

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

**MEMBERS:**

SEN. JAMES M. HAMPER, CHAIR  
SEN. ROGER J. KATZ  
SEN. LINDA M. VALENTINO

REP. MARGARET R. ROTUNDO, CHAIR  
REP. JOHN L. MARTIN  
REP. LINDA F. SANBORN  
REP. AARON M. FREY  
REP. ERIK C. JORGENSEN  
REP. GAY M. GRANT  
REP. TOM J. WINSOR  
REP. ROBERT W. NUTTING  
REP. HEATHER W. SIROCKI  
REP. JEFFREY L. TIMBERLAKE

**STAFF:**

MAUREEN S. DAWSON, PRINCIPAL ANALYST  
OFFICE OF FISCAL AND PROGRAM REVIEW  
5 STATE HOUSE STATION  
AUGUSTA, ME 04333  
(207) 287-1635  
<http://legislature.maine.gov/ofpr>

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

**LD 2            An Act To Authorize a General Fund Bond Issue for the Purchase and            ONTP**  
**Development of the Bar Harbor Ferry Terminal as a Multimodal**  
**Transportation Facility**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HUBBELL B LANGLEY B	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 to purchase the Bar Harbor Ferry Terminal from the government of Canada and to develop it as a multimodal transportation facility.

**LD 68            An Act To Authorize a General Fund Bond Issue To Attract Business by            ONTP**  
**Investing in High-speed Broadband Infrastructure**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL J WOODSOME D	ONTP	

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

This bill provides for a bond issue in the amount of \$10,000,000 to be used to expand high-speed municipal broadband infrastructure. The bill also establishes the High-speed Municipal Broadband Infrastructure Fund to assist municipalities in developing and improving their broadband infrastructure, contingent upon passage of the bond issue.

**LD 100          An Act To Authorize a General Fund Bond Issue To Help Small            ONTP**  
**Businesses**

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

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

This bill is a concept draft pursuant to Joint Rule 208. It proposes to authorize a General Fund bond issue to benefit small businesses.

**LD 108          An Act To Authorize a General Fund Bond Issue for Riverfront            ONTP**  
**Community Development**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAUCIER R LIBBY N	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 \$25,000,000, will be used to fund a grant program to invest

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

in projects along the State's rivers that contribute to economic, environmental and community development and revitalization, promote economic activity, protect the environment and enhance quality of life for Maine people.

**LD 193      An Act To Authorize a General Fund Bond Issue for Bicycle and Pedestrian Projects      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BREEN C CAMPBELL R	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 \$13,871,389, will be used for design and construction of 50 approved bicycle and pedestrian projects currently awaiting funding.

See LD 1694.

**LD 212      An Act Concerning Cost-of-living Adjustments for Certain Retirees      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS P	ONTP	

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

This bill restores the previous cost-of-living adjustment cap of 4% for benefits received by a retired state employee, teacher, judge or legislator whose deceased spouse received social security benefits. Public Law 2011, chapter 380, Part T reduced the retirement benefit cost-of-living adjustment cap from 4% to 3%.

**LD 217      An Act To Authorize a General Fund Bond Issue for Development of a Multimodal Transportation Facility      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LANGLEY B HUBBELL B	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 \$8,000,000, will be used to develop a multimodal transportation facility that includes a marine transportation facility in an area that is near a federally designated Class A port, is within 20 miles of an airport and would support facilities for a bus system.

See LD 1694.

*Joint Standing Committee on Appropriations and Financial Affairs*

**LD 254      An Act To Authorize a General Fund Bond Issue To Support Waterfront Development      Died On Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HASKELL A SAUCIER R	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 \$10,000,000, will be used to fund a grant program to invest in projects that contribute to economic activity, environmental protection and community development along the State's waterfronts. It also enacts a grant program for waterfront development, which is modeled after the Riverfront Community Development Program.

**Committee Amendment "A" (S-536)**

This amendment, which is the majority report of the committee, reduces the amount of the bond issue for the grant program to invest in projects that contribute to economic activity, environmental protection and community development along the State's waterfronts. This amendment specifies that the projects pertain to the State's ocean and river waterfronts. This amendment also provides for a transfer to 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 354      An Act To Authorize a General Fund Bond Issue To Enhance Public Transportation in the Bangor Area      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STANLEY S GRATWICK G	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 improve public transportation via Interstate 95 between Newport and Bangor and between Medway and Bangor.

**LD 385      An Act To Authorize a General Fund Bond Issue for Improvements to Facilities at the University of Maine System Campuses      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DILL J TIPPING-SPITZ R	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 \$70,000,000, will be used to improve and modernize campus halls, roads, parking areas, footpaths, roofs, windows and facilities at the University of Maine System campuses to increase their lifespans and energy efficiency.

*Joint Standing Committee on Appropriations and Financial Affairs*

**LD 386      An Act To Authorize a General Fund Bond Issue To Fund Farmland Restoration      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOHNSON C HICKMAN C	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 to fund farmland restoration.

**LD 387      An Act To Authorize a General Fund Bond Issue To Support Agricultural Enterprises and Encourage the Use of Local Farm Products in Public Schools      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOHNSON C HICKMAN C	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 \$6,000,000, will be used to provide funding for assistance to the Agricultural Marketing Loan Fund for agricultural enterprises and to the Local Produce Fund to encourage the use of local farm products in public schools.

**LD 426      An Act To Authorize a General Fund Bond Issue To Address Sea Level Rise      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DEVIN M	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 to provide funds to support improvements to sea level prediction models by providing more detailed mapping of coastal zones and monitoring sea level changes in order to mitigate the impact of and help prepare for rising sea levels.

**LD 438      An Act To Authorize a General Fund Bond Issue To Invest in Maine's Rail Infrastructure and Expand Passenger Rail Service      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LIBBY N ROTUNDO M	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 \$25,000,000, 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

*Joint Standing Committee on Appropriations and Financial Affairs*

railroad line between the cities of Lewiston and Auburn and the City of Portland.

See LD 1694.

**LD 453      An Act To Authorize a General Fund Bond Issue To Upgrade and Replace Infrastructure of the Maine Public Broadcasting Corporation      Died On Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KATZ R POULIOT M	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 \$6,100,000, will be used to replace existing infrastructure systems of the Maine Public Broadcasting Corporation that carry the emergency alert system.

**Committee Amendment "A" (S-537)**

This amendment, which is the majority report of the committee, reduces the bond issue amount to \$1,000,000 from \$6,100,000. This amendment also provides for a transfer to 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 518      An Act To Clarify and Protect Certain Public Service Retirement Benefits      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOODSOME D	ONTP	

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

This bill changes the contractual commitment to maintain state-protected benefits regarding cost-of-living adjustments for retired state employees and teachers.

**LD 628      An Act To Authorize a General Fund Bond Issue To Invest in Transportation Infrastructure      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DIAMOND G	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 \$125,000,000, will be used to make improvements to state and municipal roads, highways and bridges, state-owned rail lines, public transportation, pedestrian trails and marine infrastructure.

See LD 1694.

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

**LD 654      An Act To Expand the 1998 Special Retirement Plan To Include Detectives in the Office of the Attorney General      Veto Sustained**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NADEAU C CYRWAY S	OTP-AM	H-548

This bill allows detectives in the Office of the Attorney General to elect to participate in the 1998 Special Plan of the Maine Public Employees Retirement System. Under this plan, a person may retire at 55 years of age with 10 years of creditable service, or may retire before 55 years of age with 25 years of creditable service and at a reduced benefit.

**Committee Amendment "A" (H-548)**

This amendment clarifies that detectives employed in the Office of the Attorney General on July 1, 2016 may elect to participate in the 1998 Special Plan. It also adds an appropriations and allocations section to cover the increased employer contributions to the Maine Public Employees Retirement System.

**LD 733      An Act To Authorize a General Fund Bond Issue To Build the Infrastructure Needed To End Hunger in Central and Northern Maine      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND J GOODE A	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 infrastructure for storage and distribution of food for central and northern Maine shelters, schools, food pantries and senior centers.

**LD 747      An Act To Authorize a General Fund Bond Issue To Assist in the Creation and Retention of Jobs and Improve Access to Higher Education in Maine      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAVERS R LANGLEY B	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 \$23,000,000, will be used to provide funds to the Finance Authority of Maine as follows:

1. Thirteen million dollars to make direct loans to eligible Maine businesses through the authority's economic recovery loan program in order to create and retain Maine jobs; and
2. Ten million dollars to make need-based grants for higher education in Maine through the Maine State Grant Program.

*Joint Standing Committee on Appropriations and Financial Affairs*

**LD 784      An Act To Authorize a Revenue Bond for a Student Loan Reduction Plan      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
POULIOT M VALENTINO L	ONTP	

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

This bill authorizes the Finance Authority of Maine to issue revenue bonds in the amount of \$40,000,000 to fund a student loan reduction plan in order to allow residents of the State to refinance student loans.

**Committee Amendment "A" (H-228)**

This amendment, which is the majority report of the Joint Standing Committee on Education and Cultural Affairs in the First Regular Session of the 127th Legislature, strikes the bill's proposal to provide \$40,000,000 in funds from a revenue bond and replaces the bill with a proposal to provide \$5,000,000 by a General Fund bond issue to implement a student loan reduction plan administered by the Finance Authority of Maine that will allow residents of the State to refinance or consolidate student loans.

