

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals
(may include minor formatting differences from printed original)

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

MEMBERS:

SEN. SHENNA BELLOWS, CHAIR
SEN. MARK W. LAWRENCE
SEN. STACEY K. GUERIN

REP. MICHAEL A. SYLVESTER, CHAIR
REP. ANN E. PEOPLES
REP. DEANE RYKERSON
REP. DONNA R. DOORE*
REP. ANNE M. CARNEY
REP. SCOTT W. CUDDY
REP. RICHARD T. BRADSTREET
REP. SUSAN M.W. AUSTIN
REP. LAWRENCE E. LOCKMAN
REP. JOSHUA MORRIS
REP. MICHELLE DUNPHY*

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

129TH LEGISLATURE
FIRST REGULAR SESSION



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

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.

Joint Standing Committee on Labor and Housing

2. It provides that, when the effective date of hire of the eligible person is on or after October 1, 2019, the eligible person must enroll in the program no later than five years following the effective date of hire.
3. It increases the amount of the premium subsidy from 45 percent to 55 percent.
4. It provides that enrollees retiring from counties or municipalities that do not participate in the majority multiple-employer welfare arrangement and do not provide health insurance coverage for retirees may enroll in the group health plan available to state employees.
5. It provides that an enrollee may participate in the group health insurance plan in which the enrollee's spouse participates if that plan is offered in this State or in another group health insurance plan that is offered in this State.
6. It provides that an enrollee who is not receiving wages from a county or municipal employer on account of an absence from work due to an injury compensable under the Maine Workers' Compensation Act of 1992, a disability for which the enrollee is receiving a disability retirement benefit from the Maine Public Employees Retirement System or a leave of absence must contribute to the Firefighters and Law Enforcement Officers Health Insurance Program Fund for the period of time of the absence from work based on the enrollee's gross wages immediately before the absence from work in order for the enrollee to be eligible for coverage under the program.
7. It provides that an enrollee who retires and is subsequently hired as a county or municipal law enforcement officer or municipal firefighter must contribute to the Firefighters and Law Enforcement Officers Health Insurance Program Fund while employed as a county or municipal law enforcement officer or municipal firefighter in order for the enrollee to be eligible for coverage under the program.
8. It provides that an enrollee who is not receiving wages from a county or municipal employer because the enrollee is a member of the United States Armed Forces or state military forces on active duty and deployed is not required to contribute to the fund while deployed.
9. It removes provisions governing persons who retire without making 60 months of contributions to the fund but who meet other eligibility criteria.
10. It establishes the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program Advisory Committee to review proposed rules for the program.
11. It provides a period of open enrollment in the program beginning October 1, 2019, and ending December 31, 2021.

Committee Amendment "A" (S-290)

This amendment is the majority report of the committee. The amendment delays until July 1, 2021, the provision to increase the state share of the premium subsidy for enrollees in the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program from 45 percent to 55 percent.

Enacted Law Summary

Public Law 2019, chapter 446 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.

Joint Standing Committee on Labor and Housing

2. It provides that, when the effective date of hire of the eligible person is on or after October 1, 2019, the eligible person must enroll in the program no later than five years following the effective date of hire.
3. It increases the amount of the premium subsidy for enrollees in the program from 45 percent to 55 percent beginning July 1, 2021.
4. It provides that enrollees retiring from counties or municipalities that do not participate in the majority multiple-employer welfare arrangement and do not provide health insurance coverage for retirees may enroll in the group health plan available to state employees.
5. It provides that an enrollee may participate in the group health insurance plan in which the enrollee's spouse participates if that plan is offered in this State or in another group health insurance plan that is offered in this State.
6. It provides that an enrollee who is not receiving wages from a county or municipal employer on account of an absence from work due to an injury compensable under the Maine Workers' Compensation Act of 1992, a disability for which the enrollee is receiving a disability retirement benefit from the Maine Public Employees Retirement System or a leave of absence must contribute to the Firefighters and Law Enforcement Officers Health Insurance Program Fund for the period of time of the absence from work based on the enrollee's gross wages immediately before the absence from work in order for the enrollee to be eligible for coverage under the program.
7. It provides that an enrollee who retires and is subsequently hired as a county or municipal law enforcement officer or municipal firefighter must contribute to the Firefighters and Law Enforcement Officers Health Insurance Program Fund while employed as a county or municipal law enforcement officer or municipal firefighter in order for the enrollee to be eligible for coverage under the program.
8. It provides that an enrollee who is not receiving wages from a county or municipal employer because the enrollee is a member of the United States Armed Forces or state military forces on active duty and deployed is not required to contribute to the fund while deployed.
9. It removes provisions governing persons who retire without making 60 months of contributions to the fund but who meet other eligibility criteria.
10. It establishes the Retired County and Municipal Law Enforcement Officers and Municipal Firefighters Health Insurance Program Advisory Committee to review proposed rules for the program.
11. It provides a period of open enrollment in the program beginning October 1, 2019, and ending December 31, 2021.

LD 1693 An Act To Enhance Enforcement of Employment Laws

CARRIED OVER

Sponsor(s)
JACKSON T

Committee Report

Amendments Adopted

This bill authorizes private persons, acting in the public interest, to enforce the laws governing employment practices and prohibiting unfair discrimination in the workplace. Under this bill:

1. Private persons or whistleblowers, acting as relators, may bring public enforcement actions of employment laws on behalf of the State;