

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
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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

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

Joint Standing Committee on Appropriations and Financial Affairs

In the First Regular Session of the 126th Legislature, this bill was referred to and reported out of the Joint Standing Committee on Labor, Commerce, Research and Economic Development. 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 establishes the State Board of Dental Hygienists.

Committee Amendment "B" (H-845)

This amendment makes the following changes to the bill:

1. It changes the name of the State Board of Dental Hygienists to the State Board of Dental Hygiene;
2. It establishes the State Board of Dental Hygiene as an affiliated board with the Department of Professional and Financial Regulation that shares resources with the Board of Dental Examiners;
3. It adds provisions to explain that the administrative expenses for staff and infrastructure of the Board of Dental Examiners must be shared on a pro rata basis with the State Board of Dental Hygiene and provides that the State Board of Dental Hygiene is required to charge sufficient licensure fees to finance the pro rata sharing of costs;
4. It removes all references in the bill that add an executive and assistant executive director and a secretary to the board and removes other technical provisions relating to the board's powers and duties that are not necessary to the board's primary responsibilities;
5. It removes provisions in the bill that establish dental hygienist adjudicatory panels;
6. It amends provisions in the bill relating to appointments to the board of public health hygienists and independent practice dental hygienists to ensure the qualifications for appointment accurately reflect the current statutory licensure requirements. It also adds the requirement that one dental hygienist on the board be an active instructor in an approved educational program in dental hygiene;
7. It establishes that any fees set by the board may not exceed \$175;
8. It removes provisions that require an in-person interview for applicants who had completed the North East Regional Board of Dental Examiners, Inc. dental hygiene examination more than one year prior to application for licensure and for applicants seeking licensure by endorsement;
9. It adds two unallocated transition provisions to provide that the rules of the Board of Dental Examiners applicable to dental hygienists that are in effect on the effective date of this legislation remain in effect until amended or repealed by the State Board of Dental Hygiene and establishes staggered terms for initial appointments to that board;
10. It requires the State Controller to transfer \$211,820 from available balances in the Board of Dental Examiners, Other Special Revenue Funds account to the State Board of Dental Hygiene, Other Special Revenue Funds account no later than August 15, 2014 to cover the initial start-up costs of the State Board of Dental Hygiene;
11. It changes the allocation of the provisions establishing the State Board of Dental Hygiene to the Maine Revised Statutes, Title 32, chapter 143 to avoid a numbering conflict; and
12. It adds an appropriations and allocations section.