This amendment was not adopted.

**LD 873      An Act To Authorize a General Fund Bond Issue for Housing for Homeless Veterans      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GOLDEN J CUSHING A	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 \$4,000,000, will be used to build housing for homeless veterans at the Veterans Administration Medical Center, Togus Campus, in Augusta, or elsewhere, to be managed by Volunteers of America Northern New England or a similar entity.

**LD 875      An Act To Authorize a General Fund Bond Issue To Improve Highways, Bridges, Ports, Railroads and Other Multimodal Facilities      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCLEAN A VALENTINO L	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 \$190,000,000, will be used for reconstruction and rehabilitation of highways and bridges and for facilities or equipment related to ports, harbors, marine transportation, aviation, freight and passenger railroads, transit and bicycle and pedestrian facilities, matching an estimated \$290,000,000 in federal and other funds.

See LD 1694.

*Joint Standing Committee on Appropriations and Financial Affairs*

**LD 924      An Act To Authorize a General Fund Bond Issue To Enhance State Parks      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FREDETTE K SAVIELLO T	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 \$5,190,000, will be used to enhance state parks by providing funds for upgrades and safety improvements, and ensuring compliance with federal laws, for bathroom facilities, septic systems, entry gates, historic sites and structures, piers and docks, park roads, water supply and distribution systems, dams and locks, handicapped access areas and playgrounds.

**LD 927      An Act To Remove the Age Penalty for State Retirees Working at Institutions That Are Closing      Died Between Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALLEY R BURNS D	OTP-AM ONTP	

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

This bill removes the reduction of 6% of the benefits of a member of the Maine Public Employees Retirement System for each year under the age of 65 if the member:

1. Has 25 years of creditable service;
2. Has not reached the age of 61 years, six months and one day; and
3. Is or was employed at a state facility over 100 miles from the nearest facility in the same department and that facility has closed or is scheduled to close during the member's employment.

**Committee Amendment "A" (H-674)**

This amendment is the majority report of the committee. It strikes the bill and replaces it with language that allows employees at certain state correctional facilities who have not reached their normal retirement age to retire and receive their full retirement benefit if certain conditions are met and funding is appropriated for the additional actuarial costs that result from the elimination of a reduction for retirement prior to normal retirement age. This amendment also requires the Commissioner of Administrative and Financial Services to provide certification of the pending closure of a state correctional facility to the Maine Public Employees Retirement System. The amendment requires the retirement system to calculate the amount of funding necessary to pay for the actuarial costs and report that information to the joint standing committee of the Legislature having jurisdiction over retirement matters which may report out legislation appropriating funds for the costs set forth in the report.

This amendment was not adopted.

*Joint Standing Committee on Appropriations and Financial Affairs*

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

<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      PUBLIC 384**  
**the Maine Public Employees Retirement System**

<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.

*Joint Standing Committee on Appropriations and Financial Affairs*

**Committee Amendment "A" (H-678)**

This amendment is the majority report of the committee. This amendment 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 1018 An Act To Make Certain Necessary Appropriations and Allocations**

**Died On  
Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROTUNDO M		

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

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

This bill proposes to make certain necessary appropriations and allocations necessary for the proper operation of State Government.

This bill was not reported out of committee.

**LD 1020 An Act To Provide Supplemental Deallocations for the Department of the Secretary of State and 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 480  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROTUNDO M	OTP-AM	H-681

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

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

This bill proposes to make certain necessary supplemental appropriations and allocations necessary for the proper operation of State Government.

**Committee Amendment "A" (H-681)**

This amendment replaces the original bill, which is a concept draft, and changes the title. This amendment eliminates one position in the Department of Secretary of State, Administration - Archives program and one position in the Department of Secretary of State, Bureau of Administrative Services and Corporations program. This amendment also authorizes the Department of the Secretary of State to carry forward unexpended All Other funds as of June 30, 2016 in the Department of Secretary of State, Bureau of Administrative Services and Corporations program to be used to upgrade computer software.

**Enacted Law Summary**

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

Public Law 2015, chapter 480 eliminates one position in the Department of Secretary of State, Administration - Archives program and one position in the Department of Secretary of State, Bureau of Administrative Services and Corporations program. Chapter 480 also authorizes the Department of the Secretary of State to carry forward unexpended All Other funds as of June 30, 2016 in the Department of Secretary of State, Bureau of Administrative Services and Corporations program to be used to upgrade computer software.

Public Law 2015, chapter 480 was enacted as an emergency measure effective April 16, 2016.

**LD 1021     An Act To Amend the Laws Pertaining to the Maine Public Employees Retirement System**

**PUBLIC 385  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROTUNDO M	OTP-AM	H-511

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

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 Maine Supreme Judicial 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. It 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.

**Committee Amendment "A" (H-511)**

This amendment removes the provisions in the bill that clarify the authority and responsibilities of the Board of

*Joint Standing Committee on Appropriations and Financial Affairs*

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. This amendment also corrects errors in Public Law 2015, chapter 267, Part CCCC. The intent of that law was to permit members who were subject to a merit pay and longevity pay freeze in fiscal year 2011-12 and fiscal year 2012-13 to include those lost wages in their retirement benefit calculations by paying the necessary member contributions. The law also inadvertently omitted fiscal year 2011-12. This amendment corrects these errors in that law. This amendment also adds an emergency preamble and emergency clause to the bill.

**Enacted Law Summary**

Public Law 2015, chapter 385 does the following.

1. It corrects errors in Public Law 2015, chapter 267, Part CCCC: it permits members who were subject to a merit pay and longevity pay freeze in fiscal year 2011-12 and fiscal year 2012-13 to include those lost wages in their retirement benefit calculations by paying the necessary member contributions; it also corrects the omission in that law of fiscal year 2011-12.
2. 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.
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. It 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.

Public Law 2015, chapter 385 was enacted as an emergency measure effective March 6, 2016.

**LD 1032    An Act To Implement the Combination Defined Benefit and Defined Contribution Retirement Plan Described in a Report Submitted to the Joint Standing Committee on Appropriations and Financial Affairs in March 2012**

**Died Between Houses**

Sponsor(s)  
WINSOR T

Committee Report  
ONTP  
OTP-AM

Amendments Adopted

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

This bill establishes the Adjustable Pension Plan Program, a combined defined benefit and defined contribution retirement plan, to replace the State Employee and Teacher Retirement Program for state employees and teachers

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

hired on or after July 1, 2017. Under the bill, all state employees and teachers hired on or after July 1, 2017 are covered by the United States Social Security Act, participate in the federal social security system and become members of the Adjustable Pension Plan Program as a condition of their employment. This bill also directs the Maine Public Employees Retirement System to review the laws governing the existing retirement program and develop proposed legislation necessary to implement the Adjustable Pension Plan Program in accordance with the plan document developed by the Maine Public Employees Retirement System and submitted in March 2012 to the Joint Standing Committee on Appropriations and Financial Affairs pursuant to Public Law 2011, chapter 380, Part U, section 2.

**Committee Amendment "A" (H-534)**

This amendment is the minority report of the committee. It changes the hire date on or after which state employees and teachers are covered by the United States Social Security Act from July 1, 2017 to July 1, 2019. It also changes the date by which the Maine Public Employees Retirement System must submit proposed legislation to the joint standing committee of the Legislature having jurisdiction over state and teacher retirement matters from December 2, 2015 to December 2, 2017.

This amendment was not adopted.

**LD 1053     An Act To Authorize a General Fund Bond Issue To Stimulate  
Investment in Innovation by Maine Businesses To Produce Nationally  
and Globally Competitive Products and Services**

**PUBLIC 479**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LUCHINI L LANGLEY B	OTP-AM	H-680

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 \$50,000,000, will be used to provide funds for investment in research, development and commercialization in the State's seven targeted technology areas to be used for infrastructure, equipment and technology upgrades that enable organizations to gain and hold market share and to expand employment or preserve jobs, to be awarded through a competitive process to Maine-based public and private entities, leveraging other funds in a one-to-one ratio.

**Committee Amendment "A" (H-680)**

This amendment reduces the bond issue amount for investment in research, development and commercialization to \$45,000,000 and provides \$5,000,000 to recapitalize the Small Enterprise Growth Fund. This amendment also delays the referendum until June 2017.

**Enacted Law Summary**

Public Law 2015, chapter 479 provides for a bond issue totaling \$50,000,000 with \$45,000,000 to be used for investment infrastructure, equipment and technology upgrades to further research, development and commercialization in the State's seven targeted technology areas and \$5,000,000 to be used to recapitalize the Small Enterprise Growth Fund.

The bond issue is subject to voter approval at a statewide election to be held in June, 1017.

*Joint Standing Committee on Appropriations and Financial Affairs*

**LD 1069      An Act To Authorize a General Fund Bond Issue To Upgrade Municipal Culverts at Stream Crossings      Died On Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCABE J DAVIS 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 \$10,000,000, will be used for a competitive grant program that matches local funding for the upgrade of municipal culverts at stream crossings in order to improve fish and wildlife habitat and increase community safety.

