

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

This bill establishes the High-efficiency Biomass Pellet Boiler Rebate Program, administered by the Efficiency Maine Trust, to give rebates to owners or occupants of buildings who install high-efficiency wood pellet boilers or heating systems in the buildings. The rebates are paid from the Home Heating Conversion Fund, administered by the Efficiency Maine Trust, which also provides funds to replace outdoor wood boilers that do not meet air quality standards as determined by the Department of Environmental Protection. The Home Heating Conversion Fund is funded by \$20,000,000 in revenue bonds issued by the Efficiency Maine Trust and paid for by the sale of sustainably harvested timber from public reserved lands.

Senate Amendment "B" (S-510)

This amendment replaces the bill with a resolve. The resolve directs the Public Utilities Commission to study the potential benefits and barriers involved in making renewable thermal technologies eligible for qualification in the State's renewable energy portfolio standard. In conducting this study, the commission is directed to examine and consider the renewable energy portfolio standards of New Hampshire, Massachusetts and Maryland.

LD 1473

An Act To Create a Public Option Pension System

ONTP

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

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

This bill establishes the Maine Secure Choice Retirement Savings Trust within the Department of Labor, which:

1. 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. 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. Establishes the seven-member Maine Secure Choice Retirement Savings Investment Board to administer the trust;
4. Specifies risk management and investment policies that the board must follow in administering the program.;
5. 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, and authorizes the board to establish a gain and loss revenue account within the program fund;
6. 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 contingent upon sufficient interest and funding by vendors;
7. Requires the Bureau of Labor Standards to assess a penalty on an eligible employer who fails to make the program available to eligible employees;
8. Provides that the State has no liability for the payment of benefits under the program;

Joint Standing Committee on Appropriations and Financial Affairs

9. 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 where sufficient funding is available from the nonprofit or private sector or the state or federal government. 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 and requires the board to ensure that insurance, annuity or other funding mechanisms are in place to protect the value of individuals' accounts; and

10. Prevents the board from implementing the trust if the individual retirement account arrangements offered fail to qualify for favorable federal income tax treatment ordinarily accorded to individual retirement accounts 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.

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

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KATZ ROTUNDO	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 \$85,000,000 to 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.

LD 1514 An Act To Reform the Maine Public Employees Retirement System ONTP

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

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 retirement provisions for state employees and teachers participating in the Maine Public Employees Retirement System in the following ways:

1. It would increase the cost-of-living adjustment formula for all individuals receiving a pension benefit from the State and provide adjustment options for employees at retirement;
2. It would increase the pension amount for individuals choosing to defer retirement until after the normal retirement age specified in the State Employee and Teacher Retirement Program. The intent of this provision is to increase the flexibility of the program for employees choosing retirement at any age and to increase the financial benefits from continuing to work;