

MAINE STATE LEGISLATURE

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STATE OF MAINE
123RD LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills and adopted amendments and laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature coming from the

JOINT STANDING COMMITTEE ON LABOR

July 2007

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STAFF:

JOHN T. MITCHELL, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

*Representative James M. Hamper replaced Representative Philip A. Cressey, Jr. on the Labor Committee

STATE OF MAINE

123RD LEGISLATURE

FIRST REGULAR SESSION

LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS



This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 123rd Maine Legislature, which was in session from December 6, 2006 to June 21, 2007.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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 (or Accepted ONTP report).....	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 non-emergency legislation enacted in the First Regular Session is **September 20, 2007**. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

Joint Standing Committee on Labor

LD 814 An Act To Incorporate Binding Arbitration for Monetary Issues in Collective Bargaining for All State Employees

DIED BETWEEN HOUSES

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STRIMLING	OTP-AM MAJ ONTP MIN	S-268

This bill makes binding a determination of a salary, pension or insurance issue by an arbitrator in collective bargaining for state or municipal employees and prohibits certain practices by a public employer of state and municipal employees including:

1. Invoking a lockout;
2. Failing to comply with the provisions of the municipal public employees labor relations laws or the state employees labor relations laws or any rule adopted by the Maine Labor Relations Board pursuant to these laws;
3. Breaching a collective bargaining agreement; or
4. Enacting any law or adopting any rule relative to the terms and conditions of employment that would invalidate a portion of an agreement entered into by the public employer enacting the law or adopting the rule.

Committee Amendment "A" (S-268)

The amendment removes from the bill the prohibitions against certain practices by public employers of state and municipal employees and limits binding arbitration to state collective bargaining practices. The amendment also provides that, with respect to controversies over salaries, pensions and insurance, the arbitrator must take the last best offer as the arbitrator's determination. This provision will be repealed 90 days after adjournment of the Second Regular Session of the 125th Legislature. The amendment also changes the title of the bill.

LD 827 An Act To Allow Certain Special Education Teachers To Acquire Time from the Maine State Retirement System

PUBLIC 303

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DRISCOLL	OTP-AM	H-392

This bill allows teachers to obtain service credit in the Maine State Retirement System for years in which they taught children with disabilities in private schools before such children were provided access to the public school system.

Committee Amendment "A" (H-392)

This amendment strikes and replaces the bill but retains a provision for the acquisition of service credit similar to the bill, in which educators can acquire service credit in the Maine State Retirement System for years in which they taught children with disabilities in private schools before such children were provided access to the public school system. The bill granted one year of service credit. Under the amendment, up to one year of service credit may be purchased at full actuarial cost.

Enacted Law Summary

Public Law 2007, Chapter 303 allows teachers to acquire service credit in the Maine State Retirement System for time during which they taught children with disabilities in private schools before such children were provided access to the public school system. Under the bill, up to one year of service credit may be purchased at full actuarial cost.