**Committee Amendment "A" (H-679)**

This amendment is the majority report of the committee. This amendment reduces the total bond issue amount to \$5,000,000 from \$10,000,000. The 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 1099      An Act To Establish a Fund for the Operations and Outreach Activities of the University of Maine Cooperative Extension Animal and Plant Disease and Insect Control Laboratory      ONTP**

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

This bill was carried over from the First Regular Session of the 127th Legislature in the Joint Standing Committee on Agriculture, Conservation and Forestry.

This bill creates the Animal and Plant Disease and Insect Control Fund to pay for pest management and pesticide safety outreach and education and for operating costs relating to pesticide management and insect control of the University of Maine Cooperative Extension's animal and plant disease and insect control laboratory. The Animal and Plant Disease and Insect Control Fund is funded by a 20¢ fee on every container of consumer packaged pesticides, with some exceptions.

**Committee Amendment "B" (H-659)**

This amendment was reported out by the Joint Standing Committee on Agriculture, Conservation and Forestry in the Second Regular Session of the 127th Legislature. It renames the Animal and Plant Disease and Insect Control Fund in the bill to the Animal and Plant Disease and Ticks and Other Insects Management Fund and changes the permitted uses of the fund. It also changes the funding source of the fund from a 20¢ fee on every sale of a container of consumer packaged pesticides to an annual allocation from the Legislature of at least \$400,000. In fiscal year 2016-17, this allocation will come from the Other Special Revenue Funds account within the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control. Beginning in 2017, the Commissioner of Agriculture, Conservation and Forestry is required to determine by February 1st of each year from which accounts or sources the funds must be transferred so that the sum equals at least \$400,000, and must notify the State

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

Controller, the joint standing committee of the Legislature having jurisdiction over pest management matters and the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs. The transfer of funds must take place on October 1st of each year or the first business day thereafter. It further provides that, after receiving notification, the joint standing committee of the Legislature having jurisdiction over pest management matters may report out a bill related to the transfer.

The bill was committed to the Joint Standing Committee on Appropriations and Financial Affairs.

**LD 1234      An Act To Authorize a General Fund Bond Issue To Acquire the Frances Perkins Homestead      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOHNSON C DEVIN M	ONTP	

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

This bill provides for a bond issue to be presented to the voters in the amount of \$2,000,000 to be used for the acquisition of the Frances Perkins homestead in Newcastle, which is on the National Register of Historic Places, is a National Historic Landmark and is the ancestral home of Frances Perkins, who served as the United States Secretary of Labor longer than any other person in that office and became the first woman to hold a cabinet position in the United States. This bill directs that a preservation easement or covenant be held by the Maine Historic Preservation Commission.

**LD 1248      An Act To Authorize a General Fund Bond Issue for the Land for Maine's Future Fund      Died On Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCABE J KATZ R	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 \$20,000,000, will be used to provide funds for the Land for Maine's Future Fund.

**Committee Amendment "A" (H-675)**

This amendment, which is the majority report of the committee, reduces the total bond issue amount to \$5,000,000 from \$20,000,000, which includes reductions in the amounts allocated for the protection of working waterfront properties, public access to water and the protection of farmland. 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.

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

**LD 1334      An Act To Authorize a General Fund Bond Issue To Repair and Renovate the Former Cutler Naval Base in Washington County To Facilitate Development and Stimulate the Economy      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BURNS D TUELL W	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 \$5,525,000, will be used to repair and renovate buildings at the former Cutler naval base in Washington County in order to facilitate development and stimulate the economy.

**LD 1336      An Act To Authorize a General Fund Bond Issue for Maine's Community Colleges      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FREDETTE K	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 \$24,000,000, will be used to upgrade and renovate classrooms, laboratories, equipment and facilities at Maine's seven community colleges in order to strengthen educational programming, increase energy efficiency and expand capacity to serve more students.

**LD 1341      An Act To Authorize a General Fund Bond Issue To Improve Maine's Housing Stock and Reduce Heating Costs and Oil Consumption      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HILL D DION M	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 \$30,000,000, will be used to provide \$23,000,000 in funds to leverage private funds on at least a 2-to-1 basis to modernize the State's market rate housing stock through improvements in weatherization and energy efficiency of building envelopes and heating equipment and to provide \$7,000,000 in funds to rehabilitate and modernize the State's low-income housing stock with up to 4 housing units through improvements in weatherization and energy efficiency of building envelopes and heating equipment.

**LD 1454      Resolve, Reauthorizing the Balance of the 2009 Bond Issue for Land Conservation Projects      RESOLVE 55 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FREDETTE K		H-505    MCCABE J H-508    GROHMAN M

*Joint Standing Committee on Appropriations and Financial Affairs*

This resolve was not referred to committee.

This resolve extends to June 30, 2016 the period for issuing the balance of bond issues for land conservation projects.

**House Amendment "A" (H-505)**

This amendment replaces the resolve and instead requires the Governor and the Land for Maine's Future Board to take the proper and necessary steps to issue bonds for Land for Maine's Future projects that were authorized by the voters in 2010 but have not yet been issued.

**House Amendment "B" To House Amendment "A" (H-508)**

This amendment strikes the language that replaces the resolve with language requiring the Governor to issue bonds for the Land for Maine's Future projects, and instead extends by five years the period for issuing the balance of bonds for land conservation purposes that were authorized by voters at a statewide election held in November 2010. This amendment also adds an emergency preamble and clause.

**Enacted Law Summary**

Resolve 2015, chapter 55 extends by five years the period for issuing the balance of bonds for land conservation purposes that were authorized by voters at a statewide election held in November 2010.  
Resolve 2015, chapter 55 was finally passed as an emergency measure effective February 3, 2016.

**LD 1463      An Act To Allow Members of the State Employee and Teacher Retirement Program To Reapply for Disability Retirement Benefits after Denial and To Direct the Board of Trustees of the Maine Public Employees Retirement System To Explore the Feasibility of Offering Long-term Disability Insurance Coverage      PUBLIC 392**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FOLEY R COLLINS R	OTP-AM	H-517

This bill provides that a denial of a disability retirement benefit application to the Maine Public Employees Retirement System does not bar the filing and approval of a subsequent application for the same or different medical conditions if the applicant has returned to service with an employer covered under the Maine Public Employees Retirement System. This bill authorizes the Board of Trustees of the Maine Public Employees Retirement System, beginning January 5, 2017, to procure and offer long-term disability insurance to the retirement system's members and nonmembers who participate in the retirement system defined contribution plan. Persons who elect this coverage or their employers are responsible for premiums and other 3rd-party costs. This bill also directs the Maine Public Employees Retirement System to study how it would procure and offer long-term disability insurance and to report the results of its study to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs, which is authorized to report out a bill to the First Regular Session of the 128th Legislature.

**Committee Amendment "A" (H-517)**

This amendment strikes the provisions in the bill that provide that a denial of a disability retirement benefit application to the Maine Public Employees Retirement System does not bar the filing and approval of a subsequent application for different medical conditions if the applicant has returned to service with an employer covered under the Maine Public Employees Retirement System. This amendment also strikes the provisions of the bill that authorize the Board of Trustees of the Maine Public Employees Retirement System, beginning January 5, 2017, to

*Joint Standing Committee on Appropriations and Financial Affairs*

procure and offer long-term disability insurance to the retirement system's members and nonmembers who participate in the retirement system's defined contribution plan.

**Enacted Law Summary**

Public Law 2015, chapter 392 directs the Maine Public Employees Retirement System to study how it would procure and offer long-term disability insurance and to report the results of its study to the joint standing committee of the Legislature having jurisdiction over retirement matters, which is authorized to report out a bill to the First Regular Session of the 128th Legislature.

**LD 1486      Resolve, To Reauthorize the Issuance of Certain Bonds for Land Conservation Projects      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
POULIOT M CUSHING A	ONTP	

This resolve extends for two years the period for issuance of bonds authorized by the voters in November 2010 for the Land for Maine's Future Board.

See LD 1454.

**LD 1512      An Act To Authorize a General Fund Bond Issue To Fund Equipment for Career and Technical Education Centers      Died On Adjournment**

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

The funds provided by this bond issue, in the amount of \$25,000,000, will be used to provide funds to purchase equipment for and make capital improvements to career and technical education centers for high school students.

**Committee Amendment "A" (H-676)**

This amendment is the majority report of the committee. This amendment reduces the bond issue amount to \$10,000,000 from \$25,000,000. 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 1515      An Act To Update the Laws Governing the Maine Public Employees Retirement System as They Relate to Wartime Veterans      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WARD K	ONTP	

This bill updates the definition of "federally recognized period of conflict" to include service during operations in Lebanon, August 21, 1982 to February 26, 1984; operations in Grenada, October 25, 1983 to November 2, 1983; the

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

Persian Gulf War, August 2, 1990 to April 6, 1991; and operations in Afghanistan and Iraq, October 7, 2001 to the present for purposes of allowing members of the Maine Public Employees Retirement System to purchase military time to add those years to their years of creditable service for purposes of calculating their retirement benefits. The cost of purchasing military time depends in part on whether a member served during a federally recognized period of conflict.

