

STATE OF MAINE
127TH LEGISLATURE
FIRST REGULAR SESSION

LEGISLATIVE DIGEST OF BILL
SUMMARIES AND ENACTED LAWS

VOLUME 1



Summaries of All Bills and Adopted Amendments and All Laws Enacted or Finally
Passed During the First Regular Session of the 127th Maine Legislature

First Regular Session convened Wednesday, December 3, 2014
First Regular Session adjourned sine die Thursday, July 16, 2015

Senate Legislative Days.....69
House Legislative Days.....69
Bills Considered.....1455

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AUGUST 2015

STATE OF MAINE
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This *Legislative Digest of Bill Summaries and Enacted Laws* is produced
under the auspices of the Maine Legislative Council by:

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STATE OF MAINE

127TH LEGISLATURE

FIRST REGULAR SESSION



LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

This *Legislative Digest of Bill Summaries and Enacted Laws* contains summaries of all LDs and adopted amendments and all laws enacted or finally passed during the First Regular Session of the 127th Maine Legislature.

The *Digest* is arranged alphabetically by committee and within each committee by Legislative Document (LD) number. The committee report(s), prime sponsor and lead co-sponsor(s), if designated, are listed below each LD title. All adopted amendments are summarized and listed by paper number. A subject index is included with each committee. An appendix provides a summary of relevant session statistics.

Final action on each LD is noted to the right of the LD title. The following describes the various final actions.

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

The effective date for non-emergency legislation enacted in the First Regular Session of the 127th Legislature is October 15, 2015. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

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STATE OF MAINE
127TH LEGISLATURE
FIRST REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON AGRICULTURE,
CONSERVATION AND FORESTRY**

August 2015

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Joint Standing Committee on Agriculture, Conservation and Forestry

LD 4 **An Act To Promote Industrial Hemp**

**PUBLIC 202
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANDERSON HAMPER	OTP-AM	H-41

This bill removes the requirements that an applicant for an initial license to grow industrial hemp for commercial purposes must submit a set of the applicant's fingerprints and file with the Commissioner of Agriculture, Conservation and Forestry documentation indicating that the seeds planted were a type and variety of hemp approved by the commissioner. The bill also repeals the provision that licensure is contingent upon action by the federal government.

This bill requires that any hemp seeds acquired for cultivation of hemp in the State must come from an approved Canadian producer of hemp seeds. The bill allows the commissioner to issue licenses for hemp seed distribution to holders of seed labeling licenses. The bill also allows hemp growers licensed by the State to acquire hemp seeds directly from a producer in Canada or from a State-licensed hemp seed distributor. The bill requires that application fees and license fees must be established by major substantive rules. The bill also includes an appropriations and allocations section.

Committee Amendment "A" (H-41)

This amendment adds an emergency preamble and emergency clause to the bill.

The amendment provides that hemp seeds acquired for cultivation of hemp in the State may come from any certified seed source rather than only approved Canadian producers of hemp seeds. The amendment provides that rules adopted by the Department of Agriculture, Conservation and Forestry pursuant to the Maine Revised Statutes, Title 7, section 2231 are routine technical rules. The amendment includes the addition of per acre fees for monitoring, sampling and testing and establishes a range and cap for all fees established by the Commissioner of Agriculture, Conservation and Forestry related to industrial hemp production. The amendment also replaces the appropriations and allocations section.

Enacted Law Summary

Public Law 2015, chapter 202 removes the requirements that an applicant for an initial license to grow industrial hemp for commercial purposes must submit a set of the applicant's fingerprints and file with the Commissioner of Agriculture, Conservation and Forestry documentation indicating that the seeds planted were a type and variety of hemp approved by the commissioner and also repeals the provision that licensure is contingent upon action by the federal government.

Public Law 2015, chapter 202 provides that any hemp seeds acquired for cultivation of hemp in the State may come from any certified seed source. It allows the commissioner to issue licenses for hemp seed distribution to holders of seed labeling licenses and allows hemp growers licensed by the State to acquire hemp seeds directly from a producer in Canada or from a state-licensed hemp seed distributor. It requires that application fees and license fees must be established by routine technical rules, includes the addition of per acre fees for monitoring, sampling and testing and establishes a range and cap for all fees established by the commissioner related to industrial hemp production.

Public Law 2015, chapter 202 was enacted as an emergency measure effective June 16, 2015.

Joint Standing Committee on Agriculture, Conservation and Forestry

LD 39 Resolve, To Require a Review of the Merger That Resulted in the ONTP
Department of Agriculture, Conservation and Forestry

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

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

This resolve proposes to establish a task force to review the effects of the merger of the former Department of Agriculture, Food and Rural Resources and the former Department of Conservation, including the bureaus and divisions within those departments, into the Department of Agriculture, Conservation and Forestry, pursuant to Public Law 2011, chapter 657 and Public Law 2013, chapter 405. In performing the review, the task force is required to determine whether the merged department has continued to provide the services formerly provided by the former departments at the same or a better level while attaining budgetary savings. Based on the review, this resolve requires the task force to report its findings and any necessary implementing legislation during the Second Regular Session of the 127th Legislature.

LD 119 An Act To Allow for the Cultivation of Hemp ONTP

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

This bill eliminates the requirement that issuance of a license for industrial hemp cultivation is contingent upon one of the following actions by federal government:

1. The United States Congress excludes industrial hemp from the definition of "marihuana" for the purpose of the Controlled Substances Act, 21 United States Code, Section 802(16); or
2. The United States Department of Justice, Drug Enforcement Administration takes affirmative steps towards issuing a permit under 21 United States Code, Chapter 13, Subchapter 1, Part C to a person holding a license issued by a state to grow industrial hemp.

LD 202 Resolve, Regarding Legislative Review of Portions of Chapter 22: RESOLVE 5
Standards for Outdoor Application of Pesticides by Powered Equipment EMERGENCY
in Order To Minimize Off-target Deposition, a Major Substantive Rule
of the Department of Agriculture, Conservation and Forestry, Board of
Pesticides Control

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

This resolve provides for legislative review of portions of Chapter 22: Standards for Outdoor Application of Pesticides by Powered Equipment in Order To Minimize Off-target Deposition, a major substantive rule of the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control.

Enacted Law Summary

Joint Standing Committee on Agriculture, Conservation and Forestry

Resolve 2015, chapter 5 provides that final adoption of portions of Chapter 22: Standards for Outdoor Application of Pesticides by Powered Equipment in Order To Minimize Off-target Deposition, a provisionally adopted major substantive rule of the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

Resolve 2015, chapter 5 was finally passed as an emergency measure effective March 29, 2015.

LD 203 Resolve, Regarding Legislative Review of Portions of Chapter 28: Notification Provisions for Outdoor Pesticide Applications, a Major Substantive Rule of the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control

**RESOLVE 6
EMERGENCY**

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

This resolve provides for legislative review of portions of Chapter 28: Notification Provisions for Outdoor Pesticide Applications, a major substantive rule of the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control.

Enacted Law Summary

Resolve 2015, chapter 6 provides that final adoption of portions of Chapter 28: Notification Provisions for Outdoor Pesticide Applications, a provisionally adopted major substantive rule of the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A, is authorized.

Resolve 2015, chapter 6 was finally passed as an emergency measure effective March 29, 2015.

LD 207 An Act To Amend the Maine Commercial Fertilizer Law and the Maine Agricultural Liming Materials Act

ONTP

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

This bill changes the Maine Commercial Fertilizer Law and the Maine Agricultural Liming Materials Act to eliminate the fee of \$1 per ton on commercial fertilizers and agricultural liming materials.

The bill directs the Commissioner of Agriculture, Conservation and Forestry to distribute 50 percent of the remaining funds collected from those fees to pay for improvements to Maine's facilities at the Eastern States Exposition in Massachusetts and to distribute 50 percent of the remaining funds collected from those fees to the Maine Potato Board to be used as matching funds for a federal soil health and water quality project.

LD 229 An Act To Exempt Small Raw Milk Producers from Licensing Requirements

ONTP

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

Joint Standing Committee on Agriculture, Conservation and Forestry

This bill exempts the sale of raw milk and raw milk products from state licensing requirements under the following circumstances:

1. The sale is by a milk distributor who daily produces for sale less than 20 gallons of raw milk or daily processes less than 20 gallons of raw milk into various dairy products and sells the milk and milk products directly to the consumer from the milk distributor's own farm or farm stand or at a farmers' market within the State;
2. The raw milk and raw milk products are clearly labeled with the name, address and phone number of the milk distributor's farm, the name of the product and the following statement: "This product is made with raw milk and is exempt from State of Maine licensing;" and
3. At the point of sale, a sign is placed that contains the name, address and phone number of the milk distributor's farm and the following statement: "Products from this farm made from raw milk are exempt from State of Maine licensing."

LD 253 An Act To Improve Permit Oversight for the Cutting of Christmas Trees and Evergreen Boughs PUBLIC 55

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BURNS LOCKMAN	OTP-AM	S-50

This bill requires all members of a work crew with permission to cut Christmas trees or evergreen boughs on the property of another to possess a copy of the landowner's permission.

Committee Amendment "A" (S-50)

This amendment clarifies that a person with permission to cut Christmas trees or evergreen boughs on land of another must have a copy of the landowner's written permission or bill of sale in that person's immediate possession.

Enacted Law Summary

Public Law 2015, chapter 55 requires a person with permission to cut Christmas trees or evergreen boughs on the property of another to have a copy of the landowner's written permission or bill of sale in that person's immediate possession.

LD 304 An Act To Support Marketing of Maine's Farms and Fisheries ONTP

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

This bill allows the accrued interest in the Agricultural Marketing Loan Fund to be used for competitive grants that would fund feasibility studies or business planning for new infrastructure projects that would support the operation of an agricultural enterprise.

Joint Standing Committee on Agriculture, Conservation and Forestry

LD 312 An Act To Allow the Sale of Unregulated Farm-produced Dairy Products at the Site of Production

Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NOON DILL	ONTP OTP-AM	

This bill facilitates the direct sales of dairy products that are sold on the same farm on which the product is produced by exempting those sales from state licensing and inspection requirements if certain conditions are met.

Committee Amendment "A" (H-408)

This amendment, which is the minority report, replaces the bill. The amendment establishes a framework for the direct sale of unpasteurized milk and unpasteurized milk products at the milk production facility at which the product is produced by exempting those sales from state licensing and inspection requirements if certain conditions are met.

Specifically, this amendment:

1. Establishes the conditions that must be met before receiving an exemption;
2. Establishes labeling requirements for unpasteurized milk and unpasteurized milk products;
3. Reaffirms that all off-farm sales and wholesale transactions for unpasteurized milk and unpasteurized milk products are required to comply with the state licensing and permit requirements;
4. Establishes that heat-treated cheese must be produced in a licensed and inspected facility; and
5. Defines the term "milk production facility" and replaces the terms "dairy" or "dairy farm" with "milk production facility" in the relevant chapter of law.

LD 316 An Act To Provide a Waiver of Short-term Camping Fees at State-owned Parks, Camping Areas and Beaches for Members of Federally Recognized Indian Tribes in the State

ONTP

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

This bill waives camping fees for the once-a-year, overnight stay of a member of a federally recognized Indian tribe in the State, as well as any family member of the tribal member who is with the tribal member, at any one state-owned park, camping area or beach.

Joint Standing Committee on Agriculture, Conservation and Forestry

LD 317 An Act To Recognize and Provide for the Right of Access for Members of the Houlton Band of Maliseet Indians To Certain Public Lands in Aroostook County for Traditional Uses ONTP

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

This bill permits any member of the Houlton Band of Maliseet Indians who is a resident of the State to collect or harvest wood or wood fiber in Aroostook County on lands owned by the State and uninhabited lands in the unorganized and deorganized areas of the county for the purpose of using the wood or wood fiber for fuel, personal shelter construction or traditional woodcraft production. The bill directs the Commissioner of Agriculture, Conservation and Forestry to adopt rules governing the collection and harvesting of wood or wood fiber by members of the Houlton Band of Maliseet Indians.

LD 335 An Act To Restrict the Sale of Dogs and Cats in Pet Shops Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MONAGHAN GERZOFKY	OTP-AM ONTP	H-275

This bill prohibits a pet shop from selling cats or dogs that have not been born and raised in the pet shop. The prohibition does not apply to a public or private charitable nonprofit animal shelter, humane society or animal rescue organization, a pet shop where a dog or cat owned by a public or private organization excepted by the law is being offered for adoption or a pet shop that is selling a cat or dog that was born and raised by the owner of the pet shop in a separate facility. The bill provides that the penalty for violating these provisions is \$2,500 and potential revocation of the pet shop's license.

Committee Amendment "A" (H-275)

This amendment, which is the majority report, replaces the bill. The amendment creates a process whereby pet shops are required to attest in writing as to the origin of a cat or dog, which may come only from a public or private charitable nonprofit animal shelter, humane society or animal rescue organization. The amendment provides an exception for existing pet shops, who may also sell or otherwise dispose of a cat or dog from a breeder if the breeder meets certain conditions and the existing pet shop attests to the origin in writing. The amendment also reduces the penalty for a violation from \$2,500 to \$500.

LD 388 An Act Regarding Timber Harvesting on Land Managed by the Bureau of Parks and Lands Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN J	OTP-AM	H-297

This bill prohibits the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands from contracting for timber harvesting on land under its management if the contractor uses persons employed under the federal labor certification process for employment of foreign workers in logging for that purpose.

Committee Amendment "A" (H-297)

Joint Standing Committee on Agriculture, Conservation and Forestry

This amendment strikes and replaces the bill. The amendment limits timber harvesting on public reserved lands and nonreserved public lands to an average of 141,500 cords per year over any two-year period, which is the sustainable harvesting level determined by an independent timber inventory conducted in 2012. The amendment allows the Department of Agriculture, Conservation and Forestry by rule, based on an independent timber inventory conducted after July 1, 2015, to establish a different sustainable harvest level. The rules are major substantive rules and must be reviewed by the joint standing committee of the Legislature having jurisdiction over public reserved and nonreserved lands matters.

LD 389 An Act Relating to the Sale of Hypodermic Apparatuses

PUBLIC 27

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHAW EDGECOMB P	OTP	

This bill clarifies that an agricultural supply store may furnish or sell, without limit in number, hypodermic apparatuses to a livestock owner and that the sale by the agricultural supply store and the possession by the person who owns livestock expressly fall within the exceptions to the laws restricting possession and furnishing of hypodermic apparatuses.

Enacted Law Summary

Public Law 2015, chapter 27 clarifies that an agricultural supply store may furnish or sell, without limit in number, hypodermic apparatuses to a livestock owner and that the sale by the agricultural supply store and the possession by the person who owns livestock expressly fall within the exceptions to the laws restricting possession and furnishing of hypodermic apparatuses.

LD 414 An Act To Remove Certain Exemptions to the Laws Concerning Tree Specialists

ONTP

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

This bill eliminates the arborist licensing exemption for highway contractors, subcontractors and their employees who remove trees during the performance of contracts for the construction or maintenance of highways and general contractors who remove interfering shade or ornamental trees or interfering parts of shade or ornamental trees in the conduct of their regular business. This bill also increases the penalty for violating a provision of the laws regarding arborists from up to \$500 per day to up to \$1,000 per day but provides for a warning for a first offense.

LD 456 An Act To Include Nonalcoholic Malt Beverages in the List of Exempt Products in the Law Regarding the Labeling of Genetically Engineered Products

PUBLIC 118

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

This bill exempts nonalcoholic malt beverages from the disclosure requirements of the laws regulating the labeling of genetically engineered products.

Enacted Law Summary

Joint Standing Committee on Agriculture, Conservation and Forestry

Public Law 2015, chapter 118 exempts nonalcoholic malt beverages from the disclosure requirements of the laws regulating the labeling of genetically engineered products.

LD 457 An Act To Redistribute the Agricultural Fair Support Fund INDEF PP

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

This bill requires that slot machine revenue from the casino located in Oxford County and credited to the Agricultural Fair Support Fund be distributed only to agricultural fairs licensed to accept wagers on harness racing and not to commercial tracks. Current law divides slot machine revenue credited to the Agricultural Fair Support Fund between commercial harness racing tracks and agricultural fairs licensed to accept wagers on harness racing.

This bill was not referred to a committee.

LD 533 An Act To Ensure Humane Conditions for Egg-laying Poultry ONTP

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

This bill provides for humane space standards for all egg-laying poultry that allow the poultry to move freely, with exceptions for specific circumstances.

LD 546 An Act To Assist Individuals To Obtain a Permit To Grow and Sell Water Spinach ONTP

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

This bill requires the Department of Agriculture, Conservation and Forestry to provide information about the proper process for obtaining a federal permit to individuals seeking to grow and sell water spinach in Maine.

LD 547 An Act Regarding Service Dogs ONTP

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

This bill requires an individual registering a service dog to present to the municipal clerk a letter signed by a physician, psychologist, physician assistant or nurse practitioner indicating that the individual or a member of the individual's household requires the service dog and a certification or other document indicating that the service dog has completed training from an established service animal training organization or has been evaluated by a certified animal trainer and found to have a sound temperament suitable for a service dog. The bill also requires the Department of Agriculture, Conservation and Forestry to ensure that a service dog registration tag clearly indicates that the dog is a service animal and to devise a method of ensuring that a service dog's registration tag is visible to

Joint Standing Committee on Agriculture, Conservation and Forestry

the public.

LD 598 An Act To Strengthen the Maine Agriculture Protection Act

PUBLIC 145

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TIMBERLAKE MASON	OTP-AM	H-200

This bill ensures that agricultural composting operations are included in all sections of the Maine Agriculture Protection Act, also commonly known as the right-to-farm law, that protect farms and farm operations.

Committee Amendment "A" (H-200)

This amendment adds manure and compost to the definition of "agricultural products," which is defined for the Maine Agriculture Protection Act.

Enacted Law Summary

Public Law 2015, chapter 145 ensures that agricultural composting operations are included in all sections of the Maine Agriculture Protection Act, also commonly known as the right-to-farm law, that protect farms and farm operations. In addition, it adds manure and compost to the definition of "agricultural products," which is defined for the Maine Agriculture Protection Act.

LD 653 An Act To Increase Consumption of Maine Foods in All State Institutions

ONTP

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

This bill establishes a schedule for the current law that requires state and school purchasers to buy meat, fish, dairy products, excluding milk and eggs, and species of fruits and fresh vegetables directly from Maine food producers or food brokers. The bill establishes a minimum percentage of Maine foodstuffs that must be purchased, requiring at least 15 percent by December 31, 2021, at least 20 percent by December 31, 2026, at least 25 percent by December 31, 2036 and at least 35 percent by December 31, 2037. The bill exempts from the requirements school purchasers at schools participating in the National School Lunch Program. The bill requires competitive bidding when more than one producer, broker or wholesaler can supply a given foodstuff. The bill also strikes the language in current law that excludes milk and eggs from this requirement.

LD 656 An Act To Enhance Forest Ranger Safety

ONTP

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

This bill:

1. Repeals two provisions of Public Law 1999, chapter 352 that require the Commissioner of Conservation to sell all bulletproof vests, firearms and related equipment and that prohibit the commissioner from purchasing bulletproof vests, firearms or related equipment without specific authorization by the Legislature;

Joint Standing Committee on Agriculture, Conservation and Forestry

2. Requires the Director of the Bureau of Forestry within the Department of Agriculture, Conservation and Forestry to develop and institute a policy that requires all forest rangers to attend and complete a law enforcement training course at the Maine Criminal Justice Academy as a condition of employment. It provides that a forest ranger who has already attended a law enforcement training course at the Maine Criminal Justice Academy is exempt;
3. Requires the state supervisor of the forest protection unit in the Bureau of Forestry and the Director of the Maine Criminal Justice Academy to develop a plan to provide training to forest rangers in the use of firearms, bulletproof vests and other related equipment. The state supervisor is directed to develop a plan to furnish such firearms and equipment to those forest rangers for the performance of their law enforcement duties; and
4. Requires the state supervisor to submit the plan to furnish such firearms and equipment to the Joint Standing Committee on Agriculture, Conservation and Forestry and the Joint Standing Committee on Criminal Justice and Public Safety for review no later than November 1, 2015 and to implement, including furnishing firearms and related equipment, no later than January 1, 2017.

LD 708 An Act To Limit the Use of Pesticides on School Grounds ONTP

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

This bill restricts the use of pesticides on school grounds by allowing pesticide usage only in situations that pose a health threat to a student or staff member, in response to the presence of animals or insects identified as a public health nuisance or on agricultural fields in accordance with the manufacturer's instructions. The bill requires the Commissioner of Education to adopt rules to implement landscaping design that minimizes or avoids the necessity of the use of pesticides on school grounds for new construction of school facilities.

LD 709 An Act Regarding the Regulation of Rabbit Production for Local Consumption ONTP

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

This bill permits rabbit producers to sell rabbit products without inspection at the farm on which the rabbits were raised, at farmers' markets, by delivery to consumers' homes, to community supported agriculture farms with which the rabbit producer has a direct marketing relationship, to locally owned grocery stores and to locally owned restaurants. The bill requires the Commissioner of Agriculture, Conservation and Forestry to adopt rules to establish requirements for the physical facilities and sanitary processes used by rabbit producers whose products are exempt from inspection.

LD 745 An Act To Improve Forest Ranger Safety INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNPHY L WILLETTE	OTP	

Joint Standing Committee on Agriculture, Conservation and Forestry

This bill repeals two provisions of Public Law 1999, chapter 352 that require the Commissioner of Conservation to sell all bulletproof vests, firearms and related equipment and that prohibit the commissioner from purchasing bulletproof vests, firearms or related equipment without specific authorization by the Legislature.

LD 783 RESOLUTION, Proposing an Amendment to the Constitution of Maine CARRIED OVER
To Establish a Right to Food

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

This resolution proposes a constitutional amendment to provide that every individual has a natural and unalienable right to food.

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

LD 791 An Act To Amend the Laws Governing Wind Energy Development Accepted Majority
Permitting (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GIDEON HILL	ONTP OTP-AM	

This bill amends the laws governing the expedited permitting of grid-scale wind energy development by authorizing the Department of Agriculture, Conservation and Forestry, Maine Land Use Planning Commission to add specified places to or remove specified places from the designated wind energy permitting area only if the commission receives the written consent of the owner or owners of the land proposed for addition or removal. The bill repeals the current provision of law governing additions to the area. The bill also changes the terms "expedited permitting area" and "expedited wind energy development" to "designated wind energy permitting area" and "designated wind energy development," respectively.

Committee Amendment "A" (H-375)

This amendment, which is the minority report, adds an appropriations and allocations section to provide funding to the Maine Land Use Planning Commission for rulemaking.

LD 817 An Act Regarding Aerial Pesticide Spray Projects PUBLIC 58

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

This bill repeals notification and reporting provisions for forest insect aerial pesticide spray projects. The bill eliminates provisions related to government pesticide supervisors, spotters and monitors, including the certification, licensing and associated reporting requirements. Other provisions governing notification and reporting requirements for outdoor pesticide applications are contained in the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control rules.

Enacted Law Summary

Joint Standing Committee on Agriculture, Conservation and Forestry

Public Law 2015, chapter 58 repeals notification and reporting provisions for forest insect aerial pesticide spray projects. The bill eliminates provisions related to government pesticide supervisors, spotters and monitors, including the certification, licensing and associated reporting requirements.

**LD 828 An Act To Improve Regulatory Consistency within the Jurisdiction of
the Maine Land Use Planning Commission**

PUBLIC 265

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNPHY L WOODSOME	OTP-AM ONTP	H-374 S-307 SAVIELLO

This bill:

1. Amends the legislative findings of the Maine Wind Energy Act, adding emphasis to public consideration and participation in decisions related to expedited wind energy development siting;
2. Directs the Maine Land Use Planning Commission, through rulemaking, to create a provisional expedited permitting area comprised of unorganized and deorganized areas of the State, which were previously included in the expedited permitting area, with specific exceptions to recognize existing expedited wind energy developments; and
3. Amends the statutory criteria for adding specified places to the expedited permitting area and adds a requirement that a petition to add a specified place to the expedited permitting area must involve a public hearing if written requests for a public hearing are received from five or more persons.

Committee Amendment "A" (H-374)

This amendment, which is the majority report of the committee, replaces the bill. It amends the laws governing expedited permitting of wind energy development in the Maine Revised Statutes, Title 35-A, chapter 34-A. It makes the following changes to current law.

1. It provides the Maine Land Use Planning Commission with the authority to remove, by rule, a specified place within the unorganized and deorganized areas from the expedited permitting area.
2. It provides that the Maine Land Use Planning Commission is not required to provide notice to the Legislature when it adopts a rule to remove a specified place from the expedited permitting area.
3. It amends existing definitions, adds new definitions and provides corresponding cross-references in Title 12 and in the public law that enacted Title 35-A, chapter 34-A to the new removal process.

House Amendment "A" To Committee Amendment "A" (H-393)

This amendment adds a requirement for notice and public hearing on a petition to remove a specified place from the expedited permitting area and requires the Maine Land Use Planning Commission to determine whether the specified place meets the existing requirements for additions to the expedited permitting area. This amendment also reduces the percentage of resident voters who must sign a petition seeking removal of a specified place from the expedited permitting area from 50 percent, as proposed in Committee Amendment "A," to 10 percent.

This amendment was not adopted.

Senate Amendment "A" To Committee Amendment "A" (S-307)

This amendment establishes consistency between the review processes for adding and removing specified places from the expedited permitting area. The amendment also establishes that when 10 percent, instead of 50 percent as in the committee amendment, of the registered voters in a township, plantation or municipality that voted in the

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most recent gubernatorial election petition for removal of a specified place in the unorganized and deorganized areas from the expedited permitting area, after the required notice, if no person requests substantive review of the petition the specified place must be removed. If review is requested, there must be an opportunity for public comment and, if requested by five or more persons, a public hearing. The Maine Land Use Planning Commission may recover the actual cost of a requested review of a petition from the person making the request. When conducting substantive review of a petition for removal, the commission must grant the petition and remove the specified place from the expedited permitting area if the commission determines the removal will not have an unreasonable adverse effect on the State's ability to meet its goals for wind energy development and is consistent with the principal values and the goals of the commission's comprehensive land use plan. The amendment removes the requirement that all signers of a petition must be permanent residents of the township, plantation or municipality, extends the deadline by which petitions may be filed to June 30, 2016 and establishes an effective date of the legislation of January 1, 2016.

Enacted Law Summary

Public Law 2015, chapter 265 amends the laws governing expedited permitting of wind energy development in the Maine Revised Statutes, Title 35-A, chapter 34-A, as follows:

1. It adds new definitions for "specified place" and "unorganized and deorganized areas;"
2. It provides the Maine Land Use Planning Commission with the authority to remove, by rule, a specified place within the unorganized and deorganized areas from the expedited permitting area and establishes consistency between the review processes for adding and removing specified places from the expedited permitting area. It establishes that when 10 percent of the registered voters in a township, plantation or municipality that voted in the most recent gubernatorial election petition for removal of a specified place in the unorganized and deorganized areas from the expedited permitting area, after the required notice, if no person requests substantive review of the petition the specified place must be removed. If review is requested, there must be an opportunity for public comment and, if requested by five or more persons, a public hearing. The Maine Land Use Planning Commission may recover the actual cost of a requested review of a petition from the person making the request. When conducting substantive review of a petition for removal, the commission must grant the petition and remove the specified place from the expedited permitting area if the commission determines the removal will not have an unreasonable adverse effect on the State's ability to meet its goals for wind energy development and is consistent with the principal values and the goals of the commission's comprehensive land use plan;
3. It establishes a deadline by which petitions may be filed to June 30, 2016;
4. It provides that the Maine Land Use Planning Commission is not required to provide notice to the Legislature when it adopts a rule to remove a specified place from the expedited permitting area;
5. It provides corresponding cross-references in Title 12 and in the public law that enacted Title 35-A, chapter 34-A to the new removal process; and
6. It establishes an effective date of January 1, 2016.

LD 839 An Act To Increase Conservation District Funding

PUBLIC 341

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BLACK SAVIELLO	OTP-AM	H-88 S-325 HAMPER

This bill provides ongoing funding of \$200,000 per fiscal year to the Department of Agriculture, Conservation and Forestry for soil and water conservation districts.

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Committee Amendment "A" (H-88)

This amendment incorporates a fiscal note.

Senate Amendment "A" (S-325)

This amendment reduces from \$200,000 per fiscal year to \$70,000 per fiscal year funding to the Department of Agriculture, Conservation and Forestry for soil and water conservation districts.

Enacted Law Summary

Public Law 2015, chapter 341 provides ongoing funding of \$70,000 per fiscal year to the Department of Agriculture, Conservation and Forestry for soil and water conservation districts.

LD 866 An Act To Ensure Efficiency and Safety in the Bureau of Forestry

CARRIED OVER

Sponsor(s)

BURNS
NADEAU

Committee Report

Amendments Adopted

This bill requires the Director of the Bureau of Forestry within the Department of Agriculture, Conservation and Forestry to appoint no fewer than 16 Forest Ranger IIIs, subject to the Civil Service Law, who are each to be armed with a firearm and are selected from forest rangers employed by the bureau. The bill provides that a Forest Ranger III is required to meet the same training, certification and evaluation requirements as a full-time law enforcement officer as established by the department and Board of Trustees of the Maine Criminal Justice Academy. The bill provides that a Forest Ranger III has the same powers and duties as a sheriff or sheriff's deputy to enforce criminal and civil laws, with an emphasis on forestry, natural resource and wildfire protection laws.

