

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SIXTH LEGISLATURE

FIRST SPECIAL SESSION
August 29, 2013

SECOND REGULAR SESSION
January 8, 2014 to May 2, 2014

THE EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
EMERGENCY LAW IS
SEPTEMBER 6, 2013

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 1, 2014

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH THE MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

Augusta, Maine
2014

Sec. X-2. Fiscal year 2013-14 year-end unappropriated surplus, 4th priority transfer.

The State Controller, at the close of the fiscal year ending June 30, 2014, as the next priority after the transfers authorized pursuant to the Maine Revised Statutes, Title 5, sections 1507, 1511 and 1522 and after all required deductions of appropriations, budgeted financial commitments and adjustments considered necessary by the State Controller have been made, shall transfer from the available balance of the unappropriated surplus of the General Fund up to \$20,000,000 to a General Fund reserve account established by the State Controller to reserve General Fund resources for future funding needs. Transfers from the reserve account may be authorized only by the Legislature. Any remaining balance in the reserve account at the close of the fiscal year ending June 30, 2015 must be transferred by the State Controller to the Maine Budget Stabilization Fund established by Title 5, section 1532.

Sec. X-3. Transfer from 4th priority transfer at close of fiscal year 2013-14; Department of Health and Human Services, Developmental Services Waiver - MaineCare program.

Notwithstanding any other provision of law, at the close of fiscal year 2013-14, the State Controller shall transfer up to \$1,300,000 of the amounts reserved pursuant to section 2 of this Part to the Department of Health and Human Services, Developmental Services Waiver - MaineCare program for services provided under Department of Health and Human Services Rule Chapter 101, MaineCare Benefits Manual, Chapter II, Section 21 for individuals on the Priority 1 waiting list for waiver services.

Sec. X-4. Transfers considered adjustments to appropriations. Notwithstanding the Maine Revised Statutes, Title 5, section 1585, or any other provision of law, amounts transferred pursuant to section 3 of this Part are considered ongoing adjustments to appropriations beginning in fiscal year 2014-15. These funds may be allotted by financial order upon recommendation of the State Budget Officer and approval of the Governor.

PART Y

Sec. Y-1. PL 2013, c. 502, Pt. A, §1, under the caption "HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)" in the first occurrence of that part relating to "Medical Use of Marijuana Fund Z118" is amended by amending the initiative paragraph to read:

Initiative: Provides funding to align allocations with existing resources ~~and support a memorandum of understanding with the Department of Public Safety to ensure proper administration of the program by appropriately expanding technology and to develop regulatory oversight and enforcement.~~

PART Z

Sec. Z-1. Vacancy review and lapsed savings. The Department of Administrative and Financial Services, Bureau of the Budget shall conduct a review of vacant General Fund positions in executive branch departments and agencies for the purpose of identifying total savings in the Personal Services line category equal to \$599,533 in fiscal year 2014-15. The Commissioner of Administrative and Financial Services shall submit a report to the Joint Standing Committee on Appropriations and Financial Affairs by July 1, 2014 with recommendations for the vacant General Fund positions that must be administratively held vacant during fiscal year 2014-15 to achieve the target level of savings and include the amounts of savings for the affected General Fund accounts. On or before August 1, 2014, the State Controller shall lapse the Personal Services savings identified in the commissioner's report from these General Fund accounts to the unappropriated surplus of the General Fund. The State Budget Officer shall prepare a financial order to reduce allotment in the affected accounts by the amount of the lapsed Personal Services savings.

Sec. Z-2. Department of Corrections; work release. The Department of Corrections shall change the term of work release from 12 months to 18 months prior to prisoner release.

Sec. Z-3. Payments to Quality Child Care Education Scholarship Fund. Notwithstanding any other provision of law, the Finance Authority of Maine shall transfer the remaining balance in the Quality Child Care Education Scholarship Fund established in the Maine Revised Statutes, Title 20-A, section 11670 to the State as undedicated Fund for a Healthy Maine revenue no later than June 30, 2015.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved, except as otherwise indicated.

Effective May 1, 2014, unless otherwise indicated.

