

STATE OF MAINE
126TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON APPROPRIATIONS AND
FINANCIAL AFFAIRS**

July 2013

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Joint Standing Committee on Appropriations and Financial Affairs

LD 16 An Act To Authorize a General Fund Bond Issue To Invest in CARRIED OVER
Transportation Infrastructure

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

The funds provided by this bond issue, in the amount of \$100,000,000, will be used to make improvements to state and local highways, roads and bridges, rail lines, public transportation and pedestrian trails.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 39 An Act To Expand the Number of Qualified Educators CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOHNSON P		

This bill changes the law regarding the restoration of retired teachers to service by removing the provision that a retired teacher may be paid only 75% of the posted salary for the position and replaces the provision that a retired teacher may be restored to service for only up to 5 years with a provision that allows the retired teacher to be restored to service through one-year contracts.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 137 An Act To Amend the Laws Governing Retirement under the Maine CARRIED OVER
Public Employees Retirement System

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HICKMAN SAVIELLO		

Under current law governing the Maine Public Employees Retirement System, the retirement benefit for a teacher or a state employee with creditable service of 25 years who had fewer than 10 years of creditable service on July 1, 1993 is reduced by 6% for each year that the member's age precedes 62 years of age. This bill provides that, for such a member who is 55 years of age or older on July 1, 2013 and who retires no earlier than July 1, 2013 and no later than June 30, 2014, the reduction amount is reduced to 2% for each year that the member's age precedes 62 years of age.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

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LD 138 An Act To Amend the Laws Governing the Issuance of Bonds That Have Been Ratified by the Citizens of the State CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KESCHL SAVIELLO		

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to amend the laws governing the issuance of General Fund bonds that have been ratified at referendum by the citizens of the State. Under this bill, once the issuance of bonds is ratified at referendum, the bonds must be issued by the Treasurer of State unless the Treasurer of State determines, based on information available to the Treasurer of State, that:

1. The issuance of the bonds will adversely affect the credit rating of the State;
2. A delay in the issuance of the bonds will likely result in a more financially advantageous interest rate; or
3. Alternative funding sources are available to implement, within a comparable time frame, the projects and the purposes for which the bonds were authorized and ratified, and use of the alternative funding sources is fiscally preferable.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 186 An Act To Amend the Laws Governing Disability Retirement Determinations by the Maine Public Employees Retirement System CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BECK LACHOWICZ		

Under current law, when making determinations on applications for disability retirement, the Maine Public Employees Retirement System is required to consider the applicant's disability application, medical records and the analysis of a medical board that is designated by, and advisory to, the Maine Public Employees Retirement System. This bill provides instead that the retirement system may consider, but is not required to consider, the medical board's analysis.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 221 An Act To Authorize a General Fund Bond Issue To Provide Funds for a Public-private Partnership for a New Science Facility at the Maine Maritime Academy CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FREDETTE KATZ		

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The funds provided by this bond issue, in the amount of \$4,500,000, will be used for a public-private partnership for a building project for a new science facility at the Maine Maritime Academy to be matched by other funds.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 228 An Act To Authorize a General Fund Bond Issue To Reduce Energy Costs by Weatherizing and Upgrading the Energy Efficiency of Maine Homes and Businesses and To Create Jobs by Providing for a Trained Workforce for Maine's Energy Future CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAVERS BOYLE		

The purpose of this bill is to provide funds, through a General Fund bond issue, to reduce energy costs and to create jobs. The funds provided by this bond issue, in the amount of \$55,000,000, will be used to support weatherization and other energy efficiency improvements for Maine homes, businesses and public buildings to save money, reduce dependence on increasingly scarce heating fuels, support health and comfort and protect the environment. Funds are also provided to expand the workforce for weatherization and energy efficiency services and other parts of a new green economy.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 232 An Act To Increase the Base for the Cost-of-living Increase for Retired State Employees and Teachers CARRIED OVER

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

This bill increases the base for the calculation of cost-of-living increases for retired teachers and state employees under the Maine Public Employees Retirement System from \$20,000 to \$30,000 beginning in 2014 and makes a grammatical correction.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 245 An Act To Authorize a General Fund Bond Issue for Maintenance of State Armories CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUTTLE LUCHINI		

The funds provided by this bond issue, in the amount of \$5,000,000, will be used to provide funds to repair and maintain armory property and facilities to remain in compliance with state and federal requirements.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as

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amended by H-B (H-580) and H-C (H-582).

LD 250 An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2013

**PUBLIC 1
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HILL ROTUNDO	OTP-AM	S-1 S-3 HILL

This bill is the Governor's proposed fiscal year 2012-13 Emergency Supplemental Budget.

Committee Amendment "A" (S-1)

This amendment is the unanimous report of the Committee in response to the Governor's proposed bill.

Senate Amendment "A" To Committee Amendment "A" (S-3)

This amendment strikes Part J and replaces it to provide that user fees from the use of state parks, historic sites and the Allagash Wilderness Waterway accrue to the General Fund after payment of any existing lease for Crescent Beach State Park. This amendment also directs the Commissioner of Agriculture, Conservation and Forestry to execute a lease for Crescent Beach State Park no later than April 24, 2013 and to report the terms and conditions of the lease, which may not exceed 5 years, to the Joint Standing Committee on Agriculture, Conservation and Forestry.

Enacted Law Summary

Public Law 2013, chapter 1 does the following.

PART A makes supplemental appropriations and allocations of funds for fiscal year 2012-13.

PART B makes supplemental appropriations and allocations of funds for approved reclassifications and range changes.

PART C relates to the funding of K-12 education.

PART D authorizes the Department of Administrative and Financial Services to have more than one Deputy Commissioner. It also establishes the Director, Legislative Affairs and Communications position as a major policy-influencing position.

PART E does the following: 1) Limits the transfer to the reserve for retirement benefits at the close of fiscal year 2012-13; 2) Revises the distribution of available balances in the unappropriated surplus of the General Fund after all required deductions and adjustments; and 3) Repeals the provisions that would have authorized a transfer of up from the unappropriated surplus and the transfer of excess revenue from the Oxford Casino at the end of fiscal year 2012-13 to the Department of Health and Human Services to pay hospital settlements.

PART F transfers \$14,096,679 from the K-12 Essential Programs and Services, Other Special Revenue Funds account in the Department of Education to the unappropriated surplus of the General Fund in fiscal year 2012-13.

PART G repeals the provision of law that directs the process for the renewal of contracts for the State's

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wholesale liquor activities.

PART H authorizes the State Controller to recognize a receivable of up to \$7,000,000 of estate tax revenue during fiscal year 2012-13.

PART I transfers \$40,000,000 from the Maine Budget Stabilization Fund and \$17,083,994 from the Reserve for General Fund Operating Capital to the General Fund unappropriated surplus in fiscal year 2012-13

PART J specifies that user fees from the use of state parks, historic sites and the Allagash Wilderness Waterway accrue to the General Fund after payments of any existing lease for Crescent Beach State Park and requires the Department of Agriculture, Conservation and Forestry to execute a lease for Crescent Beach State Park by a specified date and report the terms of the lease to the Joint Standing Committee on Agriculture, Conservation and Forestry. This Part is amended by Senate Amendment "A" to Committee Amendment "A" (S-3).

PART K transfers unexpended funds from the Harness Racing Commission program, operating account, Other Special Revenue Funds account in the Department of Agriculture, Conservation and Forestry to the unappropriated surplus of the General Fund.

PART L lapses \$1,600,000 from the Department of Corrections - Capital Improvements, General Fund account to General Fund unappropriated surplus.

PART M transfers \$1,000,000 in unexpended funds from the Tourism Marketing Promotion Fund, Other Special Revenue Funds account within the Department of Economic and Community Development to the unappropriated surplus of the General Fund.

PART N transfers funds from the Uncontrolled Sites Fund to the unappropriated surplus of the General Fund.

PART O lapses \$2,000,000 from the General Purpose Aid for Local Schools, General Fund account within the Department of Education to General Fund unappropriated surplus.

PART P directs the Department of Health and Human Services to amend the rules of reimbursement for inpatient substance abuse services.

PART Q transfers the first \$1,000,000 of unexpended Personal Services appropriations that would otherwise lapse to the Salary Plan program in the Department of Administrative and Financial Services to the unappropriated surplus of the General Fund.

PART R amends the requirement that the Commissioner of Education and the Commissioner of Labor identify General Fund savings to pay the cost of certain positions by removing the requirement that the funds come from savings from General Fund programs.

PART S changes the title of the Director, PK-20, Adult Education and Federal Programs Team to Chief Academic Officer.

PART T authorizes any unexpended balance in the Emergency Services Communication Bureau program, General Fund account at the close of fiscal year 2012-13 to be carried forward to be used for the purposes for which the funds were originally appropriated.

PART U authorizes the transfer by financial order of any available appropriation balance, including Personal

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Services appropriation balances, within the Department of Health and Human Services to fully fund MaineCare cycle payments in fiscal year 2012-13 and gives similar authority for the psychiatric centers to transfer funds to fund an electronic medical records system.

PART V requires that any remaining balance in the Consent Decree program, General Fund account within the Department of Health and Human Services be carried forward for use in the next fiscal year.

PART W gives the Department of Health and Human Services the authority to adopt emergency rules to implement any provisions of the bill over which it has subject matter jurisdiction.

PART X increases the amount of the transfer that Dirigo Health is required to make to the Department of Health and Human Services in fiscal year 2012-13.

PART Y authorizes one-time transfers from various Inland Fisheries and Wildlife Carrying Balances - General Fund accounts to fund position reclassifications.

PART Z authorizes the Judicial Department to transfer, in fiscal year 2012-13 only, all remaining Personal Services balances to the All Other line category in the Judicial Department, Courts - Supreme, Superior and District program, General Fund account.

PART AA transfers \$3,000,000 from available Other Special Revenue Funds balances in the Department of Professional and Financial Regulation to the General Fund unappropriated surplus.