This bill requires the director to appoint the state supervisor and no fewer than 32 Forest Ranger IIs, subject to the Civil Service Law, who serve in a role similar to that of current forest rangers and who must be provided ballistic vests and electronic control devices for their safety while performing their duties.

This bill changes the duties of forest rangers to include investigating, planning and implementing measures regarding forest health issues, including the control of invasive forest insect species, and providing support to the units within the bureau that are responsible for forest health and insect disease control. It also changes the duties of forest rangers to include providing assistance in disasters and emergencies, including search and rescue operations.

This bill removes the prohibition of the purchase of firearms, ballistic vests and other firearms-related equipment by the Department of Conservation.

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

LD 870 An Act To Amend the Maine Spruce Budworm Management Laws

PUBLIC 314

Sponsor(s)

DILL
NOON

Committee Report

OTP-AM

Amendments Adopted

S-252
H-466 BLACK

This bill updates the Maine Spruce Budworm Management Act to eliminate outdated language, such as that referring to pesticide spraying, and to add language governing presalvage and salvage harvesting of forest

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stands that have a significant risk of damage from spruce budworm.

Committee Amendment "A" (S-252)

This amendment:

1. Updates the process for regulation of presalvage and salvage harvesting;
2. Establishes additional parameters for the rulemaking process;
3. Establishes penalties for violations;
4. Defines the effect of other laws on presalvage and salvage harvesting; and
5. Adds an appropriations and allocations section.

House Amendment "A" To Committee Amendment "A" (H-466)

This amendment amends Committee Amendment "A" regarding the type of data that may be used to support assessments of risk and vulnerability of a specific forest stand and retains a section removed from the bill regarding the authority of the Department of Agriculture, Conservation and Forestry, Bureau of Forestry to conduct research.

Enacted Law Summary

Public Law 2015, chapter 314 updates the Maine Spruce Budworm Management Act.

Specifically, Public Law 2015, chapter 314:

1. Eliminates outdated language, such as that referring to pesticide spraying;
2. Adds language governing presalvage and salvage harvesting of forest stands that have a significant risk of damage from spruce budworm, including specifications about the type of data that may be used to support assessments of risk and vulnerability of a specific forest stand;
3. Updates the process for regulation of presalvage and salvage harvesting;
4. Establishes additional parameters for the rulemaking process;
5. Establishes penalties for violations; and
6. Defines the effect of other laws on presalvage and salvage harvesting.

LD 872 Resolve, Establishing a Task Force To Ensure Integrity in the Use of Service Animals

**RESOLVE 36
EMERGENCY**

Sponsor(s)

WARD
CUSHING

Committee Report

OTP-AM
ONTP

Amendments Adopted

H-370

This resolve establishes the Study Commission To Ensure Integrity in the Use of Service Animals in order to study training and certification requirements of service animals, methods of disseminating information about service animals to the public and documentation of training and certification of service animals.

Committee Amendment "A" (H-370)

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This amendment, which is the majority report, replaces the resolve. The amendment directs the Commissioner of Agriculture, Conservation and Forestry to convene a task force to ensure integrity in the use of service animals. The amendment establishes the duties of the task force and creates guidelines for its membership, requires the task force to submit a report to the Joint Standing Committee on Agriculture, Conservation and Forestry, and provides the committee with authority to report out a bill based on the report.

Enacted Law Summary

Resolve 2015, chapter 36 directs the Commissioner of Agriculture, Conservation and Forestry to convene a task force to ensure integrity in the use of service animals. The resolve establishes the duties of the task force and creates guidelines for its membership, requires the task force to submit a report to the Joint Standing Committee on Agriculture, Conservation and Forestry, and provides the committee with authority to report out a bill based on the report.

Resolve 2015, chapter 36 was finally passed as an emergency measure effective June 27, 2015.

LD 925 An Act To Promote Small Diversified Farms and Small Food Producers Died On Adjournment

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHAPMAN SAVIELLO	OTP-AM	H-335

This bill facilitates direct sales between Maine farmers and consumers by exempting the following persons from State licensing requirements:

1. Agricultural producers that sell farm food products directly to informed end consumers at a farmers' market, on the farm where the farm food product originated or at the home of the informed end consumer; and
2. Individuals that sell homemade food directly to an informed end consumer at their home, at a farmers' market or at a traditional community social event.

The bill also establishes uniform labeling requirements for the exempted products.

Committee Amendment "A" (H-335)

This amendment redefines "informed end consumer," eliminates farmers' markets from the list of exempted venues, changes the wording of the labeling requirement and requires a sign concerning food allergies to be displayed where sales occur.

LD 938 An Act To Clarify Maine's Fertilizer Quality Control Laws PUBLIC 191

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO HICKMAN	OTP-AM	S-181

This bill reduces by half, from \$1 per ton to 50 cents per ton, the fees collected by the Department of Agriculture, Conservation and Forestry on commercial fertilizer sold in the State. The bill also simplifies and clarifies the restitution process whereby farmers are compensated for deficient fertilizer products.

Committee Amendment "A" (S-181)

Joint Standing Committee on Agriculture, Conservation and Forestry

This unanimous committee amendment:

1. Eliminates the per ton fees collected by the Department of Agriculture, Conservation and Forestry on agricultural liming materials and on commercial fertilizer sold in the State;
2. Increases the per product commercial fertilizer registration fee by \$25;
3. Directs the increase to a separate account to be used for carrying out the Maine Commercial Fertilizer Law and the Maine Agricultural Liming Materials Act; and
4. Requires the submission of an annual report to the joint standing committee of the Legislature having jurisdiction over agricultural matters, which is authorized to report out a bill.

Enacted Law Summary

Public Law 2015, chapter 191 eliminates the per ton fees collected by the Department of Agriculture, Conservation and Forestry on agricultural liming materials and on commercial fertilizer sold in the State, increases the per product commercial fertilizer registration fee by \$25, directs the increase to a separate account to be used for carrying out the Maine Commercial Fertilizer Law and the Maine Agricultural Liming Materials Act and requires the submission of an annual report to the joint standing committee of the Legislature having jurisdiction over agricultural matters, which is authorized to report out a bill. It also simplifies and clarifies the restitution process whereby farmers are compensated for deficient fertilizer products.

**LD 991 An Act To Amend Maine's Genetically Modified Food Products
Labeling Law**

CARRIED OVER

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

This bill makes Maine's genetically modified food products labeling law effective. The bill accomplishes this result by repealing the delayed effective date in the law, which states that the effective date of the law occurs when mandatory labeling of genetically engineered food is adopted by at least five contiguous states including Maine, and by repealing the law's automatic repeal provision, which states the law is repealed if mandatory labeling of genetically engineered food is not adopted by at least five contiguous states including Maine by January 1, 2018.

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

LD 1022 An Act To Protect the Future of Harness Racing

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAREAN DIAMOND	OTP-AM	H-377

This bill removes the provision of law that terminates certain payments of net slot machine income to the Fund to Encourage Racing at Maine's Commercial Tracks when all commercial tracks have obtained a license to operate slot machines. The bill also provides that if a commercial track ceases operation and is not immediately replaced by a commercial track in the same region that is owned by the same owner as the commercial track that ceased operation, all amounts in the fund must be disbursed to the remaining commercial tracks and to agricultural fairs based on days raced during extended meets up to a maximum of 100 days raced during extended meets per year and until such time as a new commercial track begins operation. A commercial track or agricultural fair receives a payment per

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race day equal to the quotient of the amount in the fund divided by 150. Any amount remaining in the fund after payments are made to commercial tracks and agricultural fairs must be transferred to the operating account of the Harness Racing Commission.

This bill was carried over on the Special Appropriations Table to any special or regular session of the 127th Legislature by joint order, S.P. 555.

Committee Amendment "A" (H-377)

This amendment adds a process whereby, in the event of a natural disaster, a commercial track may repair, rebuild or relocate at the discretion of the State Harness Racing Commission. During any time that is granted by the commission to a commercial track to repair, rebuild or relocate, the distribution formula provided in the bill for the distribution of funds from the Fund to Encourage Racing at Maine's Commercial Tracks in the event of a track closure applies.

LD 1023 An Act To Revise the Animal Welfare Laws

PUBLIC 223

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAREAN EDGECOMB P	OTP-AM	H-274

This bill amends the definition of "animal shelter" to include animal rescue and applies that expanded definition to the laws related to animal shelters. The bill repeals the definition of "warrant," as municipal warrants were repealed in Public Law 2009, chapter 343, section 19. The bill transfers the responsibility for the costs of maintaining seized animals from the Department of Agriculture, Conservation, and Forestry to the person who seized the animals. The bill corrects an error made in 2007, when the Legislature changed dog licensing and recording fees in the Maine Revised Statutes, Title 7, section 3923-A but did not change a similar provision in Title 7, section 3942. The bill provides that small animals can be euthanized if sick or injured. The bill repeals the conditional animal shelter license law that was enacted in 2013. The bill also clarifies that a person may not dispose of a deceased domesticated animal on public property or on private property without permission from the landowner.

Committee Amendment "A" (H-274)

This committee amendment, which is the unanimous report of the committee, amends the definition of "animal shelter" to include rescue groups. The word "domesticated" is included in the definitions of "animal shelter" and "rescue group" to ensure that wild animal rescues under the jurisdiction of the Department of Inland Fisheries and Wildlife do not fall under these definitions.

Enacted Law Summary

Public Law 2015, chapter 223 does the following:

1. Amends the definition of "animal shelter" to include rescue groups and includes the word "domesticated" in the definitions of "animal shelter" and "rescue group" to ensure that wild animal rescues under the jurisdiction of the Department of Inland Fisheries and Wildlife do not fall under these definitions;
2. Repeals the definition of "warrant," as municipal warrants were repealed in Public Law 2009, chapter 343, section 19;
3. Transfers the responsibility for the costs of maintaining seized animals from the Department of Agriculture, Conservation and Forestry to the person who seized the animals;
4. Corrects an error made in 2007, when the Legislature changed dog licensing and recording fees in the Maine

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Revised Statutes, Title 7, section 3923-A but did not change a similar provision in Title 7, section 3942;

- 5. Provides that small animals can be euthanized if sick or injured;
- 6. Rpeals the conditional animal shelter license law that was enacted in 2013; and
- 7. Clarifies that a person may not dispose of a deceased domesticated animal on public property or on private property without permission from the landowner.

LD 1024 An Act To Preserve Agricultural Fairs

Died Between Houses

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

This bill directs off-track betting facilities first licensed after January 1, 2015 to distribute funds at rates different from those distributed by off-track betting facilities first licensed before January 1, 2015. The bill allows owners of facilities licensed before January 1, 2015 to open new facilities. The bill also changes the market area regarding the location of an off-track betting facility from within 50 miles of the center of a racetrack betting facility to within 35 miles and repeals the law allowing licensees of off-track betting facilities that were licensed and open for business before April 1, 2000 and that have a market area with a population of less than 50,000 persons to distribute funds at a reduced rate.

This bill was not referred to a committee.

LD 1041 An Act To Restore Farmlands and Improve Watersheds

Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOHNSON HICKMAN	OTP-AM ONTP	

This bill establishes the Farmland Restoration Program, establishes a framework for the program, establishes the Farmland Restoration Fund and gives the Department of Agriculture, Conservation and Forestry authority to adopt rules to implement the program.

Committee Amendment "A" (S-128)

This amendment, which is the majority report, adds an appropriations and allocations section to the bill.

LD 1089 An Act To Amend the Laws Governing Agriculture by Expanding the Powers of the Commissioner of Agriculture, Conservation and Forestry

ONTP

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

This bill authorizes the Commissioner of Agriculture, Conservation and Forestry to acquire, purchase and lease property for and on behalf of the State.

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LD 1098 An Act To Protect Children from Exposure to Pesticides

ONTP

Sponsor(s)

CHIPMAN

Committee Report

ONTP

Amendments Adopted

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

The bill proposes to extend laws and rules regarding pesticides in schools and on school grounds to other areas when children are present.

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

CARRIED OVER

Sponsor(s)

BLACK
SAVIELLO

Committee Report

OTP-AM

Amendments Adopted

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 cent fee on every container of consumer packaged pesticides, with some exceptions.

Committee Amendment "A" (H-458)

This amendment, which replaces the bill, includes the provisions in the bill creating 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 cent fee on every container of consumer packaged pesticides, with some exceptions.

In addition, the amendment establishes that the fund may not be used to pay for any administrative costs incurred by the University of Maine or by the University of Maine Cooperative Extension. It also provides that retailers may retain three cent of the 20 cent fee in order to help offset the costs of collection. It establishes that the Board of Pesticides Control must, by rule, establish the universe of products upon which a fee will be imposed and the types of products that are exempted from the fee. It expands the Board of Pesticides Control's responsibilities and provides that a report be submitted biennially to the joint standing committee of the Legislature having jurisdiction over pest management matters, which has authority to report out a bill implementing changes to this program upon receipt of the report.

The amendment also adds an appropriations and allocations section.

Senate Amendment "A" To Committee Amendment "A" (S-313)

This amendment decreases the pesticide container fee proposed under Committee Amendment "A" to 10 cents per container and removes the exemption from the fee for packages sold by retail stores of less than 7,000 square feet of space. The amendment repeals the pesticide container fee on May 1, 2017. The Commissioner of Agriculture, Conservation and Forestry is given administrative control over the Animal and Plant Disease and Insect Control Fund after that date and provided the authority to disburse the funds to the University of Maine Cooperative

Joint Standing Committee on Agriculture, Conservation and Forestry

LD 1151 An Act To Prevent the Infestation of Firewood by Invasive Species

**Died Between
Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCABE SAVIELLO	OTP-AM ONTP	

This bill directs the Commissioner of Agriculture, Conservation and Forestry to create a firewood emergency response group to respond to reports of infestation of firewood by invasive species and creates the Firewood Infestation Education Fund to educate the public regarding and promote public awareness of the dangers of infestation through the importation of firewood into the State.

Committee Amendment "A" (H-276)

This amendment, which is the majority report, moves the allocation of the statutory provisions of the bill from the Maine Revised Statutes, Title 7 to Title 12, establishes the number of individuals who may serve on the firewood emergency response group and clarifies the nature of the annual meeting to be held by the response group. The amendment also adds an appropriations and allocations section.

LD 1169 RESOLUTION, Proposing an Amendment to the Constitution of Maine To Permit 25 Acres or Less To Be Withdrawn from Taxation as Timberland and Woodland without Penalty

**Accepted Majority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS SKOLFIELD	ONTP OTP-AM	

This resolution proposes to amend the Constitution of Maine to permit a person to withdraw 25 acres or less of timberland and woodland from current use valuation without incurring a penalty.

Committee Amendment "A" (S-102)

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

LD 1178 An Act To Implement the Recommendations of the Maple Syrup Task Force

CARRIED OVER

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

This bill establishes the Maine Maple Promotion Board and creates its basic structure, core functions and duties.

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

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LD 1247 An Act To Release a Restriction on 2 Parcels of Former State Land in Greenbush Currently Owned by Anita P. Haskell

P & S 7

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUCHESNE SAVIELLO	OTP	

This bill rescinds the statutory restriction of only agricultural or forestry purposes on two parcels of former state land in Greenbush currently owned by Anita P. Haskell and directs the Department of Agriculture, Conservation and Forestry to issue a deed to each parcel to Anita P. Haskell releasing the restriction on those parcels. Anita P. Haskell and the Department of Agriculture, Conservation and Forestry are required to agree that the State must be held harmless regarding any and all claims related to the property and the ownership of the property by the State and any previous owners. It also requires that the release of the deed restriction and hold harmless clause become part of the deed and bind all successors in title. The bill also requires that Anita P. Haskell pay all legal costs associated with the release of the deed restriction and the hold harmless agreement. The bill also requires, pursuant to the Constitution of Maine, an affirmative vote of two-thirds of the members of the Legislature.

Enacted Law Summary

Private and Special Law 2015, chapter 7 rescinds the statutory restriction of only agricultural or forestry purposes on two parcels of former state land in Greenbush currently owned by Anita P. Haskell and directs the Department of Agriculture, Conservation and Forestry to issue a deed to each parcel to Anita P. Haskell releasing the restriction on those parcels. Anita P. Haskell and the Department of Agriculture, Conservation and Forestry are required to agree that the State must be held harmless regarding any and all claims related to the property and the ownership of the property by the State and any previous owners. It requires that the release of the deed restriction and hold harmless clause become part of the deed and bind all successors in title. It also requires that Anita P. Haskell pay all legal costs associated with the release of the deed restriction and the hold harmless agreement.

LD 1284 An Act To Expand the Local Foods Economy

Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOHNSON HICKMAN	ONTP OTP-AM	

This bill requires the Department of Agriculture, Conservation and Forestry to administer programs to support the expansion and coordination of the use of fresh Maine foods in aggregated and institutional markets, including school food service programs. The Department of Agriculture, Conservation and Forestry is directed to provide grants under the agricultural development grant program for the purpose of conducting market feasibility studies and developing business plans for local food infrastructure operations in Maine to connect and enhance relationships between fresh food producers in Maine and aggregated and institutional markets, including school food service programs, and food purveyors. The Commissioner of Agriculture, Conservation and Forestry may not award a local foods grant unless the applicant provides matching funds in an amount that is no less than 50 percent of the grant amount. The department is also directed to provide loans under the Agricultural Marketing Loan Fund to applicants in diverse geographic areas in the State for the purpose of establishing local food infrastructure operations located in Maine. Prior to awarding a local food infrastructure loan, the Commissioner of Agriculture, Conservation and Forestry is required to determine that the potential overall impact of a proposal on Maine's agricultural economy and industry is beneficial to and in the best interest of the State. The bill also establishes the Maine Food Infrastructure Advisory Committee, which includes representatives of statewide and regional organizations involved in supporting agriculture, public health, the environment and the state economy, including

Joint Standing Committee on Agriculture, Conservation and Forestry

representatives of the member entities of the farm-to-school work group established by Resolve 2009, chapter 106.

Committee Amendment "A" (S-239)

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

LD 1291 An Act To Promote Food Self-sufficiency for the People of the State

PUBLIC 347

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HICKMAN SAVIELLO	OTP-AM	H-447 S-330 HAMPER

This bill:

1. Directs the Department of Agriculture, Conservation and Forestry, in coordination with various state agencies, to develop and administer an agricultural jobs network linking farms and facilities that process agricultural products grown in the State with available workers who are involved in farming or a local food industry or who are required to perform community service;
2. Directs the department, in coordination with various state agencies, to develop an educational marketing campaign to promote food self-sufficiency by encouraging the public to grow gardens, to raise farm animals and to preserve garden-grown food
3. Requires the department, to the extent practicable, to purchase food grown, harvested, prepared, processed or produced in the State when purchasing food for an emergency or supplemental food program for elderly or low-income persons; and
4. Grants municipalities, notwithstanding any provision of law to the contrary, the authority to regulate by ordinance the direct producer-to-customer exchange of all food grown, harvested, prepared, processed or produced in the municipality.

Committee Amendment "A" (H-447)

This amendment strikes language from the bill that allows a municipality to regulate by ordinance the direct producer-to-customer exchange of all food grown, harvested, prepared, processed or produced in the municipality.

The amendment clarifies the intent of the bill by requiring the Department of Agriculture, Conservation and Forestry to use existing programs and resources in carrying out the provisions of the bill.

The amendment also adds an appropriations and allocations section.

Senate Amendment "A" To Committee Amendment "A" (S-330)

This amendment replaces the appropriations and allocations section to reduce funding related to a part-time Planning and Research Assistant position.

Enacted Law Summary

Public Law 2015, chapter 347 directs the Department of Agriculture, Conservation and Forestry, in coordination with various state agencies, to develop and administer an agricultural jobs network linking farms and facilities that process agricultural products grown in the State with available workers who are involved in farming or a local food industry or who are required to perform community service and to develop an educational marketing campaign to promote food self-sufficiency by encouraging the public to grow gardens, to raise farm animals and to preserve garden-grown food. This bill also requires the department, to the extent practicable, to purchase food grown,

Joint Standing Committee on Agriculture, Conservation and Forestry

harvested, prepared, processed or produced in the State when purchasing food for an emergency or supplemental food program for elderly or low-income persons.

LD 1326 An Act To Require Labeling of All Genetically Modified Products

CARRIED OVER

Sponsor(s)

BURNS

Committee Report

Amendments Adopted

This bill makes the following changes to Maine's Genetically Modified Food Products Labeling Law.

1. It defines "genetically modified product," which includes genetically engineered seed stock, products from animals fed genetically engineered food and medicines that were manufactured with genetically engineered plants or animals to the laws regarding the labeling of genetically engineered products.
2. It requires the disclosure of genetic engineering of food, seed stock, products from animals fed genetically engineered food or medicines that were manufactured with genetically engineered plants or animals beginning January 1, 2017.
3. It provides that food, seed stock, products from animals fed genetically engineered food and medicines for which the disclosure is not made are considered to be misbranded and subject to the sanctions for misbranding.
4. It removes exemptions for products produced without knowledge that the products, or items used in their production, were genetically engineered; animal products derived from an animal that was not genetically engineered but was fed genetically engineered food; and products with only a minimum content produced by genetic engineering.
5. It removes the exemption from disclosure requirements as regards restaurants, alcoholic beverages or medical food.
6. It increases the penalties for nondisclosure and misbranding to a Class E crime for the first offense and a Class D crime for the second and subsequent offenses.
7. It repeals the contingent effective date established by Public Law 2013, chapter 436, section 2, subsection 1.

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

LD 1376 An Act To Establish a Local Food Producers and Processors to Consumers Pilot Program

**Died On
Adjournment**

Sponsor(s)

LANGLEY
WARD

Committee Report

OTP-AM

Amendments Adopted

S-284

This bill establishes the Local Food Producers and Processors to Consumers Pilot Program. The pilot program exempts local producers and processors in the towns of Blue Hill, Brooksville, Penobscot, Sedgwick and Brooklin, all of which have adopted local food self-governance ordinances, from all state licensure and inspection requirements with respect to the production and processing of local foods for sale directly to consumers. The pilot program is repealed in 2022.

Joint Standing Committee on Agriculture, Conservation and Forestry

The bill requires the Department of Agriculture, Conservation and Forestry to submit an annual report on the pilot program to the joint standing committee of the Legislature having jurisdiction over agricultural matters including any assessment of or comments about the pilot program provided by interested persons, including producers, processors and consumers participating in the pilot program. Upon receipt of the report, the committee may report out a bill relating to the pilot program.

Committee Amendment "A" (S-284)

This amendment provides that the Department of Agriculture, Conservation and Forestry is only required to take certain actions to assist local food producers and processors upon the request of the eligible producers and processors. The amendment also adds an appropriations and allocations section.

LD 1408	Resolve, Regarding Legislative Review of Portions of Chapter 21: Statewide Standards for Timber Harvesting and Related Activities in Shoreland Areas, a Late-filed Major Substantive Rule of the Department of Agriculture, Conservation and Forestry, Bureau of Forestry	RESOLVE 26 EMERGENCY
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<u>Sponsor(s)</u>	<u>Committee Report</u> OTP	<u>Amendments Adopted</u>
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This resolve provides for legislative review of portions of Chapter 21: Statewide Standards for Timber Harvesting and Related Activities in Shoreland Areas, a major substantive rule of the Department of Agriculture, Conservation and Forestry, Bureau of Forestry that was filed outside the legislative rule acceptance period.

Enacted Law Summary

Resolve 2015, chapter 26 provides that final adoption of portions of Chapter 21: Statewide Standards for Timber Harvesting and Related Activities in Shoreland Areas, a provisionally adopted major substantive rule of the Department of Agriculture, Conservation and Forestry, Bureau of Forestry that has been submitted to the Legislature for review pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A outside the legislative rule acceptance period, is authorized.

Resolve 2015, chapter 26 was finally passed as an emergency measure effective June 16, 2015.

LD 1424	Resolve, Authorizing Certain Land Transactions by the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands	RESOLVE 29
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<u>Sponsor(s)</u> HICKMAN	<u>Committee Report</u> OTP-AM	<u>Amendments Adopted</u> H-407 H-422 HICKMAN
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This resolve provides for the following.

1. It allows the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry to dispose of the bureau's minority interests in lands adjacent to the bureau's Scapan Public Reserved Lands Unit in Aroostook County in exchange for interests of comparable value, including all minority interests held by others in the bureau's Scapan Public Reserved Lands Unit.
2. It allows the director to convey lands along the Southern Bangor and Aroostook Rail Trail in the Town of Westfield to an abutter, Smith's Farms, Inc. This conveyance is in exchange for a newly developed trail corridor,

Joint Standing Committee on Agriculture, Conservation and Forestry

located on Smith's Farm property between the existing rail trail and the Prestile Stream, averaging 99 feet wide and being approximately 2,400 feet in length, or 5.47 acres.

3. It allows the director to convey an approximately 320-acre parcel in T.24 MD BPP in Washington County in exchange for a parcel of comparable size and value. Cherryfield Foods, Inc. will acquire state lands on which it formerly held a lease for blueberry production, which are surrounded by other lands owned and managed by Cherryfield Foods, Inc.; and in exchange the bureau will acquire an approximately 320-acre wooded parcel abutting Mopang Stream, with deeded access.
4. It allows the director to exchange a small parcel of land on Aziscohos Lake, a discontinued 0.4-acre leased camp lot on public reserved lands, for a 3.5-acre parcel of land with a small amount of frontage on Lower Richardson Lake, currently used as a boat launch.
5. It allows the director to convey the bureau's minority interest to the majority interest family owners of two acre lots on Scopan Lake for fair market value. These lots, which are located on the south shore of the lake, are not within the bureau's Scopan Public Reserved Lands Unit.
6. It allows the director to convey Halfway Rock Island to the United States General Services Administration or its assignee for fair market value.

Committee Amendment "A" (H-407)

This committee amendment clarifies that the property or other consideration received from Prentiss and Carlisle Company, Inc. and Prentiss and Carlisle Management Company must be of equivalent value to the interests in land conveyed. The amendment also describes in greater detail the land that must be received from Smith's Farm, Inc. It also adds an emergency preamble and emergency clause.

House Amendment "A" To Committee Amendment "A" (H-422)

This amendment removes the emergency preamble and emergency clause as added by the committee amendment.

Enacted Law Summary

Resolve 2015, chapter 29 provides the following:

1. It allows the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry to dispose of the bureau's minority interests in lands adjacent to the bureau's Scopan Public Reserved Lands Unit in Aroostook County in exchange for interests of comparable value, including all minority interests held by others in the bureau's Scopan Public Reserved Lands Unit.
2. It allows the director to convey lands along the Southern Bangor and Aroostook Rail Trail in the Town of Westfield to an abutter, Smith's Farms, Inc. This conveyance is in exchange for a newly developed trail corridor, located on Smith's Farm property between the existing rail trail and the Prestile Stream, averaging 99 feet wide and being approximately 2,400 feet in length, or 5.47 acres.
3. It allows the director to convey an approximately 320-acre parcel in T.24 MD BPP in Washington County in exchange for a parcel of comparable size and value. Cherryfield Foods, Inc. will acquire state lands on which it formerly held a lease for blueberry production, which are surrounded by other lands owned and managed by Cherryfield Foods, Inc.; and in exchange the bureau will acquire an approximately 320-acre wooded parcel abutting Mopang Stream, with deeded access.
4. It allows the director to exchange a small parcel of land on Aziscohos Lake, a discontinued 0.4-acre leased camp lot on public reserved lands, for a 3.5-acre parcel of land with a small amount of frontage on Lower Richardson Lake, currently used as a boat launch.

Joint Standing Committee on Agriculture, Conservation and Forestry

5. It allows the director to convey the bureau's minority interest to the majority interest family owners of two acre lots on Scopan Lake for fair market value. These lots, which are located on the south shore of the lake, are not within the bureau's Scopan Public Reserved Lands Unit.

6. It allows the director to convey Halfway Rock Island to the United States General Services Administration or its assignee for fair market value.