**LD 1537      An Act To Combat Drug Addiction through Enforcement, Prevention,  
Treatment and Recovery**

**PUBLIC 378  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THIBODEAU M EVES M	OTP-AM OTP-AM	S-344 S-346    HAMPER J

This bill does the following.

Part A provides ongoing funding for 10 investigative agents in the Department of Public Safety, Maine Drug Enforcement Agency.

Part B directs the Department of the Attorney General to administer grants to local law enforcement agencies and county jails located in geographically diverse communities throughout the State to fund projects designed solely to facilitate pathways to community-based treatment, recovery and support services.

Part C directs the Department of Health and Human Services to provide grants to a substance abuse treatment entity to develop and operate a 10-bed social detoxification center located in the greater Bangor area.

Part D provides ongoing funding for annual grants to the Maine Association of Substance Abuse Programs for the establishment and expansion of peer support recovery centers and the coordination and provision of substance abuse prevention and education in schools and communities.

Part E provides funding to increase substance abuse residential treatment and substance abuse outpatient services for the uninsured.

Part F transfers \$725,000 in fiscal year 2015-16 and \$1,775,000 in fiscal year 2016-17 from the funds received pursuant to the court order in *State of Maine v. McGraw-Hill Companies, Inc. and Standard & Poor's Financial Services, LLC*, Kennebec County Superior Court Docket No. BCD-CV-14-49, to the unappropriated surplus of the General Fund.

**Committee Amendment "A" (S-344)**

This amendment, which is the majority report of the committee, makes the following changes to the bill.

In Part A, adds the Joint Standing Committee on Criminal Justice and Public Safety to the entities to which periodic reports must be made by the Commissioner of Public Safety; adds funding provided by financial order 03451F16 to the unencumbered balances that may not be transferred; adds funding provided by financial order 03451F16 to the unencumbered balances that may not lapse and restricts the nonlapsing year to fiscal year 2015-16 only; eliminates the appropriation for 10 investigative agents in fiscal year 2015-16 and reduces the appropriation in fiscal year 2016-17 from \$1,600,000 to \$1,230,000; and adds a section to transfer \$1,230,000 from the Gambling Control Board administrative expenses, Other Special Revenue Funds account to the unappropriated surplus of the General Fund on or before the close of fiscal year 2016-17.

In Part B, adds a requirement of consultation with the Maine Sheriffs' Association and the Maine Chiefs of Police Association; and requires enhanced reporting.

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

In Part C, changes the requirement for a new 10-bed detoxification center to a requirement for a new detoxification center with at least 10 beds and changes the requirement that the center be in Bangor to a requirement that the center be in a northern or eastern area of the State with high rates of opioid use and accessible to related services and supports.

In Part C, and Part D changes the reporting requirements so that the Commissioner of Health and Human Services reports periodically to the Joint Standing Committee on Health and Human Services rather than the Joint Standing Committee on Appropriations and Financial Affairs.

In Part D, removes the reference to the Maine Association of Substance Abuse Programs and directs the Department of Health and Human Services to provide funding within 60 days after the effective date of the Part to an organization with expertise and experience in substance abuse prevention, treatment and peer recovery services to provide substance abuse services statewide; adds to the services to be provided a requirement that coordination services include links to career services and a requirement that the organization develop and maintain a directory of providers and resources that is publicly available; and requires that, although funding may be sole-sourced for fiscal years 2015-16 and 2016-17, future awards must be awarded on a competitive basis and requires the Department of Health and Human Services to issue a request for proposals by January 1, 2017 that is competitively bid through the regular process pursuant to the Maine Revised Statutes, Title 5, chapter 155 for ongoing funding awards beginning no later than July 1, 2017.

In Part E, adds individual, group and intensive outpatient treatment to the substance abuse outpatient services for the uninsured for which a funding increase is provided.

In Part F, adds language regarding the requirements of the court order from which the funds to be transferred originated and states that the Attorney General has provided confirmation that the use of funds is consistent with the terms of the court order.

Adds Part G, which transfers funds from Personal Services to All Other in the Judicial Department, Courts - Supreme, Superior and District program, General Fund account in fiscal year 2015-16 to provide funding to support increased criminal dockets, including an increase in criminal jury trials.

### **Committee Amendment "B" (S-345)**

This amendment, which is the minority report of the committee, makes the following changes to the bill.

In Part A, adds the Joint Standing Committee on Criminal Justice and Public Safety to the entities to which periodic reports must be made by the Commissioner of Public Safety; adds funding provided by financial order 03451F16 to the unencumbered balances that may not be transferred; adds funding provided by financial order 03451F16 to the unencumbered balances that may not lapse and restricts the non-lapsing year to fiscal year 2015-16 only; eliminates the appropriation for 10 investigative agents in fiscal year 2015-16 and reduces the appropriation in fiscal year 2016-17 from \$1,600,000 to \$1,230,000; and adds a section to transfer \$1,230,000 from the Gambling Control Board administrative expenses, Other Special Revenue Funds account to the unappropriated surplus of the General Fund on or before the close of fiscal year 2016-17.

In Part B, requires the Department of Public Safety, rather than the Attorney General, to administer the grants to local law enforcement agencies; requires consultation with the Maine Sheriffs' Association and the Maine Chiefs of Police Association and requires enhanced reporting; and limits to fiscal year 2015-16 the period for which funds provided by this Part may not lapse.

In Part C, changes the requirement for a new 10-bed detoxification center to a requirement for a new detoxification center with at least 10 beds; limits to fiscal year 2015-16 the period for which funds provided by this Part may not lapse; and changes the requirement that the center be in Bangor to a requirement that the center be in a northern or

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

eastern area of the State with high rates of opioid use and accessible to related services and supports.

In Part C, and Part D: changes the reporting requirements so that the Commissioner of Health and Human Services reports periodically to the Joint Standing Committee on Health and Human Services rather than the Joint Standing Committee on Appropriations and Financial Affairs.

In Part D, limits to fiscal year 2015-16 the period for which funds provided by this Part may not lapse; removes the reference to the Maine Association of Substance Abuse Programs and directs the Department of Health and Human Services to provide funding within 60 days after the effective date of the Part to an organization with expertise and experience in substance abuse prevention, treatment and peer recovery services to provide substance abuse services statewide; adds to the services to be provided a requirement that coordination services include links to career services and a requirement that the organization develop and maintain a directory of providers and resources that is publicly available; and requires that although funding may be sole-sourced for fiscal years 2015-16 and 2016-17, future awards must be awarded on a competitive basis and requires the Department of Health and Human Services to issue a request for proposals by January 1, 2017 that is competitively bid through the regular process pursuant to the Maine Revised Statutes, Title 5, chapter 155 for ongoing funding awards beginning no later than July 1, 2017.

In Part E, limits to fiscal year 2015-16 the period for which funds provided by this Part may not lapse and adds individual, group and intensive outpatient treatment to the substance abuse outpatient services for the uninsured for which a funding increase is provided.

In Part F, changes the source of the transfer to the unappropriated surplus of the General Fund from the funds received pursuant to the court order in *State of Maine v. McGraw-Hill Companies, Inc. and Standard & Poor's Financial Services, LLC* to the Fund for a Healthy Maine.

Adds Part G, which transfers funds from Personal Services to All Other in the Judicial Department, Courts - Supreme, Superior and District program, General Fund account in fiscal year 2015-16 to provide funding to support increased criminal dockets, including an increase in criminal jury trials.

This amendment was not adopted.

### **Senate Amendment "A" To Committee Amendment "A" (S-346)**

This amendment requires the Department of Public Safety, rather than the Attorney General, to administer grants to local law enforcement agencies and county jails. This amendment also removes language requiring the transfer to the General Fund of funds received from the court order in *State of Maine v. McGraw-Hill Companies, Inc. and Standard & Poor's Financial Services, LLC* and instead requires the transfer of funds from the Medical Use of Marijuana Fund.

### **Enacted Law Summary**

Public Law 2015, chapter 378 does the following.

Part A provides ongoing funding for 10 investigative agents in the Department of Public Safety, Maine Drug Enforcement Agency and transfers \$1,230,000 in unexpended funds from the Gambling Control Board administrative expenses, Other Special revenue account in the Department of Public Safety to the General Fund unappropriated surplus in fiscal year 2016-17.

Part B directs the Commissioner of Public Safety after receiving advice from the Maine Sheriffs' Association and the Maine Chiefs of Police Association, to administer grants to local law enforcement agencies and county jails located in geographically diverse communities throughout the State to fund projects designed solely to facilitate pathways to community-based treatment, recovery and support services.

Part C directs the Department of Health and Human Services to provide grants to a substance abuse treatment entity

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

to develop and operate a 10-bed social detoxification center located in the a northern or eastern area of the State and provides funding for the development and operation of the center.

Part D provides ongoing funding for annual grants for the establishment and expansion of peer support recovery centers; the coordination and provision of substance abuse prevention; education in schools and communities; and the maintenance of a directory of substance abuse prevention and recovery services.

Part E provides funding to increase substance abuse residential treatment and substance abuse outpatient services for the uninsured.

