

# 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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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.

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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<br>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<br>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

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Employees Retirement System. Under that plan, a person may retire at 55 years of age with 10 years of creditable service or may retire before 55 years of age with 25 years of creditable service and at a reduced benefit.

**Committee Amendment "A" (S-201)**

This amendment clarifies the type of civilian employees in the employment of the Department of Public Safety, Maine State Police Crime Laboratory or computer crimes unit that can elect to participate in the 1998 Special Plan of the Maine Public Employees Retirement System. It also clarifies the date by which an employee must elect to participate in the 1998 Special Plan and specifies when that employee's participation in the 1998 Special Plan becomes effective. The amendment also adds an appropriations and allocations section.

This bill was reported out of committee and then carried over to any regular or special session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

**LD 1359      An Act Regarding Local Workforce Development Boards**

**CARRIED OVER**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| FECTEAU R         | OTP-AM<br>ONTP          | H-218                     |

This bill provides for each local workforce development board in the State to receive an annual appropriation equal to \$25 multiplied by the number of unemployed persons in the local workforce development board's service area for the prior calendar year divided by 12 and requires that on or before September 1st of each even-numbered year, the Commissioner of Labor is required to prepare and submit the annual appropriation requirement for each year of the ensuing biennium to the State Budget Officer to be included in the Governor's biennial budget proposal.

This bill includes General Fund appropriations totaling \$465,252 in fiscal year 2019-20 and \$465,252 in fiscal year 2020-21 to provide funding for the local workforce development boards for the 2020-2021 biennium.

**Committee Amendment "A" (H-218)**

This amendment which is the majority report of the committee, incorporates a fiscal note.

This bill was reported out of committee and then carried over to any special or regular session, or both, of the 129th Legislature on the Special Appropriations Table by joint order, H.P. 1322.

**LD 1385      An Act To Amend the Laws Governing Corrections Officers Who Suffer  
Certain Injuries, Impairments or Medical Conditions**

**ONTP**

| <u>Sponsor(s)</u>           | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------------|-------------------------|---------------------------|
| DESCHAMBAULT S<br>PICKETT R | ONTP                    |                           |

This bill makes the following changes to the laws governing corrections officers.

1. It provides a supplemental benefit paid to a corrections officer who is injured by the acts of a patient or prisoner of the jail, prison or state correctional facility where the corrections officer works if the injury qualifies the corrections officer for workers' compensation benefits.
2. It amends the workers' compensation laws by including a rebuttable presumption that a condition of impairment