

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

PART R reduces funding for MaineCare cycle payments and payments to providers to reflect decreased health care costs. This part was amended by Senate Amendment "A."

PART S requires the Department of the Attorney General to deposit \$1,246,965 of the funds received under the "Johnson & Johnson Risperdal/Invega settlement" to the General Fund no later than June 30, 2014.

PART T increases the amount of revenue from the Housing Opportunities for Maine Fund's share of the real estate transfer tax that must be credited to the General Fund by \$200,000 in fiscal year 2013-14.

PART U transfers \$100,000 from the Judicial Department, Foreclosure Mediation, Other Special Revenue Funds account to the unappropriated surplus of the General Fund in fiscal year 2013-14.

PART V allows the State Court Administrator to establish a fee for Judicial Department record searches. Twenty percent of the fee is dedicated to the Judicial Department, Publications and Technology Fund, Other Special Revenue Funds account, and 80% of the fee is credited to the General Fund.

PART W transfers \$250,000 from the Department of Health and Human Services, Medical Use of Marijuana Fund, Other Special Revenue Funds account to the unappropriated surplus of the General Fund in fiscal year 2013-14.

PART X lapses \$1,000,000 from the Department of Health and Human Services, State-funded Foster Care/Adoption Assistance program, General Fund account to the unappropriated surplus of the General Fund no later than June 30, 2014.

PART Y gives the Department of Health and Human Services authority to adopt emergency rules to appropriately adjust the hospital supplemental pool for both acute care and critical access hospitals without the necessity of demonstrating that immediate adoption is necessary to avoid a threat to public health, safety or welfare.

PART Z authorizes the Maine Commission on Indigent Legal Services to transfer up to \$50,000 in available Personal Services balances to All Other during the 2014-2015 biennium.

PART AA authorizes remaining balances of All Other appropriations within the Department of the Attorney General to carry forward from fiscal year 2013-14 into fiscal year 2014-15.

PART BB authorizes the Judicial Department to transfer up to \$250,000 in available Personal Services balances to All Other in the Courts - Supreme, Superior and District program during the 2014-2015 biennium.

PART CC carries forward unexpended All Other and Capital Expenditures funds as of June 30, 2014 in the Department of Secretary of State, Administration - Archives program to be used for computer hardware and computer software to preserve and provide public access to state records.

Public Law 2013, chapter 502 was enacted as an emergency measure effective April 3, 2014.

LD 1853

An Act Requiring a Dynamic Fiscal Analysis of Changes to Visual Media Production Tax Credits and Reimbursements

ONTP

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

Part A of this bill creates a pilot project to develop and evaluate a tax simulation model for state dynamic fiscal analysis of potential changes to the certified visual media production credit established in the Maine Revised

Joint Standing Committee on Appropriations and Financial Affairs

Statutes, Title 36, section 5219-Y and the visual media production reimbursement established in Title 36, section 6902. The Department of Economic and Community Development is permitted to enter into a memorandum of understanding with the University of Maine to conduct the pilot project. The Department of Administrative and Financial Services, Maine Revenue Services and the Office of Fiscal and Program Review are required to evaluate the findings of the pilot project and to jointly report to the Joint Standing Committee on Taxation whether the proposed changes to the visual media production credit and reimbursement would result in a negative or positive fiscal impact.

Part B of this bill repeals the certified visual media production credit and instead increases the reimbursement amount for certified production wages paid from 12% to 25% for residents of Maine, increases the cap on the reimbursement of wages from \$50,000 to \$100,000 and provides for a reimbursement of 20% of nonwage visual media production expenses. These changes take effect only if the result of the joint finding of Maine Revenue Services and the Office of Fiscal and Program Review is that the changes proposed in this Part would result in a positive fiscal impact on state revenue.

LD 1855 An Act To Validate Certain Proceedings Authorizing the Issuance of Bonds and Notes of the Town of Old Orchard Beach

**P & S 28
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VALENTINO	OTP	

This bill validates the referendum of the Town of Old Orchard Beach conducted on November 8, 2011. The Town of Old Orchard Beach notified the voters of the referendum by posting specimen ballots rather than warrants or notices of election, which has created a legal technicality that could affect the marketability of the bonds to be issued for the addition to the Edith Belle Libby Memorial Library in the Town of Old Orchard Beach.

Enacted Law Summary

Private and Special Law 2013, chapter 28 validates the referendum of the Town of Old Orchard Beach conducted on November 8, 2011. The Town of Old Orchard Beach notified the voters of the referendum by posting specimen ballots rather than warrants or notices of election, which has created a legal technicality that could affect the marketability of the bonds to be issued for the addition to the Edith Belle Libby Memorial Library in the Town of Old Orchard Beach.

Private and Special Law 2013, chapter 28 was enacted as an emergency measure effective April 26, 2014.

LD 1857 An Act To Expand Services to Persons Who Are Disabled or Elderly on Wait Lists by Reducing Revenue Sharing

ONTP

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

This bill increases funding on an ongoing basis for developmental services waivers under Department of Health and Human Services Chapter 101: MaineCare Benefits Manual, Chapter II, Sections 21 and 29 and Chapter III, Sections 21 and 29 for consumer-directed home-based care and for the brain injury residential and community services waiver. In fiscal year 2014-15, the increased funding is offset by a reduction in the General Fund for municipal revenue sharing. The bill states that, after fiscal year 2014-15, it is the intent of the Legislature that funding for these allocations is to be paid for through savings achieved in the MaineCare budget as a result of the elimination of eligibility for parents with a household income equal to or greater than 100% of the nonfarm income official federal poverty level.