PART BB changes the funding source for 2 Workers' Compensation Board positions related to the enforcement of laws prohibiting the misclassification of workers.

PART CC authorizes the Governor to access any funds available to pay amounts owed by the Maine Commission on Indigent Legal Services up to \$2,000,000 for fiscal year 2012-13.

PART DD transfers the responsibilities associated with the State Government Evaluation Act as it pertains to the Maine Public Employees Retirement System from the joint standing committee of the Legislature having jurisdiction over labor matters to the joint standing committee of the Legislature having jurisdiction over retirement matters.

PART EE requires the Department of Health and Human Services to apply for federal grants that might be available to assist with the implementation of the federal Patient Protection and Affordable Care Act and to assist with implementing required interfaces with information technology systems.

PART FF lapses available balances from the Law and Legislative Reference Library, the Legislature and the Office of Program Evaluation and Government Accountability to the General Fund unappropriated surplus.

PART GG directs the Department of Health and Human Services to reduce by 5% the reimbursement rates under the MaineCare program for licensed clinical professional counselors and licensed marriage and family therapists.

Public Law 2013, chapter 1 was enacted as an emergency measure effective March 6, 2013.

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LD 273 An Act Authorizing a General Fund Bond Issue To Fund the Dredging of Casco Bay and the Expansion of the Portland Fish Exchange CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND WEAVER		

The funds provided by this bond issue, in the amount of \$6,500,000, will be used for dredging Portland Harbor in Casco Bay and for improvements to the Portland Fish Exchange building.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 294 An Act To Authorize a General Fund Bond Issue To Construct a Facility To Assist Maine Agriculture in Control of Animal and Plant Diagnostics CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FREDETTE SHERMAN		

The funds provided by this bond issue, in the amount of \$8,000,000, will be used to provide funds to assist Maine agriculture and to protect Maine farms through the creation of an animal and plant disease and insect control facility administered by the University of Maine Cooperative Extension Service.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 295 An Act To Authorize a General Fund Bond Issue To Provide Weatherization Rebates for Veterans and Persons Eligible for Social Security CARRIED OVER

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

This bill directs the Efficiency Maine Trust to establish a weatherization rebate program for persons who receive social security retirement benefits or are veterans or dependents of veterans if a \$75,000,000 general obligation bond to fund the program is approved by referendum.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 359 An Act To Authorize a General Fund Bond Issue To Implement the Riverfront Island Master Plan CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRAVEN LIBBY N		

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The funds provided by this bond issue, in the amount of \$20,000,000, will be used to implement the Riverfront Island Master Plan along the Androscoggin River in Lewiston and Auburn.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

**LD 360 An Act To Authorize a General Fund Bond Issue To Improve Rail Lines CARRIED OVER
in Western Maine**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CRAVEN CAREY		

The funds provided by this bond issue, in the amount of \$18,000,000, will be used to improve rail lines in western Maine, particularly the rail line from Portland to Lewiston.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

**LD 378 An Act To Authorize a General Fund Bond Issue To Complete CARRIED OVER
Renovation of a Pier at the Gulf of Maine Research Institute**

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

The funds provided by this bond issue, in the amount of \$1,000,000, will be used to complete renovation of a pier at the Gulf of Maine Research Institute.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

**LD 513 An Act To Authorize a General Fund Bond Issue To Invest in CARRIED OVER
Transportation, Broadband Infrastructure, Downtown Revitalization,
Land for Maine's Future Board and Training Facilities for
Tourism-related Training in Labor Market Areas with
Higher-than-average Unemployment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LACHOWICZ KUSIAK		

The funds provided by this bond issue, in the amount of \$85,000,000, will be used to provide funds over 5 years for the State's transportation biennial capital work plan, the Communities for Maine's Future Program, the ConnectME Authority, the Land for Maine's Future Board, the University of Maine System and the Maine Community College System for tourism-related training, targeted to particular projects in labor markets that have an unemployment rate higher than the statewide average.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

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LD 636 An Act To Authorize a General Fund Bond Issue To Support Public Higher Educational Facilities CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAIN TIPPING-SPITZ		

The funds provided by this bond issue, in the amount of \$100,000,000, will be used to provide funds to renovate, make health and safety repairs and ensure compliance with the federal Americans with Disabilities Act of 1990, as amended, to the University of Maine System, the Maine Community College System and the Maine Maritime Academy.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 713 An Act To Return Local Revenue Sharing to Full Funding CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KATZ BLACK		

This bill establishes a plan to return the state-municipal revenue-sharing program to full funding over a 3-year period and replace the arbitrary fixed-dollar reductions used to reduce funding for local governments and balance the General Fund budget. This plan is intended to replace fixed-dollar reductions to this program and provide some long-term certainty in this revenue source for local governments.

The phased-in return to full 5% funding of the state-municipal revenue sharing starts with a transfer to the Local Government Fund of 3.5% of the revenue-sharing tax revenue collected during fiscal year 2013-14 and increases to 4% of revenue collected in fiscal year 2014-15 and finally to 5% of the revenue collected in fiscal year 2015-16 and thereafter. A portion of the transfers to the Local Government Fund are transferred each month to the Disproportionate Tax Burden Fund according to a scheduled phased-in increase to the percentage share. The Disproportionate Tax Burden Fund's share of total state-municipal revenue-sharing program distribution is unchanged from the current law.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 781 An Act To Authorize a General Fund Bond Issue To Fund the Construction of a New State Archives Facility CARRIED OVER

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

The funds provided by this bond issue, in the amount of \$25,000,000, will be used to provide funds for the construction of a new Maine State Archives facility to provide up-to-date storage space.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

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LD 782 An Act To Authorize a General Fund Bond Issue To Support Science, CARRIED OVER
Technology, Engineering and Mathematics Education To Enhance
Economic Development

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MACDONALD W		

The funds provided by this bond issue, in the amount of \$50,000,000, will be used to expand necessary capital improvements in the critical disciplines of science, technology, engineering and mathematics at the University of Maine System.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 790 An Act To Repeal the Bonding Authority of the Maine Governmental CARRIED OVER
Facilities Authority

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

This bill removes the Maine Governmental Facilities Authority's ability to issue bonds or negotiable securities beginning October 1, 2013.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 874 An Act To Authorize a General Fund Bond Issue To Reduce the Cost of CARRIED OVER
Shipping for Maine Businesses, Attract Tourists and Facilitate the
Development of Commuter Rail Transportation

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAZUREK THERIAULT		

The funds provided by this bond issue, in the amount of \$27,500,000, will be used to provide funds for railroad reconstruction and expansion to assist Maine's businesses by facilitating the shipment of goods and enhancing the ability of those businesses to compete. It requires that the Department of Transportation consult with the business and economic development sectors to develop a list of priorities in regard to railroad construction and reconstruction projects, focusing on projects important to tourism and projects with greatest potential for increased commuter and passenger rail service and taking into consideration the extent to which the proposed projects reduce the consumption of oil.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

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LD 904 An Act To Clarify When Bonds May Be Issued

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAREY TUTTLE		

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to amend the laws governing the issuance of General Fund bonds that have been ratified at referendum by the citizens of the State. Under this bill, once the issuance of bonds is ratified at referendum, the issuance of the bonds must be approved by the Governor unless the Governor determines, based on information available to the Governor, that:

1. The debt service on the bonds would be greater than the amount budgeted; or
2. The project or projects for which the bonds were authorized are not going forward and the funding to be provided by the bonds is not required.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

**LD 925 An Act To Authorize a General Fund Bond Issue for Riverfront
Community Development**

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LIBBY N CLEVELAND		

The funds provided by this bond issue, in the amount of \$25,000,000, will be used to fund a grant program to invest in projects that contribute to economic, environmental and community development and revitalization along the State's rivers, promote economic activity, protect the environment and enhance the quality of life for Maine people.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

**LD 940 An Act To Reestablish State-municipal Revenue-sharing as a Compact
between the State and Municipal Governments**

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND EVES		

Beginning July 1, 2015, this bill restructures 2 funds that are the depositories of state-municipal revenue-sharing resources prior to distribution to municipalities as irrevocable trusts and renames the funds.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

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LD 942 An Act To Authorize a General Fund Bond Issue To Invest in Deficient State Highways, Bridges and Aviation, Marine, Rail and Transit Facilities CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAZUREK THERIAULT		

The funds provided by this bond issue, in the amount of \$120,000,000, will be used for improvements to highways and bridges and rail, aviation, pedestrian and bicycle and marine facilities and to replace transit buses. Highway and bridge investments will be in high-priority roads that are rated in poor or unacceptable condition. Funding is also provided to repair state aid minor collector highways in partnership with municipalities under the Secondary Road Program Fund. Bond funds will match federal, local and private funds providing a total match of at least \$173,000,000.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1010 An Act To Authorize a General Fund Bond Issue To Ensure Clean Water CARRIED OVER

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

The funds provided by this bond issue, in the amount of \$50,000,000, will be used to provide funds for the Maine Clean Water Fund to assist municipalities in achieving clean water by addressing various water quality issues and mandates, including, but not limited to, separate and combined sewer and storm water overflow and sewage treatment.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1011 An Act To Authorize a General Fund Bond Issue To Upgrade Facilities and Purchase Classroom Equipment for Maine's Seven Community Colleges CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FREDETTE LANGLEY		

The funds provided by this bond issue, in the amount of \$15,000,000, will be used to provide funds to renovate and provide for new facilities and to fund a backlog of projects at the 7 Maine community colleges, of which \$13,800,000 is for renovation and new facilities and \$1,200,000 is for funding a backlog of projects.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

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**LD 1043 An Act To Authorize a General Fund Bond Issue and To Assist in the
Creation of Jobs through Regional Economic Development**

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BERRY CUSHING		

Part A provides funds in the amount of \$10,000,000 to be used to provide funds for state, regional and local financial intermediaries to make flexible loans to and investments in small businesses and real estate projects to create jobs.

