

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH LEGISLATURE
SECOND REGULAR SESSION



Summaries of bills, adopted amendments and laws enacted or finally passed

**JOINT STANDING COMMITTEE ON APPROPRIATIONS AND
FINANCIAL AFFAIRS**

May 2016

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STATE OF MAINE

127TH LEGISLATURE

SECOND REGULAR SESSION



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 Second Regular Session of the 127th 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. An appendix provides a summary of relevant session statistics.

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 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 127th Legislature is July 29, 2016. 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

LD 931 **An Act To Authorize a General Fund Bond Issue for Research and Development for the University of Maine System** **ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND J KORNFIELD V	ONTP	

This bill was carried over from the First Regular Session of the 127th Legislature.

The funds provided by this bond issue, in the amount of \$20,000,000, will be used to provide funds for research and development initiatives for the University of Maine System.

LD 995 **An Act To Amend the Laws Governing Participating Local Districts in the Maine Public Employees Retirement System** **PUBLIC 384**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FOLEY R COLLINS R	OTP-AM	H-514

This bill was carried over from the First Regular Session of the 127th Legislature.

This bill restricts the jurisdiction of the Board of Trustees of the Maine Public Employees Retirement System in making administrative decisions regarding claims of certain participating local district employees. This bill also makes changes to the laws governing participation and claims for prior service credit for certain participating local district employees.

Committee Amendment "A" (H-514)

This amendment replaces the bill. Like the bill, the amendment clarifies that the Board of Trustees of the Maine Public Employees Retirement System has no jurisdiction to make administrative decisions regarding claims of an employee of a local participating district if the employee's membership in the plan is optional and the claim applies to a time when the employee was not a member of the retirement system.

Unlike the bill, the amendment amends the laws governing the Maine Public Employees Retirement System in the following ways.

1. It requires that if an employee claims that the employee was not offered membership in a participating local district plan at the time of or during the course of employment with a local district, that claim must be made within six years of the date upon which the employee was first eligible for membership.
2. It makes clear that if an employee requests retroactive membership in the plan and is allowed to do so, to offset the employer's required contributions to the plan, all employer contributions to the alternative plan, in addition to any earnings, must be paid to the retirement system up to the amount the employer is required to fund the retroactive benefits under the participating local district program. If the employer contributions and earnings are not sufficient to fund the employer's contribution to the retirement system plan, the employer must pay any remaining employer contributions required by the retirement system.

Enacted Law Summary

Public Law 2015, chapter 384 amends the laws governing the Maine Public Employees Retirement System in the following ways.

Joint Standing Committee on Appropriations and Financial Affairs

1. It clarifies that the Board of Trustees of the Maine Public Employees Retirement System has no jurisdiction to make administrative decisions regarding claims of an employee of a local participating district if the employee's membership in the plan is optional and the claim applies to a time when the employee was not a member of the retirement system.
2. It requires that if an employee claims that the employee was not offered membership in a participating local district plan at the time of or during the course of employment with a local district, that claim must be made within six years of the date upon which the employee was first eligible for membership.
3. It makes clear that if an employee requests retroactive membership in the plan and the request is granted, all employer contributions to the alternative plan plus earnings must be paid to the retirement system up to the amount the employer is required to fund the retroactive benefits under the participating local district program. If the employer contributions and earnings are not sufficient to fund the employer's contribution to the retirement system plan, the employer must pay any remaining employer contributions required by the retirement system.

LD 996 An Act To Authorize a General Fund Bond Issue for Food Processing Infrastructure in Rural Areas of the State Died On Adjournment

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HICKMAN C EDGECOMB P	OTP-AM ONTP	

This bill was carried over from the First Regular Session of the 127th Legislature.

The funds provided by this bond issue, in the amount of \$5,000,000, will be used for food processing infrastructure in rural areas of the State.

Committee Amendment "A" (H-677)

This amendment is the majority amendment of the committee. The amendment expands the use of the bond issue proceeds to include food storage and distribution infrastructure, specifies that it is for infrastructure in central and northern Maine and changes the administering agency to the Finance Authority of Maine. This amendment also provides for funds to be transferred to the Office of the Secretary of State if the number or length of the referendum questions to be submitted to the voters at the general election in November 2016 requires the Secretary of State to produce and distribute more than one ballot to accommodate those questions.

This amendment was not adopted.

LD 998 An Act To Authorize a General Fund Bond Issue To Collect Data on and To Monitor Ocean Acidification Died On Adjournment

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PARRY W LANGLEY B	OTP-AM ONTP	

This bill was carried over from the First Regular Session of the 127th Legislature.

The funds provided by this bond issue, in the amount of \$3,000,000, will be used to collect data, monitor waterways and perform tests related to the increasing ocean acidity along the Maine coast and its impact on natural wildlife and commercially important species in Maine waters, such as lobsters and clams.