

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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STAFF:

MAUREEN DAWSON, PRINCIPAL ANALYST
OFFICE OF FISCAL AND PROGRAM REVIEW
5 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1635

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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 1240 An Act To Authorize a General Fund Bond Issue To Reduce the Cost of Government through Energy Efficiency Carried Over

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

The funds provided by this bond issue, in the amount of \$90,000,000, will be used to lower the costs of government at all levels by funding cost-effective energy efficiency improvements to public buildings. Forty-five million dollars will fund cost-effective energy efficiency improvements to buildings owned or leased by the State, and \$45,000,000 will be placed in a loan fund for cost-effective energy efficiency improvements to buildings owned or leased by municipal and county governments.

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

LD 1304 An Act Pertaining to Retirement Benefits for State Legislators ONTP

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

This bill terminates creditable service under the Legislative Retirement Program for members who have less than 5 years of creditable service on December 1, 2012.

**LD 1372 An Act To Make Additional Supplemental Appropriations and Allocations for the Fiscal Year Ending June 30, 2011 PUBLIC 28
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FLOOD ROSEN R	OTP-AM	H-84

LD 1372 is the Governor's second proposed fiscal year 2010-11 Emergency Supplemental Bill.

Committee Amendment "A" (H-84)

Committee Amendment "A" (H-84) is the unanimous report of the Committee in response to the Governor's proposal.

Enacted Law Summary

Public Law 2011, chapter 28 resulted in no net change to the General Fund or the Fund for a Healthy Maine.

PART A makes supplemental appropriations and allocations of funds for fiscal year 2010-11.

PART B transfers funds from the Medical Care Services Federal Expenditures Fund program within the Department

Joint Standing Committee on Appropriations and Financial Affairs

of Health and Human Services to the unappropriated surplus of the General Fund to reverse the action taken in Public Law 2009, chapter 571, Part KKKK.

PART C requires any All Other balance in the Department of Health and Human Services, Bureau of Medical Services, General Fund account to be carried forward to fiscal year 2011-12 to be used for the same purposes.

PART D lapses a portion of the unencumbered balance forward from the Department of Labor, Governor's Training Initiative Program, General Fund account to the unappropriated surplus of the General Fund.

PART E authorizes the State Controller to transfer \$50,000 from the Department of Administrative and Financial Services, Other Special Revenue Funds, Bangor Campus Office Space account to the unappropriated surplus of the General Fund.

PART F lapses a portion of the unencumbered balance forward of the Department of Education, Learning Through Technology program, General Fund account to the General Fund.

PART G transfers the shares of excess reserves in the Accident, Sickness and Health Insurance Internal Service Fund that is associated with the General Fund and the Other Special Revenue Funds to the unappropriated surplus of the General Fund and transfers the equitable excess reserves as required by state or federal regulations.

PART H requires the State Budget Officer to calculate the savings as the result of a review of contracting processes and to transfer the savings by financial order upon the approval of the Governor.

PART I requires the transfer of up to \$25,000,000 from the unappropriated surplus of the General Fund to the Maine Budget Stabilization Fund at the close of fiscal year 2010-11, authorizes a second new transfer of up to \$5,000,000 from the unappropriated surplus of the General Fund to the Bureau of Medical Services General Fund account to be used to pay Maine Integrated Health Management Solution system operational contract costs and authorizes a third new transfer of up to \$2,500,488 from the unappropriated surplus of the General Fund to the Department of Administrative and Financial Services, Accident, Sickness and Health Insurance Internal Services Fund.

PART J eliminates the transfer from the Department of Audit, Statewide Single Audit - Set Aside, Other Special Revenue Funds account to the unappropriated surplus of the General Fund that was required by the end of fiscal year 2010-11 and a transfer from the unappropriated surplus of the General Fund to the same account to offset a transfer that was made in fiscal year 2009-10.

PART K increases the amount of unexpended Personal Services appropriations that would otherwise lapse to the Salary Plan program to be transferred to the General Fund unappropriated surplus at the close of fiscal year 2010-11 and increases the amount of funding that may be transferred from the Salary Plan program to the General Fund unappropriated surplus in the event that the full amount of savings is not achieved. It also lapses a specified amount from the General Fund Salary Plan program to the General Fund unappropriated surplus.

PART L authorizes the Commissioner of Education to identify savings within the existing General Fund programs of the Department of Education and to transfer funds to the Child Development Services General Fund program account in order to maintain services to students and provide timely payments to therapeutic service providers.

PART M reduces the amount of transfers required to be made from Other Special Revenue Funds accounts of departments and agencies statewide to the unappropriated surplus of the General Fund.

PART N transfers a specified amount in unexpended funds in the Department of the Attorney General, Administration - Attorney General, Other Special Revenue Funds program to the General Fund unappropriated surplus.

Public Law 2011, chapter 28 was enacted as an emergency measure effective April 14, 2011.