Part B amends the laws regarding the Regional Economic Development Revolving Loan Program of the Finance Authority of Maine to include revitalization of downtowns and building stronger communities and a sustainable economy as purposes of the program. It clarifies that a corporation under the program may use revenue from commitment fees and interest to cover its operating costs, including loan fund management, increases the dollar amount of the maximum loan available to a borrower and adjusts other financing terms. It also adds businesses engaged in commercial and mixed-use real estate and community facilities and businesses engaged in serving tourists to the list of businesses that are eligible for financial assistance under the program. Part B takes effect only if the General Fund bond issue proposed in Part A is approved by the voters of the State.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

**LD 1052 An Act To Authorize a General Fund Bond Issue To Improve
Intermodal Infrastructure**

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FARNSWORTH HASKELL		

The funds provided by this bond issue, in the amount of \$20,000,000, will be used to provide funds to reconfigure, repair, maintain and improve the intermodal infrastructure in the State, including but not limited to rail, truck, marine and air transit modes.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

**LD 1090 An Act To Authorize a General Fund Bond Issue To Expand Nursing
Programs at Maine's Seven Community Colleges**

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HASKELL RUSSELL		

The funds provided by this bond issue, in the amount of \$15,000,000, will be used to provide funds to expand nursing programs at the 7 Maine community colleges.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

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LD 1095 An Act To Authorize a General Fund Bond Issue To Improve Highways, Bridges and Multimodal Facilities CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FLOOD THERIAULT		

The funds provided by this bond issue, in the amount of \$100,000,000, will be used for reconstruction and rehabilitation of highways and bridges and for facilities or equipment related to ports, harbors, marine transportation, freight and passenger railroads, aviation and transit, matching an estimated \$154,000,000 in federal and other funds.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1101 An Act To Authorize a General Fund Bond Issue To Support Waterfront Development CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HASKELL CAREY		

The funds provided by this bond issue, in the amount of \$10,000,000, will be used to fund a grant program to invest in projects that contribute to economic, environmental and community development and revitalization along the State's waterfronts, promote economic activity, protect the environment and enhance the quality of life for Maine people.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1105 An Act To Authorize a General Fund Bond Issue To Revitalize Maine's Downtowns through Innovative Business Development and the Creative Economy CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND GRANT		

The funds provided by this bond issue, in the amount of \$10,000,000, will be used as seed money to capitalize the Downtown Revitalization Fund, a revolving loan and grant fund to encourage business development in downtown areas, targeting innovative businesses, light manufacturing, trades and small businesses and space for artists and artisans. The Downtown Revitalization Fund is administered by a board consisting of public and private members and issues loans that must be matched by \$1 from the recipient for every \$2 received from the fund and issues grants.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

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LD 1125 An Act To Authorize a General Fund Bond Issue To Expand Public Water Infrastructure to Areas with Contaminated Well Water CARRIED OVER

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

The funds provided by this bond issue, in the amount of \$2,000,000, will be used to establish a grant program to expand public water infrastructure to areas that experience well-water contamination.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1142 An Act Regarding Correctional Officers' Retirement CARRIED OVER

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

This bill provides that, for purposes of determining retirement benefits under the Maine Public Employees Retirement System, state and county corrections employees are entitled to receive service credit for any period during which the employee was employed but unable to work due to a work-related injury compensable under the Maine Workers' Compensation Act of 1992.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1163 An Act To Authorize a General Fund Bond Issue To Fund Main Street and Downtown Economic Development Projects CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOODALL DECHANT		

The funds provided by this bond issue, in the amount of \$20,000,000, will be used to provide funds for main street and downtown economic development projects, with \$12,000,000 to be awarded to municipalities that are not automatic recipients of federal Community Development Block Grant funds and \$8,000,000 to be awarded through open competitive grants for all municipalities.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1175 An Act 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>
SAVIELLO KESCHL		

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This bill provides that service retirement benefits for a Capitol Police officer in the employment of the Department of Public Safety be computed on the basis of all of the member's creditable service, regardless of when that service was earned.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1180 An Act To Authorize a General Fund Bond Issue for the Maine Community Reinvestment and Job Creation Fund CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GERZOFSKY PRIEST		

The funds provided by this bond issue, in the amount of \$25,000,000, will be used to establish the Maine Community Reinvestment and Job Creation Fund, to benefit Brunswick Landing, formerly the Brunswick Naval Air Station, and to benefit the Loring Development Authority of Maine.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1223 An Act To Authorize a General Fund Bond Issue To Support the Maine Technology Institute's Action Plan Implementation CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAIN DILL		

The funds provided by this bond issue, in the amount of \$50,000,000, will be used to provide funds over 5 years for research, development and commercialization for targeted technology sectors, awarded after a competitive process administered by the Department of Economic and Community Development, Maine Technology Institute.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1385 An Act To Amend the Reporting Requirements of the Workers' Compensation Management Fund CARRIED OVER

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

Current law requires the Commissioner of Administrative and Financial Services to provide to the State Budget Officer and departments and agencies notice of quarterly premium payments due to the Workers' Compensation Management Fund so that the charges may be incorporated into the normal budgetary process. This bill instead requires the Department of Administrative and Financial Services, Division of Employee Health and Benefits to inform the State Budget Officer of the premium charges for the fiscal year, and directs the State Budget Officer to advise any affected department or agency so those charges may be incorporated into the normal budgetary process. This bill also removes transitional language that was applicable in the 114th Legislature.

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This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1395 An Act Regarding the Cost-of-living Adjustment for Certain State Retirees When the Cost of Living Declines CARRIED OVER

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

This bill provides that the public employee pension adjustment for changes in the Consumer Price Index does not include downward adjustments to achieve cost-neutrality attributable to a decrease in the Consumer Price Index for years prior to a retiree's retirement.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1418 An Act To Authorize a Matching General Fund Bond Issue for Improvements to the Seven Community College Campuses CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL R		

The funds provided by this bond issue, in the amount of \$10,000,000, will be used to provide matching funds for the 7 Maine community colleges in order to improve facilities, enhance education grant-issuing foundations and expand academic bridge programs after the Maine community colleges raise \$2,500,000 in private or in-kind donations.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1440 An Act To Amend the Retirement Laws Pertaining to Participating Local Districts PUBLIC 391

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROTUNDO	OTP-AM	H-568

This bill amends specific defined benefit plan provisions that apply to members of the Participating Local District Consolidated Retirement Plan administered by the Maine Public Employees Retirement System as a result of recommendations of the Participating Local District Advisory Committee, a committee established by statute that represents both the labor and management interests of participating local districts.

1. Allows the Board of Trustees of the Maine Public Employees Retirement System to establish by rule the rate at which plan members contribute.
2. Reduces the cost-of-living adjustment cap from 4% to 3%.
3. Increases from 6 to 12 months the length of time that a retiree must be retired in order to receive a cost-of-living increase.

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- 4. Raises the normal retirement age from 60 to 65 years of age for new hires.
- 5. Increases the early retirement reduction from 2 1/4% to 6% for new hires.

Committee Amendment "A" (H-568)

This amendment directs the Maine Public Employees Retirement System to review the statutory provisions governing the Participating Local District Retirement Program and the Participating Local District Consolidated Retirement Plan and report to the Joint Standing Committee on Appropriations and Financial Affairs no later than January 15, 2014. This amendment also provides that the committee may submit a bill to the Second Regular Session of the 126th Legislature upon receipt and review of the report.

Enacted Law Summary

Public Law 2013, chapter 391 amends specific defined benefit plan provisions that apply to members of the Participating Local District Consolidated Retirement Plan administered by the Maine Public Employees Retirement System as a result of recommendations of the Participating Local District Advisory Committee, a committee established by statute that represents both the labor and management interests of participating local districts.

- 1. It allows the Board of Trustees of the Maine Public Employees Retirement System to establish by rule the rate at which plan members contribute.
- 2. It reduces the cost-of-living adjustment cap from 4% to 3%.
- 3. It increases from 6 to 12 months the length of time that a retiree must be retired in order to receive a cost-of-living increase.
- 4. It raises the normal retirement age from 60 to 65 years of age for new hires.
- 5. It increases the early retirement reduction from 2 1/4% to 6% for new hires.

In addition, the law directs the Maine Public Employees Retirement System to review the statutory provisions governing the Participating Local District Retirement Program and the Participating Local District Consolidated Retirement Plan and report to the Joint Standing Committee on Appropriations and Financial Affairs no later than January 15, 2014.

LD 1455 An Act To Authorize a General Fund Bond Issue To Ensure Clean Water and Safe Communities

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOODALL BERRY		

This bill authorizes a bond issue in the amount of \$50,000,000 in order to make cost-effective investments in natural and built infrastructure to reduce threats to the State's water resources and provide a host of benefits for communities across Maine, including ensuring an abundant and high-quality drinking water supply, allowing communities to more effectively prepare for storms and flood events, conserving habitat for recreational fisheries, waterfowl and aquatic and wildlife species and strengthening the State's long-term economic base and competitive advantage. The bill establishes the Water Resources Commission and the Fund To Ensure Clean Water and Safe Communities. The commission is charged with assessing the State's water resource infrastructure needs and with allocating funds for resource conservation and development projects.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as

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amended by H-B (H-580) and H-C (H-582).

LD 1461 An Act To Require the State To Divest Itself of Assets Invested in the Fossil Fuel Industry

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JONES LACHOWICZ		

This bill requires the State to divest itself of assets invested in the fossil fuel industry.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1473 An Act To Create a Public Option Pension System

CARRIED OVER

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

This bill establishes the Maine Secure Choice Retirement Savings Trust within the Department of Labor and does the following.

