

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
129<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON  
LABOR AND HOUSING**

August 2019

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**STAFF:**

DEIRDRE SCHNEIDER, LEGISLATIVE ANALYST  
COLLEEN MCCARTHY REID, SR. LEGISLATIVE ANALYST  
OFFICE OF POLICY AND LEGAL ANALYSIS  
13 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1670  
<http://legislature.maine.gov/opla/>

\*Committee member for a portion of the session

# STATE OF MAINE

129<sup>TH</sup> LEGISLATURE  
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## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 129<sup>th</sup> Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

*CARRIED OVER*..... carried over to a subsequent session of the Legislature  
*CON RES XXX*..... chapter # of constitutional resolution passed by both houses  
*CONF CMTE UNABLE TO AGREE*..... Committee of Conference unable to agree; legislation died  
*DIED BETWEEN HOUSES*..... House & Senate disagreed; legislation died  
*DIED IN CONCURRENCE*..... defeated in each house, but on different motions; legislation died  
*DIED ON ADJOURNMENT*..... action incomplete when session ended; legislation died  
*EMERGENCY*..... enacted law takes effect sooner than 90 days after session adjournment  
*FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE*..... emergency failed to receive required 2/3 vote  
*FAILED, ENACTMENT or FINAL PASSAGE*..... failed to receive final majority vote  
*FAILED, MANDATE ENACTMENT*..... legislation proposing local mandate failed required 2/3 vote  
*HELD BY GOVERNOR*..... Governor has not signed; final disposition to be determined at subsequent session  
*LEAVE TO WITHDRAW*..... sponsor's request to withdraw legislation granted  
*NOT PROPERLY BEFORE THE BODY*..... ruled out of order by the presiding officer; legislation died  
*INDEF PP*..... indefinitely postponed; legislation died  
*ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X*... ought-not-to-pass report accepted; legislation died  
*P&S XXX*..... chapter # of enacted private & special law  
*PUBLIC XXX*..... chapter # of enacted public law  
*RESOLVE XXX*..... chapter # of finally passed resolve  
*VETO SUSTAINED*..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 129<sup>th</sup> Legislature is Thursday, September 19, 2019. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

***Joint Standing Committee on Labor and Housing***

the unfunded liability and the state group health plan for health care must be continued at the same contribution rate of the employer and employee as is required for the position as if the position were filled by an employee who is not a retired state employee, retired teacher or retired school administrator. A retired state employee, retired teacher or retired school administrator who returns to service is not a member and therefore may not accrue additional creditable service during the reemployment period or change the retired state employee's, retired teacher's or retired school administrator's earnable compensation for benefit calculation purposes.

**LD 1232      An Act To Ensure the Right To Work without Payment of Dues or Fees      Accepted Majority  
to a Labor Union as a Condition of Employment      (ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LOCKMAN L DAVIS P	ONTP OTP-AM	

This bill prohibits a person, either in the public or private sector, from being required to join a labor organization or pay any labor organization dues or fees as a condition of employment or continuation of employment, notwithstanding any state law to the contrary. A violation is a Class D crime and is also subject to civil damages and injunctive relief. The Attorney General is responsible for enforcement and is required to prosecute all violations.

**Committee Amendment "A" (H-281)**

This amendment, which is the minority report of the committee, provides funding to the Office of the Attorney General to investigate and prosecute violations arising from the right to refrain from joining a union or paying union dues.

This amendment was not adopted.

**LD 1237      An Act To Simplify Municipal Collective Bargaining by Removing the      PUBLIC 240  
120-Day Notice Required Prior to Certain Negotiations**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HANDY J	OTP ONTP	

This bill repeals the requirement that a bargaining agent for municipal public employees submit a written request for collective bargaining to the public employer of those municipal public employees at least 120 days before the conclusion of the current fiscal operating budget.

**Enacted Law Summary**

Public Law 2019, chapter 240 repeals the requirement that a bargaining agent for municipal public employees submit a written request for collective bargaining to the public employer of those municipal public employees at least 120 days before the conclusion of the current fiscal operating budget.