

MAINE STATE LEGISLATURE

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STATE OF MAINE
124TH LEGISLATURE
SECOND REGULAR SESSION



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

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

April 2010

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STATE OF MAINE

124TH LEGISLATURE
SECOND 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 Second 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:

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

The effective date for non-emergency legislation enacted in the Second Regular Session of the 124th Legislature is Monday, July 12, 2010. 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

services.

PART QQQQ requires the Department of Health and Human Services to convene a stakeholder advisory group to provide guidance to the department regarding the transition to managed care for the MaineCare program.

PART RRRR directs the Department of Health and Human Services to use funds provided to adjust MaineCare rates, where necessary and applicable, to actuarially based rates. Only those rates for services that would otherwise be subject to a 10% rate reduction in Part A may be considered for the purpose of this Part.

PART SSSS directs the Department of Health and Human Services to establish a rate structure that supports 2 levels of crisis services.

Public Law 2009, chapter 451 was enacted as an emergency measure effective March 31, 2010.

LD 1748 An Act To Authorize a General Fund Bond Issue To Purchase and Upgrade Trackage of the Montreal, Maine and Atlantic Railway

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THERIAULT JACKSON	ONTP	

The funds provided by this bond issue will be used to purchase and upgrade 241 miles of track of the Montreal, Maine and Atlantic Railway to maintain service to towns in the northern part of the State and to prevent closure of this trackage.

LD 1748 was originally referred to the Joint Standing Committee on Transportation, which issued a divided report: The majority report of that committee was OTP-A with the amendment being the addition of a fiscal note; the minority report was ONTP. The bill was then committed to the Appropriations and Financial Affairs Committee, which reported the bill out ONTP.

LD 1826, as enacted, contains a similar bond proposal.

LD 1761 An Act To Authorize a General Fund Bond Issue To Create a New Electronic Medical Records Infrastructure

ONTP

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

The funds provided by this bond issue will be used to purchase the software and the hardware necessary for health care providers to exchange patients' health care records electronically.

LD 1761 was originally referred to the Committee on Health and Human Services. That committee reported the bill out in an amended form, Committee Amendment "A" (S-445), which proposed the following: establishing the Electronic Medical Records Infrastructure Program and associated fund within the Finance Authority of Maine; providing that the fund is administered by a person designated by the Governor; authorizing the fund to provide loans to qualified recipients to establish an electronic medical records infrastructure to allow health care providers to exchange patients' health care records electronically; authorizing the fund to provide grants to

Joint Standing Committee on Appropriations and Financial Affairs

qualified recipients for technical assistance; providing that the establishment of the program is contingent upon passage of an associated bond. The bill was later committed to the Committee on Appropriations and Financial Affairs, which reported the bill out ONTP.

**LD 1816 An Act To Authorize a Bond Issue for Ratification by the Voters for the
June 2010 Election To Create Jobs in the State**

ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MITCHELL E	ONTP	

Part A of this bill authorizes a June 2010 referendum on a \$99,170,000 bond issue to support drinking water programs; the construction of wastewater treatment facilities; to support overboard discharge assistance programs; to support oil tank remediation programs; to support culvert replacement for fish passage; to support the Efficiency Maine Trust; to purchase and upgrade 241 miles of track in the northern part of Maine; to construct a rail connector between Topsham and Lewiston-Auburn; to support the highway maintenance program; and to leverage other matching funds.

Part B of this bill describes specific requirements for the awarding of bond funds by the Efficiency Maine Trust.

LD 1826, as enacted, contains portions similar to the rail and highway provisions of this bill.

**LD 1825 Resolve, Authorizing the Commissioner of Administrative and Financial
Services To Sell or Lease the Interests of the State in Certain Real
Property Located at 187-189 State Street, Augusta, Known as the
Smith-Merrill House, and at 159 Hogan Road, Bangor, known as the
Elizabeth Levinson Center**

RESOLVE 205

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAIN	OTP-AM	H-816

This resolve gives the Commissioner of Administrative and Financial Services authority to sell or lease properties identified as the Smith-Merrill House on State Street in Augusta and the Elizabeth Levinson Center on Hogan Road in Bangor. The resolve also extends the repeal date of Resolve 1999, chapter 114, which pertains to the sale of property in Thomaston, by 5 years to August 11, 2015.

Committee Amendment "A" (H-816)

This amendment incorporates a fiscal note.

Enacted Law Summary

Resolve 2009, chapter 205 gives the Commissioner of Administrative and Financial Services authority to sell or lease properties identified as the Smith-Merrill House on State Street in Augusta and the Elizabeth Levinson Center on Hogan Road in Bangor. It also extends the repeal date of Resolve 1999, chapter 114, which pertains to the sale of property in Thomaston, by 5 years to August 11, 2015.