CHAPTER 596**S.P. 732 - L.D. 1827**

An Act To Authorize a General Fund Bond Issue To Support Maine Small Business and Job Creation

Preamble. Two thirds of both Houses of the Legislature deeming it necessary in accordance with the Constitution of Maine, Article IX, Section 14 to authorize the issuance of bonds on behalf of the State of Maine to provide funds as described in this Act,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. Authorization of bonds. The Treasurer of State is authorized, under the direction of the Governor, to issue bonds in the name and on behalf of the State in an amount not exceeding \$12,000,000 for the purposes described in section 5 of this Act. The bonds are a pledge of the full faith and credit of the State. The bonds may not run for a period longer than 10 years from the date of the original issue of the bonds.

Sec. 2. Records of bonds issued; Treasurer of State. The Treasurer of State shall ensure that an account of each bond is kept showing the number of the bond, the name of the successful bidder to whom sold, the amount received for the bond, the date of sale and the date when payable.

Sec. 3. Sale; how negotiated; proceeds appropriated. The Treasurer of State may negotiate the sale of the bonds by direction of the Governor, but no bond may be loaned, pledged or hypothecated on behalf of the State. The proceeds of the sale of the bonds, which must be held by the Treasurer of State and paid by the Treasurer of State upon warrants drawn by the State Controller, are appropriated solely for the purposes set forth in this Act. Any unencumbered balances remaining at the completion of the project in this Act lapse to the Office of the Treasurer of State to be used for the retirement of general obligation bonds.

Sec. 4. Interest and debt retirement. The Treasurer of State shall pay interest due or accruing on any bonds issued under this Act and all sums coming due for payment of bonds at maturity.

Sec. 5. Disbursement of bond proceeds from General Fund bond issue. The proceeds of the sale of the bonds authorized under this Act must be expended as designated in the following schedule under the direction and supervision of the agencies and entities set forth in this section.

FINANCE AUTHORITY OF MAINE

Provides funds to insure portions of loans to small businesses made by a participating financial institution in order to spur investment and innovation.	
Total	\$4,000,000
Provides funds for state, regional and local financial intermediaries to make flexible loans to small businesses to create jobs, revitalize downtowns and strengthen the rural economy.	
Total	\$8,000,000

Sec. 6. Contingent upon ratification of bond issue. Sections 1 to 5 do not become effective

unless the people of the State ratify the issuance of the bonds as set forth in this Act.

Sec. 7. Appropriation balances at year-end. At the end of each fiscal year, all unencumbered appropriation balances representing state money carry forward. Bond proceeds that have not been expended within 10 years after the date of the sale of the bonds lapse to the Office of the Treasurer of State to be used for the retirement of general obligation bonds.

Sec. 8. Bonds authorized but not issued. Any bonds authorized but not issued within 5 years of ratification of this Act are deauthorized and may not be issued, except that the Legislature may, within 2 years after the expiration of that 5-year period, extend the period for issuing any remaining unissued bonds for an additional amount of time not to exceed 5 years.

Sec. 9. Referendum for ratification; submission at election; form of question; effective date. This Act must be submitted to the legal voters of the State at a statewide election held in the month of November following passage of this Act. The municipal officers of this State shall notify the inhabitants of their respective cities, towns and plantations to meet, in the manner prescribed by law for holding a statewide election, to vote on the acceptance or rejection of this Act by voting on the following question:

"Do you favor a bond issue to provide \$4,000,000 in funds to insure portions of loans to small businesses to spur investment and innovation and to provide \$8,000,000 in funds to make flexible loans to small businesses to create jobs, revitalize downtowns and strengthen the rural economy?"

The legal voters of each city, town and plantation shall vote by ballot on this question and designate their choice by a cross or check mark placed within a corresponding square below the word "Yes" or "No." The ballots must be received, sorted, counted and declared in open ward, town and plantation meetings and returns made to the Secretary of State in the same manner as votes for members of the Legislature. The Governor shall review the returns. If a majority of the legal votes are cast in favor of this Act, the Governor shall proclaim the result without delay and this Act becomes effective 30 days after the date of the proclamation.

The Secretary of State shall prepare and furnish to each city, town and plantation all ballots, returns and copies of this Act necessary to carry out the purposes of this referendum.

Effective pending referendum.
