

MAINE STATE LEGISLATURE

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STATE OF MAINE
129TH 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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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 129th 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 129th 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

**LD 1324 Resolve, To Establish the Committee To Study the Feasibility of
Creating Basic Income Security**

RESOLVE 82

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VITELLI E MCCREIGHT J	OTP-AM ONTP	S-157

This resolve establishes the Committee To Study the Feasibility of Creating Basic Income Security to examine options to better provide basic economic security to Maine people, including through the development of a direct cash payment system.

Committee Amendment "A" (S-157)

This amendment, which is the majority report of the committee, amends the resolve, which establishes the Committee To Study the Feasibility of Creating Basic Income Security, as follows.

1. It changes the membership of the committee.
2. It requires that the committee in fulfilling its duties invite input as necessary from the Department of Administrative and Financial Services, Bureau of Revenue Services and from the Governor's Office of Policy and Management.
3. It changes the date of the committee's report to the Legislature.

Enacted Law Summary

Resolve 2019, chapter 82 establishes the Committee To Study the Feasibility of Creating Basic Income Security to examine options to better provide basic economic security to Maine people, including through the development of a direct cash payment system.

**LD 1325 An Act To Allow Workplace Substance Use Testing for Fentanyl,
Hydromorphone, Hydrocodone, Oxycodone and Oxymorphone Use at
the Employer's Discretion**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KEIM L	ONTP	

This bill allows an employer to test an employee or an applicant for employment for fentanyl, hydromorphone, hydrocodone, oxycodone and oxymorphone use during any substance use test administered by the employer.

**LD 1339 An Act To Recalculate Retirement Benefits for Certain State Employees
Adversely Affected by Merit Pay Freezes**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PICKETT R BREEN C	ONTP	

The law governing the calculation of retirement benefits for members of the Maine Public Employees Retirement System was amended by Public Law 2015, chapter 267, Part CCCC, section 1 and Public Law 2015, chapter 385 to

Joint Standing Committee on Labor and Housing

allow members who retired on or after June 30, 2015, to pay the necessary member contributions to include in their retirement benefit calculations wages lost due to merit pay freezes and longevity pay freezes.

This bill authorizes a member of the Maine Public Employees Retirement System who retired on or after March 1, 2014, and prior to June 30, 2015, to include in the member's retirement benefit calculations wages lost due to merit pay freezes, retroactive to the date of the member's retirement. This provision does not include lost wages due to longevity pay freezes.

LD 1345 An Act To Ensure a Fair Workweek ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MELARAGNO G JACKSON T	ONTP	

This bill requires employers who employ five or more employees in the State to provide hourly employees at least two weeks' prior notice of the employees' work schedules, with compensation owed for schedule changes under certain circumstances. The bill also requires these employers to keep certain business records for at least three years.

The bill provides that the Department of Labor, Bureau of Labor Standards may investigate possible violations and receive complaints of possible violations from the public. A fine of \$50 per day is due for any noncompliance. The Attorney General may also file a civil action seeking additional remedies. The department may adopt rules regarding compliance with and enforcement of these provisions, and the bureau is required to report to the Legislature periodically on violations of the law and the bureau's efforts.

LD 1354 An Act To Eliminate the Penalties for State and Teacher Retirees Who Return to Employment ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DESCHAMBAULT S WARREN C	ONTP	

This bill eliminates the provisions in law that limit employment of a retired state employee or teacher to five years and 75 percent of the compensation established for the position.

While LD 1354 was voted "Ought Not to Pass," the substantive provision of the bill was included in LD 1220, An Act To Remove Certain Restrictions Imposed on Retired State Employees Who Return to Work, which was enacted as Public Law 2019, chapter 436.

LD 1355 An Act To Expand the 1998 Special Retirement Plan To Include Civilian Employees Who Work for the Department of Public Safety Crime Lab and Computer Crimes Unit CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DIAMOND B	OTP-AM	S-201

This bill allows civilian employees in the employment of the Department of Public Safety, Maine State Police Crime Laboratory or computer crimes unit to elect to participate in the 1998 Special Plan of the Maine Public