1. It requires eligible employers to offer a payroll deduction retirement savings arrangement so that eligible employees can contribute a portion of their salary or wages to a retirement savings program account in the Maine Secure Choice Retirement Savings Program, also created by the bill.
2. It requires an eligible employee to participate in the Maine Secure Choice Retirement Savings Program, unless the employee specifically opts out of the program. The Bureau of Labor Standards is required to provide forms to employers for employees to opt out of the program.
3. The bill creates the 7-member Maine Secure Choice Retirement Savings Investment Board to administer the trust.
4. It specifies risk management and investment policies that the board must follow in administering the program.
5. The bill requires a specific percentage of the annual salary or wages of an eligible employee participating in the program to be deposited in the trust, which is divided into a program fund and an administrative fund. It authorizes the board to establish a gain and loss revenue account within the program fund.
6. The bill, contingent upon sufficient interest and funding by vendors, requires the board to establish a retirement investment clearinghouse on the Internet and a vendor registration process through which information about employer-sponsored retirement plans and payroll deduction individual retirement accounts and annuities offered by private sector providers is available for consideration by eligible employers.
7. It requires the Bureau of Labor Standards to assess a penalty on an eligible employer that fails to make the program available to eligible employees.
8. It provides that the State has no liability for the payment of benefits under the program.
9. The bill directs the board to conduct a market analysis to determine whether the necessary conditions needed to implement the provisions of the trust can be achieved. The analysis may be conducted only when sufficient funding

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from the nonprofit or private sector or from state or federal government is available. The provisions of the bill establishing the Maine Secure Choice Retirement Savings Investment Board and the trust are repealed December 31, 2015 unless the board reports to the Legislature the board's determination, through the market analysis, that those provisions of the trust are self-sustaining and that funds exist to allow the board to implement the program until sufficient funds become available to make it self-sustaining and the Legislature takes action based on the board's determination. It requires the board to ensure that insurance, annuity or other funding mechanisms are in place to protect the value of individuals' accounts.

10. The bill prevents the board from implementing the trust if the IRA arrangements offered fail to qualify for favorable federal income tax treatment ordinarily accorded to IRAs under the Internal Revenue Code or if the program is determined to be an employee benefit plan under the federal Employee Retirement Income Security Act.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

**LD 1492 An Act To Authorize a General Fund Bond Issue To Strengthen
Maine's Economy and Communities** **CARRIED OVER**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KATZ ROTUNDO		

The funds provided by this bond issue, in the amount of \$85,000,000, will be used to provide funds for development projects for the Communities for Maine's Future Program; for capital investment in programs to train workers for which there is a demonstrated need; for research and development and commercialization of technology; for infrastructure repairs and improvements for public transport and public trails; and for wastewater and safe drinking water infrastructure improvements.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

**LD 1509 An Act Making Unified Appropriations and Allocations for the
Expenditures of State Government, General Fund and Other Funds and
Changing Certain Provisions of the Law Necessary to the Proper
Operations of State Government for the Fiscal Years Ending June 30,
2014 and June 30, 2015** **PUBLIC 368
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHASE HILL	OTP-AM	H-468 H-499 ROTUNDO

This bill is the Governor's proposed 2014-2015 Biennial Budget.

Committee Amendment "A" (H-468)

This amendment is the unanimous report of the Committee in response to the Governor's proposed bill.

House Amendment "P" To Committee Amendment "A" (H-499)

This amendment is a technical amendment that makes the following corrections to Committee Amendment "A".

1. It clarifies that the reduction in funding for prescription drugs and crossover payments relates to nondual

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Medicare Savings Program members.

2. It makes a correction in an appropriations and allocations section.
3. It corrects language regarding the calculation of net reduction in funding for purposes of adjustments to the property tax levy limit.
4. It makes a technical correction to make consistent the language regarding the counting of benefits as income when determining eligibility for general assistance.
5. It reduces funding for the Maine Apprenticeship Program to offset an inadvertent overfunding.
6. It continues until August 1, 2013 all limited-period positions throughout State Government that are scheduled to expire during June of 2013.

Enacted Law Summary

Public Law 2013, chapter 368 does the following.

PART A makes appropriations and allocations of funds for the 2014-2015 biennium. Portions of this Part were amended by House Amendment "P" to Committee Amendment "A" (H-499).

PART B makes appropriations and allocations of funds for approved reclassifications and range changes.

PART C relates to the funding of K-12 education.

PART D authorizes the Department of Administrative and Financial Services to enter into financing arrangements in fiscal years 2013-14 and 2014-15 for the acquisition of motor vehicles for the Central Fleet Management Division.

PART E limits funding for merit increases to fiscal year 2013-14 only. It also does the following in relation to longevity payments: 1) eliminates payments to individuals not eligible on June 30, 2013; 2) maintains the longevity payment level for those eligible on June 30, 2013 at the rate in effect on June 30, 2013; and 3) extends the limitation on longevity payments to the legislative branch and the judicial branch.

PART F directs the Director of the Governor's Office of Policy and Management to analyze the structure and functions of government to identify \$11,250,000 in savings to be achieved administratively in fiscal year 2013-14 and \$22,500,000 in savings in fiscal year 2014-15. It also directs the Department of Administrative and Financial Services, Bureau of the Budget and the Executive Department, Governor's Office of Policy and Management to undertake a review of positions within executive branch departments and agencies and identify up to 100 positions to be eliminated.

PART G changes the process for adjustments to the property tax levy limit under the so-called LD 1 spending limitation system. This Part was amended by House Amendment "P" to Committee Amendment "A" (H-499).

PART H amends the statutory provisions pertaining to the active and retired state employee health insurance plan and the state contribution to the health insurance premiums for retired teachers; and reduces funding as a result of the specified changes and new actuarial projections of the cost of retiree health insurance.

PART I continues the voluntary employee incentive program through the 2014-2015 biennium.

PART J adjusts revenue sharing for the 2014-2015 biennium by extending the annual transfers back to the General Fund from the Local Government Fund to target total revenue sharing transfers to specified amounts.

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PART K changes the reimbursement under the Business Equipment Tax Reimbursement (BETR) program and establishes a task force to review options for transitioning business equipment from the BETR program to the Business Equipment Tax Exemption (BETE) program.

PART L provides for Maine residents with a specified Maine adjusted gross income a refundable property tax fairness credit against state income taxes and terminates the Circuitbreaker Program and municipal property tax assistance programs.

PART M increases the tax on sales of prepared food, lodging and liquor sold in bars and restaurants and similar licensed establishments to 8% and the general sales tax to 5.5% from October 1, 2013 to June 30, 2015 and specifies the percentage transferred to the Tourism Marketing Promotion Fund during this period.

PART N provides that the sales tax applies to the sale of products transferred electronically in this State if the product would be subject to the sales tax if sold in a nondigital physical form.

PART O changes in the statutes related to payments to municipalities for adjustments to state valuation for sudden and severe disruption of municipal valuation. This Part is further amended by Public Law 2013, chapter 385 (LD 1570).

PART P repeals the sales tax exemption for certain publications.

PART Q suspends the inflation adjustment for income tax brackets for tax years beginning in 2014 and 2015 and provides that the inflation adjustment calculation for tax years beginning after 2015 must be based on the Chained Consumer Price Index instead of the Consumer Price Index.

PART R repeals the requirement that the state budget document contain the prioritized public improvements budget estimate.

PART S establishes the Tax Expenditure Review Task Force to evaluate tax expenditures and recommend the repeal or reduction of tax expenditures to achieve a specified savings.

PART T continues authorization for each individual tax expenditure provided for by statute.

PART U reduces the amount of funding transferred from the real estate transfer tax to the Maine State Housing Authority by increasing the amount transferred to the General Fund.

PART V transfers the powers and duties of the liquor enforcement division within the Department of Public Safety to the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations.

PART W recognizes an increase in the attrition rate for the 2014-2015 biennium for judicial branch and executive branch departments and agencies.

PART X creates an unclassified communications position within the Department of Agriculture, Conservation and Forestry.

PART Y changes the accounting structure to separate the milk pool program and the dairy stabilization support program.

PART Z transfers \$4,000,000 from the General Fund unappropriated surplus to the Maine Budget Stabilization Fund no later than June 30, 2015.

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PART AA requires the Commissioner of Administrative and Financial Services to convene a task force of Legislators and interested parties to review options for imposing a temporary assessment on larger nonprofit organizations.

PART BB requires the State Court Administrator to adjust upward the salaries of the State's chief justices, chief judge, deputy chief judge, associate justices and associate judges by a specified percentage on July 1, 2013 and July 1, 2014 instead of the percentage change in the Consumer Price Index.

PART CC increases the fee paid to nonsalaried medical examiners and nonsalaried medicolegal death investigators for an inspection and view.

PART DD adds the Chief Medical Examiner account within the Department of the Attorney General to the list of accounts exempt from lapsing unexpended General Fund Personal Services appropriations to the Salary Plan program.

PART EE increases the assessments imposed on persons convicted of crimes that accrue to the Victims' Compensation Fund.

PART FF authorizes the Department of Corrections to transfer by financial order Personal Services, All Other and Capital Expenditures funding between accounts within the same fund for the purposes of paying departmental overtime expenses.

PART GG allows the Department of Corrections to carry unexpended Personal Services balances to the Capital Expenditures line category in the following year.

PART HH authorizes the Commissioner of Corrections to use up to \$250,000 to conduct an independent feasibility study of the need for correctional construction projects in the Town of Windham.

PART II makes the Deputy Chief of Staff within the Department of Education subject to appointment by the commissioner.

PART JJ authorizes the Department of Education to purchase portable computer devices for students and educators.

PART KK provides that the Commissioner of Education is required to employ at least one consultant whose responsibility includes, but is not limited to, covering the area of truancy, dropouts and alternative education.

PART LL lapses funds from accounts within the legislative branch to the unappropriated surplus of the General Fund.

PART MM suspends both primary and general election distributions to gubernatorial candidates during the 2014 election cycle and makes changes to the transfers to the Maine Clean Election Fund for the legislative elections.

PART NN requires the Department of Health and Human Services to continue to review the rate methodology for reimbursement under the Section 21 and Section 29 waivers and report on its recommended reimbursement levels.

PART OO amends the food supplement and Temporary Assistance for Needy Families programs for legal aliens to limit eligibility to those noncitizens who are unemployed but who have obtained proper work documentation and makes changes to the general assistance program. This Part was amended by House Amendment "P" to Committee Amendment "A" (H-499).