Joint Standing Committee on Agriculture, Conservation and Forestry

SUBJECT INDEX

Agricultural Development

Enacted

LD 598 An Act To Strengthen the Maine Agriculture Protection Act PUBLIC 145

Not Enacted

LD 304 An Act To Support Marketing of Maine's Farms and Fisheries ONTP

LD 1041 An Act To Restore Farmlands and Improve Watersheds Died Between Houses

Animal Welfare

Enacted

LD 1023 An Act To Revise the Animal Welfare Laws PUBLIC 223

Not Enacted

LD 335 An Act To Restrict the Sale of Dogs and Cats in Pet Shops Veto Sustained

LD 533 An Act To Ensure Humane Conditions for Egg-laying Poultry ONTP

Department of Agriculture, Conservation and Forestry

Not Enacted

LD 39 Resolve, To Require a Review of the Merger That Resulted in the Department of Agriculture, Conservation and Forestry ONTP

LD 1089 An Act To Amend the Laws Governing Agriculture by Expanding the Powers of the Commissioner of Agriculture, Conservation and Forestry ONTP

Fertilizer

Enacted

LD 938 An Act To Clarify Maine's Fertilizer Quality Control Laws PUBLIC 191

Not Enacted

LD 207 An Act To Amend the Maine Commercial Fertilizer Law and the Maine Agricultural Liming Materials Act ONTP

Food Policy

Enacted

LD 456	An Act To Include Nonalcoholic Malt Beverages in the List of Exempt Products in the Law Regarding the Labeling of Genetically Engineered Products	PUBLIC 118
LD 1291	An Act To Promote Food Self-sufficiency for the People of the State	PUBLIC 347

Not Enacted

LD 229	An Act To Exempt Small Raw Milk Producers from Licensing Requirements	ONTP
LD 312	An Act To Allow the Sale of Unregulated Farm-produced Dairy Products at the Site of Production	Died Between Houses
LD 653	An Act To Increase Consumption of Maine Foods in All State Institutions	ONTP
LD 709	An Act Regarding the Regulation of Rabbit Production for Local Consumption	ONTP
LD 783	RESOLUTION, Proposing an Amendment to the Constitution of Maine To Establish a Right to Food	CARRIED OVER
LD 925	An Act To Promote Small Diversified Farms and Small Food Producers	Died On Adjournment
LD 991	An Act To Amend Maine's Genetically Modified Food Products Labeling Law	CARRIED OVER
LD 1284	An Act To Expand the Local Foods Economy	Died Between Houses
LD 1326	An Act To Require Labeling of All Genetically Modified Products	CARRIED OVER
LD 1376	An Act To Establish a Local Food Producers and Processors to Consumers Pilot Program	Died On Adjournment

Harness Racing

Not Enacted

LD 457	An Act To Redistribute the Agricultural Fair Support Fund	INDEF PP
LD 1022	An Act To Protect the Future of Harness Racing	CARRIED OVER
LD 1024	An Act To Preserve Agricultural Fairs	Died Between Houses

Land Use Planning Commission

Enacted

LD 828	An Act To Improve Regulatory Consistency within the Jurisdiction of the Maine Land Use Planning Commission	PUBLIC 265
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Not Enacted

LD 791	An Act To Amend the Laws Governing Wind Energy Development Permitting	Majority (ONTP) Report
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Maine Forest Service

Not Enacted

LD 656	An Act To Enhance Forest Ranger Safety	ONTP
LD 745	An Act To Improve Forest Ranger Safety	INDEF PP
LD 866	An Act To Ensure Efficiency and Safety in the Bureau of Forestry	CARRIED OVER

Miscellaneous

Enacted

LD 253	An Act To Improve Permit Oversight for the Cutting of Christmas Trees and Evergreen Boughs	PUBLIC 55
LD 389	An Act Relating to the Sale of Hypodermic Apparatuses	PUBLIC 27
LD 1247	An Act To Release a Restriction on 2 Parcels of Former State Land in Greenbush Currently Owned by Anita P. Haskell	P & S 7
LD 1424	Resolve, Authorizing Certain Land Transactions by the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands	RESOLVE 29

Not Enacted

LD 414	An Act To Remove Certain Exemptions to the Laws Concerning Tree Specialists	ONTP
LD 546	An Act To Assist Individuals To Obtain a Permit To Grow and Sell Water Spinach	ONTP
LD 1105	An Act To Protect Populations of Bees and Other Pollinators	ONTP
LD 1106	An Act To Compensate Beekeepers for Hive Losses	ONTP
LD 1169	RESOLUTION, Proposing an Amendment to the Constitution of Maine To Permit 25 Acres or Less To Be Withdrawn from Taxation as Timberland and Woodland without Penalty	Majority (ONTP) Report
LD 1178	An Act To Implement the Recommendations of the Maple Syrup Task Force	CARRIED OVER

Parks and Public Lands

Not Enacted

LD 316	An Act To Provide a Waiver of Short-term Camping Fees at State-owned Parks, Camping Areas and Beaches for Members of Federally Recognized Indian Tribes in the State	ONTP
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Pest Management

Enacted

LD 870	An Act To Amend the Maine Spruce Budworm Management Laws	PUBLIC 314
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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	CARRIED OVER
LD 1151	An Act To Prevent the Infestation of Firewood by Invasive Species	Died Between Houses

Pesticides

Enacted

LD 202	Resolve, Regarding Legislative Review of Portions of Chapter 22: Standards for Outdoor Application of Pesticides by Powered Equipment in Order To Minimize Off-target Deposition, a Major Substantive Rule of the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control	RESOLVE 5 EMERGENCY
LD 203	Resolve, Regarding Legislative Review of Portions of Chapter 28: Notification Provisions for Outdoor Pesticide Applications, a Major Substantive Rule of the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control	RESOLVE 6 EMERGENCY
LD 817	An Act Regarding Aerial Pesticide Spray Projects	PUBLIC 58

Not Enacted

LD 708	An Act To Limit the Use of Pesticides on School Grounds	ONTP
LD 1098	An Act To Protect Children from Exposure to Pesticides	ONTP

Regulated Products

Enacted

LD 4	An Act To Promote Industrial Hemp	PUBLIC 202 EMERGENCY
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Not Enacted

LD 119	An Act To Allow for the Cultivation of Hemp	ONTP
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Service Dogs

Enacted

LD 872 Resolve, Establishing a Task Force To Ensure Integrity in the Use
of Service Animals RESOLVE 36
EMERGENCY

Not Enacted

LD 547 An Act Regarding Service Dogs ONTP

Soil & Water Conservation Districts

Enacted

LD 839 An Act To Increase Conservation District Funding PUBLIC 341

Timber Harvesting

Enacted

LD 1408 Resolve, Regarding Legislative Review of Portions of Chapter 21:
Statewide Standards for Timber Harvesting and Related Activities
in Shoreland Areas, a Late-filed Major Substantive Rule of the
Department of Agriculture, Conservation and Forestry, Bureau of
Forestry RESOLVE 26
EMERGENCY

Not Enacted

LD 317 An Act To Recognize and Provide for the Right of Access for
Members of the Houlton Band of Maliseet Indians To Certain
Public Lands in Aroostook County for Traditional Uses ONTP

LD 388 An Act Regarding Timber Harvesting on Land Managed by the
Bureau of Parks and Lands Died Between
Houses

STATE OF MAINE
127TH LEGISLATURE
FIRST REGULAR SESSION



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

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

August 2015

MEMBERS:

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SEN. ROGER J. KATZ
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MAUREEN S. DAWSON, PRINCIPAL ANALYST
OFFICE OF FISCAL AND PROGRAM REVIEW
5 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1635

Joint Standing Committee on Appropriations and Financial Affairs

LD 2 An Act To Authorize a General Fund Bond Issue for the Purchase and CARRIED OVER
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 LANGLEY		

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.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 994 as amended by H-504.

LD 16 An Act To Eliminate Retirement Benefits and Paid Health Insurance for Accepted Majority
Legislators Elected after 2016 (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNPHY L BRAKEY	ONTP OTP-AM	

This bill prohibits a legislator elected for the first time after 2016 from being a member of the Legislative Retirement Program, which also removes the legislator from eligibility for a post-retirement state group health plan.

Committee Amendment "A" (H-482)

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

LD 51 An Act To Eliminate the Bonding Authority of the Maine Governmental Accepted Majority
Facilities Authority (ONTP) Report

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

This bill removes the Maine Governmental Facilities Authority's ability to issue bonds or negotiable securities beginning October 1, 2015.

Committee Amendment "A" (H-483)

This amendment incorporates a fiscal note.

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

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

Joint Standing Committee on Appropriations and Financial Affairs

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.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 994 as amended by H-504.

LD 86 An Act To Improve Retirement Security for Retired Public Employees

**PUBLIC 334
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHERMAN	OTP-AM ONTP	H-502

This bill provides a minimum cost-of-living adjustment of 2.55% for benefits received by retired state employees, teachers, judges and legislators for fiscal year 2014-15, fiscal year 2015-16 and fiscal year 2016-17 only.

Committee Amendment "A" (H-502)

This amendment provides a minimum cost-of-living adjustment of 2.55% for benefits received by retired state employees, teachers, judges and legislators for fiscal year 2015-16 and fiscal year 2016-17 only.

Enacted Law Summary

Public Law 2015, chapter 334 provides a minimum cost-of-living adjustment of 2.55% for benefits received by retired state employees, teachers, judges and legislators for fiscal year 2015-16 and fiscal year 2016-17 only.

Public Law 2015, chapter 334 was enacted as an emergency measure effective July 12, 2015.

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

CARRIED OVER

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

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

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 994 as amended by H-504.

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

CARRIED OVER

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

The funds provided by this bond issue, in the amount of \$25,000,000, will be used to fund a grant program to invest in projects along the State's rivers that contribute to economic, environmental and community development and

Joint Standing Committee on Appropriations and Financial Affairs

revitalization, promote economic activity, protect the environment and enhance quality of life for Maine people.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 994 as amended by H-504.

LD 138 An Act To Update References to the United States Internal Revenue Code of 1986 Contained in the Maine Revised Statutes, Decouple Federal Bonus Depreciation Deductions and Create a Maine Capital Investment Credit

**PUBLIC 1
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROTUNDO HAMPER	OTP-AM	H-1

This bill updates references to the United States Internal Revenue Code of 1986 contained in the Maine Revised Statutes, Title 36 to refer to the United States Internal Revenue Code of 1986, as amended through December 31, 2014, for tax years beginning on or after January 1, 2014 and for any prior tax years as specifically provided by the United States Internal Revenue Code of 1986, as amended. This bill primarily affects the State's income tax laws. This bill also decouples Maine individual and corporate income taxes from federal bonus depreciation deductions. In addition, it provides a Maine capital investment credit for taxable years beginning in 2014 with respect to depreciable property placed in service in the State. 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.

Committee Amendment "A" (H-1)

This amendment incorporates a fiscal note.

Enacted Law Summary

Public Law 2015, chapter 1 updates references to the United States Internal Revenue Code of 1986 contained in the Maine Revised Statutes, Title 36 to refer to the United States Internal Revenue Code of 1986, as amended through December 31, 2014, for tax years beginning on or after January 1, 2014 and for any prior tax years as specifically provided by the United States Internal Revenue Code of 1986, as amended. It decouples Maine individual and corporate income taxes from federal bonus depreciation deductions. In addition, it provides a Maine capital investment credit for taxable years beginning in 2014 with respect to depreciable property placed in service in the State. 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.

Public Law 2015, chapter 1 was enacted as an emergency measure effective February 12, 2015.

LD 148 An Act To Adjust Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of the Department of Marine Resources, the Department of Agriculture, Conservation and Forestry, the Department of Environmental Protection and the Baxter State Park Authority for the Fiscal Year ending June 30, 2015

ONTP

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

Joint Standing Committee on Appropriations and Financial Affairs

This bill adjusts appropriations and allocations as follows.

Part A adjusts allocations from the Federal Expenditures Fund and other funds for the expenditures of the Department of Agriculture, Conservation and Forestry for the fiscal year ending June 30, 2015.

Part B adjusts allocations from Other Special Revenue Funds for the expenditures of the Baxter State Park Authority for the fiscal year ending June 30, 2015.

Part C adjusts allocations from the Federal Expenditures Fund and Other Special Revenue Funds for the expenditures of the Department of Environmental Protection for the fiscal year ending June 30, 2015.

Part D adjusts appropriations and allocations from the General Fund and other funds for the expenditures of the Department of Marine Resources for the fiscal year ending June 30, 2015.

Certain provisions of this bill are contained in LD 236 as enacted.

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

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BREEN CAMPBELL R		

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.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 994 as amended by H-504.

LD 194 An Act To Authorize a General Fund Bond Issue To Encourage Access to Workforce Training and Job Creation Died Between Houses

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

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

This bill proposes to authorize a General Fund bond issue to encourage access to workforce training and job creation.

This bill was not referred to a committee.

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LD 211 An Act To Authorize a General Fund Bond Issue To Prepare Maine To Respond to a Disease Outbreak ONTP

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

The funds provided by this bond issue, in the amount of \$10,000,000, will be used to provide an equipment and facilities upgrade for the Department of Health and Human Services, Health and Environmental Testing Laboratory to prepare for the possibility of a disease outbreak.

LD 212 An Act Concerning Cost-of-living Adjustments for Certain Retirees CARRIED OVER

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

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

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

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

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

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.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 994 as amended by H-504.

LD 232 An Act To Adjust Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of the Department of the Attorney General and the Judicial Department for the Fiscal Year Ending June 30, 2015 ONTP

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

Joint Standing Committee on Appropriations and Financial Affairs

This bill adjusts appropriations and allocations from the General Fund and other funds for the expenditures of the Department of the Attorney General and the Judicial Department for the fiscal year ending June 30, 2015. Certain provisions of this bill are contained in LD 236 as enacted.

LD 233 An Act To Adjust Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of the Department of Defense, Veterans and Emergency Management and the Department of Public Safety for the Fiscal Year Ending June 30, 2015 ONTP

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

This bill adjusts appropriations and allocations from the General Fund and other funds for the expenditures of the Department of Defense, Veterans and Emergency Management and the Department of Public Safety for the fiscal year ending June 30, 2015. Certain provisions of this bill are contained in LD 236 as enacted.

**LD 234 An Act Regarding the Mountain View Youth Development Center PUBLIC 320
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROTUNDO HAMPER	OTP-AM	H-489

This bill adjusts appropriations and allocations from the General Fund and other funds for the expenditures of the Department of Administrative and Financial Services; the Commission on Governmental Ethics and Election Practices; the Executive Department, Office of Policy and Management; the Maine Human Rights Commission; the Maine Indian Tribal-State Commission; the Department of Labor; the Department of Professional and Financial Regulation; and the Office of the Treasurer of State for the fiscal year ending June 30, 2015.

Certain provisions of this bill are contained in LD 236 as enacted.

Committee Amendment "A" (H-489)

This amendment strikes the bill and instead allows adult offenders of any age to be housed at the Mountain View Youth Development Center until April 30, 2017 after which only those under 26 years of age may be housed in the adult section. A similar proposal, without the sunset provision, is contained in the Governor's change package to LD 1019 (the biennial budget) but is not included the enacted version of that bill.

Enacted Law Summary

Public Law 2015, chapter 320 allows adult offenders of any age to be housed at the Mountain View Youth Development Center until April 30, 2017 after which only those under 26 years of age may be housed in the adult section.

Public Law 2015, chapter 320 was enacted as an emergency measure effective July 5, 2015.

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LD 236 **An Act To Adjust Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2015, June 30, 2016 and June 30, 2017**

**PUBLIC 16
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROTUNDO HAMPER	OTP-AM	H-27

This bill adjusts appropriations and allocations from the General Fund and other funds for the expenditures of the Department of Health and Human Services and changes certain provisions of the law necessary to the proper operations of State Government for the fiscal year ending June 30, 2015 and authorizes the Department of Health and Human Services to transfer funds between the programs within the Office of Child and Family Services related to the child welfare program.

Committee Amendment "A" (H-27)

This amendment is the unanimous report of the Committee in response to the Governor's proposed supplemental funding bills. It incorporates many of the original proposals of five other supplemental funding bills (LD 148, LD 232, LD 233, LD 234 and LD 576).

Enacted Law Summary

Public Law 2015, chapter 16 does the following.

PART A makes adjustments to appropriations and allocations including adjustments to allocations from the Federal Expenditures Fund and other funds for the expenditures of the Department of Agriculture, Conservation and Forestry, the Department of Environmental Protection and the Department of Marine Resources for the fiscal year ending June 30, 2015.

PART B adjusts appropriations and allocations from the General Fund and other funds for the expenditures of the Department of the Attorney General, the Maine Commission on Indigent Legal Services and the Judicial Department for the fiscal year ending June 30, 2015.

PART C adjusts appropriations and allocations from the General Fund and other funds for the expenditures of the Department of Defense, Veterans and Emergency Management and the Department of Public Safety for the fiscal year ending June 30, 2015.

PART D adjusts appropriations and allocations from the General Fund and other funds for the expenditures of the Department of Administrative and Financial Services; the Commission on Governmental Ethics and Election Practices; the Executive Department, Office of Policy and Management; the Maine Human Rights Commission; the Maine Indian Tribal-state Commission; the Department of Labor; the Department of Professional and Financial Regulation; Maine Public Employees Retirement System; and the Office of the Treasurer of State for the fiscal year ending June 30, 2015.

PART E adjusts appropriations and allocations from the General Fund and other funds for the expenditures of the Department of Health and Human Services for the fiscal year ending June 30, 2015.

PART F adjusts appropriations and allocations from the General Fund and other funds for the expenditures of State Government related to position changes for the fiscal years ending June 30, 2015, June 30, 2016 and June 30, 2017.

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PART G requires the Superintendent of Riverview Psychiatric Center to provide monthly reports that include updates on the number of staff and patient injuries and the use of overtime to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Health and Human Services for the remainder of fiscal year 2014-15. It also requires the State Budget Officer to calculate the amount of General Fund salary savings resulting from filling the Riverview Psychiatric Center positions authorized by this Act later than April 1, 2015 and to transfer those savings to the unappropriated surplus of the General Fund no later than June 30, 2015.

PART H requires the State Controller to transfer \$4,333,751 from the General Fund reserve account for future funding needs to the unappropriated surplus of the General Fund no later than June 30, 2015.

PART I suspends the duties and responsibilities of the members of the State Board of Corrections and prohibits them from performing those duties and responsibilities until July 1, 2015 and requires the Commissioner of Corrections, or the commissioner's designee, to assume the duties of the State Board of Corrections until July 1, 2015 and to distribute fiscal year 2014-15 supplemental payments to support county jail operations. It requires the Department of Corrections to provide administrative support for the operations of the commissioner when the commissioner is acting as the State Board of Corrections and authorizes the commissioner or the commissioner's designee to request the assistance of the Office of the Attorney General and other agencies of the State or the counties whenever necessary. This Part also provides one-time additional appropriations to the State Board of Corrections Operational Support Fund program in fiscal year 2014-15.

PART J repeals Public Law 2013, chapter 595, Part Q, section 1, which requires the Department of Health and Human Services to modify the timing of MaineCare payments to achieve one-time savings in fiscal year 2015.

PART K directs the State Controller to transfer \$500,000 from the Public Utilities Commission Reimbursement Fund to the unappropriated surplus of the General Fund no later than June 30, 2015.

PART L transfers \$1,493,566 from the unappropriated surplus of the General Fund to the Maine Community College System for the costs of collective bargaining agreements for employees of the Maine Community College System that occurred during fiscal year 2013-14 and fiscal year 2014-15.

PART M authorizes year-end All Other balances in the Office of the Secretary of State, Bureau of Administrative Services and Corporations program to carry from fiscal year 2014-15 to fiscal year 2015-16 to be used to upgrade computer software for the boards and commissions program.

PART N provides that the funding for equipment and supplies for the State Police contained in Part C is contingent on additional funding being provided from the Highway Fund.

Public Law 2015, chapter 16 was enacted as an emergency measure effective April 12, 2015.

LD 254 An Act To Authorize a General Fund Bond Issue To Support Waterfront Development CARRIED OVER

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

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. This bill also enacts a grant program for waterfront development, which is modeled after the Riverfront Community Development Program.

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This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 994 as amended by H-504.

LD 271 An Act To Authorize a General Fund Bond Issue for Intermodal Transportation Facilities ONTP

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

The funds provided by this bond issue, in the amount of \$28,000,000, will be used to develop intermodal transportation facilities in the City of Portland to improve the area in which the railway, highway and interstate bus systems intersect.

LD 354 An Act To Authorize a General Fund Bond Issue To Enhance Public Transportation in the Bangor Area CARRIED OVER

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

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.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 994 as amended by H-504.

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

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DILL TIPPING-SPITZ		

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.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 994 as amended by H-504.

LD 386 An Act To Authorize a General Fund Bond Issue To Fund Farmland Restoration CARRIED OVER

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

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The funds provided by this bond issue, in the amount of \$5,000,000, will be used to fund farmland restoration.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 994 as amended by H-504.

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

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

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.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 994 as amended by H-504.

LD 426 An Act To Authorize a General Fund Bond Issue To Address Sea Level CARRIED OVER
Rise

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

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.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 994 as amended by H-504.

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

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

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

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 994 as amended by H-504.

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LD 453 An Act To Authorize a General Fund Bond Issue To Upgrade and Replace Infrastructure of the Maine Public Broadcasting Corporation CARRIED OVER

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

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.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 994 as amended by H-504.

LD 518 An Act To Clarify and Protect Certain Public Service Retirement Benefits CARRIED OVER

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

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

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

LD 522 An Act To Clarify a Recently Enacted Law Designed To Expand the Number of Qualified Educators PUBLIC 321

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BURNS MAKER	OTP-AM	S-310

This bill clarifies that Public Law 2013, chapter 486, which amended the statute to expand the number of qualified educators in the State, applies to classroom teachers and classroom-based employees in the unorganized territory.

Committee Amendment "A" (S-310)

This amendment incorporates a fiscal note.

Enacted Law Summary

Public Law 2015, chapter 321 clarifies that Public Law 2013, chapter 486, which amended the statute to expand the number of qualified educators in the State, applies to classroom teachers and classroom-based employees in the unorganized territory.

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LD 576 An Act To Adjust Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of State Government Related to Position Changes for the Fiscal Years Ending June 30, 2015, June 30, 2016 and June 30, 2017 ONTP

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

This bill adjusts appropriations and allocations from the General Fund and other funds for the expenditures of State Government related to position changes for the fiscal years ending June 30, 2015, June 30, 2016 and June 30, 2017.

Certain provisions of this bill are contained in LD 236 as enacted.

LD 628 An Act To Authorize a General Fund Bond Issue To Invest in Transportation Infrastructure CARRIED OVER

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

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.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 994 as amended by H-504.

LD 654 An Act To Expand the 1998 Special Retirement Plan To Include Detectives in the Office of the Attorney General CARRIED OVER

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

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 that 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.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 994 as amended by H-504.

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

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

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.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 994 as amended by H-504.

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

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

The funds provided by this bond issue, in the amount of \$23,000,00 will be used as follows: 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 ten million dollars to make need-based grants for higher education in Maine through the Maine State Grant Program.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 994 as amended by H-504.

LD 822 An Act To Allow a Former Spouse of a Member of the Maine Public PUBLIC 322
Employees Retirement System To Begin Collecting Benefits When the
Former Spouse Reaches the Member's Retirement Age

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COREY DIAMOND	OTP-AM	H-490

This bill amends the requirements related to a qualified domestic relations order to allow the payment of retirement benefits to an alternate payee before the retirement of a member of the State Employee and Teacher Retirement Program and when the payee reaches the member's normal retirement age.

Committee Amendment "A" (H-490)

This amendment allows the payment of retirement benefits to an alternate payee before the retirement of a member of all retirement plans including the State Employee and Teacher Retirement Program, the Legislative Retirement Program, the Judicial Retirement Program and the Participating Local District Retirement Program.

Enacted Law Summary

Public Law 2015, chapter 322 allows the payment of retirement benefits to an alternate payee before the retirement

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of a member of all retirement plans including the State Employee and Teacher Retirement Program, the Legislative Retirement Program, the Judicial Retirement Program and the Participating Local District Retirement Program.

LD 873 An Act To Authorize a General Fund Bond Issue for Housing for Homeless Veterans CARRIED OVER

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

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.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 994 as amended by H-504.

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

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

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.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 994 as amended by H-504.

LD 924 An Act To Authorize a General Fund Bond Issue To Enhance State Parks CARRIED OVER

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

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.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 994 as amended by H-504.

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LD 927 An Act To Remove the Age Penalty for State Retirees Working at Institutions That Are Closing CARRIED OVER

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

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 of the member 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.

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

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

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

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.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 994 as amended by H-504.

LD 995 An Act To Amend the Laws Governing Participating Local Districts in the Maine Public Employees Retirement System CARRIED OVER

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

This bill restricts the jurisdiction of the Board of Trustees of the Maine Public Employees Retirement System in making final and determining 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.

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

LD 996 An Act To Authorize a General Fund Bond Issue for Food Processing Infrastructure in Rural Areas of the State CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HICKMAN EDGECOMB P		

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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.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 994 as amended by H-504.

LD 998 An Act To Authorize a General Fund Bond Issue To Collect Data on and CARRIED OVER
To Monitor Ocean Acidification

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

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 known 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.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 994 as amended by H-504.

LD 1018 An Act To Make Certain Necessary Appropriations and Allocations CARRIED OVER

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

This bill is a concept draft pursuant to Joint Rule 208. It proposes to make appropriations and allocations necessary for the proper operation of State Government.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 994 as amended by H-504.

LD 1019 An Act Making Unified Appropriations and Allocations for the PUBLIC 267
Expenditures of State Government, General Fund and Other Funds and EMERGENCY
Changing Certain Provisions of the Law Necessary to the Proper
Operations of State Government for the Fiscal Years Ending June 30,
2015, June 30, 2016 and June 30, 2017

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROTUNDO	OTP-AM	H-415
HAMPER	OTP-AM	S-287 HAMPER
		S-288 HAMPER

This bill is the Governor's proposed biennial budget for the 2016-2017 biennium. This bill is a concept draft pursuant to Joint Rule 208.

PART A makes appropriations and allocations of funds for the 2016-2017 biennium.

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PART B makes appropriations and allocations of funds for approved reclassifications and range changes.

PART C establishes the Total Cost of Education from Kindergarten to Grade 12 for fiscal year 2015-16, the state contribution and the annual target state share percentage.

PART D repeals the excise tax on telecommunications equipment and repeals the telecommunications equipment exemption from local property taxation.

PART E removes the full exemption from property taxation on properties owned by certain nonprofit organizations with an assessed value in excess of \$500,000 and reduces the exemption to 50% on the portion of the value in excess of \$500,000.

PART F amends the Maine Resident Homestead Property Tax Exemption to restrict the exemption to residents who are 65 or older and to increase the exemption from \$10,000 to \$20,000 for property tax years beginning on or after April 1, 2015.

PART G phases out and eliminates the Business Equipment Tax Reimbursement (BETR) program and transitions property eligible for the BETR program as of April 1, 2015 into the Business Equipment Tax Exemption (BETE) program.

PART H does the following: 1) extends the current tax rates past the current sunset date of June 30, 2015 to December 31, 2015, and sets new rates effective January 1, 2016; 2) extends the sales and use tax to consumer purchases of various new services effective January 1, 2016; 3) changes the sales and use tax law as it applies to leases so that the tax must be collected on the "lease stream" effective January 1, 2016; 4) enacts a collection allowance in order to compensate retailers for the administrative costs involved in charging, collecting and remitting the sales tax; and 5) makes various other related changes.

PART I amends the service provider tax in order to increase the rate effective January 1, 2016; expands the tax to basic cable and satellite television services, including radio services; provides for the taxation of interstate and international telephone services sold to non-business customers; and makes other changes consistent with the changes to the sales and use tax law made by Part E.

PART J increases the exclusion amounts for estates of decedent dying in calendar year 2016 to the amount estimated to be the federal exclusion for the estates of 2016 decedents and eliminates the Maine estate tax for decedents dying on or after January 1, 2017.

