

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

Enacted Law Summary

Public Law 2019, chapter 350 requires an employer to allow a veteran to take paid leave or unpaid leave, depending on whether or not the employer offers paid leave, to attend a scheduled appointment at a medical facility operated by the United States Department of Veterans Affairs, as long as the veteran gives the employer notice of the appointment as soon as reasonably possible.

LD 1658 An Act To Clarify the Definition of "Public Works"

PUBLIC 473

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T	OTP-AM ONTP	S-200

This bill provides that for public works construction contracts that involve funding from the Federal Government the prevailing wage requirements in state law apply unless the prevailing wage requirements that would otherwise apply under the federal Davis-Bacon Act would result in higher total wages under the contract. An exception is provided in this bill for funds received under the United States Housing Act of 1937 if the application of a state prevailing wage is expressly preempted by federal law.

Committee Amendment "A" (S-200)

The amendment, which is the majority report of the committee, replaces the bill and clarifies that "public works" includes any construction projects funded in whole or in part by state funds.

Enacted Law Summary

Public Law 2019, chapter 473 clarifies that "public works" includes any construction projects funded in whole or in part by state funds.

LD 1659 An Act To Include Additional Corrections Officers and Mental Health Workers under the 1998 Special Plan for Retirement and To Amend the Laws Governing Retirement Benefits for Capitol Police Officers

CARRIED OVER

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

This bill adds employees of the office of aging and disability services and mental health workers who work with wards of the State or in mental health institutions within the Department of Health and Human Services and employees of the Maine Correctional Center, Long Creek Youth Development Center, Downeast Correctional Facility, former Mountain View Youth Development Center, former Charleston Correctional Facility and Mountain View Correctional Facility to the 1998 Special Plan for certain Maine Public Employees Retirement System members and requires that service retirement benefits for corrections and mental health workers and Capitol Police officers in the employment of the Department of Public Safety included in the 1998 Special Plan be computed on the same basis as benefits for other members under the plan are computed; creditable service is included regardless of when that service was earned.

The substantive provisions of the bill related to the computation of creditable service for certain corrections officers were incorporated into a committee bill, LD 1842, An Act Relating to the Computation of Benefits for Correctional Officers in the 1998 Special Retirement Plan, which was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

Joint Standing Committee on Labor and Housing

This bill was carried over to any special or regular session, or both, of the 129th Legislature by joint order, H.P. 1322.

LD 1664 An Act To Place Funds for the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program into a Trust

PUBLIC 280

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LIBBY N BRYANT M	OTP-AM	S-188

This bill provides that funds held in connection with the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program are held in a trust fund. It renames the Firefighters and Law Enforcement Officers Health Insurance Program Fund the Firefighters and Law Enforcement Officers Health Insurance Program Trust Fund. It directs the Treasurer of State to invest the funds in the Firefighters and Law Enforcement Officers Health Insurance Program Trust Fund in accordance with the state-held trust investment policy of the Treasurer of State.

Committee Amendment "A" (S-188)

This amendment replaces the bill. The amendment provides that funds held in connection with the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program that are not necessary to support the normal costs and administrative costs of the program are held in a trust fund. It directs the Treasurer of State to invest the funds in the trust fund in accordance with the state-held trust investment policy of the Treasurer of State.

Enacted Law Summary

Public Law 2019, chapter 280 provides that funds held in connection with the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program that are not necessary to support the normal costs and administrative costs of the program are held in a trust fund. It directs the Treasurer of State to invest the funds in the trust fund in accordance with the state-held trust investment policy of the Treasurer of State.

LD 1674 An Act To Amend the Laws Concerning the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program

PUBLIC 446

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LIBBY N	OTP-AM ONTP	S-290

This bill makes the following changes to the laws governing the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program.

1. It requires a county or municipality that employs a county or municipal law enforcement officer or municipal firefighter to notify such an employee of the program in writing no later than 60 days following the effective date of hire of that employee. Such an employee must choose in writing whether to enroll in the program. A copy of the form on which an employee chooses to enroll in the program or to not enroll in the program must be retained by the county or municipality.