

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

*State Of Maine
122nd Legislature*

Second Regular Session

Bill Summaries

*Joint Standing Committee
on
Labor*

July 2006

Staff:

John T. Mitchell, Legislative Analyst

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

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*

Maine State Legislature



Office of Policy and Legal Analysis Office of Fiscal and Program Review

122nd Maine Legislature Second 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 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 (Pocket Veto).....	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 August 23, 2006.

Joint Standing Committee on Labor

LD 1719

**An Act To Establish the Administrative Operating Budget for the
Maine State Retirement System for the Fiscal Year Ending June
30, 2007**

**P & S 36
EMERGENCY**

Sponsor(s)

Committee Report
OTP-AM

Amendments Adopted
H-762

LD 1719 proposed to establish the annual administrative operating budget for the Maine State Retirement System for the fiscal year beginning July 1, 2006 and ending June 30, 2007. The budget would include total allocations of \$10,958,309, of which \$7,421,590 is attributed to the General Fund. It proposed to authorize a new expenditure of \$200,000 toward the cost of a complete line-of-business automated computer system that, among other uses and functions, will replace the current benefits payroll technology.

Committee Amendment “A” (H-762) proposed to incorporate a fiscal note.

Enacted law summary

Private and Special Law 2005, chapter 36 establishes the annual administrative operating budget for the Maine State Retirement System for the fiscal year beginning July 1, 2006 and ending June 30, 2007. The budget includes total allocations of \$10,958,309, of which \$7,421,590 is attributed to the General Fund. It authorizes a new expenditure of \$200,000 toward the cost of a complete line-of-business automated computer system that, among other uses and functions, will replace the current benefits payroll technology.

Private and Special Law 2005, chapter 36 was enacted as an emergency measure effective July 1, 2006.

LD 1747

An Act To Assist Maine Military Families

**PUBLIC 523
EMERGENCY**

Sponsor(s)
SCHNEIDER
FISHER

Committee Report
OTP-AM

Amendments Adopted
S-492

LD 1747, containing emergency clauses, proposed to require an employer with 50 or more employees to provide up to 15 days per year of leave to an employee who is the spouse or parent of a Maine resident called to military service. The bill proposed that the leave may be unpaid and would only be available during the time federal or state deployment orders are in effect. The deployment would have to last longer than 180 days in order for a spouse or parent employee to be eligible. The spouse or parent employee would have to provide notice to the employer and could take leave under the section only if all other accrued vacation, personal and compensatory leave had been exhausted. The bill would require an employer to make it possible for a spouse or parent employee to continue employee benefits during leave taken and would provide a cause of action for enforcement and equitable relief.

Committee Amendment “A” (S-492) proposed to strike language in the bill that included independent contractors in the definition of “employee.” It proposed to add domestic partners to the list of those who could take family military leave, to provide for leave on a deployment rather than calendar year basis and to change the

Joint Standing Committee on Labor

time period during which the leave may be taken. The amendment also would strike the requirement that other leave be exhausted before family military leave could be taken.

Enacted law summary

Public Law 2005, chapter 523 requires an employer with 50 or more employees to provide leave to an employee who is the spouse, domestic partner or parent of a Maine resident deployed for military service. The leave may be unpaid and is available for up to 15 days immediately prior to or following each deployment. The deployment must last longer than 180 days in order for a spouse, domestic partner or parent employee to be eligible and the employee must provide notice to the employer of the intended date of leave. The law requires the employer to make it possible for a spouse, domestic partner or parent employee to continue employee benefits during leave taken and also provides a cause of action for enforcement and equitable relief.

Public Law 2005, chapter 523 was enacted as an emergency measure effective April 3, 2006.

LD 1758	An Act To Require the Maine State Retirement System To Divest Itself of Holdings in Those Businesses or Corporations Doing Business in the Nation of Sudan and To Repeal Requirements Relating to Shareholder Initiatives by State Officials on State Investments in Northern Ireland	PUBLIC 537
----------------	--	-------------------

<u>Sponsor(s)</u> STRIMLING	<u>Committee Report</u> OTP-AM MAJ ONTP MIN	<u>Amendments Adopted</u> S-493
--------------------------------	---	------------------------------------

LD 1758 proposed to require the Trustees of the Maine State Retirement System to review the extent to which assets of state pension and annuity funds are invested in the nation of Sudan and to divest itself of any such holdings. The bill would prohibit the Trustees from investing any assets in Sudan and cites extreme human rights abuses in that country.

Committee Amendment “A” (S-493) proposed to clarify that the divestment requirement and the investment prohibition apply to all companies doing business in or with the nation of Sudan or its instrumentalities. It proposed to add language allowing the Board of Trustees to divest in accordance with sound investment criteria and consistent with the Board’s fiduciary obligations, and requiring divestment to be complete by January 1, 2008. It would provide an exemption for short-term investment funds which commingle commercial paper or futures, and for other commingled investment or index funds. The amendment proposed to require the Board to report annually to the Legislature on the progress of divestment and the implementation of the statutory section, and would provide for the sunset of the section on July 1, 2009. The amendment also would repeal 5 MRSA §1955, relating to stockholder initiatives by State officials on State investments in Northern Ireland.

Enacted law summary

Public Law 2005, chapter 537 requires the Board of Trustees of the Maine State Retirement System to review the extent to which assets of state pension and annuity funds are invested in companies doing business in or with the nation of Sudan or its instrumentalities and to divest itself of any such holdings. The law also prohibits the Board of Trustees from investing any assets in Sudan or such companies and cites extreme human rights abuses in that country. The law allows the Board to divest in accordance with sound investment criteria and consistent with its