PART K does the following: 1) repeals the provision of law requiring Maine Revenue Services to provide for the assignment of income tax refunds on income tax returns to the NextGen college tuition program administered by the Finance Authority of Maine; 2) reduces the individual income tax rates over four years; 3) repeals the income addition modification for State contributions to the Maine Public Employees Retirement System on behalf of the taxpayer for tax years beginning on or after January 1, 2016; 4) repeals and replaces the current Maine pension deduction for tax years beginning on or after January 1, 2016; 5) increases the current Maine pension deduction for non-military retirement plan benefits from \$10,000 to \$35,000 over a 5-year period beginning in 2016 and exempts from Maine income tax 100% of military retirement plan benefits for tax years beginning on or after January 1, 2016; 6) repeals the income subtraction modification for long-term care premiums paid for tax years beginning on or after January 1, 2016; 7) repeals the income subtraction modification for contributions of up to \$250 per beneficiary to 529 college tuition plans for tax years beginning on or after January 1, 2016; 8) repeals Maine itemized deductions for tax years beginning after December 31, 2015; 9) reduces the corporate income tax rates over five years; 10) eliminates the corporate alternative minimum tax for tax years beginning after December 31, 2015; 11) creates a refundable individual income tax sales tax fairness credit for tax years beginning on or after January 1, 2016; 12) repeals the jobs and investment tax credit, but retains the carryforward of unused credit amounts for tax years beginning after December 31, 2015; 13) repeals the credit for contributions to family

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development account reserve funds for tax years beginning on or after January 1, 2016; 14) increases the income tax credit for child care expenses that do not qualify as quality child care expenses to 50% of the federal child care credit for the taxable year; 15) repeals the credit for employer-assisted day care, but retains the carryforward of unused credit amounts for tax years beginning after December 31, 2015; 16) repeals the employer-provided long-term care benefits credit, but retains the carryforward of unused credit amounts for tax years beginning after December 31, 2015; 17) repeals the retirement and disability credit for tax years beginning on or after January 1, 2016; 18) repeals the forest management planning income tax credit for tax years beginning on or after January 1, 2016; 19) repeals the high-technology investment tax credit, but retains the carryforward of unused credit amounts for tax years beginning after December 31, 2015; 20) repeals the credit for dependent health benefits paid by an employer, but retains the carryforward of unused credit amounts for tax years beginning after December 31, 2015; 21) repeals the quality child care investment credit, but retains the carryforward of unused credit amounts for tax years beginning after December 31, 2015; 22) repeals the Maine earned income tax credit for tax years beginning on or after January 1, 2016; 23) repeals the credit for biofuel commercial production and commercial use, but retains the carryforward of unused credit amounts for tax years beginning after December 31, 2015; 24) makes the following changes to the property tax fairness credit for tax years beginning on or after January 1, 2015: a) clarifies that the benefit base cap that applies to married taxpayers filing joint or head-of-household returns also applies to taxpayers whose filing status is qualifying widow(er); b) amends the property tax fairness credit to remove the reference to married individuals filing separate returns; and c) restricts married individuals filing separate returns from taking the property tax fairness credit; 25) makes the following changes to the property tax fairness credit for tax years beginning on or after January 1, 2016: a) increases the maximum property tax paid (or rent constituting property tax paid) that may be claimed for the credit; b) increases the credit amounts and increases the maximum credits for individuals younger than 65 and for individuals 65 or older; c) creates a medical expense tax credit for tax years beginning on or after January 1, 2016; and d) removes charitable contribution checkoffs from Maine individual income tax forms for tax years beginning on or after January 1, 2016; and 26) amends the law governing the inflation adjustment of individual income tax rate brackets, the maximum itemized deduction amount, the benefit base amounts in the sales and property tax fairness credits, and the pension deduction in order to reflect amendments to the individual income tax rate schedules, the property tax fairness credit benefit base amounts and pension deduction amount, the repeal of the allowance of itemized deductions and enactment of the sales tax fairness credit for tax years beginning after December 31, 2015.

PART L adjusts revenue sharing for fiscal year 2015-16 to set a fixed amount of total revenue sharing transfers to approximately the current projected level of fiscal year 2014-15 and repeals revenue sharing July 30, 2016.

PART M does the following: 1) revises the distribution of available balances in the unappropriated surplus of the General Fund. In addition to the fixed transfer replenishing the Contingent Account up to \$350,000 and the fixed transfer for the Loan Insurance Reserve up to an amount of \$1,000,000, this part establishes a fixed transfer for the General Fund Operating Reserve to an amount up to \$2,500,000 and the Retiree Health Internal Service Fund up to an amount of \$4,000,000 over the 2016-2017 biennium and up to an amount of \$2,000,000 thereafter; 2) revises the growth limitation factor to the 10 year average of nominal personal income growth plus one; 3) sets the "biennial base year appropriation" to the appropriation enacted for fiscal year 2016-17 as of December 1, 2016; 4) eliminates all language dealing with the calculation of the state tax burden and how the growth limitation factor changes depending on the State's ranking; and 5) revises the appropriation limitation to be based on all General Funding spending.

PART N authorizes new Maine Governmental Facilities Authority borrowing of \$112,000,000 to provide funding for capital repairs and improvements to state facilities.

PART O reduces the amount of funding transferred from the real estate transfer tax to the Maine State Housing Authority by increasing the amount transferred to the General Fund of \$6,291,740 in fiscal year 2015-16 and \$6,090,367 in fiscal year 2016-17.

PART P continues authorization for each individual tax expenditure provided by statute.

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PART Q recognizes an increase in the attrition rate to 3% for the 2016-2017 biennium for judicial branch and executive branch departments and agencies.

PART R authorizes the Department of Administrative and Financial Services to enter into financing arrangements in fiscal years 2015-16 and 2016-17 for the acquisition of motor vehicles for the Central Fleet Management Division.

PART S authorizes the Department of Administrative and Financial Services to enter into financing arrangements in fiscal years 2015-16 and 2016-17 for the acquisition of motor vehicles for the Department of Public Safety.

PART T continues the voluntary employee incentive program through the 2016-2017 biennium.

PART U requires the State Controller to transfer \$5,000,000 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, Other Special Revenue account within the Department.

PART V makes the Director of the Division of Quality Assurance and Regulation and the Director of the Division of Animal and Plant Health, within the Department of Agriculture, Conservation and Forestry, no longer subject to appointment by the commissioner.

PART W removes the Director, Bureau of Resource Information and Land Use Planning within the Department of Agriculture, Conservation and Forestry.

PART X gradually reduces the added surcharge assessed on product name commercial feed pet food and home-based manufacturer of pet food over the 2016-2017 biennium.

PART Y creates a new Bureau of Conservation and reduces the overall number of bureaus.

PART Z increases the annual fee paid by the State to appointed forest fire wardens from \$100 to \$400.

PART AA expands the forest ranger duties with respect to detecting and monitoring conditions potentially injurious to the health of the forest resources of the state. All law enforcement duties are reassigned to Natural Resources Law Enforcement Officers within the Department of Agriculture, Conservation and Forestry.

PART BB does the following: 1) amends the definition of forest management and harvest plan as proposed in the Maine Forest Service 2014 report to the Taxation Committee (both Tree Growth and Open Space Laws); 2) requires landowners to have access to their forest management and harvest plans as proposed in the Maine Forest Service 2014 report to the Taxation Committee; 3) requires a sworn statement from a licensed forester that the landowner is following the licensed forester's plan; 4) gives the Maine Forest Service the authority to require landowners to submit plans directly to the Maine Forest Service for review, and to allow the Maine Forest Service to inspect properties for compliance; 5) repeals the Maine Forest Service audit sunset date; 6) authorizes the State Tax Assessor to reduce a municipality's Tree Growth reimbursement for one year if: (a) the town fails to timely file its Tree Growth information with the Maine Forest Service as required by law; and (b) the town fails to timely act upon recommendations by the Maine Forest Service regarding a landowner's compliance with the law's requirements; and 7) provides for a penalty if a landowner found in non-compliance transfers the landowner's land from Tree Growth to Open Space or Farmland.

PART CC reduces the minimum number of field foresters in the Bureau of Forestry within the Department of Agriculture, Conservation and Forestry from 16 to 10.

PART DD eliminates the training and policy exemption for an agent or representative of the Bureau of Forestry within the Department of Agriculture, Conservation and Forestry.

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PART EE repeals the requirement that the former Department of Conservation sell all bullet proof vests, firearms and related equipment. It also repeals the statute prohibiting the Commissioner of Conservation (now Agriculture, Conservation and Forestry) from purchasing bullet proof vests, firearms or related material without specific authorization from the Legislature.

PART FF authorizes a one-time transfer of all funds in excess of \$500,000 from unencumbered balance forward in the Personal Services line category in the Division of Forest Protection, General Fund account to the Capital Expenditures line category in the Division of Forest Protection, General Fund account to fund the overhaul of existing helicopters.

PART GG renames various programs within the Department of Agriculture, Conservation and Forestry to Agricultural Resource Development.

PART HH strikes and replaces references to the Department of the Attorney General with the Department of Health and Human Services to reflect the transfer of the Sexual Assault Forensic Examiner training program from the Department of the Attorney General to the Department of Health and Human Services.

PART II authorizes the Department of Corrections to transfer by financial order Personal Services, All Other and Capital Expenditures funding between accounts within the same fund for the purposes of paying departmental overtime expenses for the 2016-2017 biennium.

PART JJ allows the Department of Corrections to carry unexpended Personal Services balances to the Capital Expenditures line category in the following year for the 2016-2017 biennium.

PART KK requires the Commissioner of Corrections to review the current organizational structure to improve organizational efficiency and authorizes the State Budget Officer to transfer positions and available balances by financial order. The ability to make these transfers is limited to the period of July 1st to December 1st of each fiscal year in the 2016-2017 biennium. Any transfers resulting in a mission change or facility closure must have legislative review.

PART LL authorizes the Department of Corrections to transfer from the All Other line category funds by financial order between accounts within the same fund for the purposes of paying food, heating and utility expenses for the 2016-2017 biennium.

PART MM provides temporary funding for the Administration - Maine Emergency Management Agency program within the Department of Defense, Veterans and Emergency Management until federal funding becomes available.

PART NN lapses \$1,537,761 in each fiscal year of the biennium to unappropriated surplus of the General Fund that is not anticipated to be needed by the Maine Technology Institute in fiscal years 2015-16 and 2016-17.

PART OO removes the Chief Academic Officer and Director, Special Services Team positions from the list of major policy-influencing positions within the Department of Education and from the list of the Commissioner of Education's appointments within the department.

PART PP authorizes the Department of Education to purchase portable computer devices for students and educators in fiscal years 2015-16 and 2016-17.

PART QQ transfers \$5,000,000 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 account within the Department.

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PART RR renames the PK-20, Adult Education and Federal Programs Team program within the Department of Education to the Learning Systems Team.

PART SS aligns and standardizes the statutory range of licensing fees for adult and children's residential drug treatment centers, children's residential care facilities, and licensed mental health services and standardizes the issuance of a full license for a term of two years.

PART TT directs the Department of Health and Human Services to submit a Medicaid state plan amendment to remove the income disregard and effectively reduce the income limits to the federal minimums required in the Medicare savings program. It also reduces the income limit in the elderly low-cost drug program.

PART UU requires a liquid asset test in eligibility determinations for the Low Cost Drugs for the Elderly and Disabled program.

Part VV gives the Department of Health and Human Services the authority to adopt emergency rules to implement any provisions of this Act over which it has specific authority that has not been addressed by some other Part of the Act without the necessity of demonstrating that immediate adoption is necessary to avoid a threat to public health, safety or welfare.

PART WW allows remaining balances at the end of each fiscal year in the Consumer Directed Services program and the Bridging Rental Assistance Program General Fund accounts in the Department of Health and Human Services to be carried forward for use by the program in the next fiscal year.

PART XX establishes the Bridging Rental Assistance Program in the Department of Health and Human Services.

PART YY authorizes the Department of Health and Human Services to transfer funds appropriated for state supplemental income for blind, disabled and elderly people authorized under the Maine Revised Statutes, Title 22, sections 3271 and 3274 by financial order to the Department of Health and Human Services Departmentwide account.

PART ZZ does the following: 1) repeals the provision that requires the Department of Health and Human Services to provide a food supplement program for non-citizens who would be eligible for federal SNAP benefits but for their status as aliens under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996; 2) repeals the provision that requires the Department of Health and Human Services to provide supplemental security income for non-citizens who would be eligible for federal Supplemental Security Income but for their status as aliens under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996; and 3) repeals the provision that requires the Department of Health and Human Services to provide financial assistance to individuals who would be eligible for Temporary Assistance to Needy Families but for their status as aliens under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

PART AAA authorizes the transfer of available Personal Services or All Other balances from the Department of Health and Human Services, Developmental Services-Community program account to the Crisis Outreach Program account for the 2016-2017 biennium.

PART BBB changes the disability determination cut-off from 45 days to 90 days for applications for aid based on a disability and eliminates the requirement to provide state-funded temporary medical coverage and directs the Department of Health and Human Services to seek relief from the decision process required by the *Polk v. Longley* consent decision.

PART CCC authorizes the Department of Health and Human Services to transfer funds between the General Fund accounts of the MaineCare related appropriations for the 2016-2017 biennium.

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PART DDD authorizes the Department of Health and Human Services to eliminate General Assistance to non-citizens who are not qualified to receive such assistance pursuant to federal law.

PART EEE authorizes the Department of Health and Human Services to transfer Family Support funds in the Developmental Services - Community program to the Office of Aging and Disability Services Central Office program and the Long Term Care - Office of Aging and Disability Services program by financial order.

PART FFF authorizes the Department of Health and Human Services to transfer appropriations from the Nursing Facilities program to the Home Based Care program when individuals meet the transition criteria.

PART GGG authorizes the Department of Health and Human Services to transfer appropriations within the Office of Child and Family Services related to the child welfare program.

PART HHH authorizes the Department of Health and Human Services to change the rate of reimbursement for critical access hospitals.

PART III changes the salary of one Deputy Commissioner in the Department of Health and Human Services from range 38 to range 90.

PART JJJ does the following: 1) authorizes the transfer by financial order of any available appropriations including those in Personal Services, to MaineCare in order to fully fund weekly cycle payments; and 2) authorizes the transfer by financial order of available Personal Services balances in the Disproportionate Share - Dorothea Dix Psychiatric Center program, the Disproportionate Share - Riverview Psychiatric Center program and the Riverview Psychiatric Center program in order to provide funds for an electronic medical records system.

PART KKK makes a technical correction to the state valuation amount recorded in state reimbursement to municipalities for municipal general assistance, changes the method of reimbursement methodology and requires monthly reporting for any municipality expected to receive more than \$10,000 in the current fiscal year.

PART LLL transfers funds from the Inland Fisheries and Wildlife Carrying Balances - General Fund account to the Enforcement Operations program, General Fund account to purchase one replacement aircraft in fiscal year 2015-16.

PART MMM transfers funds from the Inland Fisheries and Wildlife Carrying Balances - General Fund account to the Enforcement Operations - Inland Fisheries and Wildlife program, General Fund account to purchase one replacement aircraft engine in fiscal year 2015-16 and one replacement aircraft engine in fiscal year 2016-17.

PART NNN amends language pertaining to the Lifetime License Fund such that the Department of Inland Fisheries and Wildlife can request the Treasurer of State transfer less than 5% of the Lifetime License Fund's principal balance on an annual basis.

PART OOO amends the fiscal stability program to begin in the 2017-2018 biennium.

PART PPP raises the per diem compensation for active retired judges from \$300/day to \$500/day. It fixes the per diem compensation for active retired family law magistrates at 75% of the per diem compensation paid to active retired judges. It also provides for the same limitations on compensation and benefits as exists for other retired state employees who retire and return to work under Title 5, section 17859.

PART QQQ makes the mileage rate paid to jurors pursuant to Title 5 section 8 begin in fiscal year 2016-17 and increases the daily rate paid to jurors from \$10 per day to \$15 per day.

PART RRR eliminates the municipality of Madawaska as a place to hold district court.

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PART SSS authorizes a range change for the Administrator, Office of Securities from range 88 to range 90 in the Department of Professional and Financial Regulation.

PART TTT does the following: 1) amends Title 20-A, section 6103 to reflect the deposit of fees for criminal history record checks to the Department of Public Safety rather than to Department of Education; 2) provides that, with respect to fingerprint-supported criminal history record checks, the full fee charged must be deposited in an Other Special Revenue Funds account for the purpose of paying the costs of the Department of Public Safety to administer the criminal history record check program; and 3) transfers the cash balance of the Criminal History Record Check Fund from the Department of Education to the Department of Public Safety.

PART UUU authorizes the Department of Secretary of State to carry Personal Services funding in the Administration - Archives program and authorizes the carried funds to be transferred by financial order to the All Other line category in the same program.

PART VVV transfers \$900,000 in fiscal year 2015-16 and \$750,000 in fiscal year 2016-17 from the unappropriated surplus of the General Fund to the Callahan Mine Site Restoration program, Other Special Revenue Funds account within the Department of Transportation.

PART WWW removes the media and public information officer from the appointment authority of the Commissioner of Corrections. This position is proposed to be eliminated effective in fiscal year 2015-16.

PART XXX continues limited period positions set to expire June 2015 through August 1, 2015.

Committee Amendment "A" (H-415)

This amendment is the majority report of the committee and it replaces the bill.

PART A makes appropriations and allocations of funds for the 2016-2017 biennium.

PART B makes appropriations and allocations of funds for approved reclassifications and range changes.

PART C establishes the total cost of education from kindergarten to grade 12 for fiscal year 2015-16, the state contribution and the annual target state share percentage and makes other changes related to the funding of K-12 education.

PART D repeals the requirement that the Commissioner of Public Safety and the Attorney General pursue federal funding to establish a cold case homicide unit and provision of law that makes establishment of a cold case homicide unit contingent upon availability of federal funding.

PART E makes changes to the timing of transfers from the General Fund undedicated revenue to the Maine Clean Election Fund in 2016 and 2017.

PART F amends the laws governing disclosures made by lobbyists.

PART G directs the Judicial Department to conduct or contract for architectural feasibility studies to improve court facilities in Oxford County, Waldo County and York County and report to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over judiciary matters by January 1, 2017.

PART H provides for an interfund advance of \$37,000,000 from Other Special Revenue Funds to the General Fund unappropriated surplus required for one day at the end of fiscal year 2015-16.

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PART I reduces funding for debt service in fiscal year 2014-2015.

PART J provides that, for estates of decedents dying on or after January 1, 2016, the amount excluded from the Maine estate tax is the same as the applicable federal exclusion amount, which is indexed annually for inflation.

PART K increases the homestead property tax exemption from \$10,000 to \$15,000 for property tax years beginning on or after April 1, 2016 and requires the State to reimburse municipalities for 100% for the property tax loss attributable to the increase in the first two years and 75% of the property tax loss in subsequent years.

PART L adjusts municipal revenue sharing for fiscal years 2015-16 and 2016-17 to set a fixed level of total revenue sharing transfers of \$62,500,000, which is approximately the current projected level for fiscal year 2014-15.

PART M does the following: 1) changes the distribution of available balances in the unappropriated surplus of the General Fund; 2) changes the growth limitation factor in the laws governing limits on government spending and sets the biennial base year appropriation to the appropriation for the 2018-2019 biennium enacted for fiscal year 2016-17 as of December 1, 2016; 3) eliminates all language dealing with the calculation of the state and local tax burden and how the growth limitation factor changes depending on how the state and local tax burden of this State compares to that of other states; and 4) raises the limit on the balance in the Maine Budget Stabilization Fund from 12% of total General Fund revenues in the immediately preceding state fiscal year to 18%.

PART N authorizes new Maine Governmental Facilities Authority borrowing to provide funding for capital repairs and improvements to state facilities.

PART O reduces the amount of funding transferred from the real estate transfer tax to the Maine State Housing Authority in fiscal years 2015-16 and 2016-17.

PART P continues authorization for each individual tax expenditure provided by statute.

PART Q establishes an attrition rate of 3% for the 2016-2017 biennium for all judicial branch and executive branch departments and agencies, except the District Attorneys Salaries program and directs the State Budget Officer to make certain considerations when developing budgeted attrition savings.

PART R authorizes the Department of Administrative and Financial Services to enter into financing arrangements in fiscal years 2015-16 and 2016-17 for the acquisition of motor vehicles for the Central Fleet Management Division.

PART S authorizes the Department of Administrative and Financial Services to enter into financing arrangements in fiscal years 2015-16 and 2016-17 for the acquisition of motor vehicles for the State Police.

PART T continues the voluntary employee incentive program for state employees through the 2016-2017 biennium.

PART U requires the State Controller to transfer \$750,000 in each fiscal year of the 2016-2017 biennium 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 V provides that the Director of the Division of Quality Assurance and Regulation and the Director of the Division of Animal and Plant Health, both within the Department of Agriculture, Conservation and Forestry, are no longer subject to appointment by the Commissioner of Agriculture, Conservation and Forestry.

PART W extends the requirement that the Commissioner of Corrections, or the commissioner's designee, assume the duties of the State Board of Corrections from July 1, 2015 to July 1, 2016. This Part also requires the Commissioner of Corrections or the commissioner's designee to distribute fiscal year 2015-16 payments to support

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county jail operations.

PART X transfers \$700,000 in fiscal year 2015-16 from the Dirigo Health Fund to the unappropriated surplus of the General Fund.

PART Y clarifies the powers and duties of the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry.

PART Z provides emergency rule-making authority to the Maine Commission on Indigent Legal Services necessary to implement a rate increase for assigned counsel and contract counsel.

PART AA requires the Director of the Bureau of Forestry within the Department of Agriculture, Conservation and Forestry to appoint no fewer than 45 and no more than 50 Forest Ranger II positions, subject to the Civil Service Law. Additionally, the director is required to appoint no fewer than 17 forest rangers classified as follows: three Regional Rangers, eight District Rangers, one Forest Fire Prevention Specialist, one Ranger Pilot Supervisor and four Ranger Pilots. It also adds additional forest ranger duties. It also repeals two provisions of Public Law 1999, chapter 352 that require the Commissioner of Conservation to sell all bullet-proof vests, firearms and related equipment and that prohibit the commissioner from purchasing bullet-proof vests, firearms or related equipment without specific authorization by the Legislature.

PART BB requires the Department of Health and Human Services to contract with a third party to conduct a rate study of medication management services and outpatient services under Rule Chapter 101: MaineCare Benefits Manual, Section 65: Behavioral Health Services and all services in Section 28: Rehabilitative and Community Support Services for Children with Cognitive Impairments and Functional Limitations.

PART CC requires the unused balance of Part A appropriations to the Drug Enforcement Agency program within the Department of Public Safety for processing crime scenes involving the seizure of methamphetamine laboratories and Part A All Other appropriations to the Remediation and Waste Management program within the Department of Environmental Protection not used for cleanup of illegal drug operations or natural gas contamination be transferred to the unappropriated surplus of the General Fund no later than June 30th of each year of the biennium.

PART DD limits the exemption from the Maine Criminal Justice Academy training standards and law enforcement agency policy requirements under Title 25, chapter 341 to agents or representatives of the Bureau of Forestry within the Department of Agriculture, Conservation and Forestry who do not carry a firearm.

PART EE provides an income tax exemption for benefits received under a military retirement plan up to \$25,000 for tax years beginning on or after January 1, 2016.

PART FF authorizes a one-time transfer of all funds in excess of \$500,000 from unencumbered balance forward in the Personal Services line category in the Department of Agriculture, Conservation and Forestry, Division of Forest Protection, General Fund account to the Capital Expenditures line category in the Division of Forest Protection, General Fund account to fund the overhaul of helicopters owned by the State.

PART GG limits timber harvesting on public reserved lands and nonreserved public lands to an average of 160,000 cords per year over any three-year period. It allows the Department of Agriculture, Conservation and Forestry by rule, based on an independent timber inventory conducted after July 1, 2015, to establish a different sustainable harvest level. The rules are major substantive rules and must be reviewed by the joint standing committee of the Legislature having jurisdiction over public reserved and nonreserved lands matters.

PART HH transfers the sexual assault forensic examiner training program from the Department of the Attorney General to the Department of Health and Human Services.

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PART II authorizes the Department of Corrections to transfer Personal Services, All Other and Capital Expenditures funding between accounts within the same fund for the purpose of paying departmental overtime expenses for the 2016-2017 biennium.

PART JJ provides that if an applicant for general assistance under Title 22, chapter 1161 has been released from a correctional facility within 45 days of application, the municipality of responsibility for the first 12 months of benefits is the municipality that was on record as the residence of the applicant when the applicant was committed to the correctional facility. It requires that a responsible municipality accept applications by telephone as long as the call is being made from a municipal office and the written application is contemporaneously faxed or sent electronically to the municipality of responsibility.

PART KK requires the Commissioner of Corrections to review the current organizational structure of the Department of Corrections to improve organizational efficiency and authorizes the State Budget Officer to transfer positions and available balances based on the review by financial order and establishes reporting requirements for certain transfers. The ability to make these transfers as an adjustment to position count or appropriations is limited to the period of July 1st to December 1st of each fiscal year in the 2016-2017 biennium.

PART LL authorizes the Department of Corrections to transfer, from the All Other line category, funds by financial order between accounts within the same fund for the purposes of paying food, heating and utility expenses for the 2016-2017 biennium.

PART MM provides temporary funding for the Administration - Maine Emergency Management Agency program within the Department of Defense, Veterans and Emergency Management until federal funding becomes available.

PART NN lapses \$1,537,761 in each fiscal year of the biennium to the unappropriated surplus of the General Fund that is not anticipated to be needed by the Maine Technology Institute in fiscal years 2015-16 and 2016-17.

PART OO removes the Chief Academic Officer and Director, Special Services Team positions from the list of major policy-influencing positions within the Department of Education and eliminates the Deputy Chief of Staff position and creates a Science, Technology, Engineering and Mathematics Workforce Coordinator position in the list of the Commissioner of Education's appointments within the department.

PART PP authorizes the Department of Education to purchase portable computer devices for students and educators in fiscal years 2015-16 and 2016-17.

PART QQ transfers \$750,000 in each fiscal year of the 2016-2017 biennium 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 RR renames the PK-20, Adult Education and Federal Programs Team program within the Department of Education the Learning Systems Team program.

PART SS aligns and standardizes the statutory range of licensing fees for adult and children's residential drug treatment centers, children's residential care facilities and mental health services facilities with the exact fees to be established by rule by the Department of Health and Human Services. This Part also standardizes the terms of these licenses at two years.

PART TT creates a stakeholder group, including representatives of patients and outpatient methadone treatment providers, to review criteria for receiving treatment, prior approvals and treatment service options for patients seeking methadone treatment services and establishes reporting requirements.

PART UU establishes a liquid asset test in eligibility determinations for the elderly low cost drug program.

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PART VV gives the Department of Health and Human Services the authority to adopt emergency rules to implement any provisions of this Act over which it has specific authority that has not been addressed by some other Part of the Act.

PART WW allows remaining balances at the end of each fiscal year in the Consumer-directed Services program and the Bridging Rental Assistance Program, General Fund accounts in the Department of Health and Human Services to be carried forward for use by those programs in the next fiscal year.

PART XX establishes the Bridging Rental Assistance Program in the Department of Health and Human Services. The program provides up to 24 months of housing assistance to persons with mental illness transitioning to Section 8 housing assistance or an alternative housing placement.

PART YY authorizes the Department of Health and Human Services to transfer funds appropriated for state supplemental income for blind, disabled and elderly people authorized under Title 22, sections 3271 and 3274 by financial order to the Department of Health and Human Services, Departmentwide program.

PART ZZ directs the Department of Transportation, in consultation with the cities of Lewiston and Auburn and the Northern New England Passenger Rail Authority, to conduct a study and complete a plan for the implementation of passenger rail service between the cities of Lewiston and Auburn and the Amtrak Downeaster service. This Part also provides for a transfer \$150,000 from the unappropriated surplus of the General Fund to the Multimodal - Passenger Rail program, Other Special Revenue Funds account in the Department of Transportation and requires the cities of Lewiston and Auburn to remit \$50,000 each to the State to fund the study.

PART AAA authorizes the transfer of available Personal Services or All Other balances from the Department of Health and Human Services, Developmental Services - Community program account to the Crisis Outreach Program account for the 2016-2017 biennium.

PART BBB requires the Department of Health and Human Services to request a waiver to include as a reimbursable service under MaineCare home-delivered meals to individuals qualified for MaineCare benefits who also are experiencing transitions of care, have debilitating or acute illnesses or are primarily homebound and unable to prepare nutritious meals.

PART CCC authorizes the Department of Health and Human Services to transfer available balances of appropriations between the MaineCare General Fund accounts for the 2016-2017 biennium.

PART DDD implements certain recommendations of the Task Force To End Student Hunger in Maine.

PART EEE authorizes the Department of Health and Human Services to transfer family support services funds in the Developmental Services - Community program to the Office of Aging and Disability Services Central Office program and the Long Term Care - Office of Aging and Disability Services program by financial order.

PART FFF authorizes the Department of Health and Human Services to transfer appropriations from the Nursing Facilities program to the home-based care program.

PART GGG authorizes the Department of Health and Human Services to transfer appropriations within the Office of Child and Family Services related to the cost of administering the child welfare program.

PART HHH authorizes a school board to designate an existing school or establish a new school to be a community school that participates with community partners to provide various educational and social services to students, families and community members and provides the steps a school board must complete in order to establish a new community school. This Part also authorizes the Department of Education to provide funding to support the

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implementation of three community schools.

PART III changes the salary of one deputy commissioner in the Department of Health and Human Services from range 38 to range 90.

PART JJJ authorizes the Department of Health and Human Services to transfer by financial order any available appropriations, including those in Personal Services, between MaineCare accounts and to transfer by financial order available Personal Services balances in the Disproportionate Share - Dorothea Dix Psychiatric Center program, the Disproportionate Share - Riverview Psychiatric Center program and the Riverview Psychiatric Center program in order to provide funds for an electronic medical records system.

PART KKK provides for the allocation of funding among Maine's federally qualified health centers to support access to primary medical, behavioral health and dental services for residents in rural and underserved communities.

PART LLL transfers funds from the Inland Fisheries and Wildlife Carrying Balances - General Fund account to the Enforcement Operations - Inland Fisheries and Wildlife program, General Fund account to purchase one replacement aircraft in fiscal year 2015-16.

PART MMM transfers funds from the Inland Fisheries and Wildlife Carrying Balances - General Fund account to the Enforcement Operations - Inland Fisheries and Wildlife program, General Fund account to purchase one replacement aircraft engine in fiscal year 2015-16 and one replacement aircraft engine in fiscal year 2016-17.

PART NNN amends language pertaining to the Lifetime License Fund to allow the Department of Inland Fisheries and Wildlife to request that the Treasurer of State transfer less than 5% of the Lifetime License Fund's principal balance on an annual basis.

PART OOO amends the Fiscal Stability Program established to support the fish and wildlife conservation programs of the Department of Inland Fisheries and Wildlife so that it begins in the 2018-2019 biennium.