Part F transfers \$725,000 in fiscal year 2015-16 and \$1,775,000 in fiscal year 2016-17 from the Medical Use of Marijuana Fund to the unappropriated surplus of the General Fund.

Part G transfers funds from Personal Services to All Other in the Courts-Supreme, Superior and District account in the Judicial Department.

Public Law 2015, chapter 378 was enacted as an emergency measure effective January 19, 2016.

**LD 1561      An Act To Reauthorize Certain Land for Maine's Future Bonds and To      Died On  
Facilitate the Issuance of Those Bonds      Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KATZ R GRANT G		

This bill was not referred to committee.

This bill makes the following changes to the laws governing specific bonds for the Land for Maine's Future Board:

1. It authorizes the reissuance of bonds authorized by the voters in November 2010 for the Land for Maine's Future Board that have not yet been issued;
2. It requires that the Governor authorize the issuance of the specific bonds for the Land for Maine's Future Board that were ratified by the voters of the State in statewide elections held in November 2010 and November 2012, unless one of five specific conditions exists;
3. It requires the Treasurer of State to initiate borrowing in accordance with Public Law 2009, chapter 414, Part E, section 6, as amended by Public Law 2009, chapter 645, Part J, section 3, and Public Law 2011, chapter 696, section 6, ratified by the voters of the State in statewide elections held in November 2010 and November 2012, respectively; and
4. It requires the Commissioner of Administrative and Financial Services to effectuate the release to the Land for Maine's Future Board the funds resulting from the issuance of those bonds, to be expended for the purposes described in Public Law 2009, chapter 414, Part E, section 6, as amended by Public Law 2009, chapter 645, Part J, section 3, and Public Law 2011, chapter 696, section 6 and ratified by the voters of the State in statewide elections held in November 2010 and November 2012.

*Joint Standing Committee on Appropriations and Financial Affairs*

**LD 1579 An Act Regarding the Maine Clean Election Fund**

**Veto Sustained**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM ONTP	H-661 S-510 GRATWICK G

This bill specifies that the State Controller is directed to transfer \$2,500,000 from the General Fund to the Maine Clean Election Fund on or before June 30, 2016 instead of on or before January 1, 2017.

**Committee Amendment "A" (H-661)**

This amendment, which is the majority report of the committee, changes the date by which the State Controller is directed to transfer funds from the General Fund to the Maine Clean Election Fund from on or before June 30, 2016 to on or before August 1, 2016 and changes the amount of that transfer from \$2,500,000 to \$500,000.

**Senate Amendment "A" To Committee Amendment "A" (S-510)**

This amendment removes the emergency preamble and the emergency clause and changes the date of the 2nd transfer from on or before August 1, 2016 to on or before September 1, 2016.

**LD 1583 An Act To Provide for Tax Conformity and Funding Methods**

**PUBLIC 388  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
		S-354

This bill was reported ought to pass by a majority of the committee pursuant to joint order, S.P. 630.

Part A of this bill:

1. Decouples the Maine individual and corporate income taxes from the federal bonus depreciation deductions for taxable years beginning on or after January 1, 2015. In addition, it provides a Maine capital investment credit for taxable years beginning in 2015 with respect to depreciable property placed in service in Maine. The credit is equal to 9% of the amount of the net increase in depreciation attributable to the depreciation deduction claimed by the taxpayer under the Code, Section 168(k) with respect to property placed in service in the State during the taxable year for taxable corporations; for individuals the credit is 8% of such amount for tax years beginning in 2015;
2. Decouples Maine's individual and corporate income tax from the Code, Section 179 expensing deductions for tax years beginning on or after January 1, 2016. It enacts addition and subtraction modifications to reverse any increase allowed at the federal level for the first year the property is placed in service, and then to allow depreciation deductions for the remainder of the asset's life;
3. Decouples Maine's individual income tax from the teacher expense deduction under the Code, Section 62(a)(2) (D) by requiring an addition modification in the amount of the federal deduction;
4. Disallows for Maine itemized deduction purposes the federal deduction for mortgage insurance premiums treated as qualified residence interest; and
5. For taxable years beginning after 2017, decouples the Maine earned income tax credit from the increased federal 45% earned income tax credit rate for taxpayers with three or more qualifying children and from the higher

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

phase-out thresholds for married individuals filing joint returns.

Part B transfers \$9,535,933 from the Tax Relief Fund for Maine Residents to the unappropriated surplus of the General Fund by the end of fiscal year 2015-16.

Part C deappropriates funds no longer needed for debt service costs.

Part D requires the State Controller to transfer the first \$153,447 of unexpended Personal Services savings that would otherwise lapse to the General Fund Salary Plan program to the General Fund unappropriated surplus at the close of fiscal year 2015-16. This Part also requires the State Controller to transfer funding from the General Fund Salary Plan program to the General Fund unappropriated surplus in the event that the full \$153,447 of Personal Services savings in this Part is not achieved.

Part E requires the State Controller to transfer the first \$1,034,880 of unexpended Personal Services savings that would otherwise lapse to the General Fund Salary Plan program to the General Fund unappropriated surplus at the close of fiscal year 2016-17. This Part also requires the State Controller to transfer funding from the General Fund Salary Plan program to the General Fund unappropriated surplus in the event that the full \$1,034,880 of Personal Services savings in this Part is not achieved.

### **Committee Amendment "A" (S-354)**

This amendment is the minority report to the bill reported pursuant to joint order, S.P. 360.

Part A of this amendment:

1. Repeals, for taxable years beginning on or after January 1, 2016, the addition modification that decouples Maine's individual income tax law from the federal deduction for qualified tuition and related expenses under the United States Internal Revenue Code of 1986, Section 222; and
2. Decouples the Maine individual and corporate income taxes from the federal bonus depreciation deductions for taxable years beginning on or after January 1, 2015. It provides a Maine capital investment credit for taxable years beginning on or after January 1, 2015 with respect to depreciable property placed in service in Maine. The credit is equal to 9% of the amount of the net increase in depreciation attributable to the depreciation deduction claimed by the taxpayer under the United States Internal Revenue Code of 1986, Section 168(k) with respect to property placed in service in the State during the taxable year for taxable corporations; for individuals the credit is 8% of such amount for tax years beginning in 2015 and is 7% for tax years beginning on or after January 1, 2016.

Part B transfers \$9,535,933 from the Tax Relief Fund for Maine Residents to the unappropriated surplus of the General Fund by the end of fiscal year 2015-16.

Part C adjusts funding based on projected needs in the first year of the biennium in the Veterans Tax Reimbursement program, which provides an exemption of estates up to a specific value for veterans, under the Maine Revised Statutes, Title 36, section 653. Part C also deappropriates funds no longer needed for debt service costs in the Office of the State Treasurer.

Part D requires the State Controller to transfer \$194,312, by June 30, 2016, from available balances in Other Special Revenue Funds accounts within the Department of Environmental Protection to the General Fund unappropriated surplus.

Part E requires the State Controller to transfer the first \$6,750,000 of unexpended Personal Services savings that would otherwise lapse to the General Fund Salary Plan program to the General Fund unappropriated surplus at the close of fiscal year 2015-16. This Part also requires the State Controller to transfer funding from the General Fund Salary Plan program to the General Fund unappropriated surplus in the event that the full \$6,750,000 of Personal

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

Services savings in this Part is not achieved.

Part F requires the State Controller to transfer the first \$6,750,000 of unexpended Personal Services savings that would otherwise lapse to the General Fund Salary Plan program to the General Fund unappropriated surplus at the close of fiscal year 2016-17. Part E also requires the State Controller to transfer funding from the General Fund Salary Plan program to the General Fund unappropriated surplus in the event that the full \$6,750,000 of Personal Services savings in this Part is not achieved.

Part G transfers the projected increases in funding to the Department of Education from casino revenues in the December 1, 2015 revenue forecast to the General Fund in each fiscal year of the 2016-2017 biennium. Part G also requires the State Controller to transfer \$767,507 from the K-12 Essential Programs and Services, Other Special Revenue Funds account in the Department of Education to the General Fund unappropriated surplus no later than June 30, 2016. It also requires the State Controller to transfer \$711,355 from the K-12 Essential Programs and Services, Other Special Revenue Funds account in the Department of Education to the General Fund unappropriated surplus no later than June 30, 2017.

Part H repeals Public Law 2015, chapter 267, Part T, which required the State Controller to transfer \$750,000 in each fiscal year of the 2016-2017 biennium, as a one-time transfer, from the General Fund unappropriated surplus to the Fund for Efficient Delivery of Local and Regional Services - Administration, Other Special Revenue Funds account within the Department of Administrative and Financial Services. Part H also reduces the allocation in the associated Other Special Revenue Funds account in both fiscal years of the biennium that would have received the transfer.

Part I repeals Public Law 2015, chapter 267, Part PP, which required the State Controller to transfer \$750,000 in each fiscal year of the 2016-2017 biennium, as a one-time transfer, from the General Fund unappropriated surplus to the Fund for Efficient Delivery of Educational Services, Other Special Revenue Funds account within the Department of Education. Part I also eliminates one-time funding for the consolidation of school administrative units.