PART PP requires the Department of Health and Human Services to pursue an appropriate setting to provide

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intravenous sedation dental services in the Portland area.

PART QQ updates the base year for the hospital tax to 2012 and keeps it at that level.

PART RR allows Commissioner of Agriculture, Conservation and Forestry to expend up to a specified percentage of the funds available from the Agriculture Fair Support Fund for administration.

PART SS requires the Department of Health and Human Services to amend the so-called Section 21 and Section 29 MaineCare waivers to permit reimbursement for the use of appropriate technology as a means to reduce cost and to incorporate the recommendations of the adult developmental services working group into the planning process.

PART TT does the following: 1) updates references to the United States Internal Revenue Code of 1986 contained in the Maine Revised Statutes; 2) amends the allowable standard deduction to not conform with the larger federal married joint standard deduction; 3) enacts a limitation on the itemized deductions for income tax years beginning on or after January 1, 2013; 4) enacts new addition and subtraction modifications for individual and corporate income taxes to decouple Maine bonus depreciation deductions from the federal bonus depreciation deductions; 5) enacts a new credit section extending the Maine capital investment credit for taxable years beginning in 2013; and 6) enacts an annual inflation adjustment to the itemized deduction limitation amount.

PART UU gives the Department of Health and Human Services the authority to adopt emergency rules to implement any provisions of this Act.

PART VV requires the Commissioner of Health and Human Services to standardize room and board rates for adult mental health residential.

PART WW establishes a working group convened by the Commissioner of Administrative and Financial Services to review mandates imposed by the State on municipalities.

PART XX transfers funds from the Inland Fisheries and Wildlife Carrying Balances - General Fund account to the Enforcement Operations - Inland Fisheries and Wildlife program, General Fund account to purchase one replacement aircraft engine in each year of the biennium.

PART YY transfers funds from the Carrying Balances - Inland Fisheries and Wildlife, General Fund account to the Administrative Services - Inland Fisheries and Wildlife, General Fund account to fund security improvements and renovations at the Gray headquarters facility.

PART ZZ delays until the 2016-2017 biennium the increase to Department of Inland Fisheries and Wildlife appropriations by 18% over the requested amount (also known as "The Fiscal Stability Program").

PART AAA amends language pertaining to watercraft revenue distribution between the Department of Inland Fisheries and Wildlife and the Department of Marine Resources.

PART BBB establishes a working group to be convened by the Director of the Division for the Blind and Visually Impaired within the Department of Labor to review the Department of Labor's business enterprise program.

PART CCC creates an Assistant to the Commissioner for Communications position within the Department of Marine Resources as a major policy-influencing position in the unclassified service, subject to appointment by the Commissioner of Marine Resources and eliminates the Special Assistant to the Commissioner position.

PART DDD renames 2 programs and establishes 2 programs in the Department of Marine Resources.

PART EEE requires that the funding for the Department of Public Safety, Bureau of State Police be provided 35%

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from the Highway Fund and 65% from the General Fund beginning in fiscal year 2013-14.

PART FFF authorizes the Department of Administrative and Financial Services to enter into financing arrangements in fiscal years 2013-14 and 2014-15 for the acquisition of motor vehicles for the Department of Public Safety, Bureau of State Police.

PART GGG provides the transition provisions applicable to the transfer of 4 positions and the responsibility of those positions from the Department of Administrative and Financial Services to the Public Utilities Commission.

PART HHH authorizes members of the State Board of Education to be reimbursed for expenses.

PART III requires the State Controller to transfer \$250,000 in fiscal year 2013-14 from the unappropriated surplus of the General Fund to the Callahan Mine Site Restoration program, Other Special Revenue Funds account within the Department of Transportation.

PART JJJ allocates part of the University of Maine cooperative extension pesticide education funds for fiscal years 2013-14 and 2014-15 for applied research and extension on spotted wing drosophila with input from the small fruit industry and to integrated pest management with input from the University of Maine Wild Blueberry Advisory Committee.

PART KKK provides for an interfund advance from Other Special Revenue Funds to the General Fund unappropriated surplus required for one day at the end of fiscal year 2013-14.

PART LLL requires the State Controller to transfer \$1,050,000 from the General Fund unappropriated surplus to the Leased Space Reserve Fund, Other Special Revenue Funds account within the Department of Administrative and Financial Services no later than June 30, 2014.

PART MMM adds the Medicaid Waiver for Brain Injury Residential/Community Services program and the Medicaid Waiver for Other Related Conditions program to the list of programs whose funds do not lapse at the end of the fiscal year.

PART NNN authorizes new Maine Governmental Facilities Authority borrowing in fiscal year 2013-14 and fiscal year 2014-15 to provide funding for repairs to state facilities, including appropriations for the additional debt service costs, and authorizes financing agreements for heating system changes of up to a specified amount.

PART OOO requires that the balance in the Department of Public Safety, Criminal Justice Academy program, General Fund account at the close of fiscal year 2013-14 may not lapse and must be carried forward for its original purpose.

PART PPP directs the Department of Health and Human Services to amend its rules to pay a distinct psychiatric unit discharge rate for certain patients and to provide a specified reimbursement rate for inpatient substance abuse services.

PART QQQ requires the State Controller to transfer \$2,500,000 from the Competitive Skills Scholarship Fund in the Department of Labor to the General Fund unappropriated surplus no later than June 30, 2014.

PART RRR establishes the rates of compensation for indigent legal services for fiscal years 2013-14 and 2014-15 and revises the rule-making authority of the commission to provide that rules concerning future changes to rates of compensation for assigned counsel and contract counsel are major substantive rules.

PART SSS authorizes the transfer of available Personal Services or All Other balances from the Department of Health and Human Services, Developmental Services - Community program account to the Crisis Outreach Program

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account.

PART TTT renames several programs within the Department of Health and Human Services.

PART UUU increases the limit for the special housing allowance for TANF families beginning October 1, 2013.

PART VVV extends authority to transfer balances in certain MaineCare General Fund accounts by financial order through June 30, 2015 and adds the Medicaid Waiver for Brain Injury Residential/Community Services program and the Medicaid Waiver for other Related Conditions program to the list of MaineCare programs between which transfers may be made.

PART WWW does the following: 1) authorizes the transfer by financial order of any available appropriations to MaineCare in order to fully fund weekly cycle payments; 2) prohibits transfers from the IV-E Foster Care/Adoption Assistance and State-funded Foster Care/Adoption Assistance programs except transfers between the 2 programs; and 3) authorizes the transfer by financial order available Personal Services balances in the Disproportionate Share - Dorothea Dix Psychiatric Center program, the Disproportionate Share - Riverview Psychiatric Center program and the Riverview Psychiatric Center program in order to provide funds for an electronic medical records system.

PART XXX authorizes the Department of Corrections to transfer All Other funds by financial order between accounts within the same fund for the purposes of paying food, heating and utility expenses.

PART YYY requires the Commissioner of Corrections to review the current organizational structure to improve organizational efficiency and authorizes the State Budget Officer to transfer positions and available balances by financial order between July 1st and December 1st of each fiscal year. Any transfers resulting in a mission change or facility closure must have legislative review.

PART ZZZ segregates funding for vocational and industry programs and transfers the ending balances of the current industries enterprise account and portions of Other Special Revenue Funds accounts to a new industries enterprise account and specifies transfers of unexpended funds in existing facility industry accounts.

PART AAAA moves the budgetary and administrative responsibility for the displaced homemakers program from the Department of Labor to the University of Maine System.

PART BBBB amends the amount of funds available to the State authorized to be transferred by the Governor by financial order to the Maine Commission on Indigent Legal Services in the fiscal year ending June 30, 2013.

PART CCCC changes the name of the Bureau of Child and Family Services to the Office of Child and Family Services within the Department of Health and Human Services.

PART DDDD requires the State Controller to transfer the remaining balance from the Maine Community Policing Institute Surcharge Fund, Other Special Revenue Funds account within the Board of Trustees of the University of Maine System to the unappropriated surplus of the General Fund by the close of fiscal year 2013-14.

PART EEEE expands the use of the endowment to the Lewiston-Auburn College in the University of Maine System originally seeded to provide fellowships to student teachers to include student teachers in secondary schools and early childhood studies and allows the endowment to be used for internships or scholarships.

PART FFFF transfers funds from the Bureau of Revenue Services Fund program, Internal Service Fund in the Department of Administrative and Financial Services to the General Fund unappropriated surplus in fiscal year 2014-15.

PART GGGG requires the State Controller to transfer \$100,000 from the Elderly Tax Deferral Program, Other

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Special Revenue Funds account to the General Fund unappropriated surplus no later than June 30, 2015.

PART HHHH requires the State Controller to transfer \$200,000 from the Bureau of Revenue Services Fund, Internal Service Fund account in the Department of Administrative and Financial Services to the General Fund unappropriated surplus by June 30, 2013.

PART IIII requires the State Controller to transfer \$185,000 from the Elderly Tax Deferral Program, Other Special Revenue Funds account in the Department of Administrative and Financial Services to the General Fund unappropriated surplus by June 30, 2013.

PART JJJJ allows the members of the Maine Charter School Commission to receive per diem at the legislative rate in addition to being reimbursed for expenses.

PART KKKK authorizes the Department of Administrative and Financial Services to enter into financing arrangements for various information technology projects for amounts not to exceed \$7,500,000 in principal costs and not to exceed 7 years in duration.

PART LLLL removes the requirement that expenditures from the Nonreserved Public Lands Management Fund and the Public Reserved Lands Management Fund in the Department of Agriculture, Conservation and Forestry; the Whitewater Rafting Fund in the Department of Inland Fisheries and Wildlife; and the Marine Fisheries Research and Development Fund in the Department of Marine Resources be subject to legislative approval in the same manner as General Fund appropriations.

PART MMMM requires the Department of Health and Human Services to develop recommendations to achieve payment parity between hospital-compensated and non-hospital-compensated physicians.

