

MAINE STATE LEGISLATURE

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STATE OF MAINE
124TH LEGISLATURE
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the Second Regular Session of the 124th Maine Legislature coming from the

JOINT STANDING COMMITTEE ON LABOR

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STATE OF MAINE

124TH LEGISLATURE
SECOND 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 Second Regular Session of the 124th Maine Legislature.

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:

<i>CARRIED OVER</i>	<i>Carried over to a subsequent session of the Legislature</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN HOUSES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed; bill died</i>
<i>ONTP (or Accepted ONTP report)</i>	<i>Ought Not To Pass report accepted; bill died</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

The effective date for non-emergency legislation enacted in the Second Regular Session of the 124th Legislature is Monday, July 12, 2010. 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

The law establishes the conditions under which a person who is a member prior to August 1, 2010 may purchase service credit.

The law amends the group life insurance program statutes to remove language that is no longer applicable.

The law amends the optional membership provision in the Participating Local District Retirement Program to provide for a one-time irrevocable election to participate in the program.

The law provides for a one-time irrevocable election for persons hired by a participating local district with Social Security coverage.

The law provides for a one-time irrevocable election for persons hired, or rehired, by a participating local district that created an alternative retirement plan prior to the person's hire date. It also provides that an employee of a participating local district that creates an alternative plan after the person's date of hire can make a one-time irrevocable election into the alternative plan within 90 days.

The law amends the conditions under which a member may withdraw accumulated contributions when a participating local district withdraws from the program.

The law amends the conditions under which the retirement system must refund the assets of a withdrawn participating local district to include that the plan must be terminated in accordance with federal law.

The law removes language regarding optional members rejoining a program of the retirement system that is no longer applicable.

The law amends the establishment clause of the Participating Local District Consolidated Retirement Plan to clarify that the plan is intended to be a governmental defined benefit plan and to state the purpose of the plan in a manner consistent with the other Maine Public Employees Retirement System defined benefit retirement programs.

The law amends the Maine Community College System retirement plan statutes to provide for a one-time irrevocable election into the State Employee and Teacher Retirement Program.

LD 1595

An Act To Provide Continued Protection of Benefits for Retirees of the Maine Public Employees Retirement System

PUBLIC 473

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL E	OTP-AM	S-356

This bill protects retirees of the Maine Public Employees Retirement System from decreases in retirement benefits due to decreases in the Consumer Price Index. This extends, to multiple years, the number of times a cost-of-living adjustment may be made to recapture actuarial gains lost as a result of a decline in the Consumer Price Index. This bill ensures cost neutrality for the unusual case where the Consumer Price Index in any year is not sufficient to compensate for it having been below zero the previous year.

Committee Amendment "A" (S-356)

This amendment incorporates a fiscal note.

Joint Standing Committee on Labor

Enacted Law Summary

Public Law 2009, chapter 473 protects retirees of the Maine Public Employees Retirement System from decreases in retirement benefits due to decreases in the Consumer Price Index. This extends, to multiple years, the number of times a cost-of-living adjustment may be made to recapture actuarial gains lost as a result of a decline in the Consumer Price Index. It ensures cost neutrality for the unusual case where the Consumer Price Index in any year is not sufficient to compensate for it having been below zero the previous year.

**LD 1626 An Act To Amend the Unemployment Compensation Laws Regarding
Vacation Pay**

PUBLIC 638

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PINGREE JACKSON	OTP-AM MAJ ONTP MIN	H-648 S-540 DIAMOND

Under current law, an individual is disqualified from receiving unemployment compensation benefits for various reasons, such as voluntarily leaving work; being discharged for misconduct; refusal to accept work; a work stoppage; falsifying on the work application; conviction of a felony or misdemeanor in connection with his or her work; absence from work due to incarceration; receiving remuneration in the form of "dismissal wages, wages in lieu of notice, terminal pay, vacation pay or holiday pay," or for unemployment benefits received from another state. This bill removes the vacation pay restriction.

Committee Amendment "A" (H-648)

This amendment, which is the majority report of the Joint Standing Committee on Labor, strikes the emergency preamble and the emergency clause from the bill. The amendment also provides funding for the estimated cost of the expansion of unemployment insurance benefits for state agencies that must directly reimburse the Unemployment Trust Fund and adds an appropriations and allocations section to the bill.

Senate Amendment "A" To Committee Amendment "A" (S-540)

This amendment strikes out the appropriations and allocations section.

Enacted Law Summary

Public Law 2009, chapter 638 removes the restriction that disqualifies an individual from receiving unemployment compensation benefits for any week in which the individual receives, is entitled to receive or has received remuneration in the form of vacation pay. It allows executive branch departments and agencies to request transfers from the Salary Plan program for the additional General Fund and Highway Fund costs incurred as a result of the additional unemployment benefits authorized by this law.

**LD 1657 An Act Regarding Maine Public Employees Retirement System Life
Insurance Policies**

**PUBLIC 515
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HOBBINS	OTP-AM	S-376