

MAINE STATE LEGISLATURE

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STATE OF MAINE
128TH LEGISLATURE
FIRST REGULAR SESSION



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

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

August 2017

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STATE OF MAINE

128TH LEGISLATURE
FIRST 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 First Regular Session 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 date for non-emergency legislation enacted in the First Regular Session of the 128th Legislature is Wednesday, November 1, 2017. 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 128th Legislature by joint order, H.P. 1138.

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

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

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.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

LD 302 An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2017 PUBLIC 2 EMERGENCY

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| HAMPER J GATTINE D | OTP-AM | S-2 |

This bill does the following.

PART A makes appropriations and allocations.

PART B makes appropriations and allocations to provide funding for approved reclassifications and range changes.

PART C continues limited-period positions set to expire in June 2017 through August 1, 2017.

PART D transfers \$35,000,000 in fiscal year 2016-17 from the unappropriated surplus of the General Fund to the Maine Budget Stabilization Fund.

PART E authorizes the State Controller to carry any unexpended All Other balances of as of June 30, 2017, in the All Other line category of the \$300,000 one-time General Fund appropriation in the Department of Administrative and Financial Services, Bureau of Revenue Services program for the updating of econometric database information used for revenue projections into the next fiscal year to be used for the same purpose.

PART F removes the requirement that unencumbered balances in a dedicated account within the Office of Chief Medical Examiner in excess of \$500 be transferred to the General Fund.

PART G authorizes the balance remaining in the Fund for Women Veterans account in the Veterans Services program within the Department of Defense, Veterans and Emergency Management to be used for software for veterans services.

PART H allows unexpended balances from funds transferred to the Lifetime License Fund in the Department of Inland Fisheries and Wildlife by the Treasurer of State to be carried forward into the next fiscal year to be used for the same purpose.

Joint Standing Committee on Appropriations and Financial Affairs

PART I authorizes the State Controller to transfer funds in fiscal year 2016-17 from the Department of Inland Fisheries and Wildlife, Inland Fisheries and Wildlife Carrying Balances - General Fund account to the Fisheries and Hatcheries Operations program, General Fund account to construct water supply pipelines and update water treatment equipment.

PART J requires any remaining balances at the end of fiscal year 2016-17 in the Capital Expenditures line category in the Department of Inland Fisheries and Wildlife, Fisheries and Hatcheries Operations program, General Fund account to be used for the construction of water supply pipelines and updating of water treatment equipment in fiscal year 2017-18.

PART K allows the Judicial Department to transfer any available balances in the Personal Services line category of General Fund accounts to the Capital Expenditures line category in the Courts - Supreme, Superior and District program, General Fund account in fiscal year 2016-17 and carries any remaining 2016-17 fiscal year-end balances in the Personal Services line category of General Fund accounts and in the Capital Expenditures line category in the Courts - Supreme, Superior and District program, General Fund account to fiscal year 2017-18 in the Capital Expenditures line category in the Courts - Supreme, Superior and District program, General Fund account, for the purpose of making capital improvements to judicial facilities.

PART L requires the State Controller to carry forward unexpended balances in the Department of the Secretary of State, Administration - Archives program Personal Services and All Other line categories as of June 30, 2017, to the All Other line category in the Department of the Secretary of State, Administration - Archives program for use in fiscal year 2017-18.

PART M requires the State Controller to carry forward any unexpended balance as of June 30, 2017, in the All Other line category in the Department of the Secretary of State, Bureau of Administrative Services and Corporations program for use in fiscal year 2017-18 to upgrade software.

PART N eliminates the requirement that the Maine Community College System make contributions toward payment of the unfunded liability and administrative costs to the Maine Public Employees Retirement System for retirees who elected to participate in a defined contribution plan and repeals the obligation of the Department of Administrative and Financial Services to develop long-term strategies to create funding methods for future salary increases resulting from the Maine Community College System collective bargaining process. This Part also authorizes the transfer of \$13,990,596 to the General Fund that would otherwise lapse to the Salary Plan program.

PART O establishes a reserve fund within the Department of Administrative and Financial Services for the operation of the Maine Military Authority and transfers \$7,000,000 to that fund from the General Fund unappropriated surplus.

Committee Amendment "A" (S-2)

This amendment, which is the unanimous report of the committee, makes three changes to the bill:

1. Provides one-time funding of \$155,000 to the Secretary of State, Bureau of Administrative Services and Corporations for the referendum in June 2017 for the bond issue authorized in Public Law 2015, chapter 479;
2. Removes the one-time funding of \$550,000 to the University of Maine School of Law's prelaw undergraduate program; and
3. Establishes the Opioid Health Home Program administered by the Department of Health and Human Services and provides funding for this program.

Enacted Law Summary

Public Law 2017, chapter 2 does the following:

Joint Standing Committee on Appropriations and Financial Affairs

PART A makes appropriations and allocations.