Part J transfers the projected remaining balance of \$300,000 in fiscal year 2015-16 from the Dirigo Health Fund to the General Fund unappropriated surplus in addition to the transfer of \$700,000 enacted in Public Law 2015, chapter 267, Part W. Current law directs the State Controller to conduct recovery audits of payments made by state agencies to vendors at least once every 10 years.

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.

### **Enacted Law Summary**

Public Law 2015, chapter 388 does the following.

Part A:

1. Repeals, for taxable years beginning on or after January 1, 2016, the addition modification that decouples Maine's individual income tax law from the federal deduction for qualified tuition and related expenses under the United States Internal Revenue Code of 1986, Section 222; and
2. Decouples the Maine individual and corporate income taxes from the federal bonus depreciation deductions for taxable years beginning on or after January 1, 2015. It provides a Maine capital investment credit for taxable years beginning on or after January 1, 2015 with respect to depreciable property placed in service in Maine. The credit is equal to 9% of the amount of the net increase in depreciation attributable to the depreciation deduction claimed by the taxpayer under the United States Internal Revenue Code of 1986, Section 168(k) with respect to property placed in service in the State during the taxable year for taxable corporations; for individuals the credit is 8% of such

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

amount for tax years beginning in 2015 and is 7% for tax years beginning on or after January 1, 2016.

Part B transfers \$9,535,933 from the Tax Relief Fund for Maine Residents to the unappropriated surplus of the General Fund by the end of fiscal year 2015-16.

Part C adjusts funding based on projected needs in the first year of the biennium in the Veterans Tax Reimbursement program, which provides an exemption of estates up to a specific value for veterans, under the Maine Revised Statutes, Title 36, section 653. Part C also deappropriates funds no longer needed for debt service costs in the Office of the State Treasurer.

Part D requires the State Controller to transfer \$194,312, by June 30, 2016, from available balances in Other Special Revenue Funds accounts within the Department of Environmental Protection to the General Fund unappropriated surplus.

Part E requires the State Controller to transfer the first \$6,750,000 of unexpended Personal Services savings that would otherwise lapse to the General Fund Salary Plan program to the General Fund unappropriated surplus at the close of fiscal year 2015-16. This Part also requires the State Controller to transfer funding from the General Fund Salary Plan program to the General Fund unappropriated surplus in the event that the full \$6,750,000 of Personal Services savings in this Part is not achieved.

Part F requires the State Controller to transfer the first \$6,750,000 of unexpended Personal Services savings that would otherwise lapse to the General Fund Salary Plan program to the General Fund unappropriated surplus at the close of fiscal year 2016-17. Part E also requires the State Controller to transfer funding from the General Fund Salary Plan program to the General Fund unappropriated surplus in the event that the full \$6,750,000 of Personal Services savings in this Part is not achieved.

Part G transfers the projected increases in funding to the Department of Education from casino revenues in the December 1, 2015 revenue forecast to the General Fund in each fiscal year of the 2016-2017 biennium. Part G also requires the State Controller to transfer \$767,507 from the K-12 Essential Programs and Services, Other Special Revenue Funds account in the Department of Education to the General Fund unappropriated surplus no later than June 30, 2016. It also requires the State Controller to transfer \$711,355 from the K-12 Essential Programs and Services, Other Special Revenue Funds account in the Department of Education to the General Fund unappropriated surplus no later than June 30, 2017.

Part H repeals Public Law 2015, chapter 267, Part T, which required the State Controller to transfer \$750,000 in each fiscal year of the 2016-2017 biennium, as a one-time transfer, from the General Fund unappropriated surplus to the Fund for Efficient Delivery of Local and Regional Services - Administration, Other Special Revenue Funds account within the Department of Administrative and Financial Services. Part H also reduces the allocation in the associated Other Special Revenue Funds account in both fiscal years of the biennium that would have received the transfer.

Part I repeals Public Law 2015, chapter 267, Part PP, which required the State Controller to transfer \$750,000 in each fiscal year of the 2016-2017 biennium, as a one-time transfer, from the General Fund unappropriated surplus to the Fund for Efficient Delivery of Educational Services, Other Special Revenue Funds account within the Department of Education. Part I also eliminates one-time funding for the consolidation of school administrative units.

Part J transfers the projected remaining balance of \$300,000 in fiscal year 2015-16 from the Dirigo Health Fund to the General Fund unappropriated surplus in addition to the transfer of \$700,000 enacted in Public Law 2015, chapter 267, Part W. Current law directs the State Controller to conduct recovery audits of payments made by state agencies to vendors at least once every 10 years.

*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.

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

Part F provides funding for an increase in reimbursement rates to eligible MaineCare providers for the last three months of fiscal year 2015-16 and for fiscal year 2016-17 in order to offset a January 1, 2016 increase in the service provider tax. Similar provisions are contained in LD 1638 as enacted by the 127th Legislature.

Part G allows a portion of a consolidated loan that is a qualifying education loan to be eligible for the educational opportunity tax credit beginning with tax year 2015. It also provides that only a qualifying education loan that is consolidated with a nonqualifying education loan is eligible. Similar provisions are contained in LD 1657 as enacted by the 127th Legislature.

Part H does the following for tax years beginning on or after January 1, 2016: 1) allows a qualified individual who earned a bachelor's or associate degree from an accredited Maine community college, college or university after December 31, 2007 but before January 1, 2016 to be eligible for the educational opportunity tax credit regardless of the number of transfer credits earned at a non-Maine community college, college or university; 2) allows a resident of Maine who is employed at least part time in a position on a vessel at sea to qualify for the educational opportunity tax credit; expands the employer credit to include graduate degrees earned by qualified employees and by removes the principal cap relative to qualified employees. Similar provisions are contained in LD 1657 as enacted by the 127th Legislature.

Part I requires the transfer of \$44,500,000 in fiscal year 2015-16 from the unappropriated surplus of the General Fund to the Maine Budget Stabilization Fund.

This amendment was not adopted.

### **Committee Amendment "B" (S-465)**

This amendment is the minority report of the committee. This amendment reduces the amount of the unappropriated surplus transferred to the Maine Budget Stabilization Fund in fiscal year 2015-16 to \$55,500,000 and eliminates the transfer in fiscal year 2016-17. This amendment also establishes a priority for the transfer of the uncommitted balances after all required deductions of appropriations, budgeted financial commitments and adjustments considered necessary by the State Controller have been made in fiscal year 2015-16. The first priority is that 90% of the unappropriated surplus is transferred to the Maine Budget Stabilization Fund; the remaining 10% is distributed on a priority basis in the same manner as specified in the so-called cascade established in the Maine Revised Statutes, Title 5, section 1536, including requiring 80% of the funds remaining after those distributions to be transferred to the Maine Budget Stabilization Fund and 20% transferred to the Tax Relief Fund for Maine Residents.

This amendment was not adopted.

### **Senate Amendment "A" (S-545)**

This amendment replaces the bill and changes the title.

Part A transfers \$10,000,000 from the funds received pursuant to the court order in *State of Maine v. McGraw-Hill Companies, Inc. and Standard & Poor's Financial Services, LLC*, Kennebec County Superior Court Docket No. BCD-CV-14-49 to the Maine Budget Stabilization Fund in fiscal year 2016-17.

Part B extends the current sales tax exemption or refund for fuel used in commercial fishing vessels to include all fuel used in commercial fishing and fuel used in commercial agricultural production, aquacultural production and wood harvesting. Similar provisions are contained in LD 1481 as amended by the Joint Standing Committee on Taxation.

Part C provides for two cost-of-living rate increases for private nonmedical institutions. The first is a 4% increase starting on July 1, 2016 and the second, for fiscal year 2017-18 is based on the Consumer Price Index medical care services index. Similar provisions are contained in LD 1527 as amended by the Joint Standing Committee on

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

Health and Human Services.

Part D provides one-time funds for the Jobs for Maine's Graduates - College Program.

Part E establishes the Substance Abuse Assistance Program to provide grants to municipalities and counties to carry out projects designed to reduce substance abuse, substance abuse-related crimes and recidivism. It also appropriates funds for grants and for one Contract Grant Specialist position and other administrative costs. Similar provisions are contained in LD 1488 as amended by the Joint Standing Committee on Judiciary.

Part F provides funding for three new peer centers in different parts of the State to coordinate and run peer support programs to help persons in recovery from drug addiction. Similar provisions are contained in LD 1496 as amended by the Joint Standing Committee on Health and Human Services.

Part G directs the State Controller to transfer \$10,555,982 in fiscal year 2016-17 from the funds received pursuant to the court order in *State of Maine v. McGraw-Hill Companies, Inc. and Standard & Poor's Financial Services, LLC*, Kennebec County Superior Court Docket No. BCD-CV-14-49, to the unappropriated surplus of the General Fund.

Part H transfers \$979,732 in fiscal year 2016-17 from the funds received pursuant to the court order in *State of Maine v. McGraw-Hill Companies, Inc. and Standard & Poor's Financial Services, LLC*, Kennebec County Superior Court Docket No. BCD-CV-14-49 to the Office of the Treasurer to be used solely for consumer and antitrust activities identified in the court decree and approved by the Attorney General with the consent of the President of the Senate, the Speaker of the House of Representatives, the Minority Leader of the Senate and the Minority Leader of the House of Representatives.

