

# MAINE STATE LEGISLATURE

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STATE OF MAINE  
127<sup>TH</sup> 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

127<sup>TH</sup> 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 127<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. 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 127<sup>th</sup> 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*

Part K lapses the remaining balance of the audit recovery, after the amounts paid to the consultant, to the unappropriated surplus of the General Fund no later than June 30, 2016.

Public Law 2015, chapter 388 was enacted as an emergency measure effective March 10, 2016.

**LD 1597**

**An Act To Provide Supplemental Appropriations and Deappropriations for the Judicial Department for the Fiscal Years Ending June 30, 2016 and June 30, 2017**

**PUBLIC 439  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HOBBS B	OTP-AM	H-631

This bill does the following.

1. It provides an hourly rate increase for guardians ad litem.
2. It provides funding for the guardian ad litem hourly rate increase from \$50 per hour to \$60 per hour to be consistent with the rate paid to court-appointed counsel.
3. It provides funding for an increase in the workweek of certain judicial branch employees from 37.5 hours per week to 40 hours per week.
4. It provides funding for an increase in fees charged by the Department of Administrative and Financial Services, Office of Information Technology to the judicial branch.
5. It deappropriates unused feasibility study funds.
6. It deappropriates funds no longer needed for debt services.

**Committee Amendment "A" (H-631)**

This amendment adds an effective date for funding for the increase in hours from a 37.5-hour workweek to a 40-hour workweek for the administrative bargaining unit, remaining employees in the professional and supervisory bargaining units and confidential nonmanagement employees and changes the appropriation from "All Other" to "Personal Services" and adds an effective date of July 1, 2016 to the changes in statute affecting the hourly rate of compensation for guardians ad litem. This amendment also clarifies that the deappropriation of funds no longer needed for courthouse feasibility studies and for debt service cost is for the 2016-2017 biennium only.

**Enacted Law Summary**

Public Law 2015, chapter 439 does the following.

1. It provides an hourly rate increase for guardians ad litem effective July 1, 2016.
2. It provides funding for the guardian ad litem hourly rate increase from \$50 per hour to \$60 per hour to be consistent with the rate paid to court-appointed counsel.
3. It provides funding for an increase in the workweek of certain judicial branch employees from 37.5 hours per week to 40 hours per week effective on the first pay period following July 1, 2016.
4. It provides funding for an increase in fees charged by the Department of Administrative and Financial Services, Office of Information Technology to the judicial branch.

**Joint Standing Committee on Appropriations and Financial Affairs**

- 5. It deappropriates unused feasibility study funds in fiscal year 2015-16.
- 6. It deappropriates funds no longer needed for debt services in fiscal years 2015-16 and 2016-17 only.

Public Law 2015, chapter 439 was enacted as an emergency measure effective April 7, 2016.

**LD 1606     An Act To Provide Funding to the Maine Budget Stabilization Fund and To Make Additional Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2016 and June 30, 2017**

**PUBLIC 481  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HAMPER J	OTP-AM	S-545    ALFOND J
WINSOR T	OTP-AM	

This bill requires the transfer of \$67,292,995 in fiscal year 2015-16 and \$5,389,377 in fiscal year 2016-17 from the unappropriated surplus of the General Fund to the Maine Budget Stabilization Fund.

**Committee Amendment "A" (S-464)**

This amendment, which is the majority report of the committee, replaces the bill and changes the title.

Part A increases wages for select personnel at the state mental health institutions. Similar provisions are contained in LD 1645.

Part B directs the Department of Health and Human Services to amend its rules to increase the reimbursement rates for personal care and related services to reflect 50% of Personal Care and Related Services: Final Rate Models. It requires the Department of Health and Human Services to estimate the number of hours, and cost of those hours, of unmet need. Similar provisions are contained in LD 886 as amended by the Joint Standing Committee on Health and Human Services.

Part C provides for the upward adjustment of salary schedules in fiscal year 2015-6 for certain law enforcement positions in the Department of Public Safety, the Department of Inland Fisheries and Wildlife and the Department of Marine Resources and law enforcement supervisors within the Department of Agriculture, Conservation and Forestry and the Baxter State Park Authority. It also provides for a similar salary schedule adjustment for certain law enforcement confidential employees and allows the Governor to make similar salary schedule adjustments to unclassified law enforcement positions that are subject to the Governor's adjustment or approval. This Part authorizes use of the Salary Plan program to fund the adjustments and provides that certain law enforcement positions supported from other funds must be funded whenever possible from those other sources. Similar provisions are contained in LD 1653 and in LD 1523 as finally passed by the 127th Legislature.

Part D provides one-time funding for the operation of the State's county jails and regional jails. Similar provisions are contained in LD 1614 as finally passed by the 127th Legislature.

Part E establishes certain requirements relating to maximum allowable cost pricing lists used by pharmacy benefits managers; requires a pharmacy benefits manager to provide certain information to a pharmacy with which the pharmacy benefits manager has a contract; and establishes an appeal process to allow a pharmacy to challenge a drug's maximum allowable cost under certain conditions. Similar provisions are contained in LD 1150 as enacted by the 127th Legislature.