

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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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

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in the process of collective bargaining and contract administration and related costs.

The bill provides that employees of the legislative and judicial branches are subject to the same merit pay freeze in fiscal year 2014-15 as executive branch employees and deappropriates funds related to the elimination of those merit pay increases.

Senate Amendment "A" (S-370)

This amendment removes the deappropriation section.

Enacted Law Summary

Public Law 2013, chapter 425 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.

This law 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.

This law 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.

This law 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.

This law 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.

This law provides for reimbursement to the Department of Administrative and Financial Services for costs incurred in the process of collective bargaining and contract administration and related costs.

This law provides that employees of the legislative and judicial branches are subject to the same merit pay freeze in fiscal year 2014-15 as executive branch employees. However, it does not deappropriate the funds related to the elimination of those merit pay increases.

Public Law 2013, chapter 425 was enacted as an emergency measure effective July 16, 2013.

LD 1577 An Act To Fund the Agreement with Certain Judicial Department Employees

**PUBLIC 426
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BERRY CAIN		

This bill was acted upon without reference to committee.

This bill authorizes funding of the collective bargaining agreement reached by the Judicial Department and the 4 bargaining units representing Judicial Department employees.