act To Establish the Administrative Operating Budget for the
Maine State Retirement System for the Fiscal Year Ending June 30,
2005** **P & S 34
EMERGENCY**

<u>Sponsor(s)</u>		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> H-665
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LD 1656 proposed to allocate \$9,959,245 for administrative operating expenses for the Maine State Retirement System for fiscal year 2004-05 and to approve collective bargaining agreements between the MSRS and 3 bargaining units of the Maine State Employees Association for the period November 1, 2003 to October 30, 2006.

Committee Amendment "A" (H-665) proposed to incorporate a fiscal note.

Enacted Law Summary

Private and Special Law 2003, chapter 34 allocates \$9,959,245 for administrative operating expenses for the Maine State Retirement System for fiscal year 2004-05. MSRS operating costs are paid for through contributions from the General Fund, non-General Fund accounts and Participating Local Districts such as municipalities. P&SL 2003, chapter 34 also approves collective bargaining agreements between the MSRS and 3 bargaining units of the Maine State Employees Association for the period November 1, 2003 to October 30, 2006.

LD 1687 **An Act To Protect the Privacy of Home Information of Maine State
Retirement System Members, Benefit Recipients and Staff** **PUBLIC 632**

<u>Sponsor(s)</u> EDMONDS		<u>Committee Report</u> OTP-AM		<u>Amendments Adopted</u> S-442
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LD 1687 proposed to provide that records in the possession of the Maine State Retirement System containing home contact information, such as home addresses and telephone numbers, of its members, benefit recipients, trustees, nontrustee members of board committees and staff are confidential and not subject to disclosure as a public record.

Committee Amendment "A" (S-442) proposed to remove members of the Board of Trustees of the Maine State Retirement System and nontrustee members of board committees from the language making home contact

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information confidential. It also proposed to make home contact information of a member or benefit recipient a public record if the member or benefit recipient has signed a waiver of the confidentiality of that information.

Enacted Law Summary

Public Law 2003, chapter 632 provides that records in the possession of the Maine State Retirement System containing home contact information, such as home addresses and telephone numbers, of its members, benefit recipients and staff are confidential and not subject to disclosure as a public record, except that home contact information of a member or benefit recipient may be disclosed if the member or benefit recipient signs a confidentiality waiver.

LD 1688

An Act To Clarify the Law Regarding Interpreting Services for People Who Are Deaf or Hard-of-hearing

PUBLIC 685

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EDMONDS NORBERT	OTP-AM	S-430

LD 1688 proposed to clarify the law regarding interpreting services that are available for people who are deaf or hard-of-hearing, when they are involved in legal proceedings.

Committee Amendment "A" (S-430) proposed to rewrite the substantive section of the bill to clarify the qualifications required for persons who interpret for the deaf or hard-of-hearing in legal settings. It proposed a transitional period within which interpreters can achieve the qualifications to be considered qualified legal interpreters. It also proposed to change the fiscal year in which funds are transferred to the Judicial Department from fiscal year 2003-04 to fiscal year 2004-05.

Enacted Law Summary

Public Law 2003, chapter 685 clarifies the requirement for courts and governmental agencies to provide qualified legal interpreters for persons who are deaf or hard-of-hearing, when the personal or property interest of the deaf or hard-of-hearing person is at issue in a court or agency proceeding. It requires the presiding officer of the legal proceeding to appoint qualified legal interpreters to meet the needs of the deaf or hard-of-hearing person, sets forth the standards for an interpreter to be considered qualified to interpret in legal settings and requires the court or agency to pay the costs of the interpreter. It also makes confidential certain communications between a legal interpreter and the interpreter's client, and requires the interpreter to take an oath regarding true interpretation of communications. The law requires the Bureau of Rehabilitation Services within the Department of Labor to maintain a list of qualified legal interpreters.