

MAINE STATE LEGISLATURE

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STATE OF MAINE
127TH LEGISLATURE
FIRST REGULAR SESSION



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

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

August 2015

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STATE OF MAINE

127TH 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 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.

<i>CARRIED OVER</i>	<i>carried over to a subsequent session of the Legislature</i>
<i>CON RES XXX</i>	<i>chapter # of constitutional resolution passed by both houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; legislation died</i>
<i>DIED BETWEEN HOUSES</i>	<i>House & Senate disagreed; legislation died</i>
<i>DIED IN CONCURRENCE</i>	<i>defeated in each house, but on different motions; legislation died</i>
<i>DIED ON ADJOURNMENT</i>	<i>action incomplete when session ended; legislation died</i>
<i>EMERGENCY</i>	<i>enacted law takes effect sooner than 90 days after session adjournment</i>
<i>FAILED, EMERGENCY ENACTMENT or FINAL PASSAGE</i>	<i>emergency failed to receive required 2/3 vote</i>
<i>FAILED, ENACTMENT or FINAL PASSAGE</i>	<i>failed to receive final majority vote</i>
<i>FAILED, MANDATE ENACTMENT</i>	<i>legislation proposing local mandate failed required 2/3 vote</i>
<i>HELD BY GOVERNOR</i>	<i>Governor has not signed; final disposition to be determined at subsequent session</i>
<i>LEAVE TO WITHDRAW</i>	<i>sponsor's request to withdraw legislation granted</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>ruled out of order by the presiding officer; legislation died</i>
<i>INDEF PP</i>	<i>indefinitely postponed; legislation died</i>
<i>ONTP, ACCEPTED, MAJORITY, MINORITY or REPORT X</i>	<i>ought-not-to-pass report accepted; legislation died</i>
<i>P&S XXX</i>	<i>chapter # of enacted private & special law</i>
<i>PUBLIC XXX</i>	<i>chapter # of enacted public law</i>
<i>RESOLVE XXX</i>	<i>chapter # of finally passed resolve</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's veto</i>

The effective date for non-emergency legislation enacted in the First Regular Session of the 127th Legislature is October 15, 2015. 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 carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

LD 1021

An Act To Amend the Laws Pertaining to the Maine Public Employees Retirement System

CARRIED OVER

Sponsor(s)

ROTUNDO

Committee Report

Amendments Adopted

This bill does the following.

1. It clarifies that cost-of-living adjustments for benefit recipients from the Governor's Retirement Fund are the same as those paid to benefit recipients from the State Employee and Teacher Retirement Program.
2. It clarifies the authority and responsibilities of the Board of Trustees of the Maine Public Employees Retirement System with respect to eligibility and membership issues that arise in the context of the Participating Local District Retirement Program. In *Kennebec County v. Maine Public Employees Retirement System*, 2014 ME 26 (February 20, 2014), the Law Court held that the retirement system did not have the statutory authority to make final administrative decisions with respect to enrollment election matters, when the local employer's employees were not members of the Maine Public Employees Retirement System. This bill provides explicit statutory authority for the retirement system and the board to continue to make such determinations, as they had prior to the court's decision. Consistent adherence to federal law is required to ensure that the retirement plan of the Maine Public Employees Retirement System remains a qualified governmental retirement plan entitled to favorable tax treatment under the United States Internal Revenue Code of 1986, as amended.
3. It codifies language enacted in Public Law 2007, chapter 240, Part U, section 8 to make clear that administrative costs and expenses attributable to the administrative operating budget of the Maine Public Employees Retirement System are charged against the assets of applicable funds.
4. It repeals obsolete language pertaining to information included in the retirement system's annual report to the Legislature.
5. Removes the requirement that the Legislature approve collective bargaining agreements between the retirement system and its employees.
6. It amends and repeals existing laws to reflect that the retirement system no longer administers a distinct expense fund, since all administrative expenses are paid out of applicable fund assets.
7. It makes the manner in which the member contribution rate is established for specific members of the Participating Local District Retirement Program consistent with how member contribution rates are established for all other members of the program.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.