

# 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***

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 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 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

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

of health caused by an infectious disease resulting in total or partial disability or death of a corrections officer is presumed to have been suffered in the line of duty, unless it is shown otherwise.

3. It amends the workers' compensation laws by including a rebuttable presumption that heart disease or hypertension suffered by a corrections officer was caused in the course of employment as a corrections officer, like the provisions of current law that establish a rebuttable presumption that cancer contracted by a firefighter was caused by exposure to carcinogens in the course of the firefighter's firefighting duties.

**LD 1386     An Act Regarding the Determination of the Prevailing Wage Rate for Public Works Projects**

**HELD BY GOVERNOR**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANBORN L	OTP-AM	S-204
COLLINGS B	ONTP	S-342    BREEN C

This bill directs the Department of Labor, Bureau of Labor Standards, when determining prevailing hourly wages and benefits, to collect one set of data through conducting a survey of wages and benefits and a second set of data through certified payroll submissions on state construction projects during two weeks in July of each year and to use the higher wage and benefit information of the two data sets to determine the prevailing hourly wage and benefit rate. This bill also increases from \$50 to \$250 the penalty for failing to provide requested information to the bureau.

**Committee Amendment "A" (S-204)**

Like the bill, this amendment requires two data sets to be reported to the Department of Labor, Bureau of Labor Standards in order to determine the hourly prevailing wage and benefits rate paid in the construction industry but clarifies that the second set of data, the certified payroll submissions on state construction of public works, is to come from reporting by state agencies that contract for the construction of public works. It also requires that all data must be submitted to the bureau by the second week in October. It increases the penalties the director may assess against any person who fails to provide the information from \$250 for all offenses, as in the bill, to \$250 for the first offense, \$500 for a second offense and \$1,000 for any subsequent offense. Lastly, it adds an appropriations and allocations section to fund a position in the department necessary for the administration of requirements of the bill, as amended.

**Senate Amendment "A" To Committee Amendment "A" (S-342)**

This amendment eliminates the General Fund appropriations for one-half of the cost of one Statistician II position within the Department of Labor, Bureau of Labor Standards and instead provides Other Special Revenue Funds allocations for the full cost of the position.

**LD 1395     An Act To Create Fairness for Dispatchers in the Maine Public Employees Retirement System**

**PUBLIC 364**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SYLVESTER M BELLOWS S	OTP-AM	H-551

This bill adds dispatchers to the categories of participating local district employees for which a special retirement plan is available. Participating local districts that elect to cover their dispatchers by a more favorable special plan are responsible for the payment of any increased employer costs associated with such an election. Depending upon the plan that is elected, dispatchers may also pay an increased member contribution rate for participation in the more