

# MAINE STATE LEGISLATURE

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*State Of Maine  
122nd Legislature*

*First Regular Session and  
First Special Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Labor*

*August 2005*

**Members:**

*Sen. Ethan Strimling, Chair  
Sen. Philip L. Bartlett, II  
Sen. Lois A. Snowe-Mello*

*Rep. William J. Smith, Chair  
Rep. John L. Tuttle, Jr.  
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Maine State Legislature

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122nd Legislature
First Regular Session and First Special Session

Summary of Legislation Considered by the Joint Standing Committees
August 2005

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. A subject index for each committee is included immediately before the bill summaries for that committee, and a numerical index by LD number is included 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 June 29, 2005; and for non-emergency legislation enacted in the First Special Session is September 17, 2005.

*Joint Standing Committee on Labor*

**LD 573**

**An Act To Generate Savings in the Unemployment Compensation Fund**

**ONTP**

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

LD 573 proposed to require the reduction of unemployment benefits to any individual who receives an indemnity payment as part of a workers' compensation lump sum settlement. The bill proposed that the indemnity portion of the workers' compensation lump sum settlement would be prorated and applied in a reasonable manner that may include application to weeks both before and after the date of the receipt of the settlement.

**LD 579**

**An Act To Supplement Benefits for State Employees and Teachers Whose Pensions Are Subject to Reductions Enacted in 1993**

**ONTP**

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

LD 579, a concept draft pursuant to Joint Rule 208, proposed to create a new defined contribution plan as a supplemental benefit for those state employees and teachers who are in service under the Maine State Retirement System, or MSRS, on or after January 1, 2006. The new plan would not cover any member who was in service with 10 years of creditable service on July 1, 1993; any member covered by the 1998 Special Plan; or any member covered by the plan for Maine State Police Officers.

Contributions to the plan would be calculated at the rate of 2% of an employee's salary or wages earned after December 31, 2005. The amount would be deducted from the employee's existing required contribution to the MSRS, but the employee's defined benefits under MSRS will not be diminished. The added cost of maintaining the employee's defined benefits would be allocated to the employer's share of the pension contribution. For state employees, the added cost would be apportioned across the entire payroll for state employees covered under MSRS, whether or not they are also covered by the new plan.

Amounts contributed to the plan would be managed by MSRS for the benefit of each employee in a nonlapsing fund. Each employee's share of the fund would be tax-sheltered and portable as provided in Section 457 and other provisions of the United States Internal Revenue Code. Each employee's accumulated contributions and net earnings would be nonlapsing and could be withdrawn or rolled over in accordance with the United States Internal Revenue Code when the employee dies, retires or departs from state service but only in the form of an annuity to be paid for the life of the employee or the employee's spouse. The employee would have a range of annuity options for payment of benefits to the employee or the employee's spouse.