

MAINE STATE LEGISLATURE

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STATE OF MAINE
126TH LEGISLATURE
FIRST REGULAR SESSION



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

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

July 2013

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STATE OF MAINE

126TH LEGISLATURE

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LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 126th 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 126th Legislature is October 9, 2013. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

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amended by H-B (H-580) and H-C (H-582).

LD 250

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, 2013

**PUBLIC 1
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HILL ROTUNDO	OTP-AM	S-1 S-3 HILL

This bill is the Governor's proposed fiscal year 2012-13 Emergency Supplemental Budget.

Committee Amendment "A" (S-1)

This amendment is the unanimous report of the Committee in response to the Governor's proposed bill.

Senate Amendment "A" To Committee Amendment "A" (S-3)

This amendment strikes Part J and replaces it to provide that user fees from the use of state parks, historic sites and the Allagash Wilderness Waterway accrue to the General Fund after payment of any existing lease for Crescent Beach State Park. This amendment also directs the Commissioner of Agriculture, Conservation and Forestry to execute a lease for Crescent Beach State Park no later than April 24, 2013 and to report the terms and conditions of the lease, which may not exceed 5 years, to the Joint Standing Committee on Agriculture, Conservation and Forestry.

Enacted Law Summary

Public Law 2013, chapter 1 does the following.

PART A makes supplemental appropriations and allocations of funds for fiscal year 2012-13.

PART B makes supplemental appropriations and allocations of funds for approved reclassifications and range changes.

PART C relates to the funding of K-12 education.

PART D authorizes the Department of Administrative and Financial Services to have more than one Deputy Commissioner. It also establishes the Director, Legislative Affairs and Communications position as a major policy-influencing position.

PART E does the following: 1) Limits the transfer to the reserve for retirement benefits at the close of fiscal year 2012-13; 2) Revises the distribution of available balances in the unappropriated surplus of the General Fund after all required deductions and adjustments; and 3) Repeals the provisions that would have authorized a transfer of up from the unappropriated surplus and the transfer of excess revenue from the Oxford Casino at the end of fiscal year 2012-13 to the Department of Health and Human Services to pay hospital settlements.

PART F transfers \$14,096,679 from the K-12 Essential Programs and Services, Other Special Revenue Funds account in the Department of Education to the unappropriated surplus of the General Fund in fiscal year 2012-13.

PART G repeals the provision of law that directs the process for the renewal of contracts for the State's

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wholesale liquor activities.

PART H authorizes the State Controller to recognize a receivable of up to \$7,000,000 of estate tax revenue during fiscal year 2012-13.

PART I transfers \$40,000,000 from the Maine Budget Stabilization Fund and \$17,083,994 from the Reserve for General Fund Operating Capital to the General Fund unappropriated surplus in fiscal year 2012-13

PART J specifies that user fees from the use of state parks, historic sites and the Allagash Wilderness Waterway accrue to the General Fund after payments of any existing lease for Crescent Beach State Park and requires the Department of Agriculture, Conservation and Forestry to execute a lease for Crescent Beach State Park by a specified date and report the terms of the lease to the Joint Standing Committee on Agriculture, Conservation and Forestry. This Part is amended by Senate Amendment "A" to Committee Amendment "A" (S-3).

PART K transfers unexpended funds from the Harness Racing Commission program, operating account, Other Special Revenue Funds account in the Department of Agriculture, Conservation and Forestry to the unappropriated surplus of the General Fund.

PART L lapses \$1,600,000 from the Department of Corrections - Capital Improvements, General Fund account to General Fund unappropriated surplus.

PART M transfers \$1,000,000 in unexpended funds from the Tourism Marketing Promotion Fund, Other Special Revenue Funds account within the Department of Economic and Community Development to the unappropriated surplus of the General Fund.

PART N transfers funds from the Uncontrolled Sites Fund to the unappropriated surplus of the General Fund.

PART O lapses \$2,000,000 from the General Purpose Aid for Local Schools, General Fund account within the Department of Education to General Fund unappropriated surplus.

PART P directs the Department of Health and Human Services to amend the rules of reimbursement for inpatient substance abuse services.

PART Q transfers the first \$1,000,000 of unexpended Personal Services appropriations that would otherwise lapse to the Salary Plan program in the Department of Administrative and Financial Services to the unappropriated surplus of the General Fund.

PART R amends the requirement that the Commissioner of Education and the Commissioner of Labor identify General Fund savings to pay the cost of certain positions by removing the requirement that the funds come from savings from General Fund programs.

PART S changes the title of the Director, PK-20, Adult Education and Federal Programs Team to Chief Academic Officer.

PART T authorizes any unexpended balance in the Emergency Services Communication Bureau program, General Fund account at the close of fiscal year 2012-13 to be carried forward to be used for the purposes for which the funds were originally appropriated.

PART U authorizes the transfer by financial order of any available appropriation balance, including Personal

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Services appropriation balances, within the Department of Health and Human Services to fully fund MaineCare cycle payments in fiscal year 2012-13 and gives similar authority for the psychiatric centers to transfer funds to fund an electronic medical records system.

PART V requires that any remaining balance in the Consent Decree program, General Fund account within the Department of Health and Human Services be carried forward for use in the next fiscal year.

PART W gives the Department of Health and Human Services the authority to adopt emergency rules to implement any provisions of the bill over which it has subject matter jurisdiction.

PART X increases the amount of the transfer that Dirigo Health is required to make to the Department of Health and Human Services in fiscal year 2012-13.

PART Y authorizes one-time transfers from various Inland Fisheries and Wildlife Carrying Balances - General Fund accounts to fund position reclassifications.

PART Z authorizes the Judicial Department to transfer, in fiscal year 2012-13 only, all remaining Personal Services balances to the All Other line category in the Judicial Department, Courts - Supreme, Superior and District program, General Fund account.

PART AA transfers \$3,000,000 from available Other Special Revenue Funds balances in the Department of Professional and Financial Regulation to the General Fund unappropriated surplus.

PART BB changes the funding source for 2 Workers' Compensation Board positions related to the enforcement of laws prohibiting the misclassification of workers.

PART CC authorizes the Governor to access any funds available to pay amounts owed by the Maine Commission on Indigent Legal Services up to \$2,000,000 for fiscal year 2012-13.

PART DD transfers the responsibilities associated with the State Government Evaluation Act as it pertains to the Maine Public Employees Retirement System from the joint standing committee of the Legislature having jurisdiction over labor matters to the joint standing committee of the Legislature having jurisdiction over retirement matters.

PART EE requires the Department of Health and Human Services to apply for federal grants that might be available to assist with the implementation of the federal Patient Protection and Affordable Care Act and to assist with implementing required interfaces with information technology systems.

PART FF lapses available balances from the Law and Legislative Reference Library, the Legislature and the Office of Program Evaluation and Government Accountability to the General Fund unappropriated surplus.

PART GG directs the Department of Health and Human Services to reduce by 5% the reimbursement rates under the MaineCare program for licensed clinical professional counselors and licensed marriage and family therapists.

Public Law 2013, chapter 1 was enacted as an emergency measure effective March 6, 2013.