

MAINE STATE LEGISLATURE

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STATE OF MAINE
124TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed during the First Regular Session of the 124th Maine Legislature coming from the

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

July 2009

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STATE OF MAINE

124TH LEGISLATURE
FIRST REGULAR SESSION



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all bills and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 124th Maine Legislature.

The *Digest* is arranged alphabetically by committee, and within each committee by LD number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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:

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; 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; bill died
ONTP (or Accepted ONTP report).....	Ought Not To Pass report accepted; bill died
P&S XXX.....	Chapter # of enacted Private & Special Law
PUBLIC XXX.....	Chapter # of enacted Public Law
RESOLVE XXX.....	Chapter # of finally passed Resolve
UNSIGNED.....	Bill held by Governor
VETO SUSTAINED.....	Legislature failed to override Governor's Veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 124th Legislature is September 12, 2009. The effective date for legislation enacted as an emergency measure is specified in the enacted law summary for those bills.

Joint Standing Committee on Appropriations and Financial Affairs

LD 10 An Act To Authorize a General Fund Bond Issue for Wastewater Treatment Facilities and Drinking Water Programs

ONTP

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

The funds provided by this bond issue, in the amount of \$11,100,000, to be expended over 3 years, will be used to fund drinking water programs and wastewater treatment facilities.

LD 913, as enacted, contains a similar bond proposal.

LD 45 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, 2009

**PUBLIC 1
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAIN DIAMOND	OTP-AM	H-2

LD 45 is the Governor's proposed Fiscal Year 2008-09 Emergency Supplemental Bill.

Committee Amendment "A" (H-2)

Committee Amendment "A" (H-2) is the unanimous report of the Committee in response to the Governor's proposed bill.

Enacted Law Summary

Public Law 2009, chapter 1 achieves a net savings to the General Fund of \$139,508,644 and a net cost to the Fund for a Healthy Maine of \$5,252,296.

PART A makes appropriations and allocations of funds for the fiscal year 2008-09.

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 transfers unexpended funds and lapses funds from the Department of Administrative and Financial Services, Bureau of General Services - Capital Construction Reserve Fund, Other Special Revenue Funds account.

PART E provides for the transfer of funds from the Maine Budget Stabilization Fund to offset a General Fund revenue shortfall; establishes a Federal Relief funds Reserve account to receive savings resulting from the temporary increase in the federal medical assistance percentage which will be used for payment of MaineCare hospital settlements and other healthcare expenditures; and recognizes and offsets the revenue loss associated

Joint Standing Committee on Appropriations and Financial Affairs

with the prior period accounting error in the recording of sales and use tax revenue.

PART F authorizes the State Budget Officer to adjust the allocations in the Fund for a Healthy Maine if actual revenue collections for the fiscal year are less than the approved legislative allocations.

PART G lapses funds in the Personal Services line Category in the Division of Forest Protection General Fund account and provides for the transfer of funds within Other Special Revenue accounts within the Department of Conservation.

PART H provides for the transfer of unexpended funds from Other Special Revenue funds, Elderly Tax Deferral program.

PART I relates to estimated tax payments on unusual event income and requires the State Tax Assessor to waive the penalty for underpayment of estimated tax in certain circumstances.

PART J relates to the judicial branch's use of space in county courthouses and providing flexibility in the use of savings in Personal Services.

PART K transfers funds no longer needed for supplemental life insurance payments for members of the National Guard or the Reserves of the United States Armed Forces.

PART L lapses funds from General Fund legislative accounts.

PART M authorizes transfers from the Museum Sales Program Revolving Fund, Other Special Revenue Funds account to the unappropriated surplus of the General Fund.

PART N authorizes the transfer of funds from the Department of Inland Fisheries and Wildlife Carrying Balances - General Fund account to several program accounts within the department.

PART O transfers funds from the Victims' Compensation Fund to the unappropriated surplus of the General Fund.

PART P maintains the mill rate on telecommunications personal property.

PART Q clarifies that the property tax contribution to the funding of the jails is exactly the capped amount.

PART R authorizes the transfer of funds to the Bureau of Administrative Services and Corporations program, Other Special Revenue funds, Help America Vote Act account.

PART S eliminates the Department of Corrections, Office of Advocacy.

PART T requires the Maine Center for Disease Control and Prevention to amend the rules regarding fees in the radiation control program.

PART U authorizes the Commissioner of Education to accelerate the process for renewal notices to teachers who hold provisional certificates and provisional extensions.

PART V requires the rules regarding reimbursement for physicians under the MaineCare program to be amended.

Joint Standing Committee on Appropriations and Financial Affairs

PART W allows remaining All Other balances in the Department of Health and Human Services, Bureau of Medical Services, General Fund account to carry forward to June 30, 2010.

PART X authorizes the transfer of funds to the Callahan Mine Site Restoration, Other Special Revenue Funds program.

PART Y authorizes the Department of Corrections to transfer of All Other funds by financial order between accounts within the same fund for specified purposes.

PART Z delays the tax credit for rehabilitation of historic properties with respect to the Kennebec Arsenal District National Historic Landmark.

PART AA transfers overpayments for retiree health insurance with respect to the Maine Community College System to the General Fund.

PART BB lapses projected salary savings in the Compensation and Benefit Plan, General Fund account.

PART CC repeals the current provision of the statute regarding the distribution of rental income to the Department of Defense, Veterans and Emergency Management and gives the Department of Administrative and Financial Services, Bureau of General Services more discretion regarding the level of funding transferred.

Public Law 2009, chapter 1 was enacted as an emergency measure effective January 29, 2009.

**LD 153 An Act To Authorize a General Fund Bond Issue for the Land for
Maine's Future Board**

ONTP

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

The funds provided by this bond issue, in the amount of \$30,000,000, will be used to recapitalize the Land for Maine's Future Fund over 2 years to continue the State's land conservation efforts, leveraging a minimum of \$15,000,000 in required matching funds.

LD 913, as enacted, contains a similar bond proposal.

**LD 203 An Act To Authorize a General Fund Bond Issue To Assist the
University of Maine System in the Conversion of the Educational
Broadband Spectrum from Analog to Digital**

ONTP

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

The funds provided by this bond issue, in the amount of \$2,000,000, will be used to provide funds for the University of Maine System to convert current analog educational broadband spectrum to digital in order to comply with the FCC mandate and not lose the opportunity to lease excess broadband capacity.