

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
127<sup>TH</sup> LEGISLATURE  
SECOND REGULAR SESSION



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

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

May 2016

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# STATE OF MAINE

127<sup>TH</sup> LEGISLATURE

SECOND REGULAR SESSION



## LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the Second Regular Session of the 127<sup>th</sup> Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

*CARRIED OVER*..... *carried over to a subsequent session of the Legislature*  
*CON RES XXX*..... *chapter # of constitutional resolution passed by both houses*  
*CONF CMTE UNABLE TO AGREE*..... *Committee of Conference unable to agree; legislation died*  
*DIED BETWEEN HOUSES*..... *House & Senate disagreed; legislation died*  
*DIED IN CONCURRENCE*..... *defeated in each house, but on different motions; legislation died*  
*DIED ON ADJOURNMENT*..... *action incomplete when session ended; legislation died*  
*EMERGENCY*..... *enacted law takes effect sooner than 90 days after session adjournment*  
*FAILED, EMERGENCY ENACTMENT or PASSAGE*..... *emergency failed to receive required 2/3 vote*  
*FAILED, ENACTMENT or FINAL PASSAGE*..... *failed to receive final majority vote*  
*FAILED, MANDATE ENACTMENT*..... *legislation proposing local mandate failed required 2/3 vote*  
*HELD BY GOVERNOR*..... *Governor has not signed; final disposition to be determined at subsequent session*  
*LEAVE TO WITHDRAW*..... *sponsor's request to withdraw legislation granted*  
*NOT PROPERLY BEFORE THE BODY*..... *ruled out of order by the presiding officer; legislation died*  
*INDEF PP*..... *indefinitely postponed; legislation died*  
*ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X*... *ought-not-to-pass report accepted; legislation died*  
*P&S XXX*..... *chapter # of enacted private & special law*  
*PUBLIC XXX*..... *chapter # of enacted public law*  
*RESOLVE XXX*..... *chapter # of finally passed resolve*  
*VETO SUSTAINED*..... *Legislature failed to override Governor's veto*

The effective date for non-emergency legislation enacted in the First Regular Session of the 127<sup>th</sup> Legislature is July 29, 2016. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

**Joint Standing Committee on Appropriations and Financial Affairs**

Persian Gulf War, August 2, 1990 to April 6, 1991; and operations in Afghanistan and Iraq, October 7, 2001 to the present for purposes of allowing members of the Maine Public Employees Retirement System to purchase military time to add those years to their years of creditable service for purposes of calculating their retirement benefits. The cost of purchasing military time depends in part on whether a member served during a federally recognized period of conflict.

**LD 1537**

**An Act To Combat Drug Addiction through Enforcement, Prevention, Treatment and Recovery**

**PUBLIC 378  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THIBODEAU M EVES M	OTP-AM OTP-AM	S-344 S-346 HAMPER J

This bill does the following.

Part A provides ongoing funding for 10 investigative agents in the Department of Public Safety, Maine Drug Enforcement Agency.

Part B directs the Department of the Attorney General to administer grants to local law enforcement agencies and county jails located in geographically diverse communities throughout the State to fund projects designed solely to facilitate pathways to community-based treatment, recovery and support services.

Part C directs the Department of Health and Human Services to provide grants to a substance abuse treatment entity to develop and operate a 10-bed social detoxification center located in the greater Bangor area.

Part D provides ongoing funding for annual grants to the Maine Association of Substance Abuse Programs for the establishment and expansion of peer support recovery centers and the coordination and provision of substance abuse prevention and education in schools and communities.

Part E provides funding to increase substance abuse residential treatment and substance abuse outpatient services for the uninsured.

Part F transfers \$725,000 in fiscal year 2015-16 and \$1,775,000 in fiscal year 2016-17 from the funds received pursuant to the court order in *State of Maine v. McGraw-Hill Companies, Inc. and Standard & Poor's Financial Services, LLC*, Kennebec County Superior Court Docket No. BCD-CV-14-49, to the unappropriated surplus of the General Fund.

**Committee Amendment "A" (S-344)**

This amendment, which is the majority report of the committee, makes the following changes to the bill.

In Part A, adds the Joint Standing Committee on Criminal Justice and Public Safety to the entities to which periodic reports must be made by the Commissioner of Public Safety; adds funding provided by financial order 03451F16 to the unencumbered balances that may not be transferred; adds funding provided by financial order 03451F16 to the unencumbered balances that may not lapse and restricts the nonlapsing year to fiscal year 2015-16 only; eliminates the appropriation for 10 investigative agents in fiscal year 2015-16 and reduces the appropriation in fiscal year 2016-17 from \$1,600,000 to \$1,230,000; and adds a section to transfer \$1,230,000 from the Gambling Control Board administrative expenses, Other Special Revenue Funds account to the unappropriated surplus of the General Fund on or before the close of fiscal year 2016-17.

