

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH LEGISLATURE
FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



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

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

October 2018

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STATE OF MAINE

128TH LEGISLATURE

FIRST SPECIAL, SECOND REGULAR AND SECOND SPECIAL SESSIONS



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contain summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Special, Second Regular and Second Special Sessions of the 128th 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 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 dates for non-emergency legislation enacted in the First Special, Second Regular or Second Special Sessions of the 128th Legislature are: Monday, February 5, 2018; Wednesday, August 1, 2018; and Thursday, December 13, 2018, respectively. 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

The funds provided by this bond issue, in the amount of \$5,000,000, will be used to provide funding for cost sharing of at least 50% on projects that correct downstream pollution issues and provide contractor jobs and public safety improvements through improved storm water management and improved water quality.

**LD 247 An Act To Amend the Retirement Laws Pertaining to Participating
Local Districts**

**PUBLIC 392
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MADIGAN J	OTP-AM	H-716

This bill was carried over from the First Regular Session to the Second Regular Session of the 128th Legislature by joint order H.P. 1138.

This bill is a concept draft pursuant to Joint Rule 208.

This bill proposes to implement changes to the Participating Local District Consolidated Retirement Plan administered by the Maine Public Employees Retirement System; the changes would be based on recommendations of the Participating Local District Advisory Committee. The committee, which represents both employee and employer interests, is authorized by statute to provide proposals for changes to the plan. Pursuant to that authority, the committee is reviewing possible plan adjustments to improve future funding levels and is expected to issue its recommendations prior to the end of the First Regular Session of the 128th Legislature.

Committee Amendment "A" (H-716)

This amendment replaces the bill, which is a concept draft. This amendment also does the following.

1. It clarifies the rule-making authority for the Board of Trustees of the Maine Public Employees Retirement System to implement changes to the Participating Local District Consolidated Retirement Plan which are based on recommendations made by the Participating Local District Advisory Committee
2. It makes clear that plan provisions that pertain to contribution rates, earnable compensation, service credit for unused sick or vacation leave, cost-of-living adjustments, early retirement reduction, return to work after retirement and withdrawal liability payments that apply to employers and members of the Participating Local District Consolidated Retirement Plan are those adopted by rule pursuant to the Maine Revised Statutes, Title 5, section 18801.
2. It clarifies the meaning of "level of service retirement benefits" as it pertains to permissible changes to service retirement benefits.
3. It provides guidance for the adoption of rules on return to work after retirement and withdrawal liability.
4. It makes clear that any rules adopted by the board relating to the Participating Local District Consolidated Retirement Plan are routine technical rules.
5. It adds an emergency preamble and emergency clause.

Enacted Law Summary

Public Law 2017, chapter 392 does the following.

1. It clarifies the rule-making authority for the Board of Trustees of the Maine Public Employees Retirement System to implement changes to the Participating Local District Consolidated Retirement Plan which are based on recommendations made by the Participating Local District Advisory Committee

Joint Standing Committee on Appropriations and Financial Affairs

2. It makes clear that plan provisions that pertain to contribution rates, earnable compensation, service credit for unused sick or vacation leave, cost-of-living adjustments, early retirement reduction, return to work after retirement and withdrawal liability payments that apply to employers and members of the Participating Local District Consolidated Retirement Plan are those adopted by rule pursuant to the Maine Revised Statutes, Title 5, section 18801.

2. It clarifies the meaning of "level of service retirement benefits" as it pertains to permissible changes to service retirement benefits.

3. It provides guidance for the adoption of rules on return to work after retirement and withdrawal liability.

4. It makes clear that any rules adopted by the board relating to the Participating Local District Consolidated Retirement Plan are routine technical rules.

Public Law 2017, chapter 392 was enacted as an emergency measure effective April 18, 2018.

LD 292 An Act To Authorize a General Fund Bond Issue To Invest in Maine's Rail Infrastructure and Expand Passenger Rail Service Died On Adjournment

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHEATS B LIBBY N		

This bill was carried over from the First Regular Session of the 128th Legislature to the Second Regular Session by joint order H.P. 1138. This bill was again carried over, still in committee, from the Second Regular Session of the 128th Legislature to the next special session of the 128th Legislature by joint order S.P. 748.

The funds provided by this bond issue, in the amount of \$50,000,000, will be used to repair and reconstruct state-owned railroad lines, improve infrastructure on a railway crossing in the Town of Yarmouth and improve the railroad line between the cities of Lewiston and Auburn and the City of Portland.

LD 316 An Act To Authorize a General Fund Bond Issue for Railways Died On Adjournment

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MIRAMANT D SPEAR J		

This bill was carried over from the First Regular Session of the 128th Legislature to the Second Regular Session by joint order H.P. 1138. This bill was again carried over, still in committee, from the Second Regular Session of the 128th Legislature to the next special session of the 128th Legislature by joint order S.P. 748.

The funds provided by this bond issue, in the amount of \$50,000,000, will be used for the enhancement of existing railway service and for the expansion of railway service. Similar provisions are contained in LD 1818 as enacted.