

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.

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PART EEEE

Requires the Commissioner of Health and Human Services to report on the efforts of the Department of Health and Human Services to increase the availability of workers for homemaker and home-based care programs.

PART FFFF

Deappropriates fiscal year 2005-06 savings from the Homestead Property Tax Exemption Reimbursement program within the Department of Administrative and Financial Services.

Public Law 2005, chapter 519 was enacted as an emergency measure effective March 29, 2006.

LD 2045

An Act To Implement the Recommendations of the Commission To Reform the State Budget Process

PUBLIC 601

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROTUNDO BRANNIGAN	OTP-AM	S-570

LD 2045 proposed to implement the statutory recommendations of the Commission to Reform the State Budget Process. The Commission proposed changes to create a budget document that would be more useful throughout the budget deliberations of the Legislature and to adjust the statutes to reflect the recommended change in the budgeting methodology. The change would shift the starting point for the biennial budget from the traditional current services model to a modified flat-funded model. Instead of building from prior biennial requests increased by an inflation factor, requests for appropriations and allocations would start from authorized positions and flat-funded non-personal services appropriations and allocations. Increases from those flat-funded amounts would need to be justified and the initiatives presented in the unified budget bill. It proposed elimination of some recently enacted restrictions on departmental budget requests, to be replaced by the flat-funded restrictions. It also proposed more flexibility in the Governor's budget document. LD 2045 also proposed changing references to the Governor's submission of a budget bill and replace them with references to the budget document, which would be reformatted beginning in the 2008-2009 biennium to mirror the new budget document format approved by the commission.

Committee Amendment "A" (S-570) proposed to clarify the content of the state budget document to be submitted by the Governor-elect or the Governor.

Enacted law summary

Public Law 2005, chapter 601 implements the statutory recommendations of the Commission to Reform the State Budget Process. The changes shift the starting point for the biennial budget from the traditional current services model to a modified flat-funded model. Instead of building from prior biennium requests increased by an inflation factor, requests for appropriations and allocations start from authorized positions and flat-funded non-personal services appropriations and allocations. Increases from those flat-funded amounts need to be justified and the initiatives presented in the unified budget bill. It eliminates some recently enacted restrictions on departmental budget requests, which are replaced by the flat-funded restrictions. It also provides more flexibility in the Governor's budget document. It changes references to the Governor's submission of a budget bill and

Joint Standing Committee on Appropriations and Financial Affairs

replaces them with references to the budget document, which will be reformatted beginning in the 2008-2009 biennium to mirror the new budget document format approved by the commission.

LD 2081 **An Act To Implement the Recommendations of the Joint Standing Committee on Agriculture, Conservation and Forestry Relating to the Seed Potato Board** **P & S 67**

<u>Sponsor(s)</u>	<u>Committee Report</u> OTP	<u>Amendments Adopted</u>
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LD 2081 proposed a \$30,000 appropriation in fiscal year 2006-07 to the Seed Potato Board for equipment needed at the Porter Seed Farm in Masardis.

Enacted law summary

Private and Special Law 2005, chapter 67 appropriates \$30,000 to the Seed Potato Board for equipment needed at the Porter Seed Farm in Masardis.

LD 2120 **Resolve, To Require the Governor To Submit Legislation for Flood Damage Relief to the 123rd Legislature** **RESOLVE 217**

<u>Sponsor(s)</u> BRYANT B HOTHAM	<u>Committee Report</u> OTP-AM MAJ OTP-AM MIN	<u>Amendments Adopted</u> S-705
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LD 2120 proposed a \$500,000 appropriation in fiscal year 2006-07 for infrastructure, including, but not limited to, water and sewer lines, for a new downtown area located outside the flood zone in the Town of Canton.

Committee Amendment “A” (S-705) proposed the bill be replaced with a resolve directing the Governor to submit emergency legislation to the First Regular Session of the 123rd Legislature that provides funding for the following:

1. The 15% state share of costs associated with the flood damage that occurred in York County in May 2006;
2. The balance of the 15% state share of costs associated with the flooding in spring 2005; and
3. An amount not less than \$500,000 for the relocation of the downtown area of the Town of Canton outside of the flood zone, including but not limited to infrastructure such as water and sewer lines.

The proposed funding must be provided in legislation dedicated solely to the purposes described in subsections 1, 2 and 3 and submitted no later than January 2, 2007.

A minority of the Joint Standing Committee on Appropriations and Financial Affairs proposed the bill be replaced with a General Fund bond issue in the amount of \$4,000,000 to provide funding for the State's share of cost associated with the flood damage that occurred in spring 2005, spring 2006 and for the relocation of the