

MAINE STATE LEGISLATURE

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STATE OF MAINE
125TH LEGISLATURE
FIRST REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

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

July 2011

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STATE OF MAINE
125TH LEGISLATURE
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LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* summarizes all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 125th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD 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 LD is noted to the right of the LD title. The following describes the various final actions.

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; legislation died
DIED BETWEEN HOUSES..... House & Senate disagreed; legislation died
DIED IN CONCURRENCE..... defeated in each house, but on different motions; legislation died
DIED ON ADJOURNMENT..... action incomplete when session ended; legislation died
EMERGENCY..... enacted law takes effect sooner than 90 days after session adjournment
FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE emergency failed to receive required 2/3 vote
FAILED, ENACTMENT or FINAL PASSAGE..... failed to receive final majority vote
FAILED, MANDATE ENACTMENT legislation proposing local mandate failed required 2/3 vote
HELD BY GOVERNOR..... Governor has not signed; final disposition to be determined at subsequent session
LEAVE TO WITHDRAW..... sponsor's request to withdraw legislation granted
NOT PROPERLY BEFORE THE BODY ruled out of order by the presiding officer; legislation died
INDEF PP..... indefinitely postponed; legislation died
ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X... ought-not-to-pass report accepted; legislation died
P&S XXX..... chapter # of enacted private & special law
PUBLIC XXX..... chapter # of enacted public Law
RESOLVE XXX..... chapter # of finally passed resolve
VETO SUSTAINED..... Legislature failed to override Governor's veto

The effective date for non-emergency legislation enacted in the First Regular Session of the 125th Legislature is September 28, 2011. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

Joint Standing Committee on Appropriations and Financial Affairs

LD 280 Resolve, Reauthorizing the Balance of the 2005 Maine Biomedical Research Fund and Marine Infrastructure and Technology Fund Bond Issues RESOLVE 73 EMERGENCY

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| RECTOR | OTP-AM | S-185 |

This resolve reauthorizes the balance of the 2005 Maine biomedical research and marine infrastructure and technology bond issues.

Committee Amendment "A" (S-185)

This amendment incorporates a fiscal note.

Enacted Law Summary

Resolve 2011, chapter 73 reauthorizes the balance of the 2005 Maine biomedical research and marine infrastructure and technology bond issues.

Resolve 2011, chapter 73 was finally passed as an emergency measure effective June 13, 2011.

LD 298 An Act To Amend the Retirement Benefit Provisions for State Employees Working under Special Plans Who Remain Employed beyond the Minimum Years Necessary To Qualify for Retirement Benefits ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| SARTY COURTNEY | ONTP | |

Under current law, certain state employees in special retirement plans, such as the Maine State Police, marine resources officers and liquor inspectors, earn an additional 2% of average final compensation for each year those employees work beyond the minimum retirement age. This bill prospectively eliminates, beginning October 1, 2011, that additional 2% of the average final compensation computed each year past a member's minimum retirement age. The bill does not affect the inclusion of the additional 2% of average final compensation computed for each year beyond a member's minimum retirement age that occurs prior to October 1, 2011. The bill also amends language to make it gender-neutral.

LD 336 An Act To Preserve the State's Public Pension Fund LEAVE TO WITHDRAW

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| CEBRA | LV/WD | |

Joint Standing Committee on Appropriations and Financial Affairs

This bill makes changes to the State's public pension laws to improve the financial condition of the Maine Public Employees Retirement System. For the next 6 years, the bill increases the amount of contributions to the Maine Public Employees Retirement System made by state employees and teachers by 1% of earnable compensation. The bill also reduces for 6 years the cost-of-living adjustments for retirement benefits by 50% for persons with annual pensions greater than \$25,000 but not greater than \$45,000 and suspends for 6 years cost-of-living adjustments for persons with annual pensions greater than \$45,000. Persons with pensions of \$25,000 or less continue to receive cost-of-living adjustments. The bill provides for a review of these changes during the 128th Legislature.

LD 1043, as enacted, contains provisions similar to some sections of this bill.

LD 350 *Resolve, Directing the Maine Public Employees Retirement System To Consider Warden Bayley Grant's Game Warden Service as Having Begun in 1983, without an Interruption in Service* LEAVE TO WITHDRAW

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| TILTON RAYE | LV/WD | |

This resolve directs the Maine Public Employees Retirement System to calculate Warden Bayley Grant's employment service from the time he was first hired, without any break in service.

LD 359 *An Act To Authorize a General Fund Bond Issue for Wastewater and Drinking Water Revolving Loan Funds* Carried Over

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| FLOOD GOODALL | | |

The funds provided by this bond issue, in the amount of \$15,500,000, will be used to fund revolving loan funds for drinking water systems and wastewater facilities and to secure federal grants.

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

LD 381 *An Act To Establish a New Method of Determining the State Budget* Carried Over

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| AYOTTE RAYE | | |

This bill shifts the start of the fiscal biennium for the state budget from the first regular session of the Legislature to the second regular session of the Legislature, beginning with the fiscal year that begins on July 1, 2014. It also provides that the state budget beginning on July 1, 2013 is a one-year budget.

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.