

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.
Rep. Deborah J. Hutton
Rep. Troy D. Jackson
Rep. Herbert E. Clark
Rep. Timothy E. Driscoll
Rep. Brian M. Duprey
Rep. Philip A. Cressey, Jr.
Rep. Darren M. Hall
Rep. James M. Hamper*

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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 962

An Act To Codify Unallocated Law Regarding the Maine State Retirement System

PUBLIC 21

| | | | | |
|-----------------------------|--|--------------------------------|--|---------------------------|
| <u>Sponsor(s)</u> TUTTLE | | <u>Committee Report</u> OTP | | <u>Amendments Adopted</u> |
|-----------------------------|--|--------------------------------|--|---------------------------|

LD 962 proposed to move certain language referring to the status of employees who have retired and returned to covered employment under the Maine State Retirement System from Public Law 2001, chapter 442, section 5 to the Maine Revised Statutes, Title 5, chapter 13, subchapter 2, which concerns the state employee health insurance program.

Enacted law summary

Public Law 2005, chapter 21 moves certain language referring to the status of employees who have retired and returned to covered employment under the Maine State Retirement System from Public Law 2001, chapter 442, section 5 to the Maine Revised Statutes, Title 5, chapter 13, subchapter 2, which concerns the State employee health insurance program.

LD 963

An Act To Set Standards for Electronic Methods Used for Wage Payment

PUBLIC 89

| | | | | |
|--|--|-----------------------------------|--|------------------------------------|
| <u>Sponsor(s)</u> HUTTON SNOWE-MELLO | | <u>Committee Report</u> OTP-AM | | <u>Amendments Adopted</u> H-160 |
|--|--|-----------------------------------|--|------------------------------------|

LD 963 proposed to clarify that an employer may pay employees through electronic transfers if there is no charge to the employees and must provide records of electronic transfers.

Committee Amendment "A" (H-160) proposed to make 2 changes to the bill to give effect to the bill's intent:

1. The amendment proposed to remove language in the bill that would have made electronic payment permissible only if agreed to by the employee, but to allow electronic payment as long as it does not create any additional cost for the employee or the employee has a choice of another means of payment that does not create any additional cost for the employee; and
2. The amendment proposed to restore language in current law authorizing the Director of Labor Standards to initiate routine inspections of businesses in addition to inspections based on written complaints to clarify that no change to the current authority is being made.

Enacted law summary

Public Law 2005, chapter 89 clarifies that an employer may pay an employee through electronic transfer if it does not create any additional cost for the employee or the employee has a choice of another means of payment that does not create any additional cost for the employee.