PART PPP requires the Department of Education to develop and support local food training programs for public school food service personnel and facilitate the use of local food hubs to expand the use of local foods in schools.

PART QQQ ties the mileage rate paid to jurors to the rate paid by the State to state employees who use their vehicles for state business beginning July 1, 2016. It also increases the daily rate paid to jurors from \$10 per day to \$15 per day.

PART RRR makes changes to the educational opportunity tax credit.

PART SSS authorizes a range change from salary range 88 to salary range 90 for the Securities Administrator within the Office of Securities in the Department of Professional and Financial Regulation.

PART TTT amends the law to require that fees for criminal history record checks for school employees be deposited in an Other Special Revenue account of the Department of Public Safety rather than the Department of Education and transfers the cash balance of the Criminal History Record Check Fund from the Department of Education to the Department of Public Safety.

PART UUU authorizes the Department of the Secretary of State to carry Personal Services and All Other funding in the Administration - Archives program and transfer balances to the All Other line category in the same program.

PART VVV requires the State Controller to transfer \$900,000 in fiscal year 2015-16 and \$750,000 in fiscal year 2016-17 from the unappropriated surplus of the General Fund to the Callahan Mine Site Restoration program, Other Special Revenue Funds account within the Department of Transportation.

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PART WWW removes the authority of the Commissioner of Corrections to appoint a media and public information officer.

PART XXX continues through August 1, 2015 limited-period positions that are set to expire during June 2015.

PART YYY requires the State Controller to transfer \$100,000 in each fiscal year of the 2016-2017 biennium from the Bureau of Revenue Services Fund program, Bureau of Revenue Services Fund account in the Department of Administrative and Financial Services to the General Fund unappropriated surplus.

PART ZZZ changes the laws regarding the Maine Library of Geographic Information to specify that "state funds" includes only bond revenues and General Fund money and the laws regarding geospatial data accounts to clarify that only General Fund appropriations and bond proceeds are subject to a one-to-one match. Funds in those accounts from other sources do not require a match.

PART AAAA provides that balances remaining in the Department of Administrative and Financial Services, Information Services program, General Fund account must be carried forward in the 2016-2017 biennium.

PART BBBB establishes the Put ME to Work Program in the Maine Quality Centers; directs the Board of Trustees of the Maine Community College System to adopt necessary policies and procedures for the Maine Quality Centers; requires program participants to use existing financial aid resources available through their sponsoring postsecondary education institution before using program resources; and specifies certain wage parameters for participating employers. This Part is amended by Senate Amendment "A" to Committee Amendment "A".

PART CCCC exempts from the motor vehicle excise tax adaptive equipment installed on a motor vehicle owned by a carrier engaged in furnishing passenger service for hire. It also reduces by half the motor vehicle registration fee of a passenger vehicle used for hire that is equipped with adaptive equipment to make that vehicle operable or accessible by a person with a disability.

PART DDDD provides that the average annual rate of earnable compensation of a member of the Maine Public Employees Retirement System during the three years of creditable service as an employee in Maine, not necessarily consecutive, in which the member's annual rate of earnable compensation is highest must be determined as if the member had not been provided days off without pay or with reduced pay during fiscal year 2012-13 if the member elects to make a payment equal to the employee contribution that member would have made on compensation that would have been paid to that member on the days off without pay or at reduced pay.

PART EEEE authorizes the State Budget Officer to transfer up to \$6,500,000 in the fiscal year ending June 30, 2016 and in the fiscal year ending June 30, 2017 from the Salary Plan program, General Fund account in the Department of Administrative and Financial Services to programs within the Department of Corrections to implement wage adjustments to aid in the recruitment and retention of employees and to provide parity between state correctional employees and county or regional jail employees who perform similar direct care or supervision of prisoners.

PART FFFF requires the Department of Administrative and Financial Services, Bureau of the Budget to review vacant positions and submit a report to the Joint Standing Committee on Appropriations and Financial Affairs with recommendations on eliminating vacant positions. The report must also be submitted to the Joint Standing Committee on Transportation if the report includes positions funded by the Highway Fund or by internal service funds, enterprise funds or Other Special Revenue Funds accounts of the Department of Transportation, the Department of Public Safety or the Department of the Secretary of State.

PART GGGG requires the Attorney General and the eight district attorneys to jointly develop a proposed policy on the distribution of assistant district attorney positions across all prosecutorial districts that is equitable to each district. The Attorney General and the district attorneys must submit a written report that contains the proposed

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policy, a description of the process used to develop the proposed policy and any other information the Attorney General and the district attorneys believe is relevant. The Joint Standing Committee on Judiciary is authorized to report out legislation related to the report to the Second Regular Session of the 127th Legislature.

PART HHHH establishes the Commission To Study the Public Reserved Lands Management Fund.

PART IIII renames the Land and Water Quality program the Water Quality program and establishes the Land Resources program within the Department of Environmental Protection.

PART JJJJ changes the position of Director of the Bureau of Land and Water Quality to Director of the Bureau of Water Quality and adds the position of Director of the Bureau of Land Resources.

PART KKKK continues the authorization for the Maine Health Data Organization to transfer available Personal Services balances up to a specified amount to All Other in the Maine Health Data Organization, Other Special Revenue Funds account through the 2016-2017 biennium, the amount for the 2016-2017 biennium being raised to up to \$286,000, and clarifies that the transfer is authorized in each fiscal year of the biennium and is done by financial order.

PART LLLL provides an exemption from sales tax to certain greenhouse facilities for 95% of the sale price of fuel used by those greenhouse facilities. The exemption is repealed December 31, 2019.

PART MMMM amends the definition of "lead poisoning" in the Lead Poisoning Control Act, making the State's standard for lead exposure in children consistent with the federal standard. In addition, this Part grants the Department of Health and Human Services authority to impose penalties for violations of the Lead Poisoning Control Act and the rules adopted pursuant to that Act.

PART NNNN transfers \$200,000 from the Fund for a Healthy Maine to the Maine State Housing Authority and specifies that the funds must be used to provide loans and grants to low-income homeowners for repairs to remediate arsenic in drinking water.

PART OOOO provides that a portion of special revenues received by the Department of Environmental Protection related to uncontrolled hazardous substance sites must be transferred to the Board of Environmental Protection Fund.

PART PPPP provides an exemption from sales tax and service provider tax for certain nonprofit library collaboratives.

PART QQQQ maintains the sales tax on lodging; liquor sold in licensed establishments; and prepared food at 8% after July 1, 2015.

PART RRRR requires the Legislative Council to solicit bids for the equipment needed for the Maine Public Broadcasting Network to operate the Maine Capitol Connection channel.

PART SSSS establishes a working group to evaluate the extent to which extremely low-income households, including families, persons with disabilities and elderly persons, lack access to safe and affordable housing and the burden that this inadequacy creates for individuals and communities and authorizes the Joint Standing Committee on Labor, Commerce, Research and Economic Development to report out a bill to implement the legislation.

Committee Amendment "B" (H-416)

This is the minority report of the committee and it replaces the bill.

PART A makes appropriations and allocations of funds for the 2016-2017 biennium.

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PART B makes appropriations and allocations of funds for approved reclassifications and range changes.

PART C establishes the total cost of education from kindergarten to grade 12 for fiscal year 2015-16, the state contribution and the annual target state share percentage and makes other changes related to the funding of K-12 education; delays until fiscal year 2017-18 a requirement that \$4,000,000 in revenue from casinos provide start-up funds for public preschool programs; authorizes the Commissioner of Education to expend and disburse funds to support school improvement activities, enhancements to career and technical education programs and performance evaluation and professional growth systems; and directs the Department of Education to review certain essential programs and services components.

PART D maintains state-municipal revenue sharing at \$62,500,000 in fiscal years 2015-16 and 2016-17 and changes the share of income tax, sales tax and service provider tax that is transferred for revenue sharing beginning July 1, 2017 from 5% to 2%.

PART E provides that the sales tax rate on prepared food, liquor and lodging continues at 8% after June 30, 2015 and until January 1, 2016, when it increases to 9%, and that the sales tax rate on other tangible personal property and taxable services continues at 5.5% after June 30, 2015. It also expands the list of food products that are not exempt as grocery staples and are thus subject to sales tax

PART F increases the service provider tax from 5% to 6% on January 1, 2016 and expands the tax to cover basic cable and satellite television and radio services and international and interstate telecommunications service sold to a business for use directly in that business.

PART G makes the following changes to the income tax laws: 1) reduces the lower individual income tax rate from the current rate of 6.5% to 5% and the top rate from the current rate of 7.95 % to 6.2% over 4 years; 2) repeals individual income deductions for long-term care insurance and contributions to college savings programs and the jobs and investment tax credit; the credit for family development account reserve fund contributions; the credit for employer-provided long-term care benefits; the credit for employer-assisted day care; the retirement and disability credit; the forest management planning credit; the high-technology investment tax credit; the credit for certain employer-paid dependent health insurance; the credit for quality child care investment; the earned income tax credit; and the credit for biofuel commercial production and use; 3) reduces the cap on itemized deductions to \$25,000 for the 2016 tax years then increases it over four years to \$29,500; and 4) reduces the corporate income tax rate from the current rate of 8.93% to 7.5% over four years.

PART H provides that, for estates of decedents dying on or after January 1, 2016, the amount excluded from the Maine estate tax is the same as the applicable federal exclusion amount, which is indexed annually for inflation.

PART I phases out and eliminates the Business Equipment Tax Reimbursement, or BETR, program and transitions property eligible for the BETR program as of April 1, 2015 into the so-called Business Equipment Tax Exemption, or BETE, program.

PART J makes changes to the timing of transfers from the General Fund undedicated revenue to the Maine Clean Election Fund in 2016 and 2017.

PART K reduces funding for debt service in fiscal year 2014-15.

PART L repeals the requirement that the Commissioner of Public Safety and the Attorney General pursue federal funding to establish a cold case homicide unit and the provision of law that makes establishment of a cold case homicide unit contingent upon availability of federal funding.

PART M does the following: 1) changes the distribution of available balances in the unappropriated surplus of the

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General Fund; changes the growth limitation factor in the laws governing limits on government spending; 2) sets the biennial base year appropriation to the appropriation for the 2018-2019 biennium enacted for fiscal year 2016-17 as of December 1, 2016; 3) eliminates all language dealing with the calculation of the state and local tax burden and how the growth limitation factor changes depending on how the state and local tax burden of this State compares to that of other states; and 4) changes the appropriation limitation to be based all General Fund spending; and raises the limit on the balance in the Maine Budget Stabilization Fund from 12% of total General Fund revenues in the immediately preceding state fiscal year to 18%.

PART N authorizes new Maine Governmental Facilities Authority borrowing to provide funding for capital repairs and improvements to state facilities.

PART O reduces the amount of funding transferred from the real estate transfer tax to the Maine State Housing Authority in fiscal years 2015-16 and 2016-17.

PART P continues authorization for each individual tax expenditure provided by statute.

PART Q establishes an attrition rate of 3% for the 2016-2017 biennium for all judicial branch and executive branch departments and agencies, except the District Attorneys Salaries program and directs the State Budget Officer to make certain considerations when developing budgeted attrition savings.

PART R authorizes the Department of Administrative and Financial Services to enter into financing arrangements in fiscal years 2015-16 and 2016-17 for the acquisition of motor vehicles for the Central Fleet Management Division.

PART S authorizes the Department of Administrative and Financial Services to enter into financing arrangements in fiscal years 2015-16 and 2016-17 for the acquisition of motor vehicles for the State Police.

PART T continues the voluntary employee incentive program for state employees through the 2016-2017 biennium.

PART U requires the State Controller to transfer \$3,000,000 in each fiscal year of the 2016-2017 biennium 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 V provides that the Director of the Division of Quality Assurance and Regulation and the Director of the Division of Animal and Plant Health, both within the Department of Agriculture, Conservation and Forestry, are no longer subject to appointment by the Commissioner of Agriculture, Conservation and Forestry.

PART W extends the requirement that the Commissioner of Corrections, or the commissioner's designee, assume the duties of the State Board of Corrections from July 1, 2015 to July 1, 2016. This Part also requires the Commissioner of Corrections or the commissioner's designee to distribute fiscal year 2015-16 payments to support county jail operations.

PART X transfers \$700,000 in fiscal year 2015-16 from the Dirigo Health Fund to the unappropriated surplus of the General Fund.

PART Y clarifies the powers and duties of the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry.

PART Z increases by \$10, from \$80 to \$90, the annual per product registration fee on pet food; increases the percentage of the registration fee revenues going to the General Fund from 50% to 60%, and decreases the percentage going to the Animal Welfare Fund from 50% to 40%; requires a yearly General Fund transfer from these revenues of \$100,000 to the Companion Animal Sterilization Fund, which had been funded by the \$20 annual per

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product pet food surcharge.

PART AA requires the Director of the Bureau of Forestry within the Department of Agriculture, Conservation and Forestry to appoint no fewer than 45 and no more than 50 Forest Ranger II positions, subject to the Civil Service Law. Additionally, the director is required to appoint no fewer than 17 forest rangers classified as follows: three Regional Rangers, eight District Rangers, one Forest Fire Prevention Specialist, one Ranger Pilot Supervisor and four Ranger Pilots. It also adds additional forest ranger duties. It also repeals two provisions of Public Law 1999, chapter 352 that require the Commissioner of Conservation to sell all bullet-proof vests, firearms and related equipment and that prohibit the commissioner from purchasing bullet-proof vests, firearms or related equipment without specific authorization by the Legislature.

PART BB requires the Department of Health and Human Services to contract with a third party to conduct a rate study of medication management services and outpatient services under Rule Chapter 101: MaineCare Benefits Manual, Section 65: Behavioral Health Services and all services in Section 28: Rehabilitative and Community Support Services for Children with Cognitive Impairments and Functional Limitations.

PART CC requires the unused balance of Part A appropriations to the Drug Enforcement Agency program within the Department of Public Safety for processing crime scenes involving the seizure of methamphetamine laboratories and All Other appropriations to the Remediation and Waste Management program within the Department of Environmental Protection not used for cleanup of illegal drug operations or natural gas contamination be transferred to the unappropriated surplus of the General Fund no later than June 30th of each year of the biennium.

PART DD limits the exemption from the Maine Criminal Justice Academy training standards and law enforcement agency policy requirements under the Maine Revised Statutes, Title 25, chapter 341 to agents or representatives of the Bureau of Forestry within the Department of Agriculture, Conservation and Forestry who do not carry a firearm.

PART EE repeals the provisions of law that require the Commissioner of Conservation to sell all bullet-proof vests, firearms and related equipment and that prohibit the commissioner from purchasing bullet-proof vests, firearms or related equipment without specific authorization by the Legislature.

PART FF authorizes a one-time transfer of all funds in excess of \$500,000 from unencumbered balance forward in the Personal Services line category in the Department of Agriculture, Conservation and Forestry, Division of Forest Protection, General Fund account to the Capital Expenditures line category in the Division of Forest Protection, General Fund account to fund the overhaul of helicopters owned by the State.

PART GG limits timber harvesting on public reserved lands and nonreserved public lands to an average of 160,000 cords per year over any three-year period. It allows the Department of Agriculture, Conservation and Forestry by rule, based on an independent timber inventory conducted after July 1, 2015, to establish a different sustainable harvest level. The rules are major substantive rules and must be reviewed by the joint standing committee of the Legislature having jurisdiction over public reserved and nonreserved lands matters.

PART HH transfers the sexual assault forensic examiner training program from the Department of the Attorney General to the Department of Health and Human Services.

PART II authorizes the Department of Corrections to transfer, Personal Services, All Other and Capital Expenditures funding between accounts within the same fund for the purpose of paying departmental overtime expenses for the 2016-2017 biennium.

PART JJ amends the laws governing disclosures made by lobbyists.

PART KK requires the Commissioner of Corrections to review the current organizational structure of the Department of Corrections to improve organizational efficiency and authorizes the State Budget Officer to transfer

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positions and available balances based on the review by financial order and establishes reporting requirements for certain transfers. The ability to make these transfers as an adjustment to position count or appropriations is limited to the period of July 1st to December 1st of each fiscal year in the 2016-2017 biennium.

PART LL authorizes the Department of Corrections to transfer, from the All Other line category, funds by financial order between accounts within the same fund for the purposes of paying food, heating and utility expenses for the 2016-2017 biennium.

PART MM provides temporary funding for the Administration - Maine Emergency Management Agency program within the Department of Defense, Veterans and Emergency Management until federal funding becomes available.

PART NN lapses \$1,537,761 in each fiscal year of the biennium to the unappropriated surplus of the General Fund that is not anticipated to be needed by the Maine Technology Institute in fiscal years 2015-16 and 2016-17.

PART OO removes the Chief Academic Officer and Director, Special Services Team positions from the list of major policy-influencing positions within the Department of Education and eliminates the Deputy Chief of Staff position and creates a Science, Technology, Engineering and Mathematics Workforce Coordinator position in the list of the Commissioner of Education's appointments within the department.

PART PP authorizes the Department of Education to purchase portable computer devices for students and educators in fiscal years 2015-16 and 2016-17.

PART QQ transfers \$3,000,000 in each fiscal year of the 2016-2017 biennium 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 RR renames the PK-20, Adult Education and Federal Programs Team program within the Department of Education the Learning Systems Team program.

PART SS aligns and standardizes the statutory range of licensing fees for adult and children's residential drug treatment centers, children's residential care facilities and mental health services facilities with the exact fees to be established by rule by the Department of Health and Human Services. This Part also standardizes the terms of these licenses at two years.

PART TT creates a stakeholder group, including representatives of patients and outpatient methadone treatment providers, to review criteria for receiving treatment, prior approvals and treatment service options for patients seeking methadone treatment services and establishes reporting requirements.

PART UU establishes a liquid asset test in eligibility determinations for the elderly low cost drug program.

PART VV gives the Department of Health and Human Services the authority to adopt emergency rules to implement any provisions of this Act over which it has specific authority that has not been addressed by some other Part of the Act.

PART WW allows remaining balances at the end of each fiscal year in the Consumer-directed Services program and the Bridging Rental Assistance Program, General Fund accounts in the Department of Health and Human Services to be carried forward for use by those programs in the next fiscal year.

PART XX establishes the Bridging Rental Assistance Program in the Department of Health and Human Services. The program provides up to 24 months of housing assistance to persons with mental illness transitioning to Section 8 housing assistance or an alternative housing placement.

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PART YY authorizes the Department of Health and Human Services to transfer funds appropriated for state supplemental income for blind, disabled and elderly people authorized under Title 22, sections 3271 and 3274 by financial order to the Department of Health and Human Services, Departmentwide program.

PART ZZ repeals the provision that requires the Department of Health and Human Services to provide a food supplement program for noncitizens who would be eligible for federal Supplemental Nutrition Assistance Program benefits but for their status as aliens under the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996; repeals the provision that requires the Department of Health and Human Services to provide supplemental security income for noncitizens who would be eligible for federal supplemental security income but for their status as aliens under the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996; and repeals the provision that requires the Department of Health and Human Services to provide financial assistance to noncitizens who would be eligible for Temporary Assistance for Needy Families but for their status as aliens under the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

PART AAA authorizes the transfer of available Personal Services or All Other balances from the Department of Health and Human Services, Developmental Services - Community program account to the Crisis Outreach Program account for the 2016-2017 biennium.

PART BBB changes the disability determination time frame from 45 days to 90 days for applications for aid to needy persons based on a disability and eliminates the requirement to provide state-funded temporary medical coverage.

PART CCC authorizes the Department of Health and Human Services to transfer available balances of appropriations between the MaineCare General Fund accounts for the 2016-2017 biennium.

PART DDD changes the definition of "eligible person" in the laws governing municipal general assistance to eliminate general assistance for certain aliens and nonimmigrants as defined in federal law.

PART EEE authorizes the Department of Health and Human Services to transfer family support services funds in the Developmental Services - Community program to the Office of Aging and Disability Services Central Office program and the Long Term Care - Office of Aging and Disability Services program by financial order.

PART FFF authorizes the Department of Health and Human Services to transfer appropriations from the Nursing Facilities program to the home-based care program.

PART GGG authorizes the Department of Health and Human Services to transfer appropriations within the Office of Child and Family Services related to the cost of administering the child welfare program.

PART HHH directs the Judicial Department to conduct or contract for architectural feasibility studies to improve court facilities in Oxford County, Waldo County and York County and establishes reporting requirements.

PART III changes the salary of one deputy commissioner in the Department of Health and Human Services from range 38 to range 90.

PART JJJ authorizes the Department of Health and Human Services to transfer by financial order any available appropriations, including those in Personal Services, between MaineCare accounts and to transfer by financial order available Personal Services balances in the Disproportionate Share - Dorothea Dix Psychiatric Center program, the Disproportionate Share - Riverview Psychiatric Center program and the Riverview Psychiatric Center program in order to provide funds for an electronic medical records system.

PART KKK makes a correction to the state valuation amount recorded in state reimbursement to municipalities for municipal general assistance, changes the reimbursement methodology effective July 1, 2015 and requires monthly

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reporting for any municipality that received reimbursement of \$10,000 or more during the previous fiscal year or expects to receive more than \$10,000 in the current fiscal year..

PART LLL transfers funds from the Inland Fisheries and Wildlife Carrying Balances - General Fund account to the Enforcement Operations - Inland Fisheries and Wildlife program, General Fund account to purchase one replacement aircraft in fiscal year 2015-16.

PART MMM transfers funds from the Inland Fisheries and Wildlife Carrying Balances - General Fund account to the Enforcement Operations - Inland Fisheries and Wildlife program, General Fund account to purchase one replacement aircraft engine in fiscal year 2015-16 and one replacement aircraft engine in fiscal year 2016-17.

PART NNN amends language pertaining to the Lifetime License Fund to allow the Department of Inland Fisheries and Wildlife to request that the Treasurer of State transfer less than 5% of the Lifetime License Fund's principal balance on an annual basis.

PART OOO amends the Fiscal Stability Program established to support the fish and wildlife conservation programs of the Department of Inland Fisheries and Wildlife so that it begins in the 2018-2019 biennium.

PART PPP permits adult offenders of any age to be housed at the Mountain View Youth Development Center. Current law allows only adult offenders who have not attained 26 years of age to be housed at the center.

PART QQQ ties the mileage rate paid to jurors to the rate paid by the State to state employees who use their vehicles for state business beginning July 1, 2016. It also increases the daily rate paid to jurors from \$10 per day to \$15 per day.

PART RRR eliminates the Town of Madawaska as a place to hold district court.

PART SSS authorizes a range change from salary range 88 to salary range 90 for the Securities Administrator within the Office of Securities in the Department of Professional and Financial Regulation.

PART TTT amends the law to require that fees for criminal history record checks for school employees be deposited in an Other Special Revenue account of the Department of Public Safety rather than the Department of Education and transfers the cash balance of the Criminal History Record Check Fund from the Department of Education to the Department of Public Safety.

PART UUU authorizes the Department of the Secretary of State to carry Personal Services and All Other funding in the Administration - Archives program and transfer balances to the All Other line category in the same program.

PART VVV requires the State Controller to transfer \$900,000 in fiscal year 2015-16 and \$750,000 in fiscal year 2016-17 from the unappropriated surplus of the General Fund to the Callahan Mine Site Restoration program, Other Special Revenue Funds account within the Department of Transportation.

PART WWW removes the authority of the Commissioner of Corrections to appoint a media and public information officer.

PART XXX continues through August 1, 2015 limited-period positions that are set to expire during June 2015.

PART YYY requires the State Controller to transfer \$100,000 in each fiscal year of the 2016-2017 biennium from the Bureau of Revenue Services Fund program, Bureau of Revenue Services Fund account in the Department of Administrative and Financial Services to the General Fund unappropriated surplus.

PART ZZZ changes the laws regarding the Maine Library of Geographic Information to specify that "state funds"

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includes only bond revenues and General Fund money and the laws regarding geospatial data accounts to clarify that only General Fund appropriations and bond proceeds are subject to a one-to-one match. Funds in those accounts from other sources do not require a match.

PART AAAA provides that balances remaining in the Department of Administrative and Financial Services, Information Services program, General Fund account must be carried forward in the 2016-2017 biennium.

PART BBBB repeals the provisions that require the rent paid for the Maine Military Authority facilities in Limestone to be paid to the Bureau of General Services in the Department of Administrative and Financial Services and instead requires the rent be paid directly to the Loring Development Authority of Maine.

PART CCCC exempts from the motor vehicle excise tax adaptive equipment installed on a motor vehicle owned by a carrier engaged in furnishing passenger service for hire. It also reduces by half the motor vehicle registration fee of a passenger vehicle used for hire that is equipped with adaptive equipment to make that vehicle operable or accessible by a person with a disability.

PART DDDD provides that the average annual rate of earnable compensation of a member of the Maine Public Employees Retirement System during the three years of creditable service as an employee in Maine, not necessarily consecutive, in which the member's annual rate of earnable compensation is highest must be determined as if the member had not been provided days off without pay or with reduced pay during fiscal year 2012-13 if the member elects to make a payment equal to the employee contribution that member would have made on compensation that would have been paid to that member on the days off without pay or at reduced pay.

PART EEEE authorizes the State Budget Officer to transfer up to \$6,500,000 in the fiscal year ending June 30, 2016 and in the fiscal year ending June 30, 2017 from the Salary Plan program, General Fund account in the Department of Administrative and Financial Services to programs within the Department of Corrections to implement wage adjustments to aid in the recruitment and retention of employees and to provide parity between state correctional employees and county or regional jail employees who perform similar direct care or supervision of prisoners.

PART FFFF requires the Department of Administrative and Financial Services, Bureau of the Budget to review vacant positions and submit a report to the Joint Standing Committee on Appropriations and Financial Affairs with recommendations on eliminating vacant positions. The report must also be submitted to the Joint Standing Committee on Transportation if the report includes positions funded by the Highway Fund or by internal service funds, enterprise funds or Other Special Revenue Funds accounts of the Department of Transportation, the Department of Public Safety or the Department of the Secretary of State.

PART GGGG requires the Attorney General and the eight district attorneys to jointly develop a proposed policy on the distribution of assistant district attorney positions across all prosecutorial districts that is equitable to each district. The Attorney General and the district attorneys must submit a written report that contains the proposed policy, a description of the process used to develop the proposed policy and any other information the Attorney General and the district attorneys believe is relevant. The Joint Standing Committee on Judiciary is authorized to report out legislation related to the report to the Second Regular Session of the 127th Legislature.

PART HHHH directs the Adjutant General to establish maximum hourly base rates of pay, overtime rates of pay or total compensation to comply with limits established in a master cooperative agreement or an appendix to such an agreement between the United States Department of Defense, National Guard Bureau and the State.

PART IIII renames the Land and Water Quality program the Water Quality program and establishes the Land Resources program within the Department of Environmental Protection.

PART JJJJ changes the position of Director of the Bureau of Land and Water Quality to Director of the Bureau of Water Quality and adds the position of Director of the Bureau of Land Resources.

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PART KKKK continues the authorization for the Maine Health Data Organization to transfer available Personal Services balances up to a specified amount to All Other in the Maine Health Data Organization, Other Special Revenue Funds account through the 2016-2017 biennium, the amount for the 2016-2017 biennium being raised to up to \$286,000, and clarifies that the transfer is authorized in each fiscal year of the biennium and is done by financial order.

PART LLLL transfers funds from the Inland Fisheries and Wildlife Carrying Balances - General Fund account to the Enforcement Operations - Inland Fisheries and Wildlife program, General Fund account to cover Personal Services costs in fiscal year 2014-15.

PART MMMM provides that a portion of special revenues received by the Department of Environmental Protection related to uncontrolled hazardous substance sites must be transferred to the Board of Environmental Protection Fund.

PART NNNN provides an exemption from sales tax and service provider tax for certain nonprofit library collaboratives.

PART OOOO provides emergency rule-making authority to the Maine Commission on Indigent Legal Services necessary to implement a rate increase for assigned counsel and contract counsel.

Senate Amendment "A" To Committee Amendment "A" (S-287)

This amendment makes the following clarifications to the Put ME to Work Program that is established in Committee Amendment "A":

1. It specifies that the job training programs must be established at the community colleges;
2. It specifies that the centers may work with trade associations as well as private businesses and that costs for the job training programs may be provided by an industry partnership; and
3. It clarifies that, in selecting awardees for the program, the Board of Trustees of the Maine Community College System shall consider various factors as they relate to the business or industry partnership.

Senate Amendment "B" To Committee Amendment "A" (S-288)

This amendment does the following.

1. It removes the interfund advance of funds for one day at the end of fiscal year 2015-16.
2. It strikes Part J of the majority committee amendment and instead indexes the Maine exclusion amount for decedents dying on or after January 1, 2016 to the federal exclusion amount. It also amends the section of the estate tax law that applies to the tax on resident estates to apply the tax rates to each \$3,000,000 increment above the yearly exclusion amount.
3. It increases the homestead property tax exemption by \$5,000 to \$15,000 for property tax years beginning on April 1, 2016 and by \$10,000 to \$20,000 for property tax years beginning on or after April 1, 2017 while increasing state reimbursement to 50% for the additional exemption amount for property tax years beginning April 1, 2016 and to 75% for property tax years beginning on or after April 1, 2017.
4. It provides that for fiscal years 2015-16, 2016-17, 2017-18 and 2018-19 the amount transferred for state-municipal revenue sharing is 2% of revenue from the income tax, the sales tax and a portion of the service provider tax.

