

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 904 An Act To Clarify When Bonds May Be Issued

**Died Between
Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAREY TUTTLE	OTP-AM ONTP	H-595

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

This bill is a concept draft pursuant to Joint Rule 208, which proposes to amend the laws governing the issuance of General Fund bonds that have been approved by referendum by the citizens of the State. Under this bill, once the issuance of bonds is approved by referendum, the issuance of the bonds must be approved by the Governor unless the Governor determines, based on information available to the Governor, that the debt service on the bonds would be greater than the amount budgeted, or the project or projects for which the bonds were authorized are not going forward and the funding to be provided by the bonds is not required.

Committee Amendment "A" (H-595)

This amendment strikes the bill and specifies the events that allow the Governor to delay or forgo issuing a general obligation bond. This amendment also requires the Governor to provide certain information upon delaying or forgoing issuance of a bond..

**LD 906 An Act To Permit a School Administrative Unit Discretion Concerning
Participation of Students from Charter Schools in School
Extracurricular and Interscholastic Activities**

PUBLIC 601

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MOONEN MILLETT	OTP-AM	H-838

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 allows a public charter school, at the discretion of the superintendent of the school administrative unit, to participate in school administrative unit sponsored interscholastic and other activities and, at the discretion of the superintendent, allows a student of the public charter school to participate in a school's extracurricular activities.

Committee Amendment "B" (H-838)

This amendment provides that the superintendent of a school administrative unit may deny the request of a public charter school student to participate in an extracurricular or interscholastic activity only if the public charter school the student attends already provides that same activity or if the noncharter public school does not have the capacity to provide the student with the opportunity to participate in the activity. If approval for participation is withheld by the superintendent of the school administrative unit, the superintendent must provide a written explanation to the student or the student's parent or guardian stating the reason or reasons for the decision. The amendment also adds a mandate preamble.

Enacted Law Summary

Joint Standing Committee on Appropriations and Financial Affairs

Public Law 2013, chapter 601 allows a public charter school, at the discretion of the superintendent of the school administrative unit, to participate in school administrative unit-sponsored interscholastic and other activities. It also requires the superintendent of the school administrative unit to allow a student of the public charter school to participate in a school's extracurricular activities unless the public charter school the student attends already provides that same activity or the noncharter public school lacks the capacity to provide the student with the opportunity to participate in the activity. If approval for participation is withheld by the superintendent of the school administrative unit, the superintendent must provide a written explanation to the student or the student's parent or guardian stating the reason or reasons for the decision.

LD 925 An Act To Authorize a General Fund Bond Issue for Riverfront Community Development ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LIBBY N CLEVELAND	ONTP	

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

The bill authorizes a General Fund bond issue in the amount of \$25,000,000 to be used to fund a grant program to invest in projects that contribute to economic, environmental and community development and revitalization along the State's rivers, promote economic activity, protect the environment and enhance the quality of life for Maine people.

LD 928 An Act To Improve MaineCare Nursing Home Reimbursement To Preserve Access and Promote Quality ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MALABY	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 supplemental MaineCare payments to nursing homes that serve a high percentage of MaineCare residents and establishes a pay-for-performance program in nursing homes.

The Department of Health and Human Services is authorized to adopt emergency rules to take effect retroactively to July 1, 2013 for the establishment of the supplemental MaineCare payments to nursing homes that serve a high percentage of MaineCare residents.

The bill also appropriates state funds and allocates matching federal funds for cost-of-living increases for MaineCare reimbursement to nursing facilities in the 2014-2015 biennium.

LD 933 An Act To Establish a State Board of Dental Hygiene Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SIROCKI	OTP-AM	H-845