PART NNNN requires the State Controller to transfer \$300,000 in fiscal year 2013-14 and \$500,000 in fiscal year 2014-15 from the Dirigo Health Enterprise Fund to the unappropriated surplus of the General Fund.

PART OOOO extends the service provider tax to group residential services for people with brain injuries.

PART PPPP transfers \$1,200,000 in fiscal year 2013-14 and \$500,000 in fiscal year 2014-15 from the Revenue Services - Bureau of program, Other Special Revenue Funds account to the General Fund unappropriated surplus.

PART QQQQ provides temporary funding for the Administration - Maine Emergency Management Agency program within the Department of Defense, Veterans and Emergency Management until federal funding becomes available.

PART RRRR increases the amount transferred from the K-12 Essential Programs and Services, Other Special Revenue Funds account to the unappropriated surplus of the General Fund by fiscal year 2012-13 and requires transfers in each year of the biennium.

PART SSSS repeals the Clean Fuel Vehicle Fund and transfers cash balances to the General Fund unappropriated surplus and requires the Finance Authority of Maine to pay \$37,033 from contributions and interest earned in the Clean Fuel Vehicle Fund to the State as undedicated General Fund revenue.

PART TTTT authorizes the State Budget Officer to calculate and transfer the savings to General Fund accounts for a decrease in rates from the risk management division within the Department of Administrative and Financial Services.

PART UUUU authorizes the State Budget Officer to calculate and transfer the savings to General Fund accounts achieved by converting state office buildings in the Augusta area to natural gas heat.

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PART VVVV extends the exemption for aircraft and aircraft parts from the sales and use tax until June 30, 2021 and requires the joint standing committee of the Legislature having jurisdiction over taxation matters review the tax exemption.

PART WWWW requires the Department of Health and Human Services to restore MaineCare reimbursement rates for services provided by licensed clinical professional counselors and licensed marriage and family therapists to levels in place prior to March 1, 2013.

PART XXXX repeals the premium tax on malt liquor, wine, low-alcohol spirits products, fortified wines and hard cider and increases the excise tax on these items by the amount of the premium and requires that at least 31% of the excise tax collected to be appropriated to the Department of Health and Human Services for substance abuse prevention and treatment.

PART YYYY requires that legal notices appearing in a newspaper also appear on any publicly accessible website that the newspaper maintain and prohibits a newspaper from charging an executive branch agency a rate for publishing legal notices that is greater than the rate the newspaper charges the Legislature

PART ZZZZ requires the State Controller to transfer \$100,000 from the Criminal History Record Check Fund program, Other Special Revenue Funds account in the Department of Education to the General Fund unappropriated surplus.

PART AAAAA makes changes to statutes regarding reimbursement under the MaineCare program for opioid drugs for the treatment of pain.

PART BBBBB authorizes the State Budget Officer to transfer up to \$500,000 by financial order from the Department of Corrections - Capital Improvements, General Fund account to the State Board of Corrections in fiscal year 2012-13.

PART CCCCC specifies reporting requirement for the expanded "Bring College to ME Program" under the Maine Community College System and the development of criteria for a scholarship program for adults with prior education credits under the University of Maine System and establishes the "Foreign-trained Worker Pilot Project" within the Department of Education. This Part was originally contained in LD 90 as amended by the Joint Select Committee on Maine's Workforce and Economic Future.

PART DDDDD amends the laws governing the Education Coordinating Committee and directs the committee to study issues related to the delivery of programs and courses to adults needing assistance in meeting the requirements for postsecondary education admittance. This Part was originally contained in LD 90 as amended by the Joint Select Committee on Maine's Workforce and Economic Future.

PART EEEEE requires the Chancellor of the University of Maine System and the President of the Maine Community College System and the Board of Trustees of the Maine Community College System, to develop the policies and procedures to establish a process for students enrolled in community colleges in this State to successfully transfer their credits into the University of Maine System in order to complete their baccalaureate degrees. It also requires them to study the feasibility of developing a common course numbering system and provide a plan and implementation schedule. This Part was originally contained in LD 90 as amended by the Joint Select Committee on Maine's Workforce and Economic Future.

PART FFFFFF establishes Maine industry partnerships as a cooperative initiative within the Office of the Governor and creates the Industry Partnership Assistance Collaborative in the Office of the Governor administered by the Commissioner of Labor. This Part was originally contained in LD 90 as amended by the Joint Select Committee on Maine's Workforce and Economic Future.

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PART GGGGG establishes the Task Force on Adult Learners and requires it to develop a multisector statewide strategic plan to increase postsecondary degree completion rates among such nontraditional students. This Part was originally contained in LD 90 as amended by the Joint Select Committee on Maine’s Workforce and Economic Future.

PART HHHHH requires the director of the office within the Department of Education concerned with adult education and family literacy to convene the Working Group on Adult Workforce Readiness to develop a statewide plan to address the work readiness needs of unemployed adults, incumbent workers and employers. This Part was originally contained in LD 90 as amended by the Joint Select Committee on Maine’s Workforce and Economic Future.

PART IIIII requires Jobs for Maine's Graduates to provide capacity, curriculum and professional development to assist up to 30 high schools, depending on available funding. This Part was originally contained in LD 90 as amended by the Joint Select Committee on Maine’s Workforce and Economic Future.

PART JJJJJ establishes the Maine Incumbent Worker Training Program as a pilot project within the Maine Community College System. This Part was originally contained in LD 90 as amended by the Joint Select Committee on Maine’s Workforce and Economic Future.

PART KKKKK expands InternHelpME.com, a statewide internship-matching program established by the Maine State Chamber of Commerce. This Part was originally contained in LD 90 as amended by the Joint Select Committee on Maine’s Workforce and Economic Future.

PART LLLLL makes additional supplemental appropriations and allocations for the fiscal year ending June 30, 2013.

PART MMMMM provides for an additional \$3,000,000 to be transferred from the General Fund for distribution to the milk producers in fiscal year 2012-113.

PART NNNNN reduces funding for the Maine Apprenticeship Program. This Part is a result of House Amendment “P” to Committee Amendment “A” (H-499). The funding reduction offset an inadvertent overfunding as a result of incorporating LD 90 into the Biennial Budget.

PART OOOOO continues until August 1, 2013 all limited period positions throughout State Government that are scheduled to expire during June 2013. This Part is a result of House Amendment “P” to Committee Amendment “A” (H-499).

Public Law 2013, chapter 368 was enacted as an emergency measure effective June 26, 2013.

LD 1514 An Act To Reform the Maine Public Employees Retirement System

CARRIED OVER

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

This bill is a concept draft pursuant to Joint Rule 208.

This bill as emergency legislation proposes to amend the retirement provisions for state employees and teachers participating in the Maine Public Employees Retirement System in the following ways.

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- 1. Cost-of-living adjustments. The bill would increase the cost-of-living adjustment formula for all individuals receiving a pension benefit from the State.
 - A. The base on which the cost-of-living adjustment, or COLA, is awarded would be the member's benefit up to the maximum allowable social security benefit at the member's normal retirement age under the federal social security laws. For an individual retiring in 2013, the pension amount eligible for the COLA would increase from \$20,000 to \$30,156.
 - B. The COLA would be calculated using the index used by the United States Social Security Administration but would be capped at 4%.
 - C. At retirement, members would be given a payout option that would provide a full COLA, not subject to the 4% cap and not subject to the reduced benefit base. The full COLA payout option would be self-funded by requiring an actuarially equivalent reduction in the initial benefit payout amount.
 - D. The increased COLA formula for individuals already receiving a retirement pension from the State would be applied prospectively only, beginning on July 1, 2013.
- 2. Deferred retirement. The bill would increase the pension amount for individuals choosing to defer retirement until after the normal retirement age specified in the State Employee and Teacher Retirement Program. The intent of this provision is to increase the flexibility of the program for employees choosing retirement at any age and to increase the financial benefits from continuing to work.
 - A. The normal retirement age would remain unchanged at 60, 62 or 65 years of age, depending on the year a member became vested in the program.
 - B. Members initiating payments before the normal retirement age would continue to receive a 1/2% reduction in the benefit amount for each month that the member retires early.
 - C. A member retiring after the normal retirement age would receive a 1/2% increase in the benefit amount for each month that the member defers retirement after the normal retirement age, up to 70 years of age. The percentage increase would be in addition to the increase in service credit.
- 3. Service credit. The baseline pension formula for retirement at the normal retirement age would provide a benefit amount of 2% of final average salary per year of service through June 30, 2013, plus 1.5% of final average salary per year of service after June 30, 2013.
- 4. Defined contribution plan. A state employee or teacher would automatically be enrolled in an opt-out defined contribution plan with a default employee contribution rate of 4% of salary. The State or the participating local school district would match 25% of the employee's or teacher's contribution, up to a maximum of 2% of the employee's or teacher's salary.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1555 An Act To Strengthen Maine's Hospitals and To Provide for a New Spirits Contract

**PUBLIC 269
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FLOOD	OTP-AM	S-269

Joint Standing Committee on Appropriations and Financial Affairs

This bill is based on Legislative Document 1546, except that it specifies that the application fees are capped at \$5,000 for a bid for spirits trade marketing and \$20,000 for a bid for spirits administration and warehousing and distribution and it eliminates those provisions of Legislative Document 1546 that propose to expand coverage under the MaineCare program.

Part A repeals current law that allows for transfer of the State's wholesale liquor business through July 1, 2014. Part A directs the Commissioner of Administrative and Financial Services to develop a request for proposals through the competitive bid process to award 2 contracts, one for the operation of the State's wholesale liquor business encompassing spirits administration and warehousing and distribution and one for spirits trade marketing. Part A also increases the discount rate at which agency liquor stores purchase spirits for retail sale from the current minimum of 9% of list price to 12% as of July 1, 2014. Part A allows the waiver of a licensing requirement in the event that a retailer with more than 5 agency liquor stores in this State is purchased or control is transferred to another company not in this State as long as the purchasing or controlling company has held a license to sell beer and wine in another state for at least one year.

