

# MAINE STATE LEGISLATURE

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**STATE OF MAINE**  
126<sup>TH</sup> 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

126<sup>TH</sup> 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 126<sup>th</sup> 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 126<sup>th</sup> 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.

*Joint Standing Committee on Appropriations and Financial Affairs*

This bill was acted upon without reference to committee.

This bill is the Governor's proposal to make appropriations and allocations for the fiscal year ending June 30, 2013 and authorize limited-period positions not yet continued in a biennial budget to be occupied through June 30, 2013.

**Enacted Law Summary**

Public Law 2013, chapter 248 makes appropriations to support MaineCare costs and provide funding in the Medical Care - Payments to Providers program to make cycle payment in fiscal year 2012-13 and authorize limited-period positions not yet continued in a biennial budget to be occupied through June 30, 2013.

Public Law 2013, chapter 248 was enacted as an emergency measure effective June 14, 2013.

Public Law 2013, chapter 248 was repealed by Public Law 2013, chapter 377 (LD 1571) in order to avoid a double appropriation resulting from the enactment of the unified biennial budget (LD 1509, Public Law 2013, chapter 386).

**LD 1571 An Act To Prevent the Double Funding of Certain MaineCare Costs**

**PUBLIC 377  
EMERGENCY**

Sponsor(s)  
HILL  
ROTUNDO

Committee Report

Amendments Adopted

This bill was acted upon without reference to committee.

This bill is the Governor's proposal to repeal Public Law 2013, chapter 248, which contains appropriations and allocations that are duplicated in Public Law 2013, chapter 368, the unified budget bill.

**Enacted Law Summary**

Public Law 2013, chapter 377 repeals Public Law 2013, chapter 248, which contains appropriations and allocations that are duplicated in Public Law 2013, chapter 368, the biennial budget bill.

Public Law 2013, chapter 377 was enacted as an emergency measure effective June 28, 2013.

**LD 1572 An Act To Correct Minor Technical Errors and Inconsistencies in the Unified Budget Bill**

**HELD BY  
GOVERNOR**

Sponsor(s)

Committee Report

Amendments Adopted

H-575 ROTUNDO  
H-581 ROTUNDO

This bill was reported by the Appropriations and Financial Affairs Committee pursuant to Joint Order, H.P. 1140.

This bill corrects minor technical errors and inconsistencies in Public Law 2013, chapter 368, the so-called unified budget bill, including:

1. Correcting a technical conflict created when 2 sections of the public law amended the same section of law;
2. Clarifying that the temporary increase in the sales tax to 5.5% applies to the services currently subject to the 5% sales tax;

*Joint Standing Committee on Appropriations and Financial Affairs*

3. Correcting a numbering error created when 2 different provisions of law were enacted with the same title and section number by reallocating the provision establishing the Maine capital investment credit for 2013;
4. Resolving a conflict created when 2 sections amended the provision of law that provides for an annual adjustment for inflation of the income tax rate brackets in different ways, one by delaying the annual adjustment of the income tax rate brackets and the other by providing for an annual adjustment of the itemized deduction limitation amount. Both provisions are maintained;
5. Correcting an initiative to reflect that the MaineCare reimbursement is limited to behavioral health services; and
6. Deappropriating funds to offset an appropriation in an initiative in the committee amendment that should have been eliminated when statutory changes were made in the enacted version of the unified budget bill.

**House Amendment "A" (H-575)**

This amendment specifies that the temporary sales tax increase applies to products transferred electronically, as intended in Public Law 2013, chapter 368, the unified budget bill.

**House Amendment "B" (H-581)**

This amendment removes the emergency preamble and emergency clause.

**LD 1576     An Act To Fund Agreements with Certain State Employee Unions and  
                  Ensure Equitable Treatment for Other State Employees**

**PUBLIC 425  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THIBODEAU		S-370 HILL

This bill was acted upon without reference to committee.

This bill implements the cost items in the collective bargaining agreements reached between the State and the American Federation of State, County and Municipal Employees, the Maine State Troopers Association and the Maine State Law Enforcement Association and, if tentative agreements are ratified, the Maine State Employees Association and provides for equitable treatment for confidential employees and certain other employees excluded from collective bargaining.

The bill specifies the costs from the General Fund and Highway Fund to fund salary increases and authorizes the transfer by financial order of available General Fund and Highway Fund balances as necessary.

The bill provides for the adjustment of certain salary schedules in fiscal year 2013-14 and in fiscal year 2014-15. The bill provides for similar and equitable treatment of confidential employees, probationary employees and other employees excluded from collective bargaining.

The bill authorizes the Governor to adjust confidential employee salaries as required to achieve parity with comparable positions in the legislative and judicial branches and further authorizes the Governor to grant similar and equitable treatment of employees whose salaries are subject to the Governor's adjustment or approval.

The bill authorizes use of the Salary Plan program to fund the collective bargaining agreements and other cost items and provides that positions supported from other funds must be funded whenever possible from those other sources.

The bill provides for reimbursement to the Department of Administrative and Financial Services for costs incurred