In Part B, adds a requirement of consultation with the Maine Sheriffs' Association and the Maine Chiefs of Police Association; and requires enhanced reporting.

## *Joint Standing Committee on Appropriations and Financial Affairs*

In Part C, changes the requirement for a new 10-bed detoxification center to a requirement for a new detoxification center with at least 10 beds and changes the requirement that the center be in Bangor to a requirement that the center be in a northern or eastern area of the State with high rates of opioid use and accessible to related services and supports.

In Part C, and Part D changes the reporting requirements so that the Commissioner of Health and Human Services reports periodically to the Joint Standing Committee on Health and Human Services rather than the Joint Standing Committee on Appropriations and Financial Affairs.

In Part D, removes the reference to the Maine Association of Substance Abuse Programs and directs the Department of Health and Human Services to provide funding within 60 days after the effective date of the Part to an organization with expertise and experience in substance abuse prevention, treatment and peer recovery services to provide substance abuse services statewide; adds to the services to be provided a requirement that coordination services include links to career services and a requirement that the organization develop and maintain a directory of providers and resources that is publicly available; and requires that, although funding may be sole-sourced for fiscal years 2015-16 and 2016-17, future awards must be awarded on a competitive basis and requires the Department of Health and Human Services to issue a request for proposals by January 1, 2017 that is competitively bid through the regular process pursuant to the Maine Revised Statutes, Title 5, chapter 155 for ongoing funding awards beginning no later than July 1, 2017.

In Part E, adds individual, group and intensive outpatient treatment to the substance abuse outpatient services for the uninsured for which a funding increase is provided.

In Part F, adds language regarding the requirements of the court order from which the funds to be transferred originated and states that the Attorney General has provided confirmation that the use of funds is consistent with the terms of the court order.

Adds Part G, which transfers funds from Personal Services to All Other in the Judicial Department, Courts - Supreme, Superior and District program, General Fund account in fiscal year 2015-16 to provide funding to support increased criminal dockets, including an increase in criminal jury trials.

### **Committee Amendment "B" (S-345)**

This amendment, which is the minority report of the committee, makes the following changes to the bill.

In Part A, adds the Joint Standing Committee on Criminal Justice and Public Safety to the entities to which periodic reports must be made by the Commissioner of Public Safety; adds funding provided by financial order 03451F16 to the unencumbered balances that may not be transferred; adds funding provided by financial order 03451F16 to the unencumbered balances that may not lapse and restricts the non-lapsing year to fiscal year 2015-16 only; eliminates the appropriation for 10 investigative agents in fiscal year 2015-16 and reduces the appropriation in fiscal year 2016-17 from \$1,600,000 to \$1,230,000; and adds a section to transfer \$1,230,000 from the Gambling Control Board administrative expenses, Other Special Revenue Funds account to the unappropriated surplus of the General Fund on or before the close of fiscal year 2016-17.

In Part B, requires the Department of Public Safety, rather than the Attorney General, to administer the grants to local law enforcement agencies; requires consultation with the Maine Sheriffs' Association and the Maine Chiefs of Police Association and requires enhanced reporting; and limits to fiscal year 2015-16 the period for which funds provided by this Part may not lapse.

In Part C, changes the requirement for a new 10-bed detoxification center to a requirement for a new detoxification center with at least 10 beds; limits to fiscal year 2015-16 the period for which funds provided by this Part may not lapse; and changes the requirement that the center be in Bangor to a requirement that the center be in a northern or

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eastern area of the State with high rates of opioid use and accessible to related services and supports.

In Part C, and Part D: changes the reporting requirements so that the Commissioner of Health and Human Services reports periodically to the Joint Standing Committee on Health and Human Services rather than the Joint Standing Committee on Appropriations and Financial Affairs.

In Part D, limits to fiscal year 2015-16 the period for which funds provided by this Part may not lapse; removes the reference to the Maine Association of Substance Abuse Programs and directs the Department of Health and Human Services to provide funding within 60 days after the effective date of the Part to an organization with expertise and experience in substance abuse prevention, treatment and peer recovery services to provide substance abuse services statewide; adds to the services to be provided a requirement that coordination services include links to career services and a requirement that the organization develop and maintain a directory of providers and resources that is publicly available; and requires that although funding may be sole-sourced for fiscal years 2015-16 and 2016-17, future awards must be awarded on a competitive basis and requires the Department of Health and Human Services to issue a request for proposals by January 1, 2017 that is competitively bid through the regular process pursuant to the Maine Revised Statutes, Title 5, chapter 155 for ongoing funding awards beginning no later than July 1, 2017.