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5. It makes the following changes to the individual income tax:
 - a) Repeals the provision of law requiring the Department of Administrative and Financial Services, Maine Revenue Services to provide for the assignment of income tax refunds on income tax returns to the Maine College Savings Program administered by the Finance Authority of Maine;
 - b) Reduces the individual income tax rates and establishes new tax bracket amounts for tax years beginning after 2015 such that the proposed rate structure for tax years beginning after December 31, 2015 consists of 5.8%, 6.75% and 7.15% taxable income brackets;
 - c) Repeals the income subtraction modifications for long-term care premiums paid and for contributions of up to \$250 per beneficiary to 529 college tuition plans for tax years beginning on or after January 1, 2016;
 - d) Eliminates the jobs and investment tax credit, the credit for employer-assisted day care, the credit for employer-provided long-term care benefits, the high-technology investment tax credit, the credit for dependent health benefits, the quality child care investment credit and the credit for biofuel commercial production but retains the carry-forward of unused credit amounts for tax years beginning after December 31, 2015;
 - e) Eliminates the credit for contributions to family development account reserve funds, the retirement and disability credit and the forest management planning income tax credit and removes refundability of the Maine child care credit refundable for nonresident taxpayers;
 - f) Amends the law governing the cost-of-living adjustment of individual income tax rate brackets and the maximum itemized deduction amount and the benefit base amounts in the sales tax fairness credits in order to reflect amendments to the individual income tax rate schedules, enactment of the sales tax fairness credit and phase-out of the standard and itemized deduction deductions for individuals with income exceeding certain levels;
 - g) Phases out the value of the standard deduction amount or itemized deduction amount, whichever applies, for taxpayers whose Maine adjusted gross income exceeds \$70,000 for single individuals and married persons filing separate returns; \$105,000 for individuals filing as heads of households; and \$140,000 for individuals filing married joint returns or as a surviving spouse;
 - h) Provides an income tax exemption for all military retirement plan benefits;
 - i) Establishes, for tax years beginning after 2015, separate Maine standard deduction amounts that previously were equal to the federal standard deduction amounts;
 - j) Repeals the exception to the itemized deductions limitation applicable to charitable contributions that had applied to tax years beginning after December 31, 2015;
 - k) Enacts an income tax credit to provide sales tax relief for low-income and middle-income families by providing a base credit that is based on the number of persons claimed as dependents on an income tax return and phased out as family income increases; and
 - l) Makes the earned income credit refundable for tax years beginning on or after January 1, 2016.
6. It makes the following changes to the sales tax laws:
 - a) Provides that the sales tax on prepared food and liquor continues at 8%, the sales tax on lodging continues at 8% until January 1, 2016 then increases to 9% and the sales tax rate on other tangible personal property and taxable services continues at 5.5% after June 30, 2015;
 - b) Expands the list of food products that are not exempt as grocery staples and are thus subject to sales tax; and
 - c) Provides an exemption from sales tax for certain nonprofit library collaboratives and veterans' support organizations.
7. It makes the following changes to the laws governing public assistance:
 - a) Sets the date on which child care assistance begins to the date of application if the applicant is eligible;
 - b) Eliminates the "gross income test" for working TANF recipients;
 - c) Increases the number of months eligible individuals may receive transitional transportation benefits from 12 months to 18 months; and
 - d) Authorizes the Department of Health and Human Services, beginning in fiscal year 2016-17, to use \$500,000 from the Temporary Assistance for Needy Families block grant to promote financial literacy and healthy savings habits of families with income less than 200% of the federal poverty guidelines by placing funds in family development accounts.

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8. It changes the reimbursement rates paid by the State for municipal general assistance to 70% of the direct costs incurred by a municipality or Indian tribe beginning with costs incurred on or after July 1, 2015.
9. It removes the state reimbursement for administrative costs of a municipality or Indian tribe and changes the reimbursement reporting to a monthly basis for all municipalities and Indian tribes.
10. It extends the service provider tax to basic cable and satellite television and radio and interstate and international telecommunication services sold to a business.
11. It enacts service provider tax exemptions for sales to certain nonprofit library collaboratives and certain veterans' support organizations.
12. It adds appropriations and allocations for:
 - a) The increase in the homestead property tax exemption amount;
 - b) The reduction of the waiting list for community-based services for MaineCare members with intellectual disabilities or autistic disorder and adults with brain injury;
 - c) Nursing home reimbursements; and
 - d) An increase from 12 to 18 in the number of months an individual may receive transitional transportation benefits under the Temporary Assistance for Needy Families program.

Enacted Law Summary

Public Law 2015, chapter 267 does the following.

PART A makes appropriations and allocations of funds for the 2016-2017 biennium.

PART B makes appropriations and allocations of funds for approved reclassifications and range changes.

PART C establishes the total cost of education from kindergarten to grade 12 for fiscal year 2015-16, the state contribution and the annual target state share percentage and makes other changes related to the funding of K-12 education.

PART D repeals the requirement that the Commissioner of Public Safety and the Attorney General pursue federal funding to establish a cold case homicide unit and provision of law that makes establishment of a cold case homicide unit contingent upon availability of federal funding.

PART E makes changes to the timing of transfers from the General Fund undedicated revenue to the Maine Clean Election Fund in 2016 and 2017.

PART F amends the laws governing disclosures made by lobbyists.

PART G directs the Judicial Department to conduct or contract for architectural feasibility studies to improve court facilities in Oxford County, Waldo County and York County.

PART H reduces funding for debt service in fiscal year 2014-2015.

PART I reduces funding for debt service in fiscal year 2014-2015.

PART J increases the homestead property tax exemption by \$5,000 to \$15,000 for property tax years beginning on April 1, 2016 and by \$10,000 to \$20,000 for property tax years beginning on or after April 1, 2017 while increasing state reimbursement to 50% for the additional exemption amount for property tax years beginning April 1, 2016 and to 75% for property tax years beginning on or after April 1, 2017.

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PART K provides that for fiscal years 2015-16, 2016-17, 2017-18 and 2018-19 the amount transferred for state-municipal revenue sharing is 2% of revenue from the income tax, the sales and use tax and a portion of the service provider tax.

PART L changes the distribution of available balances in the unappropriated surplus of the General Fund; changes the growth limitation factor in the laws governing limits on government spending; sets the biennial base year appropriation to the appropriation for the 2018-2019 biennium enacted for fiscal year 2016-17 as of December 1, 2016; eliminates all language dealing with the calculation of the state and local tax burden and how the growth limitation factor changes depending on how the state and local tax burden of this State compares to that of other states; and raises the limit on the balance in the Maine Budget Stabilization Fund from 12% of total General Fund revenues in the immediately preceding state fiscal year to 18%.

PART M authorizes new Maine Governmental Facilities Authority borrowing to provide funding for capital repairs and improvements to state facilities.

PART N reduces the amount of funding transferred from the real estate transfer tax to the Maine State Housing Authority in fiscal years 2015-16 and 2016-17.

PART O continues authorization for each individual tax expenditure provided by statute.

PART P establishes an attrition rate of 3% for the 2016-2017 biennium for all judicial branch and executive branch departments and agencies, except the District Attorneys Salaries program and directs the State Budget Officer to make certain considerations when developing budgeted attrition savings.

PART Q authorizes the Department of Administrative and Financial Services to enter into financing arrangements in fiscal years 2015-16 and 2016-17 for the acquisition of motor vehicles for the Central Fleet Management Division.

PART R authorizes the Department of Administrative and Financial Services to enter into financing arrangements in fiscal years 2015-16 and 2016-17 for the acquisition of motor vehicles for the State Police.

PART S continues the voluntary employee incentive program for state employees through the 2016-2017 biennium.

PART T requires the State Controller to transfer \$750,000 in each fiscal year of the 2016-2017 biennium 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 U provides that the Director of the Division of Quality Assurance and Regulation and the Director of the Division of Animal and Plant Health, both within the Department of Agriculture, Conservation and Forestry, are no longer subject to appointment by the Commissioner of Agriculture, Conservation and Forestry.

PART V extends the requirement that the Commissioner of Corrections, or the commissioner's designee, assume the duties of the State Board of Corrections from July 1, 2015 to July 1, 2016. This Part also requires the Commissioner of Corrections or the commissioner's designee to distribute fiscal year 2015-16 payments to support county jail operations. This Part is superseded by Public Law 2015, chapter 335.

PART W transfers \$700,000 in fiscal year 2015-16 from the Dirigo Health Fund to the unappropriated surplus of the General Fund.

PART X clarifies the powers and duties of the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry.

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PART Y provides emergency rule-making authority to the Maine Commission on Indigent Legal Services necessary to implement a rate increase for assigned counsel and contract counsel.

PART Z requires the Director of the Bureau of Forestry within the Department of Agriculture, Conservation and Forestry to appoint no fewer than 45 and no more than 50 Forest Ranger II positions, subject to the Civil Service Law. Additionally, the director is required to appoint no fewer than 17 forest rangers classified as follows: three Regional Rangers, eight District Rangers, one Forest Fire Prevention Specialist, one Ranger Pilot Supervisor and four Ranger Pilots. It also adds additional forest ranger duties. It also repeals two provisions of Public Law 1999, chapter 352 that require the Commissioner of Conservation to sell all bullet-proof vests, firearms and related equipment and that prohibit the commissioner from purchasing bullet-proof vests, firearms or related equipment without specific authorization by the Legislature.

PART AA requires the Department of Health and Human Services to contract with a third party to conduct a rate study of medication management services and outpatient services under Rule Chapter 101: MaineCare Benefits Manual, Section 65: Behavioral Health Services and all services in Section 28: Rehabilitative and Community Support Services for Children with Cognitive Impairments and Functional Limitations.

PART BB requires the unused balance of Part A appropriations to the Drug Enforcement Agency program within the Department of Public Safety for processing crime scenes involving the seizure of methamphetamine laboratories and Part A All Other appropriations to the Remediation and Waste Management program within the Department of Environmental Protection not used for cleanup of illegal drug operations or natural gas contamination be transferred to the unappropriated surplus of the General Fund no later than June 30th of each year of the biennium.

PART CC limits the exemption from the Maine Criminal Justice Academy training standards and law enforcement agency policy requirements under the Maine Revised Statutes, Title 25, chapter 341 to agents or representatives of the Bureau of Forestry within the Department of Agriculture, Conservation and Forestry who do not carry a firearm.

PART DD makes the following changes to the individual income tax: 1) repeals the provision of law requiring the Department of Administrative and Financial Services, Maine Revenue Services to provide for the assignment of income tax refunds on income tax returns to the Maine College Savings Program administered by the Finance Authority of Maine; 2) reduces the individual income tax rates and establishes new tax bracket amounts for tax years beginning after 2015 such that the proposed rate structure for tax years beginning after December 31, 2015 consists of 5.8%, 6.75% and 7.15% taxable income brackets; 3) repeals the income subtraction modifications for long-term care premiums paid and for contributions of up to \$250 per beneficiary to 529 college tuition plans for tax years beginning on or after January 1, 2016; 4) eliminates the jobs and investment tax credit, the credit for employer-assisted day care, the credit for employer-provided long-term care benefits, the high-technology investment tax credit, the credit for dependent health benefits, the quality child care investment credit and the credit for biofuel commercial production but retains the carry-forward of unused credit amounts for tax years beginning after December 31, 2015; 5) eliminates the credit for contributions to family development account reserve funds, the retirement and disability credit and the forest management planning income tax credit and removes refundability of the Maine child care credit refundable for nonresident taxpayers; 6) amends the law governing the cost-of-living adjustment of individual income tax rate brackets and the maximum itemized deduction amount and the benefit base amounts in the sales tax fairness credits in order to reflect amendments to the individual income tax rate schedules, enactment of the sales tax fairness credit and phase-out of the standard and itemized deduction deductions for individuals with income exceeding certain levels; 7) phases out the value of the standard deduction amount or itemized deduction amount, whichever applies, for taxpayers whose Maine adjusted gross income exceeds \$70,000 for single individuals and married persons filing separate returns; \$105,000 for individuals filing as heads of households; and \$140,000 for individuals filing married joint returns or as a surviving spouse; 8) provides an income tax exemption for all military retirement plan benefits; 9) establishes, for tax years beginning after 2015, separate Maine standard deduction amounts that previously were equal to the federal standard deduction amounts; 10) repeals the exception to the itemized deductions limitation applicable to charitable contributions that had

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applied to tax years beginning after December 31, 2015; 11) enacts an income tax credit to provide sales tax relief for low-income and middle-income families by providing a base credit that is based on the number of persons claimed as dependents on an income tax return and phased out as family income increases; and 12) makes the earned income credit refundable for tax years beginning on or after January 1, 2016.

Part DD is further amended by LD 1452, Public Law 2015, chapter 328.

PART EE authorizes a one-time transfer of all funds in excess of \$500,000 from unencumbered balance forward in the Personal Services line category in the Department of Agriculture, Conservation and Forestry, Division of Forest Protection, General Fund account to the Capital Expenditures line category in the Division of Forest Protection, General Fund account to fund the overhaul of helicopters owned by the State.

PART FF limits timber harvesting on public reserved lands and nonreserved public lands to an average of 160,000 cords per year over any three-year period. It allows the Department of Agriculture, Conservation and Forestry by rule, based on an independent timber inventory conducted after July 1, 2015, to establish a different sustainable harvest level. The rules are major substantive rules and must be reviewed by the joint standing committee of the Legislature having jurisdiction over public reserved and nonreserved lands matters.

PART GG transfers the sexual assault forensic examiner training program from the Department of the Attorney General to the Department of Health and Human Services.

PART HH authorizes the Department of Corrections to transfer Personal Services, All Other and Capital Expenditures funding between accounts within the same fund for the purpose of paying departmental overtime expenses for the 2016-2017 biennium.

PART II provides that if an applicant for general assistance under Title 22, chapter 1161 has been released from a correctional facility within 45 days of application, the municipality of responsibility for the first 12 months of benefits is the municipality that was on record as the residence of the applicant when the applicant was committed to the correctional facility. It requires that a responsible municipality accept applications by telephone as long as the call is being made from a municipal office and the written application is contemporaneously faxed or sent electronically to the municipality of responsibility.

PART JJ requires the Commissioner of Corrections to review the current organizational structure of the Department of Corrections to improve organizational efficiency and authorizes the State Budget Officer to transfer positions and available balances based on the review by financial order and establishes reporting requirements for certain transfers. The ability to make these transfers as an adjustment to position count or appropriations is limited to the period of July 1st to December 1st of each fiscal year in the 2016-2017 biennium.

PART KK authorizes the Department of Corrections to transfer from the All Other line category funds by financial order between accounts within the same fund for the purposes of paying food, heating and utility expenses for the 2016-2017 biennium.

PART LL provides temporary funding for the Administration - Maine Emergency Management Agency program within the Department of Defense, Veterans and Emergency Management until federal funding becomes available.

PART MM lapses \$1,537,761 in each fiscal year of the biennium to the unappropriated surplus of the General Fund that is not anticipated to be needed by the Maine Technology Institute in fiscal years 2015-16 and 2016-17.

PART NN removes the Chief Academic Officer and Director, Special Services Team positions from the list of major policy-influencing positions within the Department of Education and eliminates the Deputy Chief of Staff position and creates a Science, Technology, Engineering and Mathematics Workforce Coordinator position in the list of the Commissioner of Education's appointments within the department.

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PART OO authorizes the Department of Education to purchase portable computer devices for students and educators in fiscal years 2015-16 and 2016-17.

PART PP transfers \$750,000 in each fiscal year of the 2016-2017 biennium 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 QQ renames the PK-20, Adult Education and Federal Programs Team program within the Department of Education the Learning Systems Team program.

PART RR aligns and standardizes the statutory range of licensing fees for adult and children's residential drug treatment centers, children's residential care facilities and mental health services facilities with the exact fees to be established by rule by the Department of Health and Human Services. This Part also standardizes the terms of these licenses at two years.

PART SS creates a stakeholder group, including representatives of patients and outpatient methadone treatment providers, to review criteria for receiving treatment, prior approvals and treatment service options for patients seeking methadone treatment services and establishes reporting requirements.

PART TT establishes a liquid asset test in eligibility determinations for the elderly low cost drug program.

PART UU gives the Department of Health and Human Services the authority to adopt emergency rules to implement any provisions of this Act over which it has specific authority that has not been addressed by some other Part of the Act.

PART VV allows remaining balances at the end of each fiscal year in the Consumer-directed Services program and the Bridging Rental Assistance Program, General Fund accounts in the Department of Health and Human Services to be carried forward for use by those programs in the next fiscal year.

PART WW establishes the Bridging Rental Assistance Program in the Department of Health and Human Services. The program provides up to 24 months of housing assistance to persons with mental illness transitioning to Section 8 housing assistance or an alternative housing placement.

PART XX authorizes the Department of Health and Human Services to transfer funds appropriated for state supplemental income for blind, disabled and elderly people authorized under Title 22, sections 3271 and 3274 by financial order to the Department of Health and Human Services, Departmentwide program.

PART YY directs the Department of Transportation, in consultation with the cities of Lewiston and Auburn and the Northern New England Passenger Rail Authority, to conduct a study and complete a plan for the implementation of passenger rail service between the cities of Lewiston and Auburn and the Amtrak Downeaster service. This Part also provides for a transfer \$150,000 from the unappropriated surplus of the General Fund to the Multimodal - Passenger Rail program, Other Special Revenue Funds account in the Department of Transportation and requires the cities of Lewiston and Auburn to remit \$50,000 each to the State to fund the study.

PART ZZ authorizes the transfer of available Personal Services or All Other balances from the Department of Health and Human Services, Developmental Services - Community program account to the Crisis Outreach Program account for the 2016-2017 biennium.

PART AAA requires the Department of Health and Human Services to request a waiver to include as a reimbursable service under MaineCare home-delivered meals to certain individuals qualified for MaineCare benefits.

PART BBB authorizes the Department of Health and Human Services to transfer available balances of

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appropriations between the MaineCare General Fund accounts for the 2016-2017 biennium.

PART CCC implements certain recommendations of the Task Force To End Student Hunger in Maine.

PART DDD authorizes the Department of Health and Human Services to transfer family support services funds in the Developmental Services - Community program to the Office of Aging and Disability Services Central Office program and the Long Term Care - Office of Aging and Disability Services program by financial order.

PART EEE authorizes the Department of Health and Human Services to transfer appropriations from the Nursing Facilities program to the home-based care program.

PART FFF authorizes the Department of Health and Human Services to transfer appropriations within the Office of Child and Family Services related to the cost of administering the child welfare program.

PART GGG authorizes a school board to designate an existing school or establish a new school to be a community school that participates with community partners to provide various educational and social services to students, families and community members and provides the steps a school board must complete in order to establish a new community school. This Part also authorizes the Department of Education to provide funding to support the implementation of three community schools.

PART HHH changes the salary of one deputy commissioner in the Department of Health and Human Services from range 38 to range 90.

PART III authorizes the Department of Health and Human Services to transfer by financial order any available appropriations, including those in Personal Services, between MaineCare accounts and to transfer by financial order available Personal Services balances in the Disproportionate Share - Dorothea Dix Psychiatric Center program, the Disproportionate Share - Riverview Psychiatric Center program and the Riverview Psychiatric Center program in order to provide funds for an electronic medical records system.

PART JJJ provides for the allocation of funding among Maine's federally qualified health centers to support access to primary medical, behavioral health and dental services for residents in rural and underserved communities.

PART KKK transfers funds from the Inland Fisheries and Wildlife Carrying Balances - General Fund account to the Enforcement Operations - Inland Fisheries and Wildlife program, General Fund account to purchase one replacement aircraft in fiscal year 2015-16.

PART LLL transfers funds from the Inland Fisheries and Wildlife Carrying Balances - General Fund account to the Enforcement Operations - Inland Fisheries and Wildlife program, General Fund account to purchase one replacement aircraft engine in fiscal year 2015-16 and one replacement aircraft engine in fiscal year 2016-17.

PART MMM amends language pertaining to the Lifetime License Fund to allow the Department of Inland Fisheries and Wildlife to request that the Treasurer of State transfer less than 5% of the Lifetime License Fund's principal balance on an annual basis.

PART NNN amends the Fiscal Stability Program established to support the fish and wildlife conservation programs of the Department of Inland Fisheries and Wildlife so that it begins in the 2018-2019 biennium.

PART OOO requires the Department of Education to develop and support local food training programs for public school food service personnel and facilitate the use of local food hubs to expand the use of local foods in schools.

PART PPP ties the mileage rate paid to jurors to the rate paid by the State to state employees who use their vehicles for state business beginning July 1, 2016. It also increases the daily rate paid to jurors from \$10 per day to \$15 per

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day.

PART QQQ makes changes to the educational opportunity tax credit. Part QQQ was further amended by LD 1452, Public Law 2015, chapter 328.

PART RRR authorizes a range change from salary range 88 to salary range 90 for the Securities Administrator within the Office of Securities in the Department of Professional and Financial Regulation.

PART SSS amends the law to require that fees for criminal history record checks for school employees be deposited in an Other Special Revenue account of the Department of Public Safety rather than the Department of Education and transfers the cash balance of the Criminal History Record Check Fund from the Department of Education to the Department of Public Safety.

PART TTT authorizes the Department of the Secretary of State to carry Personal Services and All Other funding in the Administration - Archives program and transfer balances to the All Other line category in the same program.

PART UUU requires the State Controller to transfer \$900,000 in fiscal year 2015-16 and \$750,000 in fiscal year 2016-17 from the unappropriated surplus of the General Fund to the Callahan Mine Site Restoration program, Other Special Revenue Funds account within the Department of Transportation.

PART VVV removes the authority of the Commissioner of Corrections to appoint a media and public information officer.

PART WWW continues through August 1, 2015 limited-period positions that are set to expire during June 2015.

PART XXX requires the State Controller to transfer \$100,000 in each fiscal year of the 2016-2017 biennium from the Bureau of Revenue Services Fund program, Bureau of Revenue Services Fund account in the Department of Administrative and Financial Services to the General Fund unappropriated surplus.

PART YYY changes the laws regarding the Maine Library of Geographic Information to specify that "state funds" includes only bond revenues and General Fund money and the laws regarding geospatial data accounts to clarify that only General Fund appropriations and bond proceeds are subject to a one-to-one match. Funds in those accounts from other sources do not require a match.

PART ZZZ provides that balances remaining in the Department of Administrative and Financial Services, Information Services program, General Fund account must be carried forward in the 2016-2017 biennium.

PART AAAA establishes the Put ME to Work Program in the Maine Quality Centers; directs the Board of Trustees of the Maine Community College System to adopt necessary policies and procedures for the Maine Quality Centers; requires program participants to use existing financial aid resources available through their sponsoring postsecondary education institution before using program resources; and specifies certain wage parameters for participating employers. This Part is amended by Senate Amendment "A" to Committee Amendment "A".

PART BBBB exempts from the motor vehicle excise tax adaptive equipment installed on a motor vehicle owned by a carrier engaged in furnishing passenger service for hire. It also reduces by half the motor vehicle registration fee of a passenger vehicle used for hire that is equipped with adaptive equipment to make that vehicle operable or accessible by a person with a disability.

PART CCCC provides that the average annual rate of earnable compensation of a member of the Maine Public Employees Retirement System during the three years of creditable service as an employee in Maine, not necessarily consecutive, in which the member's annual rate of earnable compensation is highest must be determined as if the member had not been provided days off without pay or with reduced pay during fiscal year 2012-13 if the member

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elects to make a payment equal to the employee contribution that member would have made on compensation that would have been paid to that member on the days off without pay or at reduced pay.

PART DDDD authorizes the State Budget Officer to transfer up to \$6,500,000 in the fiscal year ending June 30, 2016 and in the fiscal year ending June 30, 2017 from the Salary Plan program, General Fund account in the Department of Administrative and Financial Services to programs within the Department of Corrections to implement wage adjustments to aid in the recruitment and retention of employees and to provide parity between state correctional employees and county or regional jail employees who perform similar direct care or supervision of prisoners.

PART EEEE requires the Department of Administrative and Financial Services, Bureau of the Budget to review vacant positions and submit a report to the Joint Standing Committee on Appropriations and Financial Affairs with recommendations on eliminating vacant positions. The report must also be submitted to the Joint Standing Committee on Transportation if the report includes positions funded by the Highway Fund or by internal service funds, enterprise funds or Other Special Revenue Funds accounts of the Department of Transportation, the Department of Public Safety or the Department of the Secretary of State.

PART FFFF requires the Attorney General and the eight district attorneys to jointly develop a proposed policy on the distribution of assistant district attorney positions across all prosecutorial districts that is equitable to each district. The Attorney General and the district attorneys must submit a written report that contains the proposed policy, a description of the process used to develop the proposed policy and any other information the Attorney General and the district attorneys believe is relevant. The Joint Standing Committee on Judiciary is authorized to report out legislation related to the report to the Second Regular Session of the 127th Legislature.

PART GGGG establishes the Commission To Study the Public Reserved Lands Management Fund.

PART HHHH renames the Land and Water Quality program the Water Quality program and establishes the Land Resources program within the Department of Environmental Protection.

PART IIII changes the position of Director of the Bureau of Land and Water Quality to Director of the Bureau of Water Quality and adds the position of Director of the Bureau of Land Resources.

PART JJJJ continues the authorization for the Maine Health Data Organization to transfer available Personal Services balances up to a specified amount to All Other in the Maine Health Data Organization, Other Special Revenue Funds account through the 2016-2017 biennium, the amount for the 2016-2017 biennium being raised to up to \$286,000, and clarifies that the transfer is authorized in each fiscal year of the biennium and is done by financial order.

PART KKKK provides an exemption from sales tax to certain greenhouse facilities for 95% of the sale price of fuel used by those greenhouse facilities. The exemption is repealed December 31, 2019.

PART LLLL amends the definition of "lead poisoning" in the Lead Poisoning Control Act, making the State's standard for lead exposure in children consistent with the federal standard. It also grants the Department of Health and Human Services authority to impose penalties for violations of the Lead Poisoning Control Act and the rules adopted pursuant to that Act.

PART MMMM transfers \$200,000 from the Fund for a Healthy Maine to the Maine State Housing Authority and specifies that the funds must be used to provide loans and grants to low-income homeowners for repairs to remediate arsenic in drinking water.

PART NNNN provides that a portion of special revenues received by the Department of Environmental Protection related to uncontrolled hazardous substance sites must be transferred to the Board of Environmental Protection

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Fund.

PART OOOO makes the following changes to the sales tax laws: 1) provides that the sales tax on prepared food and liquor continues at 8%, the sales tax on lodging continues at 8% until January 1, 2016 then increases to 9% and the sales tax rate on other tangible personal property and taxable services continues at 5.5% after June 30, 2015; 2) expands the list of food products that are not exempt as grocery staples and are thus subject to sales tax; and 3) provides an exemption from sales tax for certain nonprofit library collaboratives and veterans' support organizations.

PART PPPP requires the Legislative Council to solicit bids for the equipment needed for the Maine Public Broadcasting Network to operate the Maine Capitol Connection channel.

PART QQQQ establishes a working group to evaluate the extent to which extremely low-income households, including families, persons with disabilities and elderly persons, lack access to safe and affordable housing and the burden that this inadequacy creates for individuals and communities and authorizes the Joint Standing Committee on Labor, Commerce, Research and Economic Development to report out a bill to implement the legislation.

PART RRRR makes the following changes to the laws governing public assistance: 1) sets the date on which child care assistance begins to the date of application if the applicant is eligible; 2) eliminates the "gross income test" for working TANF recipients; 3) increases the number of months eligible individuals may receive transitional transportation benefits from 12 months to 18 months; and 4) authorizes the Department of Health and Human Services, beginning in fiscal year 2016-17, to use \$500,000 from the Temporary Assistance for Needy Families block grant to promote financial literacy and healthy savings habits of families with income less than 200% of the federal poverty guidelines by placing funds in family development accounts.

PART SSSS changes the reimbursement rates paid by the State for municipal general assistance to 70% of the direct costs incurred by a municipality or Indian tribe beginning with costs incurred on or after July 1, 2015. It also removes the state reimbursement for administrative costs of a municipality or Indian tribe and changes the reimbursement reporting to a monthly basis for all municipalities and Indian tribes.

PART TTTT Extends the service provider tax to basic cable and satellite television and radio and interstate and international telecommunication services sold to a business. It also enacts service provider tax exemptions for sales to certain nonprofit library collaboratives and veterans' support organizations.

PART UUUU adds appropriations and allocations for: 1) the increase in the homestead property tax exemption amount; 2) the reduction of the waiting list for community-based services for MaineCare members with intellectual disabilities or autistic disorder and adults with brain injury; 3) nursing home reimbursements; and 4) an increase from 12 to 18 in the number of months an individual may receive transitional transportation benefits under the Temporary Assistance for Needy Families program.