Part B authorizes the bond bank, with the written approval of the Governor, to issue liquor operation revenue bonds in an amount up to \$188,500,000. Part B establishes 2 funds, the Health Care Liability Retirement Fund and the Liquor Operation Revenue Fund. The Health Care Liability Retirement Fund is funded with the revenue from the sale of the bonds and used to pay debts owed by the State for services provided by health care providers prior to December 1, 2012; anything in excess of the amount owed is transferred to the Liquor Operation Revenue Fund. The Liquor Operation Revenue Fund is funded by revenue from the management of wholesale liquor activities; such revenue will be used to pay the principal and interest of the liquor operation revenue bonds as those amounts become due.

During fiscal years 2014-15, 2015-16 and 2016-17, any excess revenue up to a set amount is transferred to the General Fund to offset the amounts included in budgeted General Fund revenue from liquor sales and operations and to offset additional General Fund costs for liquor enforcement activities; after those transfers in those fiscal years and for the rest of the bond repayment period, excess revenue over the set amount, up to \$7,000,000 per year, is transferred to the Department of Health and Human Services and the Department of Environmental Protection for revolving loan funds for drinking water systems and wastewater treatment, and, if the amount transferred for those loans is limited for federal matching funds purposes, any remainder is transferred to the Department of Transportation for construction of highways and bridges. Any excess funds retained by the Maine Municipal Bond Bank during the bond repayment period must be transferred to the Maine Budget Stabilization Fund immediately upon retirement of the bonds. Following the retirement of the bonds, excess revenue is also transferred to the Maine Budget Stabilization Fund.

Part C removes the administration of the sale of fortified wine by the State, beginning July 1, 2014.

Committee Amendment "A" (S-269)

This amendment does the following: 1) changes the amount of the liquor operation revenue bonds that may be issued to \$183,500,000 from \$188,500,000; 2) changes the distributions from the Liquor Operation Revenue Fund to the General Fund from \$8,714,884 to \$9,714,884 in fiscal year 2014-15, from \$8,889,000 to \$9,639,000 in fiscal year 2015-16 and from \$9,067,000 to \$9,817,000 in fiscal year 2016-17; 3) specifies that the fund must be used for the costs of administering the fund, bonds and ancillary obligations; and 4) replaces the appropriations and allocations Part with a new appropriations and allocations Part to implement the provisions of the bill.

Enacted Law Summary

Public Law 2013, chapter 269 does the following.

1. It repeals current law that allows for transfer of the State's wholesale liquor business through July 1, 2014.

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2. It directs the Commissioner of Administrative and Financial Services to develop a request for proposals through the competitive bid process to award two contracts, one for the operation of the State's wholesale liquor business encompassing spirits administration and warehousing and distribution and one for spirits trade marketing.
3. It increases the discount rate at which agency liquor stores purchase spirits for retail sale from the current minimum of 9% of list price to 12% as of July 1, 2014.
4. It allows the waiver of a licensing requirement in the event that a retailer with more than five agency liquor stores in this State is purchased or control is transferred to another company not in this State as long as the purchasing or controlling company has held a license to sell beer and wine in another state for at least one year.
4. It authorizes the bond bank, with the written approval of the Governor, to issue liquor operation revenue bonds in an amount up to \$183,500,000.
5. It establishes two funds, the Health Care Liability Retirement Fund which is funded with the revenue from the sale of the bonds and used to pay debts owed by the State for services provided by health care providers prior to December 1, 2012 and the Liquor Operation Revenue Fund which is funded by revenue from the management of wholesale liquor activities and used to pay the costs of administering the fund, the bonds and the ancillary obligation and the principal and interest of the liquor operation revenue bonds as those amounts become due.
6. It specifies that during fiscal years 2014-15, 2015-16 and 2016-17, any excess revenue up to a set amount is transferred to the General Fund to offset the amounts included in budgeted General Fund revenue from liquor sales and operations and to offset additional General Fund costs for liquor enforcement activities.
7. It specifies that after the transfers noted above in fiscal years 2014-15 through 2016-17 and for the rest of the bond repayment period, excess revenue over the set amount, up to \$7,000,000 per year, is transferred to the Department of Health and Human Services and the Department of Environmental Protection for revolving loan funds for drinking water systems and wastewater treatment, and, if the amount transferred for those loans is limited for federal matching funds purposes, any remainder is transferred to the Department of Transportation for construction of highways and bridges.
8. It specifies that excess funds retained by the Maine Municipal Bond Bank during the bond repayment period and excess revenue following the retirement of the bonds must be transferred to the Maine Budget Stabilization Fund.
9. It removes the administration of the sale of fortified wine by the State, beginning July 1, 2014.

Public Law 2013, chapter 269 was enacted as an emergency measure effective June 14, 2013.

LD 1563 An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2013

**PUBLIC 248
EMERGENCY**

Sponsor(s)
THIBODEAU

Committee Report

Amendments Adopted

Joint Standing Committee on Appropriations and Financial Affairs

This bill was acted upon without reference to committee.

This bill is the Governor's proposal to make appropriations and allocations for the fiscal year ending June 30, 2013 and authorize limited-period positions not yet continued in a biennial budget to be occupied through June 30, 2013.

Enacted Law Summary

Public Law 2013, chapter 248 makes appropriations to support MaineCare costs and provide funding in the Medical Care - Payments to Providers program to make cycle payment in fiscal year 2012-13 and authorize limited-period positions not yet continued in a biennial budget to be occupied through June 30, 2013.

Public Law 2013, chapter 248 was enacted as an emergency measure effective June 14, 2013.

Public Law 2013, chapter 248 was repealed by Public Law 2013, chapter 377 (LD 1571) in order to avoid a double appropriation resulting from the enactment of the unified biennial budget (LD 1509, Public Law 2013, chapter 386).

LD 1571 An Act To Prevent the Double Funding of Certain MaineCare Costs

**PUBLIC 377
EMERGENCY**

Sponsor(s)
HILL
ROTUNDO

Committee Report

Amendments Adopted

This bill was acted upon without reference to committee.

This bill is the Governor's proposal to repeal Public Law 2013, chapter 248, which contains appropriations and allocations that are duplicated in Public Law 2013, chapter 368, the unified budget bill.

Enacted Law Summary

Public Law 2013, chapter 377 repeals Public Law 2013, chapter 248, which contains appropriations and allocations that are duplicated in Public Law 2013, chapter 368, the biennial budget bill.

Public Law 2013, chapter 377 was enacted as an emergency measure effective June 28, 2013.

LD 1572 An Act To Correct Minor Technical Errors and Inconsistencies in the Unified Budget Bill

**HELD BY
GOVERNOR**

Sponsor(s)

Committee Report

Amendments Adopted

H-575 ROTUNDO
H-581 ROTUNDO

This bill was reported by the Appropriations and Financial Affairs Committee pursuant to Joint Order, H.P. 1140.

This bill corrects minor technical errors and inconsistencies in Public Law 2013, chapter 368, the so-called unified budget bill, including:

1. Correcting a technical conflict created when 2 sections of the public law amended the same section of law;
2. Clarifying that the temporary increase in the sales tax to 5.5% applies to the services currently subject to the 5% sales tax;

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3. Correcting a numbering error created when 2 different provisions of law were enacted with the same title and section number by reallocating the provision establishing the Maine capital investment credit for 2013;
4. Resolving a conflict created when 2 sections amended the provision of law that provides for an annual adjustment for inflation of the income tax rate brackets in different ways, one by delaying the annual adjustment of the income tax rate brackets and the other by providing for an annual adjustment of the itemized deduction limitation amount. Both provisions are maintained;
5. Correcting an initiative to reflect that the MaineCare reimbursement is limited to behavioral health services; and
6. Deappropriating funds to offset an appropriation in an initiative in the committee amendment that should have been eliminated when statutory changes were made in the enacted version of the unified budget bill.

House Amendment "A" (H-575)

This amendment specifies that the temporary sales tax increase applies to products transferred electronically, as intended in Public Law 2013, chapter 368, the unified budget bill.

House Amendment "B" (H-581)

This amendment removes the emergency preamble and emergency clause.

**LD 1576 An Act To Fund Agreements with Certain State Employee Unions and
 Ensure Equitable Treatment for Other State Employees**

**PUBLIC 425
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THIBODEAU		S-370 HILL

This bill was acted upon without reference to committee.

This bill implements the cost items in the collective bargaining agreements reached between the State and the American Federation of State, County and Municipal Employees, the Maine State Troopers Association and the Maine State Law Enforcement Association and, if tentative agreements are ratified, the Maine State Employees Association and provides for equitable treatment for confidential employees and certain other employees excluded from collective bargaining.

The bill specifies the costs from the General Fund and Highway Fund to fund salary increases and authorizes the transfer by financial order of available General Fund and Highway Fund balances as necessary.

The bill provides for the adjustment of certain salary schedules in fiscal year 2013-14 and in fiscal year 2014-15. The bill provides for similar and equitable treatment of confidential employees, probationary employees and other employees excluded from collective bargaining.

The bill authorizes the Governor to adjust confidential employee salaries as required to achieve parity with comparable positions in the legislative and judicial branches and further authorizes the Governor to grant similar and equitable treatment of employees whose salaries are subject to the Governor's adjustment or approval.

The bill authorizes use of the Salary Plan program to fund the collective bargaining agreements and other cost items and provides that positions supported from other funds must be funded whenever possible from those other sources.

The bill provides for reimbursement to the Department of Administrative and Financial Services for costs incurred

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in the process of collective bargaining and contract administration and related costs.

The bill provides that employees of the legislative and judicial branches are subject to the same merit pay freeze in fiscal year 2014-15 as executive branch employees and deappropriates funds related to the elimination of those merit pay increases.

Senate Amendment "A" (S-370)

This amendment removes the deappropriation section.

Enacted Law Summary

Public Law 2013, chapter 425 implements the cost items in the collective bargaining agreements reached between the State and the American Federation of State, County and Municipal Employees, the Maine State Troopers Association and the Maine State Law Enforcement Association and, if tentative agreements are ratified, the Maine State Employees Association and provides for equitable treatment for confidential employees and certain other employees excluded from collective bargaining.

