

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 1461 An Act To Require the State To Divest Itself of Assets Invested in the Fossil Fuel Industry

CARRIED OVER

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| JONES LACHOWICZ | | |

This bill requires the State to divest itself of assets invested in the fossil fuel industry.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1473 An Act To Create a Public Option Pension System

CARRIED OVER

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| RUSSELL | | |

This bill establishes the Maine Secure Choice Retirement Savings Trust within the Department of Labor and does the following.

1. It requires eligible employers to offer a payroll deduction retirement savings arrangement so that eligible employees can contribute a portion of their salary or wages to a retirement savings program account in the Maine Secure Choice Retirement Savings Program, also created by the bill.
2. It requires an eligible employee to participate in the Maine Secure Choice Retirement Savings Program, unless the employee specifically opts out of the program. The Bureau of Labor Standards is required to provide forms to employers for employees to opt out of the program.
3. The bill creates the 7-member Maine Secure Choice Retirement Savings Investment Board to administer the trust.
4. It specifies risk management and investment policies that the board must follow in administering the program.
5. The bill requires a specific percentage of the annual salary or wages of an eligible employee participating in the program to be deposited in the trust, which is divided into a program fund and an administrative fund. It authorizes the board to establish a gain and loss revenue account within the program fund.
6. The bill, contingent upon sufficient interest and funding by vendors, requires the board to establish a retirement investment clearinghouse on the Internet and a vendor registration process through which information about employer-sponsored retirement plans and payroll deduction individual retirement accounts and annuities offered by private sector providers is available for consideration by eligible employers.
7. It requires the Bureau of Labor Standards to assess a penalty on an eligible employer that fails to make the program available to eligible employees.
8. It provides that the State has no liability for the payment of benefits under the program.
9. The bill directs the board to conduct a market analysis to determine whether the necessary conditions needed to implement the provisions of the trust can be achieved. The analysis may be conducted only when sufficient funding

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from the nonprofit or private sector or from state or federal government is available. The provisions of the bill establishing the Maine Secure Choice Retirement Savings Investment Board and the trust are repealed December 31, 2015 unless the board reports to the Legislature the board's determination, through the market analysis, that those provisions of the trust are self-sustaining and that funds exist to allow the board to implement the program until sufficient funds become available to make it self-sustaining and the Legislature takes action based on the board's determination. It requires the board to ensure that insurance, annuity or other funding mechanisms are in place to protect the value of individuals' accounts.

10. The bill prevents the board from implementing the trust if the IRA arrangements offered fail to qualify for favorable federal income tax treatment ordinarily accorded to IRAs under the Internal Revenue Code or if the program is determined to be an employee benefit plan under the federal Employee Retirement Income Security Act.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1492 An Act To Authorize a General Fund Bond Issue To Strengthen CARRIED OVER
Maine's Economy and Communities

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| KATZ ROTUNDO | | |

The funds provided by this bond issue, in the amount of \$85,000,000, will be used to provide funds for development projects for the Communities for Maine's Future Program; for capital investment in programs to train workers for which there is a demonstrated need; for research and development and commercialization of technology; for infrastructure repairs and improvements for public transport and public trails; and for wastewater and safe drinking water infrastructure improvements.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1509 An Act Making Unified Appropriations and Allocations for the PUBLIC 368
Expenditures of State Government, General Fund and Other Funds and EMERGENCY
Changing Certain Provisions of the Law Necessary to the Proper
Operations of State Government for the Fiscal Years Ending June 30,
2014 and June 30, 2015

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| CHASE HILL | OTP-AM | H-468 H-499 ROTUNDO |

This bill is the Governor's proposed 2014-2015 Biennial Budget.

Committee Amendment "A" (H-468)

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

House Amendment "P" To Committee Amendment "A" (H-499)

This amendment is a technical amendment that makes the following corrections to Committee Amendment "A".

1. It clarifies that the reduction in funding for prescription drugs and crossover payments relates to nondual