Public Law 2013, chapter 267 was enacted as an emergency measure effective June 30, 2015.

LD 1020 An Act To Make Certain Necessary Supplemental Appropriations and Allocations

CARRIED OVER

Sponsor(s)

Committee Report

Amendments Adopted

ROTUNDO

This bill is a concept draft pursuant to Joint Rule 208. It proposes to make certain necessary supplemental appropriations and allocations necessary for the proper operation of State Government.

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

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

CARRIED OVER

Sponsor(s)

ROTUNDO

Committee Report

Amendments Adopted

This bill does the following.

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

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

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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

CARRIED OVER

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

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 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.

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

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

CARRIED OVER

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

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.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 994 as amended by H-504.

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

CARRIED OVER

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

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.

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This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 994 as amended by H-504.

LD 1184 An Act To Provide Funds to the Town of Millinocket Due to the Loss in Valuation of the Katahdin Paper Company **Died Between Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STANLEY DILL	OTP-AM ONTP	

This bill provides a one-time appropriation in fiscal year 2015-16 of \$216,000 to the Town of Millinocket for the loss of taxable value suffered with the sale of the Katahdin Paper Company paper mill to GNP West, Inc.

Committee Amendment "A" (H-486)

This amendment incorporates a fiscal note.

LD 1205 An Act To Authorize a General Fund Bond Issue To Support the Independence of Maine's Seniors **PUBLIC 337**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EVES BURNS	OTP-AM ONTP	H-503 S-340 BURNS

The funds provided by this bond issue, in the amount of \$65,000,000, will be used to assist in the provision of energy-efficient affordable homes to low-income Maine seniors. The bulk of the bond proceeds will be used to construct new homes for seniors and to adaptively reuse existing structures to provide homes for seniors. At least one project will be located in each of Maine's 16 counties. Preference will be given to home locations that have access to health care services, other essential goods and services and public transportation. A portion of the bond proceeds will provide for home repair and weatherization of the existing homes of low-income seniors. The bond proceeds will leverage an estimated \$100,000,000 in private and other funds.

Committee Amendment "A" (H-503)

This amendment reduces the total bond amount to \$15,000,000 by reducing the amount for construction of new homes for seniors to \$14,500,000 from \$64,000,000 and the amount for home repair and weatherization from \$1,000,000 to \$500,000. The amount of private and other funds that this bond will leverage is reduced to \$22,600,000 from \$100,000,000. The amendment also removes the requirement that at least one project must be located in each county and the requirement that preference must be given to homes in locations that have access to public transportation.

Senate Amendment "A" To Committee Amendment "A" (S-340)

This amendment requires that at least four homes must be located in counties having populations under 100,000.

Enacted Law Summary

Public Law 2015, chapter 337 provides for a bond issue in the amount of \$15,000,000 to be used to assist in the provision of energy-efficient affordable homes to low-income Maine seniors. The funds will be used as follows: \$14,500,000 will be used to construct new homes for seniors and to adaptively reuse existing structures to provide homes for seniors and \$500,000 will be used for home repair and weatherization. At least one project will be

Joint Standing Committee on Appropriations and Financial Affairs

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

CARRIED OVER

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

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.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 994 as amended by H-504.

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

CARRIED OVER

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

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 two-to-one 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 four housing units through improvements in weatherization and energy efficiency of building envelopes and heating equipment.

This bill was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 994 as amended by H-504.

**LD 1414 An Act Regarding the Disposition of Certain Funds Received by the
Attorney General Pursuant to a Court Order or Settlement**

**Accepted Majority
(ONTP) Report**

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

This bill provides that when, pursuant to a court order or settlement, the Attorney General receives money on behalf of the State that is specifically designated for antitrust enforcement or for enforcement of the Maine Unfair Trade Practices Act, the Attorney General may make a request to the State Budget Officer for reimbursement for costs incurred by the Attorney General in connection with that court order or settlement. These costs are strictly limited to expenditures for expert witness fees, copying of documents and transcripts. Current law provides that when, pursuant to a court order or settlement, the Attorney General receives money that is specifically designated for antitrust enforcement or for enforcement of the Maine Unfair Trade Practices Act, the Attorney General is authorized to expend these funds for expert witness fees, copying of documents and transcripts and any other purpose in accordance with the court order.

Joint Standing Committee on Appropriations and Financial Affairs

**LD 1415 An Act To Authorize Two General Fund Bond Issues To Improve
Highways, Bridges and Multimodal Facilities**

PUBLIC 305

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HAMPER MCLEAN	OTP-AM	S-339

The funds provided by this bond issue, in the amount of \$85,000,000 in 2015 and \$90,000,000 in 2016, will be used for construction, reconstruction and rehabilitation of highways and bridges and for facilities and equipment related to ports, harbors, marine transportation, freight and passenger railroads, aviation, transit and bicycle and pedestrian trails, matching an estimated \$121,500,000 in 2015 and \$126,500,000 in 2016 in federal and other funds.

Committee Amendment "A" (S-339)

This amendment strikes Part B of the bill, which provides for a \$90,000,000 bond referendum in November 2016.

Enacted Law Summary

Public Law 2015, chapter 305 provides for a bond issue in the amount of \$85,000,000 to be used for construction, reconstruction and rehabilitation of highways and bridges and for facilities and equipment related to ports, harbors, marine transportation, freight and passenger railroads, aviation, transit and bicycle and pedestrian trails, matching an estimated \$121,500,000 in federal and other funds.

**LD 1445 Resolve, Reauthorizing the Balance of the 2009 Bond Issue for an
Offshore Wind Energy Demonstration Project**

**RESOLVE 42
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HAMPER ROTUNDO	OTP-AM ONTP	S-291

This resolve extends the authority to issue bonds for the University of Maine's offshore wind energy demonstration site previously authorized in June 2010. These funds are required to complete construction of the offshore wind energy demonstration site already under construction at the university.

Committee Amendment "A" (S-291)

This amendment incorporates a fiscal note.

Enacted Law Summary

Resolve 2015, chapter 42 extends the authority to issue bonds for the University of Maine's offshore wind energy demonstration site previously authorized in June 2010.

Resolve 2015, chapter 42 was finally passed as an emergency measure effective July 1, 2015.

**LD 1447 An Act To Authorize Increased Borrowing by the Maine Governmental
Facilities Authority To Support the Maine Correctional Center in South
Windham**

CARRIED OVER

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

Joint Standing Committee on Appropriations and Financial Affairs

This bill amends current law regarding the authority of the Maine Governmental Facilities Authority to issue securities to increase the ceiling on the securities outstanding for correctional facilities to \$165,000,000 and specifies that the securities must be used for the Maine Correctional Center in South Windham.

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

LD 1450 An Act To Enact an Interim Budget

INDEF PP

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

This bill does the following.

PART A makes appropriations and allocations through July 31, 2015.

PART B reduces the percentage of tax revenue transferred to the Local Government Fund for the purpose of state-municipal revenue sharing from 5% to 2%.

PART C establishes the state contribution to the total cost of funding public education from kindergarten to grade 12 for the month of July 2015.

PART D extends by one month the current sales and use tax rates to July 31, 2015.

PART E continues authorization for each individual tax expenditure provided by statute.

PART F gives the Department of Health and Human Services the authority to adopt emergency rules to implement any provisions of this legislation over which the department has specific authority that has not been addressed by some other Part without the necessity of demonstrating that immediate adoption is necessary to avoid a threat to public health, safety or welfare.

PART G authorizes the Department of Health and Human Services to transfer available balances of appropriations between the MaineCare General Fund accounts for the month of July 2015.

PART H amends the Fiscal Stability Program in the Department of Inland Fisheries and Wildlife to delay the additional appropriation until the 2018-2019 biennium.

PART I continues limited-period positions set to expire during June 2015 through July 31, 2015.

PART J provides that the purpose of this legislation is to provide for the obligations of the State necessary for the operation of state departments through July 31, 2015. This Part also provides for the repeal of this legislation on the date the 2016-2017 biennial budget becomes law.

This bill was not referred to a committee.

Joint Standing Committee on Appropriations and Financial Affairs

LD 1451 An Act To Fund the Agreement with Certain Judicial Department Employees

**PUBLIC 333
EMERGENCY**

Sponsor(s)

HAMPER
ROTUNDO

Committee Report

Amendments Adopted

This bill authorizes funding of the collective bargaining agreements reached by the Judicial Department and the four bargaining units representing Judicial Department employees.

This bill was not referred to a committee.

Enacted Law Summary

Public Law 2015, chapter 333 authorizes funding of the collective bargaining agreements reached by the Judicial Department and the four bargaining units representing Judicial Department employees.

LD 1452 An Act To Make Technical Changes to Recently Enacted Legislation

PUBLIC 328

Sponsor(s)

MCCORMICK

Committee Report

Amendments Adopted

This bill does the following:

1. Adds Language to the reporting requirements contained in the Job Creation Through Educational Opportunity Program;
2. Makes a technical change to the statute related to tax expenditure reviews;
3. Adds language to income tax changes in the Biennial Budget, Public Law 2015, chapter 267, Part DD (LD 1019) to include language that was inadvertently omitted by updating language to reflect changes to the income tax exemption for pensions, correcting amounts for 2016 tax years for the base credit under the sales tax fairness credit and specifying that the refundability of the earned income tax credit applies only to residents and part-year residents of the State;
4. Amends the laws governing the Job Creation Through Educational Opportunity Program; and
5. Corrects certain appropriations and allocations contained in the Biennial Budget, Public Law 2015, chapter 267 (LD 1019).

This bill was not referred to a committee.

Enacted Law Summary

Public Law 2015, chapter 328 does the following:

1. Adds Language to the reporting requirements contained in the Job Creation Through Educational Opportunity Program;
2. Makes a technical change to the statute related to tax expenditure reviews;

Joint Standing Committee on Appropriations and Financial Affairs

3. Adds language to income tax changes in Public Law 2015, chapter 267, Part DD (LD 1019) to include language that was inadvertently omitted by updating language to reflect changes to the income tax exemption for pensions, correcting amounts for 2016 tax years for the base credit under the sales tax fairness credit and specifying that the refundability of the earned income tax credit applies only to residents and part-year residents of the State;
4. Amends the laws governing the Job Creation Through Educational Opportunity Program; and
5. Corrects certain appropriations and allocations contained in Public Law 2015, chapter 267 (LD 1019) as enacted.

**LD 1453 An Act To Fund Agreements with Bargaining Units for Certain
Executive Branch Employees and Ensure Equitable Treatment for
Other Executive Branch Employees**

**PUBLIC 376
EMERGENCY**

Sponsor(s)

WINSOR

Committee Report

Amendments Adopted

This bill implements the cost items in the collective bargaining agreements reached between the State and the American Federation of State, County and Municipal Employees, the Maine State Troopers Association and the Maine State Law Enforcement Association and, if tentative agreements are ratified, the Maine State Employees Association and provides for equitable treatment for confidential employees and certain other employees excluded from collective bargaining.

The bill specifies the costs from the General Fund and Highway Fund to fund salary increases and authorizes the transfer by financial order of available General Fund and Highway Fund balances as necessary; provides for the adjustment of certain salary schedules in fiscal year 2015-16 and in fiscal year 2016-17; and provides for similar and equitable treatment of confidential employees, probationary employees and other employees excluded from collective bargaining.

This bill was not referred to a committee.

Enacted Law Summary

Public Law 2015, chapter 376 implements the cost items in the collective bargaining agreements reached between the State and the American Federation of State, County and Municipal Employees, the Maine State Troopers Association and the Maine State Law Enforcement Association and, if tentative agreements are ratified, the Maine State Employees Association and provides for equitable treatment for confidential employees and certain other employees excluded from collective bargaining.

The bill specifies the costs from the General Fund and Highway Fund to fund salary increases and authorizes the transfer by financial order of available General Fund and Highway Fund balances as necessary; provides for the adjustment of certain salary schedules in fiscal year 2015-16 and in fiscal year 2016-17; and provides for similar and equitable treatment of confidential employees, probationary employees and other employees excluded from collective bargaining.

Public Law 2015, chapter 376 was enacted as an emergency measure effective July 17, 2015.

Joint Standing Committee on Appropriations and Financial Affairs

**LD 1454 Resolve, Directing the Governor and the Land for Maine's Future
Board To Fulfill the Will of Maine Voters and Issue Bonds Approved in
2010**

**HELD BY
GOVERNOR**

Sponsor(s)

FREDETTE

Committee Report

Amendments Adopted

H-505 MCCABE

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.

Joint Standing Committee on Appropriations and Financial Affairs

SUBJECT INDEX

Budget Bills

Enacted

LD 234	An Act Regarding the Mountain View Youth Development Center	PUBLIC 320 EMERGENCY
LD 236	An Act To Adjust Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2015, June 30, 2016 and June 30, 2017	PUBLIC 16 EMERGENCY
LD 1019	An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2015, June 30, 2016 and June 30, 2017	PUBLIC 267 EMERGENCY
LD 1452	An Act To Make Technical Changes to Recently Enacted Legislation	PUBLIC 328

Not Enacted

LD 148	An Act To Adjust Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of the Department of Marine Resources, the Department of Agriculture, Conservation and Forestry, the Department of Environmental Protection and the Baxter State Park Authority for the Fiscal Year ending June 30, 2015	ONTP
LD 232	An Act To Adjust Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of the Department of the Attorney General and the Judicial Department for the Fiscal Year Ending June 30, 2015	ONTP
LD 233	An Act To Adjust Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of the Department of Defense, Veterans and Emergency Management and the Department of Public Safety for the Fiscal Year Ending June 30, 2015	ONTP
LD 576	An Act To Adjust Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of State Government Related to Position Changes for the Fiscal Years Ending June 30, 2015, June 30, 2016 and June 30, 2017	ONTP

LD 1018	An Act To Make Certain Necessary Appropriations and Allocations	CARRIED OVER
LD 1020	An Act To Make Certain Necessary Supplemental Appropriations and Allocations	CARRIED OVER
LD 1450	An Act To Enact an Interim Budget	INDEF PP

Fiscal Policy

Not Enacted

LD 51	An Act To Eliminate the Bonding Authority of the Maine Governmental Facilities Authority	Majority (ONTP) Report
LD 1414	An Act Regarding the Disposition of Certain Funds Received by the Attorney General Pursuant to a Court Order or Settlement	Majority (ONTP) Report

General Obligation Bond Bills

Enacted

LD 1205	An Act To Authorize a General Fund Bond Issue To Support the Independence of Maine's Seniors	PUBLIC 337
LD 1415	An Act To Authorize Two General Fund Bond Issues To Improve Highways, Bridges and Multimodal Facilities	PUBLIC 305
LD 1445	Resolve, Reauthorizing the Balance of the 2009 Bond Issue for an Offshore Wind Energy Demonstration Project	RESOLVE 42 EMERGENCY

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	CARRIED OVER
LD 68	An Act To Authorize a General Fund Bond Issue To Attract Business by Investing in High-speed Broadband Infrastructure	CARRIED OVER
LD 100	An Act To Authorize a General Fund Bond Issue To Help Small Businesses	CARRIED OVER
LD 108	An Act To Authorize a General Fund Bond Issue for Riverfront Community Development	CARRIED OVER
LD 193	An Act To Authorize a General Fund Bond Issue for Bicycle and Pedestrian Projects	CARRIED OVER
LD 194	An Act To Authorize a General Fund Bond Issue To Encourage Access to Workforce Training and Job Creation	Died Between Houses
LD 211	An Act To Authorize a General Fund Bond Issue To Prepare Maine To Respond to a Disease Outbreak	ONTP
LD 217	An Act To Authorize a General Fund Bond Issue for Development of a Multimodal Transportation Facility	CARRIED OVER
LD 254	An Act To Authorize a General Fund Bond Issue To Support Waterfront Development	CARRIED OVER

LD 271	An Act To Authorize a General Fund Bond Issue for Intermodal Transportation Facilities	ONTP
LD 354	An Act To Authorize a General Fund Bond Issue To Enhance Public Transportation in the Bangor Area	CARRIED OVER
LD 385	An Act To Authorize a General Fund Bond Issue for Improvements to Facilities at the University of Maine System Campuses	CARRIED OVER
LD 386	An Act To Authorize a General Fund Bond Issue To Fund Farmland Restoration	CARRIED OVER
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	CARRIED OVER
LD 426	An Act To Authorize a General Fund Bond Issue To Address Sea Level Rise	CARRIED OVER
LD 438	An Act To Authorize a General Fund Bond Issue To Invest in Maine's Rail Infrastructure and Expand Passenger Rail Service	CARRIED OVER
LD 453	An Act To Authorize a General Fund Bond Issue To Upgrade and Replace Infrastructure of the Maine Public Broadcasting Corporation	CARRIED OVER
LD 628	An Act To Authorize a General Fund Bond Issue To Invest in Transportation Infrastructure	CARRIED OVER
LD 733	An Act To Authorize a General Fund Bond Issue To Build the Infrastructure Needed To End Hunger in Central and Northern Maine	CARRIED OVER
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	CARRIED OVER
LD 873	An Act To Authorize a General Fund Bond Issue for Housing for Homeless Veterans	CARRIED OVER
LD 875	An Act To Authorize a General Fund Bond Issue To Improve Highways, Bridges, Ports, Railroads and Other Multimodal Facilities	CARRIED OVER
LD 924	An Act To Authorize a General Fund Bond Issue To Enhance State Parks	CARRIED OVER
LD 931	An Act To Authorize a General Fund Bond Issue for Research and Development for the University of Maine System	CARRIED OVER
LD 996	An Act To Authorize a General Fund Bond Issue for Food Processing Infrastructure in Rural Areas of the State	CARRIED OVER
LD 998	An Act To Authorize a General Fund Bond Issue To Collect Data on and To Monitor Ocean Acidification	CARRIED OVER
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	CARRIED OVER

LD 1069	An Act To Authorize a General Fund Bond Issue To Upgrade Municipal Culverts at Stream Crossings	CARRIED OVER
LD 1234	An Act To Authorize a General Fund Bond Issue To Acquire the Frances Perkins Homestead	CARRIED OVER
LD 1248	An Act To Authorize a General Fund Bond Issue for the Land for Maine's Future Fund	CARRIED OVER
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	CARRIED OVER
LD 1336	An Act To Authorize a General Fund Bond Issue for Maine's Community Colleges	CARRIED OVER
LD 1341	An Act To Authorize a General Fund Bond Issue To Improve Maine's Housing Stock and Reduce Heating Costs and Oil Consumption	CARRIED OVER
LD 1454	Resolve, Directing the Governor and the Land for Maine's Future Board To Fulfill the Will of Maine Voters and Issue Bonds Approved in 2010	HELD BY GOVERNOR

Miscellaneous Funding and Other Requests

Enacted

LD 1451	An Act To Fund the Agreement with Certain Judicial Department Employees	PUBLIC 333 EMERGENCY
LD 1453	An Act To Fund Agreements with Bargaining Units for Certain Executive Branch Employees and Ensure Equitable Treatment for Other Executive Branch Employees	PUBLIC 376 EMERGENCY

Not Enacted

LD 1184	An Act To Provide Funds to the Town of Millinocket Due to the Loss in Valuation of the Katahdin Paper Company	Died Between Houses
LD 1447	An Act To Authorize Increased Borrowing by the Maine Governmental Facilities Authority To Support the Maine Correctional Center in South Windham	CARRIED OVER

Public Employee Retirement

Enacted

LD 86	An Act To Improve Retirement Security for Retired Public Employees	PUBLIC 334 EMERGENCY
LD 522	An Act To Clarify a Recently Enacted Law Designed To Expand the Number of Qualified Educators	PUBLIC 321
LD 822	An Act To Allow a Former Spouse of a Member of the Maine Public Employees Retirement System To Begin Collecting Benefits When the Former Spouse Reaches the Member's Retirement Age	PUBLIC 322

Not Enacted

LD 16	An Act To Eliminate Retirement Benefits and Paid Health Insurance for Legislators Elected after 2016	Majority (ONTP) Report
LD 212	An Act Concerning Cost-of-living Adjustments for Certain Retirees	CARRIED OVER
LD 518	An Act To Clarify and Protect Certain Public Service Retirement Benefits	CARRIED OVER
LD 654	An Act To Expand the 1998 Special Retirement Plan To Include Detectives in the Office of the Attorney General	CARRIED OVER
LD 927	An Act To Remove the Age Penalty for State Retirees Working at Institutions That Are Closing	CARRIED OVER
LD 995	An Act To Amend the Laws Governing Participating Local Districts in the Maine Public Employees Retirement System	CARRIED OVER
LD 1021	An Act To Amend the Laws Pertaining to the Maine Public Employees Retirement System	CARRIED OVER
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	CARRIED OVER

Tax Reform - Restructuring

Enacted

LD 138	An Act To Update References to the United States Internal Revenue Code of 1986 Contained in the Maine Revised Statutes, Decouple Federal Bonus Depreciation Deductions and Create a Maine Capital Investment Credit	PUBLIC 1 EMERGENCY
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STATE OF MAINE
127TH LEGISLATURE
FIRST REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON CRIMINAL JUSTICE
AND PUBLIC SAFETY**

August 2015

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REP. MICHAEL J. TIMMONS

Joint Standing Committee on Criminal Justice and Public Safety

**LD 43 An Act To Specify That Theft by Deception Includes False Claims
Regarding Military Service**

PUBLIC 21

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FARRIN CYRWAY	OTP-AM	H-21

This bill creates the criminal offense of false claims of military service status, which is a Class E crime. A person is guilty of a false claim of military service status if, with the intent to solicit aid, sell or attempt to sell property or otherwise solicit an amount of more than \$10, the person falsely claims to be a veteran or member of the Armed Forces of the United States or a state military force, falsely claims to have served in any war or conflict in which the United States was engaged or orally, in writing or by wearing a military decoration or rank, falsely claims to have been awarded the military decoration or rank.

Committee Amendment "A" (H-21)

This amendment replaces the bill. It specifies that theft by deception includes a person claiming falsely that the person is a veteran or a member of the Armed Forces of the United States or a state military force. It also provides that upon request by a law enforcement officer or a prosecutor, the Department of Defense, Veterans and Emergency Management, Bureau of Maine Veterans' Services may release information regarding a person's military service for the purposes of investigating alleged false claims of service or decoration awarded for service in the Armed Forces of the United States or a state military force.

Enacted Law Summary

Public Law 2015, chapter 21 specifies that theft by deception includes a person claiming falsely that the person is a veteran or a member of the Armed Forces of the United States or a state military force. The law also provides that upon request by a law enforcement officer or a prosecutor, the Department of Defense, Veterans and Emergency Management, Bureau of Maine Veterans' Services may release information regarding a person's military service for the purposes of investigating alleged false claims of service or decoration awarded for service in the Armed Forces of the United States or a state military force.

**LD 54 Resolve, To Ensure Notification to the Public of the Location in Maine
of Persons Convicted in Foreign Countries of Crimes Relating to the
Sexual Abuse of a Child**

ONTP

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

This resolve directs the Attorney General to convene a task force that includes members of the Maine Sheriffs' Association, members of the Maine Chiefs of Police Association and the Attorney General to develop a procedure for notifying affected members of the public of the location in this State of a person who was convicted in a foreign country of a crime relating to the sexual abuse of a child that, if committed in this State, would subject a person to inclusion on this State's sex offender registry. It provides that the task force may consider information provided by the Department of Public Safety, Bureau of State Police. It directs the Attorney General to submit a report of the task force's findings to the Joint Standing Committee on Criminal Justice and Public Safety by December 2, 2015 and allows the committee to report out a bill related to the report of the task force to the Second Regular Session of the 127th Legislature.

Joint Standing Committee on Criminal Justice and Public Safety

**LD 62 An Act To Require Notice to Municipalities of Certain Licensing and
Registration Actions Taken by the Emergency Medical Services' Board**

PUBLIC 6

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GERRISH WOODSOME	OTP-AM	H-13

This bill provides notice to the municipal officers of a municipality when the Emergency Medical Services' Board investigates or takes action with regard to a violation of law or rule in connection with the provision of emergency medical services in the municipality. The bill provides an exception to Emergency Medical Services' Board confidentiality protections when notice is given to municipal officers.

Committee Amendment "A" (H-13)

The amendment removes from the bill the requirement of notice regarding pending investigations. It also removes the exception from confidentiality to provide that notice. It requires notice in writing to be provided to the town manager or city manager and the municipal officers within five business days of the date when the Emergency Medical Services' Board takes licensing or registration action against or issues letters of guidance or concern with regard to an ambulance service that is owned and operated by the municipality or that contracts to provide services for the municipality.

Enacted Law Summary

Public Law 2015, chapter 6 requires notice in writing to be provided to the town manager or city manager and the municipal officers within five business days of the date when the Emergency Medical Services' Board takes licensing or registration action against or issues letters of guidance or concern with regard to an ambulance service that is owned and operated by the municipality or that contracts to provide services for the municipality.

**LD 69 An Act To Require Drug Testing of the Driver of a Motor Vehicle
Involved in a Fatal Accident**

**Died On
Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FOWLE MCCORMICK	OTP-AM	H-25

Current law requires a law enforcement officer investigating a motor vehicle accident that has resulted in, or may result in, death to require the operator of a motor vehicle to submit to a blood test. If the investigating officer determines it to be appropriate, the officer may require that operator to also submit to a breath test or chemical test to determine the operator's alcohol level or the presence of a drug or drug metabolite.

This bill requires the investigating officer to require the operator of a motor vehicle involved in an accident that results in, or may result in, death to submit to a breath test or chemical test to determine the alcohol level or the presence of a drug or drug metabolite.

Committee Amendment "A" (H-25)

This amendment replaces the bill and requires the Department of Health and Human Services to test blood samples of the operator of a motor vehicle involved in an accident that results in, or may result in, death to determine the blood-alcohol level and the presence of any drug or drug metabolite and report the test results to the Department of Public Safety, Bureau of Highway Safety. This amendment delays the effective date of the bill until July 1, 2016. The amendment adds an appropriations and allocations section.

Joint Standing Committee on Criminal Justice and Public Safety

LD 113 An Act To Reduce the Penalties for Certain Drug Offenses

PUBLIC 308

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KATZ DION	OTP-AM ONTP OTP-AM	S-269

This bill amends the Maine Criminal Code by striking language that defines as trafficking or furnishing the possession of a certain amount of heroin and all permissible inferences based on possession of schedule W or X drugs. This bill also downgrades felony-level trafficking, furnishing, possession and hypodermic needles offenses.

Committee Amendment "A" (S-268)

This amendment is one of three reports of the committee. The amendment changes the title of the bill and reduces possession of oxycodone in a quantity of less than 30 milligrams or hydrocodone or hydromorphone from a Class C crime to a Class D crime. The amendment defines "fentanyl powder." The amendment classifies as Class C crimes possession of fentanyl powder, cocaine in a quantity of seven grams or more and cocaine base in a quantity of two grams or more.

Committee Amendment "B" (S-269)

This amendment is one of three reports of the committee. The amendment reduces unlawful possession of certain schedule W drugs from a Class B crime to a Class D crime and of certain other schedule W drugs from a Class C crime to a Class D crime when there is no prior drug conviction in Maine or another jurisdiction. The amendment directs the court in sentencing a person for a Class D drug offense to consider imposing a sentencing alternative that includes medical and mental health treatment for addiction, when appropriate.

Enacted Law Summary

Public Law 2015, chapter 308 reduces unlawful possession of certain schedule W drugs from a Class B crime to a Class D crime and of certain other schedule W drugs from a Class C crime to a Class D crime when there is no prior drug conviction in Maine or another jurisdiction. The drugs for which the first offense of possession is reduced from Class B to Class D are cocaine in the quantity of more than 14 grams, cocaine base in the quantity of more than four grams and methamphetamine in the quantity of more than 14 grams. The drugs for which the first offense of possession is reduced from Class C to Class D are heroin, methamphetamine, oxycodone, hydrocodone and hydromorphone. The law directs the court in sentencing a person for a Class D drug offense to consider imposing a sentencing alternative that includes medical and mental health treatment for addiction, when appropriate.

LD 149 An Act To Protect Private Property and Livestock from Fireworks

**Accepted Majority
(ONTP) Report**

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

This bill prohibits the use of consumer fireworks where noise from the fireworks would disturb livestock or poultry or within one-quarter mile of a property where livestock or poultry are present without the consent of that property's owner, and prohibits a person from allowing debris from the use of consumer fireworks to enter or land on the property of a person who has not given consent for the debris to enter or land on the property.

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LD 150 Resolve, Requiring a Review of and a Report on Pretrial and Post-conviction Use of Batterers' Intervention Programs

RESOLVE 15

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HEAD	OTP-AM ONTP	H-54 S-67 CUSHING

This bill provides for anger management courses or specified jail time in addition to the sentences for certain domestic violence offenders. The bill directs the Department of Corrections, in consultation with the Maine Commission on Domestic and Sexual Abuse, to develop standards and procedures for certification of anger management programs and to certify those programs. The bill has an effective date of January 1, 2016.