This law specifies the costs from the General Fund and Highway Fund to fund salary increases and authorizes the transfer by financial order of available General Fund and Highway Fund balances as necessary.

This law provides for the adjustment of certain salary schedules in fiscal year 2013-14 and in fiscal year 2014-15. The bill provides for similar and equitable treatment of confidential employees, probationary employees and other employees excluded from collective bargaining.

This law authorizes the Governor to adjust confidential employee salaries as required to achieve parity with comparable positions in the legislative and judicial branches and further authorizes the Governor to grant similar and equitable treatment of employees whose salaries are subject to the Governor's adjustment or approval.

This law authorizes use of the Salary Plan program to fund the collective bargaining agreements and other cost items and provides that positions supported from other funds must be funded whenever possible from those other sources.

This law provides for reimbursement to the Department of Administrative and Financial Services for costs incurred in the process of collective bargaining and contract administration and related costs.

This law provides that employees of the legislative and judicial branches are subject to the same merit pay freeze in fiscal year 2014-15 as executive branch employees. However, it does not deappropriate the funds related to the elimination of those merit pay increases.

Public Law 2013, chapter 425 was enacted as an emergency measure effective July 16, 2013.

LD 1577 An Act To Fund the Agreement with Certain Judicial Department Employees

**PUBLIC 426
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BERRY CAIN		

This bill was acted upon without reference to committee.

This bill authorizes funding of the collective bargaining agreement reached by the Judicial Department and the 4 bargaining units representing Judicial Department employees.

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Enacted Law Summary

Public Law 2013, chapter 426 authorizes funding of the collective bargaining agreement reached by the Judicial Department and the 4 bargaining units representing Judicial Department employees.

Public Law 2013, chapter 426 was enacted as an emergency measure effective July 16, 2013.

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SUBJECT INDEX

Budget Bills

Enacted

LD 250	An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2013	PUBLIC 1 EMERGENCY
LD 1509	An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2014 and June 30, 2015	PUBLIC 368 EMERGENCY
LD 1563	An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2013	PUBLIC 248 EMERGENCY
LD 1571	An Act To Prevent the Double Funding of Certain MaineCare Costs	PUBLIC 377 EMERGENCY

Not Enacted

LD 1572	An Act To Correct Minor Technical Errors and Inconsistencies in the Unified Budget Bill	HELD BY GOVERNOR
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Fiscal Policy

Not Enacted

LD 138	An Act To Amend the Laws Governing the Issuance of Bonds That Have Been Ratified by the Citizens of the State	CARRIED OVER
LD 790	An Act To Repeal the Bonding Authority of the Maine Governmental Facilities Authority	CARRIED OVER
LD 904	An Act To Clarify When Bonds May Be Issued	CARRIED OVER
LD 1385	An Act To Amend the Reporting Requirements of the Workers' Compensation Management Fund	CARRIED OVER
LD 1461	An Act To Require the State To Divest Itself of Assets Invested in the Fossil Fuel Industry	CARRIED OVER

General Obligation Bond Bills

Not Enacted

LD 16	An Act To Authorize a General Fund Bond Issue To Invest in Transportation Infrastructure	CARRIED OVER
LD 221	An Act To Authorize a General Fund Bond Issue To Provide Funds for a Public-private Partnership for a New Science Facility at the Maine Maritime Academy	CARRIED OVER
LD 228	An Act To Authorize a General Fund Bond Issue To Reduce Energy Costs by Weatherizing and Upgrading the Energy Efficiency of Maine Homes and Businesses and To Create Jobs by Providing for a Trained Workforce for Maine's Energy Future	CARRIED OVER

General Obligation Bond Bills

Not Enacted

LD 245	An Act To Authorize a General Fund Bond Issue for Maintenance of State Armories	CARRIED OVER
LD 273	An Act Authorizing a General Fund Bond Issue To Fund the Dredging of Casco Bay and the Expansion of the Portland Fish Exchange	CARRIED OVER
LD 294	An Act To Authorize a General Fund Bond Issue To Construct a Facility To Assist Maine Agriculture in Control of Animal and Plant Diagnostics	CARRIED OVER
LD 295	An Act To Authorize a General Fund Bond Issue To Provide Weatherization Rebates for Veterans and Persons Eligible for Social Security	CARRIED OVER
LD 359	An Act To Authorize a General Fund Bond Issue To Implement the Riverfront Island Master Plan	CARRIED OVER
LD 360	An Act To Authorize a General Fund Bond Issue To Improve Rail Lines in Western Maine	CARRIED OVER
LD 378	An Act To Authorize a General Fund Bond Issue To Complete Renovation of a Pier at the Gulf of Maine Research Institute	CARRIED OVER
LD 513	An Act To Authorize a General Fund Bond Issue To Invest in Transportation, Broadband Infrastructure, Downtown Revitalization, Land for Maine's Future Board and Training Facilities for Tourism-related Training in Labor Market Areas with Higher-than-average Unemployment	CARRIED OVER
LD 636	An Act To Authorize a General Fund Bond Issue To Support Public Higher Educational Facilities	CARRIED OVER
LD 781	An Act To Authorize a General Fund Bond Issue To Fund the Construction of a New State Archives Facility	CARRIED OVER
LD 782	An Act To Authorize a General Fund Bond Issue To Support Science, Technology, Engineering and Mathematics Education To Enhance Economic Development	CARRIED OVER
LD 874	An Act To Authorize a General Fund Bond Issue To Reduce the Cost of Shipping for Maine Businesses, Attract Tourists and Facilitate the Development of Commuter Rail Transportation	CARRIED OVER
LD 925	An Act To Authorize a General Fund Bond Issue for Riverfront Community Development	CARRIED OVER
LD 942	An Act To Authorize a General Fund Bond Issue To Invest in Deficient State Highways, Bridges and Aviation, Marine, Rail and Transit Facilities	CARRIED OVER
LD 1010	An Act To Authorize a General Fund Bond Issue To Ensure Clean Water	CARRIED OVER
LD 1011	An Act To Authorize a General Fund Bond Issue To Upgrade Facilities and Purchase Classroom Equipment for Maine's Seven Community Colleges	CARRIED OVER
LD 1043	An Act To Authorize a General Fund Bond Issue and To Assist in the Creation of Jobs through Regional Economic Development	CARRIED OVER
LD 1052	An Act To Authorize a General Fund Bond Issue To Improve Intermodal Infrastructure	CARRIED OVER
LD 1090	An Act To Authorize a General Fund Bond Issue To Expand Nursing Programs at Maine's Seven Community Colleges	CARRIED OVER
LD 1095	An Act To Authorize a General Fund Bond Issue To Improve Highways, Bridges and Multimodal Facilities	CARRIED OVER
LD 1101	An Act To Authorize a General Fund Bond Issue To Support Waterfront Development	CARRIED OVER
LD 1105	An Act To Authorize a General Fund Bond Issue To Revitalize Maine's Downtowns through Innovative Business Development and the Creative Economy	CARRIED OVER
LD 1125	An Act To Authorize a General Fund Bond Issue To Expand Public Water Infrastructure to Areas with Contaminated Well Water	CARRIED OVER

General Obligation Bond Bills

Not Enacted

LD 1163	An Act To Authorize a General Fund Bond Issue To Fund Main Street and Downtown Economic Development Projects	CARRIED OVER
LD 1180	An Act To Authorize a General Fund Bond Issue for the Maine Community Reinvestment and Job Creation Fund	CARRIED OVER
LD 1223	An Act To Authorize a General Fund Bond Issue To Support the Maine Technology Institute's Action Plan Implementation	CARRIED OVER
LD 1418	An Act To Authorize a Matching General Fund Bond Issue for Improvements to the Seven Community College Campuses	CARRIED OVER
LD 1455	An Act To Authorize a General Fund Bond Issue To Ensure Clean Water and Safe Communities	CARRIED OVER
LD 1492	An Act To Authorize a General Fund Bond Issue To Strengthen Maine's Economy and Communities	CARRIED OVER

Miscellaneous Funding and Other Requests

Enacted

LD 1555	An Act To Strengthen Maine's Hospitals and To Provide for a New Spirits Contract	PUBLIC 269 EMERGENCY
LD 1576	An Act To Fund Agreements with Certain State Employee Unions and Ensure Equitable Treatment for Other State Employees	PUBLIC 425 EMERGENCY
LD 1577	An Act To Fund the Agreement with Certain Judicial Department Employees	PUBLIC 426 EMERGENCY

State Employee and Teacher Retirement

Enacted

LD 1440	An Act To Amend the Retirement Laws Pertaining to Participating Local Districts	PUBLIC 391
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Not Enacted

LD 39	An Act To Expand the Number of Qualified Educators	CARRIED OVER
LD 137	An Act To Amend the Laws Governing Retirement under the Maine Public Employees Retirement System	CARRIED OVER
LD 186	An Act To Amend the Laws Governing Disability Retirement Determinations by the Maine Public Employees Retirement System	CARRIED OVER
LD 232	An Act To Increase the Base for the Cost-of-living Increase for Retired State Employees and Teachers	CARRIED OVER
LD 1142	An Act Regarding Correctional Officers' Retirement	CARRIED OVER
LD 1175	An Act To Amend the Laws Governing Retirement Benefits for Capitol Police Officers	CARRIED OVER
LD 1395	An Act Regarding the Cost-of-living Adjustment for Certain State Retirees When the Cost of Living Declines	CARRIED OVER
LD 1473	An Act To Create a Public Option Pension System	CARRIED OVER
LD 1514	An Act To Reform the Maine Public Employees Retirement System	CARRIED OVER

Tax Reform - Revenue Sharing

Not Enacted

LD 713	An Act To Return Local Revenue Sharing to Full Funding	CARRIED OVER
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Tax Reform - Revenue Sharing

Not Enacted

LD 940 **An Act To Reestablish State-municipal Revenue-sharing as a Compact
between the State and Municipal Governments**

CARRIED OVER

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