PART B makes appropriations and allocations to provide funding for approved reclassifications and range changes.

PART C continues limited-period positions set to expire in June 2017 through August 1, 2017.

PART D transfers \$35,000,000 in fiscal year 2016-17 from the unappropriated surplus of the General Fund to the Maine Budget Stabilization Fund.

PART E authorizes the State Controller to carry any unexpended All Other balances of as of June 30, 2017, in the All Other line category of the \$300,000 one-time General Fund appropriation in the Department of Administrative and Financial Services, Bureau of Revenue Services program for the updating of econometric database information used for revenue projections into the next fiscal year to be used for the same purpose.

PART F removes the requirement that unencumbered balances in a dedicated account within the Office of Chief Medical Examiner in excess of \$500 be transferred to the General Fund.

PART G authorizes the balance remaining in the Fund for Women Veterans account in the Veterans Services program within the Department of Defense, Veterans and Emergency Management to be used for software for veterans services.

PART H allows unexpended balances from funds transferred to the Lifetime License Fund in the Department of Inland Fisheries and Wildlife by the Treasurer of State to be carried forward into the next fiscal year to be used for the same purpose.

PART I authorizes the State Controller to transfer funds in fiscal year 2016-17 from the Department of Inland Fisheries and Wildlife, Inland Fisheries and Wildlife Carrying Balances - General Fund account to the Fisheries and Hatcheries Operations program, General Fund account to construct water supply pipelines and update water treatment equipment.

PART J requires any remaining balances at the end of fiscal year 2016-17 in the Capital Expenditures line category in the Department of Inland Fisheries and Wildlife, Fisheries and Hatcheries Operations program, General Fund account to be used for the construction of water supply pipelines and updating of water treatment equipment in fiscal year 2017-18.

PART K allows the Judicial Department to transfer any available balances in the Personal Services line category of General Fund accounts to the Capital Expenditures line category in the Courts - Supreme, Superior and District program, General Fund account in fiscal year 2016-17 and carries any remaining 2016-17 fiscal year-end balances in the Personal Services line category of General Fund accounts and in the Capital Expenditures line category in the Courts - Supreme, Superior and District program, General Fund account to fiscal year 2017-18 in the Capital Expenditures line category in the Courts - Supreme, Superior and District program, General Fund account, for the purpose of making capital improvements to judicial facilities.

PART L requires the State Controller to carry forward unexpended balances in the Department of the Secretary of State, Administration - Archives program Personal Services and All Other line categories as of June 30, 2017, to the All Other line category in the Department of the Secretary of State, Administration - Archives program for use in fiscal year 2017-18.

PART M requires the State Controller to carry forward any unexpended balance as of June 30, 2017, in the All Other line category in the Department of the Secretary of State, Bureau of Administrative Services and Corporations program for use in fiscal year 2017-18 to upgrade software.

Joint Standing Committee on Appropriations and Financial Affairs

PART N eliminates the requirement that the Maine Community College System make contributions toward payment of the unfunded liability and administrative costs to the Maine Public Employees Retirement System for retirees who elected to participate in a defined contribution plan and repeals the obligation of the Department of Administrative and Financial Services to develop long-term strategies to create funding methods for future salary increases resulting from the Maine Community College System collective bargaining process. This Part also authorizes the transfer of \$13,990,596 to the General Fund that would otherwise lapse to the Salary Plan program.

PART O establishes a reserve fund within the Department of Administrative and Financial Services for the operation of the Maine Military Authority and transfers \$7,000,000 to that fund from the General Fund unappropriated surplus.

PART P establishes the Opioid Health Home Program administered by the Department of Health and Human Services and provides funding for the program.

Public Law 2017, chapter 2 was enacted as an emergency measure effective March 15, 2017.

LD 316 An Act To Authorize a General Fund Bond Issue for Railways CARRIED OVER

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

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.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

**LD 317 An Act To Authorize a General Fund Bond Issue To Improve Highways,
Bridges and Multimodal Facilities CARRIED OVER**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------------|-------------------------|---------------------------|
| MIRAMANT D KUMIEGA W | | |

The funds provided by this bond issue, in the amount of \$100,000,000, will be used to improve highways, bridges and multimodal facilities in the State.

This bill was carried over to any special or regular session of the 128th Legislature by joint order, H.P. 1138.

**LD 318 An Act To Authorize a General Fund Bond Issue to Support Economic
Development with High-Resolution Geospatial Data CARRIED OVER**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-----------------------|-------------------------|---------------------------|
| SAVIELLO T BLACK R | | |

The funds provided by this bond issue, in the amount of \$6,000,000, will be used to provide partnership funds and matching grants for geospatial data acquisition to communities that are creating or improving digital parcel maps to accurately identify existing boundaries and land use, identify potential community development areas and protect