In Part E, limits to fiscal year 2015-16 the period for which funds provided by this Part may not lapse and adds individual, group and intensive outpatient treatment to the substance abuse outpatient services for the uninsured for which a funding increase is provided.

In Part F, changes the source of the transfer to the unappropriated surplus of the General Fund from the funds received pursuant to the court order in *State of Maine v. McGraw-Hill Companies, Inc. and Standard & Poor's Financial Services, LLC* to the Fund for a Healthy Maine.

Adds Part G, which transfers funds from Personal Services to All Other in the Judicial Department, Courts - Supreme, Superior and District program, General Fund account in fiscal year 2015-16 to provide funding to support increased criminal dockets, including an increase in criminal jury trials.

This amendment was not adopted.

### **Senate Amendment "A" To Committee Amendment "A" (S-346)**

This amendment requires the Department of Public Safety, rather than the Attorney General, to administer grants to local law enforcement agencies and county jails. This amendment also removes language requiring the transfer to the General Fund of funds received from the court order in *State of Maine v. McGraw-Hill Companies, Inc. and Standard & Poor's Financial Services, LLC* and instead requires the transfer of funds from the Medical Use of Marijuana Fund.

### **Enacted Law Summary**

Public Law 2015, chapter 378 does the following.

Part A provides ongoing funding for 10 investigative agents in the Department of Public Safety, Maine Drug Enforcement Agency and transfers \$1,230,000 in unexpended funds from the Gambling Control Board administrative expenses, Other Special revenue account in the Department of Public Safety to the General Fund unappropriated surplus in fiscal year 2016-17.

Part B directs the Commissioner of Public Safety after receiving advice from the Maine Sheriffs' Association and the Maine Chiefs of Police Association, to administer grants to local law enforcement agencies and county jails located in geographically diverse communities throughout the State to fund projects designed solely to facilitate pathways to community-based treatment, recovery and support services.

Part C directs the Department of Health and Human Services to provide grants to a substance abuse treatment entity

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to develop and operate a 10-bed social detoxification center located in the a northern or eastern area of the State and provides funding for the development and operation of the center.

Part D provides ongoing funding for annual grants for the establishment and expansion of peer support recovery centers; the coordination and provision of substance abuse prevention; education in schools and communities; and the maintenance of a directory of substance abuse prevention and recovery services.

Part E provides funding to increase substance abuse residential treatment and substance abuse outpatient services for the uninsured.

Part F transfers \$725,000 in fiscal year 2015-16 and \$1,775,000 in fiscal year 2016-17 from the Medical Use of Marijuana Fund to the unappropriated surplus of the General Fund.

Part G transfers funds from Personal Services to All Other in the Courts-Supreme, Superior and District account in the Judicial Department.

Public Law 2015, chapter 378 was enacted as an emergency measure effective January 19, 2016.

**LD 1561      An Act To Reauthorize Certain Land for Maine's Future Bonds and To      Died On**  
**Facilitate the Issuance of Those Bonds      Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KATZ R GRANT G		

This bill was not referred to committee.

This bill makes the following changes to the laws governing specific bonds for the Land for Maine's Future Board:

1. It authorizes the reissuance of bonds authorized by the voters in November 2010 for the Land for Maine's Future Board that have not yet been issued;
2. It requires that the Governor authorize the issuance of the specific bonds for the Land for Maine's Future Board that were ratified by the voters of the State in statewide elections held in November 2010 and November 2012, unless one of five specific conditions exists;
3. It requires the Treasurer of State to initiate borrowing in accordance with Public Law 2009, chapter 414, Part E, section 6, as amended by Public Law 2009, chapter 645, Part J, section 3, and Public Law 2011, chapter 696, section 6, ratified by the voters of the State in statewide elections held in November 2010 and November 2012, respectively; and
4. It requires the Commissioner of Administrative and Financial Services to effectuate the release to the Land for Maine's Future Board the funds resulting from the issuance of those bonds, to be expended for the purposes described in Public Law 2009, chapter 414, Part E, section 6, as amended by Public Law 2009, chapter 645, Part J, section 3, and Public Law 2011, chapter 696, section 6 and ratified by the voters of the State in statewide elections held in November 2010 and November 2012.