

MAINE STATE LEGISLATURE

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*State Of Maine
122nd Legislature*

Second Regular Session

Bill Summaries

*Joint Standing Committee
on
Appropriations and Financial Affairs*

July 2006

Members:

*Sen. Margaret Rotundo, Chair
Sen. John L. Martin
Sen. Richard A. Nass*

*Rep. Joseph C. Brannigan
Rep. Benjamin F. Dudley
Rep. Margaret M. Craven
Rep. Jeremy Fischer
Rep. Arthur L. Lerman
Rep. Janet T. Mills
Rep. H. Sawin Millett, Jr.
Rep. Robert W. Nutting
Rep. Stephen Bowen
Rep. Darlene J. Curley*

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Maine State Legislature



Office of Policy and Legal Analysis Office of Fiscal and Program Review

122nd Maine Legislature Second Regular Session

Summary of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills considered by the committees. It is arranged alphabetically by committee name and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla/billsumm.htm).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

CON RES XXX	Chapter # of Constitutional Resolution passed by both Houses
CONF CMTE UNABLE TO AGREE	Committee of Conference unable to agree; bill died
DIED BETWEEN BODIES	House & Senate disagree; bill died
DIED IN CONCURRENCE	One body accepts ONTP report; the other indefinitely postpones the bill
DIED ON ADJOURNMENT	Action incomplete when session ended; bill died
EMERGENCY	Enacted law takes effect sooner than 90 days
FAILED EMERGENCY ENACTMENT/FINAL PASSAGE	Emergency bill failed to get 2/3 vote
FAILED ENACTMENT/FINAL PASSAGE	Bill failed to get majority vote
FAILED MANDATE ENACTMENT	Bill imposing local mandate failed to get 2/3 vote
NOT PROPERLY BEFORE THE BODY	Ruled out of order by the presiding officers; bill died
INDEF PP	Bill Indefinitely Postponed
ONTP	Ought Not To Pass report accepted
OTP-ND	Committee report Ought To Pass In New Draft
P&S XXX	Chapter # of enacted Private & Special Law
PASSED	Joint Order passed in both bodies
PUBLIC XXX	Chapter # of enacted Public Law
RESOLVE XXX	Chapter # of finally passed Resolve
UNSIGNED (Pocket Veto)	Bill held by Governor
VETO SUSTAINED	Legislature failed to override Governor's Veto

Please note that the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is August 23, 2006.

Joint Standing Committee on Appropriations and Financial Affairs

LD 1909

An Act To Make Minor Technical Changes to Maine's Spending Growth Benchmarks

PUBLIC 621

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOODBURY	OTP-AM MAJ ONTP MIN	H-1063

LD 1909 proposed certain technical and clarifying changes to the state, county and municipal spending limitations enacted in 2005, including:

1. Clarification of the definition of “baseline General Fund revenue” and the treatment of education funding increases until the state share of education funding reaches 55%;
2. Provides consistency in the use of the term “appropriation limitation”;
3. Provides language describing the transfer of amounts to reserve accounts;
4. Specifies that the calculation of county and municipal limitations adjustments are calculated by multiplying the prior year's limit by one plus the growth limitation factor (see note below);
5. Establishes the Director of the State Planning Office within the Executive Department as the person determining “average real personal income growth” and the annual date for that determination for purposes of determining various limitations;
6. Provides that adjustments to county and municipal limitations be available for decreases in state funding as well as increases; and
7. Provides that municipal limitations do not need to be adjusted for changes in state reimbursement under the Urban-Rural Initiative Program if those changes are the result of operation of the statutory formulas under that program.

Committee Amendment “A” (H-1063) proposed to amend section 4 of the bill to include changes made to the Maine Revised Statutes, Title 5, section 1535 by Public Law 2005, chapter 519; proposed to remove section 5 of the bill because that section was rendered unnecessary by Public Law 2005, chapter 519; proposed to remove section 10 of the bill, amending the county spending limitations provisions; and proposed to amend section 15 to provide that municipal spending limitations do not need to be adjusted for changes in state reimbursement for urban-rural road assistance expenses if those changes are the result of the operation of the statutory formula for that program.

(Note: 2 references to the calculation of county and municipal limitations specifying that adjustments are calculated by multiplying the prior year's limit by one plus the growth limitation factor were inadvertently omitted in the Committee Amendment. An amendment to LD 2055, An Act To Correct Errors and Inconsistencies in the Laws of Maine, was proposed to correct the omission.)

Enacted law summary

Public Law 2005, chapter 621 makes the following technical and clarifying changes to the state, county and municipal spending limitations enacted in 2005.

Joint Standing Committee on Appropriations and Financial Affairs

1. The bill clarifies the definition of “baseline General Fund revenue” and the treatment of education funding increases until the state share of education funding reaches 55%.
2. It provides consistency in the use of the term “appropriation limitation.”
3. It corrects language describing the transfer of amounts to reserve accounts.
4. It corrects several references to the calculation of county and municipal limitations by specifying that adjustments are calculated by multiplying the prior year's limit by one plus the growth limitation factor (see note below).
5. It establishes the Director of the State Planning Office within the Executive Department as the person determining “average real personal income growth” and the annual date for that determination for purposes of determining various limitations.
6. It clarifies that municipal limitations do not need to be adjusted for changes in state reimbursement under the Urban-Rural Initiative Program if the change is the result of operation of the statutory formulas under that program.

(Note: 2 references to the calculation of county and municipal limitations specifying that adjustments are calculated by multiplying the prior year's limit by one plus the growth limitation factor were inadvertently omitted in the Committee Amendment. LD 2055, PL 2005, c. 683, Part I, An Act To Correct Errors and Inconsistencies in the Laws of Maine, corrects the omissions.)

LD 1911 **An Act To Provide Funding for Tribal Economic Development for the Penobscot Indian Nation and Other Federally Recognized Tribes** **ONTP**

<u>Sponsor(s)</u> SOCKALEXIS		<u>Committee Report</u> ONTP		<u>Amendments Adopted</u>
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LD 1911 proposed to appropriate funds for the Department of Economic and Community Development to provide \$250,000 annually beginning in fiscal year 2005-06 to the Penobscot Indian Nation and \$750,000 annually beginning in fiscal year 2005-06 to other federally recognized tribes for economic development. These funds were to assist the nation and tribes with feasibility studies, implementation of economic projects, matching funds and economic development planning activities.