

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
126<sup>TH</sup> 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**  
**126<sup>TH</sup> 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 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 Second Regular Session of the 126<sup>th</sup> 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*

surgical centers to take effect by July 1, 2014.

### **Enacted Law Summary**

Private and Special Law 2013, chapter 29 requires the Department of Health and Human Services to adopt routine technical rules regarding the reimbursement of ambulatory surgical centers to take effect by July 1, 2014.

Private and Special Law 2013, chapter 29 was enacted as an emergency measure effective April 30, 2014.

### **LD 396      An Act To Appropriate Sufficient Funds for Indigent Legal Services      ONTP**

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

In the First Regular Session of the 126th Legislature, this bill was referred to and reported out of the Joint Standing Committee on Judiciary. 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 a General Fund appropriation of \$3,490,209 in fiscal year 2013-14 and \$5,995,237 in fiscal year 2014-15 for the Maine Commission on Indigent Legal Services to increase reimbursement for indigent legal services from \$50 per hour to \$70 per hour effective October 1, 2013, and to \$75 per hour effective July 1, 2014.

### **LD 436      An Act To Raise the Maximum 529 Plan Contribution Tax Deduction      ONTP**

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

In the First Regular Session of the 126th Legislature, this bill was referred to and reported out of the Joint Standing Committee on Taxation. 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 increases the maximum deduction for contributions to a qualified tuition program established under Section 529 of the United States Internal Revenue Code of 1986 to \$1,000 per designated beneficiary. The change applies to tax years beginning on or after January 1, 2013.

### **LD 440      An Act To Create a Tax Credit for Primary Care Professionals Practicing in Underserved Areas      PUBLIC 599**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JACKSON T	OTP-AM	S-548

In the First Regular Session of the 126th Legislature, this bill was referred to and reported out of the Joint Standing Committee on Taxation. 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.

## ***Joint Standing Committee on Appropriations and Financial Affairs***

This bill extends the existing dental care access tax credit, which currently allows the Department of Health and Human Services to certify dentists as eligible for the credit through 2015, by eliminating the repeal date of December 31, 2020. It creates a similar credit for primary care professionals practicing in underserved areas. It requires the Department of Health and Human Services oral health program to certify up to five eligible dentists who have unpaid student loans and practice full time for at least five years in an underserved area for the dental care access credit in each taxable year beginning on January 1, 2016. It requires the Department of Health and Human Services to certify up to five eligible primary care professionals who have unpaid student loans and practice full time for at least five years in an underserved area for the primary care access credit in each taxable year beginning on January 1, 2013. These eligible dentists and primary care professionals may claim a credit, not to exceed \$12,000, for up to five years or until their student loans are paid in full, whichever comes first. The credit is nonrefundable.

### **Committee Amendment "B" (S-548)**

This amendment eliminates the provision in the bill that extends the existing dental care access tax credit and additionally:

1. Clarifies that in order to be eligible for the primary care access tax credit, the person's unpaid student loan must be owed to an institution for course work directly related to that person's training in primary care medicine;
2. Adds an area with a medically underserved population to the definition of "underserved area";
3. Creates a graduated schedule for claiming the credit allowing an eligible primary care professional to claim an amount equal to the annual payments made on the professional's student loan not to exceed \$6,000 in the first year, \$9,000 in the second year, \$12,000 in the third year, \$15,000 in the fourth year and \$18,000 in the fifth year;
4. Provides that the primary care access credit is available for tax years beginning on or after January 1, 2014, but before January 1, 2019;
5. Requires the Department of Health and Human Services and the Department of Administrative and Financial Services, Maine Revenue Services to submit an annual report to the joint standing committee of the Legislature having jurisdiction over taxation matters beginning on January 1, 2016, indicating the number of eligible primary care professionals certified and decertified each year by the Department of Health and Human Services and the total annual loss of revenue attributable to the primary care access credit; and
6. Adds a \$23,000 transfer from the Medical Use of Marijuana Fund, Other Special Revenue Funds account in the Department of Health and Human Services to the unappropriated surplus of the General Fund no later than June 30, 2015.

### **Enacted Law Summary**

Public Law 2013, chapter 599 creates a credit for primary care professionals practicing in underserved areas for tax years beginning on or after January 1, 2014 but before January 1, 2019 with a graduated schedule for claiming the credit allowing an eligible primary care professional to claim an amount equal to the annual payments made on the professional's student loan not to exceed \$6,000 in the first year, \$9,000 in the second year, \$12,000 in the third year, \$15,000 in the fourth year and \$18,000 in the fifth year. It requires the Department of Health and Human Services and the Department of Administrative and Financial Services, Maine Revenue Services to submit an annual report to the joint standing committee of the Legislature having jurisdiction over taxation matters beginning on January 1, 2016 indicating the number of eligible primary care professionals certified and decertified each year by the Department of Health and Human Services and the total annual loss of revenue attributable to the primary care access credit. This law also requires a \$23,000 transfer from the Medical Use of Marijuana Fund, Other Special Revenue Funds account in the Department of Health and Human Services to the unappropriated surplus of the

## *Joint Standing Committee on Appropriations and Financial Affairs*

General Fund no later than June 30, 2015.

### **LD 455      An Act To Increase the State Earned Income Credit**

**ONTP**

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

In the First Regular Session of the 126th Legislature, this bill was referred to and reported out of the Joint Standing Committee on Taxation. 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.

Beginning in 2013, this bill increases the state earned income credit from 5% to 50% of the federal earned income credit and provides that the state earned income credit is fully refundable.

### **LD 464      An Act To Change Compensation for Career and Technical Education Region Cooperative Board Meeting Attendance**

**PUBLIC 583**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHAPMAN	OTP-AM	H-836

In the First Regular Session of the 126th Legislature, this bill was referred to and reported out of the Joint Standing Committee on Education. 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 increases the compensation for a career and technical education region cooperative board member from \$10 to \$20 for each meeting the member attends.

#### **Committee Amendment "B" (H-836)**

This amendment incorporates a fiscal note.

#### **Enacted Law Summary**

Public Law 2013, chapter 583 increases the compensation for a career and technical education region cooperative board member from \$10 to \$20 for each meeting the member attends.

### **LD 481      An Act To Amend the Laws Governing Virtual Public Charter Schools**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MACDONALD W	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.