

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH LEGISLATURE
SECOND REGULAR SESSION



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

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

May 2014

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STATE OF MAINE
126TH LEGISLATURE
SECOND REGULAR SESSION
LEGISLATIVE DIGEST OF BILL SUMMARIES AND
ENACTED LAWS

The *Digest* is arranged 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.

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 HOUSESHouse & 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
EMERGENCYenacted 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 Second Regular Session of the 126th Legislature is August 1, 2014. 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 16 **An Act To Authorize a General Fund Bond Issue To Invest in Transportation Infrastructure** **ONTP**

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

This bill was carried over from the First Regular Session of the 126th Legislature.

The funds provided by this bond issue in the amount of \$100,000,000 will be used to make improvements to state and local highways, roads and bridges, rail lines, public transportation and pedestrian trails.

LD 25 **An Act To Exclude Certain State-funded Costs from the State Share of the Total Cost of Funding Public Education** **ONTP**

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

In the First Regular Session of the 126th Legislature, this bill was referred to and reported out of the Joint Standing Committee on Education and Cultural Affairs. It was placed on the Special Appropriations Table, removed from the table, committed to the Joint Standing Committee on Appropriations and Financial Affairs and carried over to a Special or Regular Session.

This bill provides that, beginning in fiscal year 2013-14, the state contributions to teacher retirement, retired teachers' health insurance and retired teachers' life insurance may not be included in the calculation of the state share percentage of the total cost of funding public education from kindergarten to grade 12 as required by the Essential Programs and Services Funding Act.

LD 39 **An Act To Expand the Number of Qualified Educators** **PUBLIC 486**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOHNSON P	OTP-AM	H-621

This bill was carried over from the First Regular Session of the 126th Legislature.

This bill changes the law regarding the restoration of retired teachers to service by removing the provision that a retired teacher may be paid only 75% of the posted salary for the position and replaces the provision that a retired teacher may be restored to service for only up to 5 years with a provision that allows the retired teacher to be restored to service through one-year contracts.

Committee Amendment "A" (H-621)

This amendment replaces the bill. It amends the law regarding the restoration of service for state employees and teachers by providing that, effective August 1, 2014, certain "classroom-based employees" who have reached normal retirement age and who have retired after September 1, 2011 may be restored to service as classroom-based employees at 100% of the compensation established for the positions to be filled through one-year contracts for no more than 5 one-year contracts per school administrative unit.

Joint Standing Committee on Appropriations and Financial Affairs

This amendment also provides that a retired classroom-based employee may return to service at the same school administrative unit for a maximum of 10 years: 5 years under one-year contracts at 100% of the compensation for that position and 5 years at 75% of the compensation for that position as specified in current law.

This amendment also requires the Commissioner of Administrative and Financial Services to convene a working group to review the impact that the Maine Revised Statutes, Title 20-A, section 17859, as originally enacted in Public Law 2011, chapter 380, Part MMM, section 1, has had on the State as an employer, local school administrative units and the Maine Community College System and to provide a report by January 8, 2015 to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over education and cultural affairs describing the working group's findings and recommendations, including any implementing legislation.

Enacted Law Summary

Public Law 2013, chapter 486 provides that, effective August 1, 2014, certain "classroom-based employees" who have reached normal retirement age and who have retired after September 1, 2011 may be restored to service as classroom-based employees at 100% of the compensation established for the positions to be filled through one-year contracts for no more than 5 one-year contracts per school administrative unit. The law also provides that a retired classroom-based employee may return to service at the same school administrative unit for a maximum of 10 years: 5 years under one-year contracts at 100% of the compensation for that position and 5 years at 75% of the compensation for that position as specified in current law.

The law also requires the Commissioner of Administrative and Financial Services to convene a working group to review the impact that the Maine Revised Statutes, Title 20-A, section 17859, as originally enacted in Public Law 2011, chapter 380, Part MMM, section 1, has had on the State as an employer, local school administrative units and the Maine Community College System and to provide a report by January 8, 2015 to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over education and cultural affairs describing the working group's findings and recommendations, including any implementing legislation.

**LD 62 An Act To Provide Additional Funding for Respite Care for the Elderly ONTP
and for Adults with Disabilities**

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

In the First Regular Session of the 126th Legislature, this bill was referred to and reported out of the Joint Standing Committee on Health and Human Services. It was placed on the Special Appropriations Table, removed from the table, committed to the Joint Standing Committee on Appropriations and Financial Affairs and carried over to a Special or Regular Session.

This bill provides additional General Fund appropriations of \$130,000 in fiscal year 2013-14 and \$330,000 in fiscal year 2014-15 for the Department of Health and Human Services to fund respite services in the adult day services program. This appropriation is intended to increase funding for this program to \$450,000 in fiscal year 2013-14 and to \$650,000 in fiscal year 2014-15.