Part I provides one-time funding to the Maine State Grant Program for scholarships.

### **Enacted Law Summary**

Public Law 2015, chapter 481 does the following.

Part A transfers \$10,000,000 from the funds received pursuant to the court order in *State of Maine v. McGraw-Hill Companies, Inc. and Standard & Poor's Financial Services, LLC*, Kennebec County Superior Court Docket No. BCD-CV-14-49 to the Maine Budget Stabilization Fund in fiscal year 2016-17.

Part B extends the current sales tax exemption or refund for fuel used in commercial fishing vessels to include all fuel used in commercial fishing and fuel used in commercial agricultural production, aquacultural production and wood harvesting.

Part C provides for two cost-of-living rate increases for private nonmedical institutions. The first is a 4% increase starting on July 1, 2016 and the second, for fiscal year 2017-18 is based on the Consumer Price Index medical care services index.

Part D provides one-time funds for the Jobs for Maine's Graduates - College Program.

Part E establishes the Substance Abuse Assistance Program to provide grants to municipalities and counties to carry out projects designed to reduce substance abuse, substance abuse-related crimes and recidivism. It also appropriates funds for grants and for one Contract Grant Specialist position and other administrative costs.

Part F provides funding for three new peer centers in different parts of the State to coordinate and run peer support programs to help persons in recovery from drug addiction.

Part G directs the State Controller to transfer \$10,555,982 in fiscal year 2016-17 from the funds received pursuant

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

to the court order in *State of Maine v. McGraw-Hill Companies, Inc. and Standard & Poor's Financial Services, LLC*, Kennebec County Superior Court Docket No. BCD-CV-14-49, to the unappropriated surplus of the General Fund

Part H transfers \$979,732 in fiscal year 2016-17 from the funds received pursuant to the court order in *State of Maine v. McGraw-Hill Companies, Inc. and Standard & Poor's Financial Services, LLC*, Kennebec County Superior Court Docket No. BCD-CV-14-49 to the Office of the Treasurer to be used solely for consumer and antitrust activities identified in the court decree and approved by the Attorney General with the consent of the President of the Senate, the Speaker of the House of Representatives, the Minority Leader of the Senate and the Minority Leader of the House of Representatives.

Part I provides one-time funding to the Maine State Grant Program for scholarships.

Public Law 2015, chapter 481 was enacted as an emergency measure effective April 16, 2016.

**LD 1630      An Act To Authorize a General Fund Bond Issue for the Construction of a New Fish Hatchery      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	ONTP	

The funds provided by this bond issue, in the amount of \$28,000,000, will be used to fund the design and construction of a new fish hatchery in the State.

**LD 1640      An Act To Provide Emergency Repair Funding for the Restoration of the Official State Vessel, the Schooner Bowdoin      Died Between Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROSEN K FREDETTE K	ONTP OTP-AM	

The bill provides funds for Maine Maritime Academy in order to make repairs and do restorative work on the schooner Bowdoin, the official state vessel used by Maine Maritime Academy for its Vessel Operations and Technology Program.

**Committee Amendment "A" (S-456)**

This amendment, which is the minority report of the committee, incorporates a fiscal note.

This amendment was not adopted.

**LD 1645      An Act To Address Employee Recruitment and Retention Issues at State Mental Health Institutions      PUBLIC 505 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KATZ R DOORE D	OTP-AM ONTP	S-507

This bill increases wages for select personnel at the state mental health institutions.

*Joint Standing Committee on Appropriations and Financial Affairs*

**Committee Amendment "A" (S-507)**

This amendment, which is the majority report of the committee, strikes the bill and provides that the wages for select personnel at the state mental health institutions must be increased beginning with the first pay period commencing on or after July 1, 2016. This amendment provides for the funding of the General Fund costs of the wage increases through transfers from the Department of Administrative and Financial Services, Salary Plan program, General Fund account up to \$944,379 in fiscal year 2016-17.

**Enacted Law Summary**

Public Law 2017, chapter 505 provides that wages for select personnel at the state mental health institutions must be increased beginning with the first pay period commencing on or after July 1, 2016 and provides for the funding of the General Fund costs of the wage increases through transfers from the Department of Administrative and Financial Services, Salary Plan program, General Fund account up to \$944,379 in fiscal year 2016-17.

Public Law 2015, chapter 505 was enacted as an emergency measure effective April 29, 2016.

**LD 1653      An Act Implementing Pay Increases for Certain Law Enforcement Employees To Aid in Recruitment and Retention      ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FREDETTE K MASON G	ONTP	

This bill provides for the upward adjustment of salary schedules in fiscal year 2015-16 by 12% to 18% for certain law enforcement positions in the Department of Public Safety, the Department of Inland Fisheries and Wildlife and the Department of Marine Resources beginning with the pay period closest to May 1, 2016. The bill provides for a similar salary schedule adjustment for certain law enforcement confidential employees in those departments and allows the Governor to make similar salary schedule adjustments to unclassified law enforcement positions in those departments that are subject to the Governor's adjustment or approval. The bill 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.

See LD 1523.

**LD 1656      An Act To Authorize a General Fund Bond Issue To Fund Loan Repayment Programs for Graduates in the Fields of Science, Technology, Engineering and Mathematics      ONTP**

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

The funds provided by this bond issue, in the amount of \$10,000,000, will be used to attract and retain college and university graduates who work in Maine in the fields of science, technology, engineering and mathematics by helping reduce their postsecondary loan debt.

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

**LD 1677      Resolve, Directing the Department of Administrative and Financial Services and the Maine Public Employees Retirement System To Identify Retirees Whose Retirement Benefit Calculations Were Adversely Affected by Certain Pay Freezes and To Calculate Costs Associated with Authorizing Those Retirees To Include Such Lost Wages in Retirement Benefit Calculations**

**RESOLVE 78**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PICKETT R WHITTEMORE R	OTP-AM	H-632

This resolve directs the Department of Administrative and Financial Services and the Maine Public Employees Retirement System to work together to identify retirees who retired prior to July 1, 2015 and whose retirement benefit calculations were adversely affected by merit pay freezes and longevity pay freezes in effect in fiscal years 2011-12 and 2012-13, and to calculate the projected costs associated with authorizing members of the Maine Public Employees Retirement System who retired prior to July 1, 2015 to include in their retirement benefit calculations wages lost due to merit pay freezes and longevity pay freezes in effect in fiscal years 2011-12 and 2012-13. The joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs is authorized to report out a bill to the First Regular Session of the 128th Legislature to authorize members of the Maine Public Employees Retirement System who retired prior to July 1, 2015 to include in their retirement benefit calculations wages lost due to merit pay freezes and longevity pay freezes in effect in fiscal years 2011-12 and 2012-13.

**Committee Amendment "A" (H-632)**

This amendment changes the report date in the resolve from November 2, 2016 to January 12, 2017 and clarifies the committee to which the report must be made.

**Enacted Law Summary**

Resolve 2015, chapter 78 directs the Department of Administrative and Financial Services and the Maine Public Employees Retirement System to work together to identify retirees who retired prior to July 1, 2015 and whose retirement benefit calculations were adversely affected by merit pay freezes and longevity pay freezes in effect in fiscal years 2011-12 and 2012-13, and to calculate the projected costs associated with authorizing members of the Maine Public Employees Retirement System who retired prior to July 1, 2015 to include in their retirement benefit calculations wages lost due to merit pay freezes and longevity pay freezes in effect in fiscal years 2011-12 and 2012-13. The joint standing committee of the Legislature having jurisdiction over retirement matters is authorized to report out a bill in the First Regular Session of the 128th Legislature to authorize members of the Maine Public Employees Retirement System who retired prior to July 1, 2015 to include in their retirement benefit calculations wages lost due to merit pay freezes and longevity pay freezes in effect in fiscal years 2011-12 and 2012-13.

**LD 1694      An Act To Authorize a General Fund Bond Issue To Improve Highways, Bridges and Multimodal Facilities**

**PUBLIC 478**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLLINS R PARRY W	OTP-AM	S-534

The funds provided by this bond issue, in the amount of \$100,000,000, will be used for construction, reconstruction and rehabilitation of highways and bridges and for facilities, equipment and property acquisition related to ports, harbors, marine transportation, freight and passenger railroads, aviation, transit and bicycle and pedestrian trails,

*Joint Standing Committee on Appropriations and Financial Affairs*

matching an estimated \$137,000,000 in federal and other funds.

**Committee Amendment "A" (S-534)**

This amendment provides for a transfer to 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.

**Enacted Law Summary**

Public Law 2015, chapter 478 provides for a bond issue, in the amount of \$100,000,000, to be used for construction, reconstruction and rehabilitation of highways and bridges and for facilities, equipment and property acquisition related to ports, harbors, marine transportation, freight and passenger railroads, aviation, transit and bicycle and pedestrian trails, matching an estimated \$137,000,000 in federal and other funds. It also provides for a transfer to 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.

The bond issue is subject to voter approval at a statewide election to be held in November, 2016.

**LD 1702     An Act To Fund Agreements with Bargaining Units for Certain  
                  Executive Branch Employees**

**PUBLIC 512  
EMERGENCY**

Sponsor(s)

CUSHING A

Committee Report

Amendments Adopted

This bill was not referred to a committee.

This bill extends the date by which a collective bargaining agreement for certain executive branch employees must be ratified in order to require the adjustment of the salary schedules to accommodate and fund the terms of the agreement.

**Enacted Law Summary**

Public Law 2015, chapter 512 bill extends the date by which a collective bargaining agreement for certain executive branch employees must be ratified in order to require the adjustment of the salary schedules to accommodate and fund the terms of the agreement.

Public Law 2015, chapter 512 was enacted as an emergency measure effective May 3, 2016.

*Joint Standing Committee on Appropriations and Financial Affairs*

**SUBJECT INDEX**

**Budget Bills**

**Enacted**

LD 1020	An Act To Provide Supplemental Deallocations for the Department of the Secretary of State and 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 480 EMERGENCY
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
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

**Not Enacted**

LD 1018	An Act To Make Certain Necessary Appropriations and Allocations	Died On Adjournment
---------	---	------------------------

**General Obligation Bond Bills**

**Enacted**

LD 1053	An Act To Authorize a General Fund Bond Issue To Stimulate Investment in Innovation by Maine Businesses To Produce Nationally and Globally Competitive Products and Services	PUBLIC 479
LD 1694	An Act To Authorize a General Fund Bond Issue To Improve Highways, Bridges and Multimodal Facilities	PUBLIC 478

**Not Enacted**

LD 2	An Act To Authorize a General Fund Bond Issue for the Purchase and Development of the Bar Harbor Ferry Terminal as a Multimodal Transportation Facility	ONTP
LD 68	An Act To Authorize a General Fund Bond Issue To Attract Business by Investing in High-speed Broadband Infrastructure	ONTP
LD 100	An Act To Authorize a General Fund Bond Issue To Help Small Businesses	ONTP
LD 108	An Act To Authorize a General Fund Bond Issue for Riverfront Community Development	ONTP

LD 193	An Act To Authorize a General Fund Bond Issue for Bicycle and Pedestrian Projects	ONTP
LD 217	An Act To Authorize a General Fund Bond Issue for Development of a Multimodal Transportation Facility	ONTP
LD 254	An Act To Authorize a General Fund Bond Issue To Support Waterfront Development	Died On Adjournment
LD 354	An Act To Authorize a General Fund Bond Issue To Enhance Public Transportation in the Bangor Area	ONTP
LD 385	An Act To Authorize a General Fund Bond Issue for Improvements to Facilities at the University of Maine System Campuses	ONTP
LD 386	An Act To Authorize a General Fund Bond Issue To Fund Farmland Restoration	ONTP
LD 387	An Act To Authorize a General Fund Bond Issue To Support Agricultural Enterprises and Encourage the Use of Local Farm Products in Public Schools	ONTP
LD 426	An Act To Authorize a General Fund Bond Issue To Address Sea Level Rise	ONTP
LD 438	An Act To Authorize a General Fund Bond Issue To Invest in Maine's Rail Infrastructure and Expand Passenger Rail Service	ONTP
LD 453	An Act To Authorize a General Fund Bond Issue To Upgrade and Replace Infrastructure of the Maine Public Broadcasting Corporation	Died On Adjournment
LD 628	An Act To Authorize a General Fund Bond Issue To Invest in Transportation Infrastructure	ONTP
LD 733	An Act To Authorize a General Fund Bond Issue To Build the Infrastructure Needed To End Hunger in Central and Northern Maine	ONTP
LD 747	An Act To Authorize a General Fund Bond Issue To Assist in the Creation and Retention of Jobs and Improve Access to Higher Education in Maine	ONTP
LD 873	An Act To Authorize a General Fund Bond Issue for Housing for Homeless Veterans	ONTP
LD 875	An Act To Authorize a General Fund Bond Issue To Improve Highways, Bridges, Ports, Railroads and Other Multimodal Facilities	ONTP
LD 924	An Act To Authorize a General Fund Bond Issue To Enhance State Parks	ONTP
LD 931	An Act To Authorize a General Fund Bond Issue for Research and Development for the University of Maine System	ONTP
LD 996	An Act To Authorize a General Fund Bond Issue for Food Processing Infrastructure in Rural Areas of the State	Died On Adjournment
LD 998	An Act To Authorize a General Fund Bond Issue To Collect Data on and To Monitor Ocean Acidification	Died On Adjournment

LD 1069	An Act To Authorize a General Fund Bond Issue To Upgrade Municipal Culverts at Stream Crossings	Died On Adjournment
LD 1234	An Act To Authorize a General Fund Bond Issue To Acquire the Frances Perkins Homestead	ONTP
LD 1248	An Act To Authorize a General Fund Bond Issue for the Land for Maine's Future Fund	Died On Adjournment
LD 1334	An Act To Authorize a General Fund Bond Issue To Repair and Renovate the Former Cutler Naval Base in Washington County To Facilitate Development and Stimulate the Economy	ONTP
LD 1336	An Act To Authorize a General Fund Bond Issue for Maine's Community Colleges	ONTP
LD 1341	An Act To Authorize a General Fund Bond Issue To Improve Maine's Housing Stock and Reduce Heating Costs and Oil Consumption	ONTP
LD 1512	An Act To Authorize a General Fund Bond Issue To Fund Equipment for Career and Technical Education Centers	Died On Adjournment
LD 1630	An Act To Authorize a General Fund Bond Issue for the Construction of a New Fish Hatchery	ONTP
LD 1656	An Act To Authorize a General Fund Bond Issue To Fund Loan Repayment Programs for Graduates in the Fields of Science, Technology, Engineering and Mathematics	ONTP

### **Miscellaneous Funding and Other Requests**

#### **Enacted**

LD 1537	An Act To Combat Drug Addiction through Enforcement, Prevention, Treatment and Recovery	PUBLIC 378 EMERGENCY
LD 1583	An Act To Provide for Tax Conformity and Funding Methods	PUBLIC 388 EMERGENCY
LD 1645	An Act To Address Employee Recruitment and Retention Issues at State Mental Health Institutions	PUBLIC 505 EMERGENCY
LD 1702	An Act To Fund Agreements with Bargaining Units for Certain Executive Branch Employees	PUBLIC 512 EMERGENCY

#### **Not Enacted**

LD 1099	An Act To Establish a Fund for the Operations and Outreach Activities of the University of Maine Cooperative Extension Animal and Plant Disease and Insect Control Laboratory	ONTP
LD 1579	An Act Regarding the Maine Clean Election Fund	Veto Sustained
LD 1640	An Act To Provide Emergency Repair Funding for the Restoration of the Official State Vessel, the Schooner Bowdoin	Died Between Houses

LD 1653	An Act Implementing Pay Increases for Certain Law Enforcement Employees To Aid in Recruitment and Retention	ONTP
---------	---	------

**Other Bonding**

**Enacted**

LD 1454	Resolve, Reauthorizing the Balance of the 2009 Bond Issue for Land Conservation Projects	RESOLVE 55 EMERGENCY
---------	--	-------------------------

**Not Enacted**

LD 784	An Act To Authorize a Revenue Bond for a Student Loan Reduction Plan	ONTP
LD 1486	Resolve, To Reauthorize the Issuance of Certain Bonds for Land Conservation Projects	ONTP
LD 1561	An Act To Reauthorize Certain Land for Maine's Future Bonds and To Facilitate the Issuance of Those Bonds	Died On Adjournment

**Public Employee Retirement**

**Enacted**

LD 995	An Act To Amend the Laws Governing Participating Local Districts in the Maine Public Employees Retirement System	PUBLIC 384
LD 1021	An Act To Amend the Laws Pertaining to the Maine Public Employees Retirement System	PUBLIC 385 EMERGENCY
LD 1463	An Act To Allow Members of the State Employee and Teacher Retirement Program To Reapply for Disability Retirement Benefits after Denial and To Direct the Board of Trustees of the Maine Public Employees Retirement System To Explore the Feasibility of Offering Long-term Disability Insurance Coverage	PUBLIC 392
LD 1677	Resolve, Directing the Department of Administrative and Financial Services and the Maine Public Employees Retirement System To Identify Retirees Whose Retirement Benefit Calculations Were Adversely Affected by Certain Pay Freezes and To Calculate Costs Associated with Authorizing Those Retirees To Include Such Lost Wages in Retirement Benefit Calculations	RESOLVE 78

**Not Enacted**

LD 212	An Act Concerning Cost-of-living Adjustments for Certain Retirees	ONTP
LD 518	An Act To Clarify and Protect Certain Public Service Retirement Benefits	ONTP
LD 654	An Act To Expand the 1998 Special Retirement Plan To Include Detectives in the Office of the Attorney General	Veto Sustained
LD 927	An Act To Remove the Age Penalty for State Retirees Working at Institutions That Are Closing	Died Between Houses
LD 1032	An Act To Implement the Combination Defined Benefit and Defined Contribution Retirement Plan Described in a Report Submitted to the Joint Standing Committee on Appropriations and Financial Affairs in March 2012	Died Between Houses

LD 1515

An Act To Update the Laws Governing the Maine Public Employees  
Retirement System as They Relate to Wartime Veterans

ONTP