Committee Amendment "A" (H-54)

This amendment, which is the majority report of the committee, replaces the bill with a resolve. The amendment directs the Department of Corrections and the Maine Commission on Domestic and Sexual Abuse, as established in the Maine Revised Statutes, Title 5, section 12004-I, subsection 74-C, to review pretrial and post-conviction use of batterers' intervention programs. The review must include best practices for batterers' intervention programs, including the length of successful programs and sanctions and incentives to encourage full participation and the potential for use before trial, during a period of deferred disposition and after conviction. The amendment requires the Department of Corrections and the Maine Commission on Domestic and Sexual Abuse to report to the Joint Standing Committee on Criminal Justice and Public Safety by January 1, 2016 on the results of the review. The report may include recommendations and suggested legislation. The amendment authorizes the Joint Standing Committee on Criminal Justice and Public Safety to submit a bill on pretrial and post-conviction use of batterers' intervention programs to the Second Regular Session of the 127th Legislature.

Senate Amendment "A" To Committee Amendment "A" (S-67)

This amendment strikes references to the Department of Corrections from Committee Amendment "A" leaving only the Maine Commission on Domestic and Sexual Abuse to review pretrial and post-conviction use of batterers' intervention programs.

Enacted Law Summary

Resolve 2015, chapter 15 directs the Maine Commission on Domestic and Sexual Abuse, as established in Title 5, section 12004-I, subsection 74-C, to review pretrial and post-conviction use of batterers' intervention programs. The review must include best practices for batterers' intervention programs, including the length of successful programs and sanctions and incentives to encourage full participation and the potential for use before trial, during a period of deferred disposition and after conviction. The resolve requires the Maine Commission on Domestic and Sexual Abuse to report to the Joint Standing Committee on Criminal Justice and Public Safety by January 1, 2016 on the results of the review. The report may include recommendations and suggested legislation. The resolve authorizes the Joint Standing Committee on Criminal Justice and Public Safety to submit a bill on pretrial and post-conviction use of batterers' intervention programs to the Second Regular Session of the 127th Legislature.

LD 177 An Act To Protect Farm Animals from Noise from the Discharge of Fireworks and Explosives

Accepted Majority (ONTP) Report

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

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This bill prohibits the use of consumer fireworks or explosives, either loose or contained in a tube or other enclosure, within 1,000 feet of a field or pasture that contains livestock.

LD 186 An Act To Reverse Jail Consolidation

**PUBLIC 335
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS	OTP-AM	S-304
BLACK	OTP-AM	S-341 HAMPER

Public Law 2007, chapter 653, the so-called jail consolidation law, enacted changes to the correctional laws, including creating a State Board of Corrections, for the purpose of developing and implementing a unified correctional system. The public law established a cap on tax assessments for correctional services for each county based on the fiscal year 2007-08 county tax assessment for correctional-related expenditures and prohibited the counties from collecting taxes from the municipalities for the purpose of retiring any correctional services debt issued after July 1, 2008.

This bill repeals the changes that were made by Public Law 2007, chapter 653, eliminating the State Board of Corrections and all of its duties, and returns the law to the form it was in prior to jail consolidation. This bill requires that the State continue to provide funding to the counties in the same amount that it did in fiscal year 2014-15, \$12,202,104.

Committee Amendment "A" (S-304)

This amendment is the majority report of the committee. The amendment retains the focus of the bill on restoring oversight and control of the county jails to the counties and does the following.

1. It adds an emergency preamble and emergency clause.
2. It allows limited growth in county tax assessments to support the operation of the jails.
3. It provides a structure for boarding rates for prisoners transferred from a jail or correctional facility to another jail or correctional facility.
4. It establishes at \$14,668,000 the amount of state funding to be provided to the jails through the County Jail Operations Fund, which the amendment establishes, and requires jails to report census data to the Department of Corrections to facilitate the distribution of funding to the jails.
5. It sets at 30% the amount of funding from the County Jail Operations Fund that must be spent on community corrections and sets at 70% the amount that must be available for the support of prisoners detained or sentenced to county jails.
6. It requires the Commissioner of Corrections to adopt rules to establish mandatory standards, policies and procedures for the jails, including rules on reporting daily census data, and requires the commissioner to work with the jails to assist them in achieving compliance and to impose monetary penalties for noncompliance.
7. It requires the Commissioner of Corrections to receive, administer and distribute on a quarterly basis funding for the jails.
8. It requires the Department of Corrections, in collaboration with statewide associations of sheriffs and county commissioners, to annually submit a report to the joint standing committee of the Legislature having

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jurisdiction over criminal justice and public safety matters on the mandatory standards, policies and procedures for jails, the status of funding for the jails and any need for adjustments to the distribution formula that provides funding to the jails. The amendment authorizes the committee to submit legislation to address issues raised by the report and to improve the funding and operation of the jails.

9. The amendment also adds an appropriations and allocations section.

Committee Amendment "B" (S-305)

This amendment is the minority report of the committee. It replaces the bill and adds an emergency preamble and emergency clause. The amendment changes the membership and quorum of the State Board of Corrections. The amendment also does the following.

1. It changes the composition of the State Board of Corrections, adding five members as follows: the Commissioner of Administrative and Financial Services, the Commissioner of Corrections, the Commissioner of Health and Human Services, the Commissioner of Public Safety and the Chief of the State Police or the designees of each of those persons. It requires the member who represents a statewide organization of sheriffs and the member who represents a statewide organization of county commissioners to be appointed by the Governor.
2. It repeals entitlement to compensation for members of the board.
3. It changes the quorum rules as follows: for voting and rulemaking it changes the quorum from two-thirds of the membership to three members and for a subcommittee hearing it changes the quorum from three to two.
4. It designates the Commissioner of Corrections as chair.

Senate Amendment "B" To Committee Amendment "A" (S-341)

This amendment changes from \$14,668,000 to \$12,202,104 the amount of state funding to be provided to the jails through the County Jail Operations Fund, which is the threshold amount that must be appropriated to the County Jail Operations Fund to trigger a different maximum per prisoner per diem rate.

Enacted Law Summary

Public Law 2015, chapter 335 restores oversight and control of the county jails to the counties and does the following.

1. It allows limited growth in county tax assessments to support the operation of the jails.
2. It provides a structure for boarding rates for prisoners transferred from a jail or correctional facility to another jail or correctional facility.
3. It sets \$12,202,104 as the amount of state funding to be provided to the jails through the County Jail Operations Fund and requires jails to report census data to the Department of Corrections to facilitate the distribution of funding to the jails.
4. It sets at 30% the amount of funding from the County Jail Operations Fund that must be spent on community corrections and sets at 70% the amount that must be available for the support of prisoners detained or sentenced to county jails.
5. It requires the Commissioner of Corrections to adopt rules to establish mandatory standards, policies and procedures for the jails, including rules on reporting daily census data, and requires the commissioner to work with the jails to assist them in achieving compliance and to impose monetary penalties for noncompliance.

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6. It requires the Commissioner of Corrections to receive, administer and distribute on a quarterly basis funding for the jails.
7. It requires the Department of Corrections, in collaboration with statewide associations of sheriffs and county commissioners, to annually submit a report to the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters on the mandatory standards, policies and procedures for jails, the status of funding for the jails and any need for adjustments to the distribution formula that provides funding to the jails. The law authorizes the committee to submit legislation to address issues raised by the report and to improve the funding and operation of the jails.

Public Law 2015, chapter 335 was enacted as an emergency measure effective July 12, 2015.

LD 195 An Act Regarding County Jails

CARRIED OVER

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

This bill allows the county jails to apply savings from the county's correctional budget to jail debt service without a reduction in payments from the State Board of Corrections.

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

LD 230 An Act To Allow a Person To Request a Pardon from the Governor for the Purpose of Restoring Gun Rights

Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'CONNOR BURNS	ONTP OTP	

This bill allows a person who is prohibited from possessing a firearm due to a criminal conviction or other judicial reason to request a pardon from the Governor for the purpose of restoring the person's ability to possess a firearm.

LD 239 An Act To Create a Permanent Wabanaki Law Enforcement Seat on the Board of Trustees of the Maine Criminal Justice Academy

Died Between Houses

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

This bill provides a permanent seat on the Board of Trustees of the Maine Criminal Justice Academy for a representative of the five Wabanaki tribal governments. The tribal representative must be chosen for a two year term by a process determined by the tribal governments. The process must require that the position rotate among the five tribal governments.

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LD 263 An Act To Provide a Minor with a Defense to Prosecution in a Situation That Involves Risk of Alcohol Overdose

PUBLIC 154

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAKER	OTP-AM	H-142
BRAKEY	OTP-AM	

This bill provides a defense to prosecution for a crime related to the consumption of alcohol by a person under 21 years of age or refusal to provide proper identification for a minor who, in a situation that involved risk to the minor or another person of overdose from the consumption of alcohol, in good faith sought medical or emergency treatment or assistance for the minor or the other person or that the minor was the person for whom treatment or assistance was sought and the evidence of the crime is obtained as a result of the minor contacting emergency medical services or law enforcement. This bill does not provide a defense to a charge of operating a motor vehicle while under the influence of alcohol.

Committee Amendment "A" (H-142)

This amendment is the majority report of the committee and replaces the bill. The amendment provides a minor with a defense to prosecution under the alcoholic beverages laws applicable to minors when there is a risk of alcohol overdose and either:

1. The minor or someone else has in good faith sought medical or emergency treatment or assistance for the minor, or
2. The minor is the person for whom assistance was sought and the evidence of the violation is obtained as a result of the person contacting emergency medical services or law enforcement.

Committee Amendment "B" (H-143)

This amendment is the minority report of the committee and replaces the bill. The amendment provides a new title for the bill. The amendment provides immunity to a minor from prosecution under the alcoholic beverages laws applicable to minors when there is a risk of alcohol overdose. The bill proposes to provide a defense to prosecution for a minor when there is a risk of alcohol overdose.

Enacted Law Summary

Public Law 2015, chapter 154 provides a minor with a defense to prosecution under the alcoholic beverages laws applicable to minors when there is a risk of alcohol overdose and either:

1. The minor or someone else has in good faith sought medical or emergency treatment or assistance for the minor, or
2. The minor is the person for whom assistance was sought and the evidence of the violation is obtained as a result of the person contacting emergency medical services or law enforcement.

LD 264 An Act To Restore the Right To Possess Certain Knives That Are Used by Many Citizens as Tools

PUBLIC 23

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STETKIS	OTP	
BRAKEY		

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This bill repeals the provision of law making possession or distribution of dangerous knives a Class D crime.

Enacted Law Summary

Public Law 2015, chapter 23 repeals the provision of law making possession or distribution of dangerous knives a Class D crime.

LD 302 An Act To Encourage Responsible Consumer Fireworks Use Died Between Houses

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

This bill makes the following changes to the consumer fireworks law:

1. It prohibits the use of consumer fireworks whenever the Governor issues a proclamation prohibiting out-of-door fires.
2. It clarifies that the use of consumer fireworks may constitute loud and unreasonable noise under the disorderly conduct law pursuant to the Maine Revised Statutes, Title 17-A, section 501-A.

Committee Amendment "A" (S-39)

This amendment is the majority report of the committee. The amendment removes from the bill the provision related to disorderly conduct.

LD 310 An Act To Prevent Organized Retail Crime PUBLIC 85

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK HOBBINS	OTP-AM	S-30

This bill makes the following a Class C crime:

1. The theft of retail merchandise by two or more people acting in concert, including an employee of a retail establishment; and
2. The altering, affixing or presenting of a false product code or sales receipt in order to obtain or exercise unauthorized control over merchandise from a retail establishment.

Committee Amendment "A" (S-30)

This amendment replaces the bill. This amendment does the following.

1. It repeals and replaces a provision of law that allows the owner or an agent of the owner of a store or motion picture theater to detain a person suspected of stealing from the store or unlawfully recording in a theater. Current law allows the owner or an agent of the owner to detain a person suspected of unlawfully concealing merchandise of the store or unlawfully recording in a movie theater. The amendment separates the store and movie theater provisions and allows the owner of a store or the agent of the owner to detain a person suspected of unlawfully

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concealing or stealing merchandise of the store. The amendment makes no changes to the substance of the law on unlawfully recording in a motion picture theater.

2. It establishes a new crime of organized retail theft. Organized retail theft is defined as a theft in which a person conspires with one or more other persons, either as a principal or as an accomplice, pursuant to a scheme or course of conduct to engage in theft from two or more retail stores for the purpose of selling the stolen merchandise or conducting fraudulent returns of the stolen merchandise. The amendment designates organized retail theft as a Class C crime.

Enacted Law Summary

Public Law 2015, chapter 85 repeals and replaces a provision of law that allows the owner or an agent of the owner of a store or motion picture theater to detain a person suspected of stealing from the store or unlawfully recording in a theater. Current law allows the owner or an agent of the owner to detain a person suspected of unlawfully concealing merchandise of the store or unlawfully recording in a movie theater. This law separates the store and movie theater provisions and allows the owner of a store or the agent of the owner to detain a person suspected of unlawfully concealing or stealing merchandise of the store. The law makes no changes to the substance of the law on unlawfully recording in a motion picture theater.

Public Law 2015, chapter 85 also establishes a new crime of organized retail theft. Organized retail theft is defined as a theft in which a person conspires with one or more other persons, either as a principal or as an accomplice, pursuant to a scheme or course of conduct to engage in theft from two or more retail stores for the purpose of selling the stolen merchandise or conducting fraudulent returns of the stolen merchandise. The law designates organized retail theft as a Class C crime.

LD 324 An Act To Control Fireworks in Monhegan Island Plantation

**Accepted Minority
(ONTP) Report**

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

This bill prohibits the use of consumer fireworks in Monhegan Island Plantation, except on July 4th, and requires the Monhegan Island Plantation fire safety official to inspect the proposed site of a fireworks display.

LD 355 An Act To Extend the Statute of Limitations for the Prosecution of the Crime of Robbery

ONTP

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

This bill extends the statute of limitations for prosecution of a Class A or Class B crime of robbery from six years to 12 years following commission of the crime.

LD 375 An Act To Create a Blue Alert Program in Maine

PUBLIC 26

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CYRWAY LUCHINI	OTP	

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This bill creates the Blue Alert Program to notify the public through various state agencies and media outlets when a law enforcement officer has been killed or injured or is missing and the Department of Public Safety determines that public notification would be useful in apprehending a suspected offender or finding a missing officer.

Enacted Law Summary

Public Law 2015, chapter 26 creates the Blue Alert Program to notify the public through various state agencies and media outlets when a law enforcement officer has been killed or injured or is missing and the Department of Public Safety determines that public notification would be useful in apprehending a suspected offender or finding a missing officer.

LD 376 An Act To Provide a Source of Funding for Drug Abuse Resistance Education Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CYRWAY LUCINI	ONTP OTP-AM	

This bill requires the funds generated by forfeited firearms that are auctioned to federally licensed firearms dealers or the public to be used to fund educational programs taught by law enforcement officers that target prevention of substance abuse, violence or high-risk behavior and teach students good decision-making skills to help them lead safe and healthy lives. These educational programs are known as the Drug Abuse Resistance Education program.

Committee Amendment "A" (S-95)

This amendment is the minority report of the committee. The amendment replaces the bill, which proposes to require funds generated by forfeited firearms that are auctioned to federally licensed firearms dealers or the public to be used to fund drug abuse resistance education programs. The amendment imposes a surcharge of \$10 on all fines imposed by a court under the Maine Revised Statutes, Title 17-A, chapter 45, the laws on illegal possession of drugs. The amendment requires that the revenues from the surcharges be deposited in the DARE Fund to be used to fund DARE programs in schools. "DARE" is defined as an educational program taught by law enforcement officers to students in kindergarten to grade 12 that targets prevention of substance abuse, violence or high-risk behavior and teaches students good decision-making skills to help them to lead safe and healthy lives. The amendment also adds an appropriations and allocations section.

LD 379 An Act To Create the Sex Offender Management and Risk Assessment Advisory Commission PUBLIC 86

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DIAMOND FOWLE	OTP-AM	S-31

This bill moves the law establishing the Sex Offender Risk Assessment Advisory Commission from the Maine Revised Statutes, Title 17-A to Title 34-A and changes the name of the commission to the Sex Offender Management and Risk Assessment Advisory Commission. The bill also makes changes to the provisions of law regarding the commission's powers and duties by requiring the commission to study and offer amendments to the sex offender registration and notification laws and by allowing the commission to accept funding.

Committee Amendment "A" (S-31)

This amendment removes from the bill the duty of the Sex Offender Management and Risk Assessment Advisory

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Commission to conduct a continuing study of methods that may be used to predict the risk of recidivism and to develop a risk assessment method to be used for that purpose. The amendment also removes from the bill the duty to evaluate the plausibility, implementation and application of sex offender risk assessments. The amendment clarifies that the commission is the successor to the Sex Offender Risk Assessment Advisory Commission but is not the successor in every way to the powers, duties and functions of that commission.

Enacted Law Summary

Public Law 2015, chapter 86 moves the law establishing the Sex Offender Risk Assessment Advisory Commission from Title 17-A to Title 34-A and changes the name of the commission to the Sex Offender Management and Risk Assessment Advisory Commission. The law changes the commission's powers and duties by requiring the commission to study and offer amendments to the sex offender registration and notification laws and allowing the commission to accept funding.

LD 415 An Act To Promote the Safe Use and Sale of Firearms

Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DION GERZOFKY	OTP-AM OTP-AM	

This bill creates the civil violation of the sale or transfer of a firearm to a prohibited person and strict liability Class E crime for a second or subsequent offense of selling or transferring a firearm to a prohibited person. The bill also creates an affirmative defense to prosecution under this new civil violation and crime that the seller or transferor of the firearm requested a federally licensed firearm dealer to conduct a computerized background check under the Federal Bureau of Investigation, National Instant Criminal Background Check System on the purchaser or transferee prior to the sale or transfer of the firearm and the background check indicated that the purchaser or transferee was not a prohibited person. The bill creates the Class D crime of the sale or transfer of a firearm to a prohibited person. A person is guilty of this crime if that person intentionally or knowingly sells or transfers a firearm to another person that the seller or transferor knows or believes is prohibited from possessing a firearm. The bill increases the fine from \$50 to \$1,000 for the civil violation of giving a false or fictitious name to a firearms dealer and makes the fine mandatory.

Committee Amendment "A" (H-474)

This amendment is the majority report of the committee. The bill proposes a mandatory \$500 fine for a person who sells or transfers a firearm to a prohibited person. The amendment changes the mandatory fine to a discretionary fine of up to \$500. The bill changes the fine in existing law in which it is a civil violation to give a false or fictitious name to a firearms dealer from a discretionary fine of \$50 to a mandatory fine of up to \$1,000; the amendment provides for a discretionary fine of up to \$1,000.

Committee Amendment "B" (H-475)

This amendment is the minority report of the committee and it replaces the bill. The amendment does the following.

1. It authorizes a person who is not prohibited from possessing a firearm to carry a concealed handgun without a permit.
2. It authorizes a person to possess a loaded pistol or revolver while in a motor vehicle or a trailer or other type of vehicle being hauled by a motor vehicle.
3. It makes the Chief of the State Police the sole issuing authority for permits to carry concealed handguns.

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4. It extends the term of a permit to carry a concealed handgun from four to 10 years.
5. It removes the requirement that an applicant for a handgun permit have taken a handgun safety course within five years of the date of application.
6. It increases the application and renewal fees for a concealed handgun permit from \$35 to \$52.50 and from \$20 to \$52.50, respectively, for a resident. For a nonresident, the fee is increased from \$60 to \$120 for either an application or a renewal.
7. It requires the State Police to establish a centralized database containing information about concealed handgun permit holders and applicants for concealed handgun permits. It provides that the centralized database may be used only by law enforcement agencies or law enforcement officers or by court order and that information about a permit holder or an applicant must be purged from the centralized database within five years after the permit expires or the appeal of a denial or a revocation has run.
8. It provides that a valid concealed handgun permit issued before January 1, 2017 is not subject to the provisions of this legislation, which apply to an application for a new concealed handgun permit or a renewal of valid concealed handgun permit received by the Chief of the State Police on or after January 1, 2017.
9. It adds an appropriations and allocations section.
10. It adds an effective date of January 1, 2017.

LD 431 An Act To Strengthen the Laws Prohibiting Stalking

PUBLIC 357

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BURNS TIMMONS	OTP-AM	S-49

This bill expands the crime of stalking to include conduct directed at or concerning a group of persons. This new classification of stalking is a Class C crime, as opposed to a Class D crime for stalking a single individual. This bill also changes the escalation of criminal penalties for subsequent convictions of stalking, with one prior conviction for stalking or violation of a protective order sufficient to enhance penalties, as opposed to the current two prior convictions. Subsequent convictions are still a Class C crime, but the bill adds a mandatory minimum sentence of one year. Prior conviction of stalking a group of persons escalates the penalty to that for a Class B crime, with a mandatory minimum sentence of two years.

Committee Amendment "A" (S-49)

This amendment replaces the minimum sentence provision in the bill that applies to a person convicted of stalking for a second time or more times. The amendment replaces the minimum sentence for a second or subsequent conviction of stalking with a requirement that the court use a two-step process, first determining a base term of imprisonment of one year and then considering the fact of the stalking and aggravating and mitigating factors, including the impact on the victim, when determining the length of the term of imprisonment. The amendment replaces the minimum sentence provision in the bill that applies to a person convicted of stalking for a second time or more times, when the person stalked two or more persons of an identifiable group. The amendment requires the court to use a two-step process, first determining a base term of imprisonment of two years and then considering the fact of the stalking and aggravating and mitigating factors, including the impact on the victim, when determining the length of the term of imprisonment.

Enacted Law Summary

Public Law 2015, chapter 357 changes the laws on repeat offenses of stalking and expands the crime of stalking to

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include conduct directed at or concerning a group of persons. The law does the following:

1. Expands the crime of stalking to include conduct directed at or concerning a group of persons, designating this crime as a Class C crime. In sentencing, the court is required to use a two-step process in which a base term of imprisonment of one year is imposed in step one and adjustment to that term is imposed in step two;
2. Designates as a Class B crime a repeat offense of stalking a group of persons and escalates that crime to a Class B crime, requiring the court to use a two-step process, first determining a base term of imprisonment of two years and then adjusting that term after considering the fact of the stalking and aggravating and mitigating factors, including the impact on the victim; and
3. Changes the escalation of criminal penalties for subsequent convictions of stalking, with one prior conviction for stalking or violation of a protective order now being sufficient to enhance penalties. Subsequent convictions are still Class C crimes, but the law adds a mandatory minimum sentence of one year.

LD 440 An Act To Create a Secure, Therapeutic Mental Health Unit

CARRIED OVER

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

This bill provides for the establishment of a secure, therapeutic mental health unit for defendants undergoing court-ordered assessments to determine their competency to stand trial or their criminal culpability and to provide therapeutic care for forensic patients. The bill establishes the unit as follows.

1. It directs the Commissioner of Corrections and the Commissioner of Health and Human Services to enter into an agreement to establish the unit with the sheriff of either Cumberland County or Somerset County.
2. It directs the Department of Corrections to provide security for the unit. Security staff must be dedicated to the unit and trained to provide security in a mental health hospital environment.
3. It directs the Department of Corrections to provide therapeutic mental health care for the unit. The therapeutic mental health care must meet standards established by a national organization on correctional facilities mental health standards. The Department of Health and Human Services may also provide mental health services to the unit upon agreement with the Department of Corrections and the county jail.
4. It requires that the population in a secure, therapeutic mental health unit be separated by sight and sound from the general jail population.
5. It specifies that a person under a court order to undergo a mental evaluation by the State Forensic Service must be admitted to the unit unless the Department of Health and Human Services determines that the person's mental health condition contraindicates admittance to the unit, the person is an inmate at a state correctional facility or there is not a suitable bed available.

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

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LD 458 An Act To Implement a Motor Vehicle Violation Electronic Citation Program ONTP

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

This bill requires every law enforcement officer in the State to use an electronic Violation Summons and Complaint form if requested by the person who has been served a traffic summons. The Chief Judge of the District Court is required to approve for use an electronic Violation Summons and Complaint.

The bill also requires both the paper and electronic forms for a traffic summons for a traffic infraction, referred to as the Violation Summons and Complaint, to include the regular mailing address and the e-mail address of the person who has been served the traffic summons. The bill also requires that the clerk of the District Court Violations Bureau enter the paper form of a Violation Summons and Complaint into the violations bureau's case management system within two business days of the law enforcement officer's filing of the original of the Violation Summons and Complaint.

The bill also requires that the Chief Judge of the District Court provide a report to the joint standing committee of the Legislature having jurisdiction over transportation matters and the joint standing committee of the Legislature having jurisdiction over judiciary matters no later than January 15, 2017 regarding implementation of an electronic case management, data storage and filing system for the judicial branch. The bill provides that the report must summarize efficiencies realized by electronic processing of traffic summonses within the District Court Violations Bureau. The bill also requires the Chief Judge of the District Court and the Commissioner of Public Safety to facilitate the roadside credit card payment of traffic summonses for traffic infractions and to develop and initiate a campaign to educate the public about electronic Violations Summonses and Complaints and roadside credit card payment.

LD 459 An Act To Protect the Environment from Fireworks Debris Veto Sustained

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

This bill adds debris from the discharge of consumer fireworks to the definition of "litter" under the Maine Litter Control Act.

LD 460 An Act To Restore Liability Insurance Requirements for Amusement Rides and Other Public Exhibitions ONTP

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

Public Law 2013, chapter 595 repealed the law requiring a traveling circus, traveling amusement show or amusement device to apply to the Commissioner of Public Safety for a license. This bill reenacts that law, including the provision that the application contain a certificate of public liability insurance and a fee.

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LD 504 An Act To Increase the Penalty for Failing To Carry Proof of Motor Vehicle Financial Responsibility

**Accepted Report A
(ONTP)**

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

This bill makes it a Class C crime if a person who is required to maintain proof of financial responsibility operates a vehicle, or knowingly allows the operation of that vehicle, on a public way without such proof and that vehicle is involved in an accident that results in serious bodily injury while being operated on the public way. This bill also increases from a Class E to a Class D crime the penalty for such a person operating a vehicle or knowingly allowing the operation of a vehicle without proof of financial responsibility.

Committee Amendment "A" (H-154)

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

Committee Amendment "B" (H-155)

This amendment which is a minority report of the committee, incorporates a fiscal note. The amendment increases the minimum fine for failure to maintain financial responsibility from \$100 to \$250 and increases the maximum fine from \$500 to \$700.

LD 512 An Act To Implement Certain Recommendations of the Criminal Law Advisory Commission Relative to the Maine Criminal Code

PUBLIC 358

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-86

This bill implements the following Criminal Law Advisory Commission recommendations respecting the Maine Criminal Code.

1. It elevates to Class A crimes in the Maine Revised Statutes, Title 17-A, section 208 those forms of bodily injury that result in serious permanent physical damage to a victim, while retaining as Class B crimes other forms of bodily injury.
2. It amends the definition of the term "public way" in Title 17-A, section 505 to cover public ways, including sidewalks, over which the public has a right to pass by foot and vehicle.
3. It amends Title 17-A, section 554 regarding endangering the welfare of a child by removing the requirement that the child victim be under 16 years of age and by adding the designation of the class of each crime to the appropriate paragraph.
4. It amends Title 17-A, section 1201 to specify that when a court sentences a person to a term of imprisonment for a sex offense followed by a period of supervised release, as authorized by Title 17-A, chapter 50, that person is not eligible for the imposition of a sentence alternative that includes a period of probation.
5. It repeals Title 17-A, section 1206, subsection 7-B regarding probation revocation hearings.

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6. It amends Title 17-A, section 1231, subsection 6 regarding supervised release for sex offenders to make clear that, in the event the court revokes a period of supervised release and instead requires the person to serve time in prison, any remaining portion of the period of supervised release that is not required to be served in prison may not run during the time the person is in prison, and must resume after the person is released from prison.

7. It amends Title 17-A, section 1252, subsection 4-E regarding imprisonment for a conviction of gross sexual assault against a person under 12 years of age to stipulate that supervised release is required following the term of imprisonment.

Committee Amendment "A" (H-86)

This amendment incorporates a fiscal note.

Enacted Law Summary

Public Law 2015, chapter 358 implements the following Criminal Law Advisory Commission recommendations respecting the Maine Criminal Code.

1. It elevates to Class A crimes in the Maine Revised Statutes, Title 17-A, section 208 those forms of bodily injury that result in serious permanent physical damage to a victim, while retaining as Class B crimes other forms of bodily injury.

2. It amends the definition of the term "public way" in Title 17-A, section 505 to cover public ways, including sidewalks, over which the public has a right to pass by foot and vehicle.

3. It amends Title 17-A, section 554 regarding endangering the welfare of a child by removing the requirement that the child victim be under 16 years of age and by adding the designation of the class of each crime to the appropriate paragraph.

4. It amends Title 17-A, section 1201 to specify that when a court sentences a person to a term of imprisonment for a sex offense followed by a period of supervised release, as authorized by Title 17-A, chapter 50, that person is not eligible for the imposition of a sentence alternative that includes a period of probation.

5. It repeals Title 17-A, section 1206, subsection 7-B regarding probation revocation hearings.

6. It amends Title 17-A, section 1231, subsection 6 regarding supervised release for sex offenders to make clear that, in the event the court revokes a period of supervised release and instead requires the person to serve time in prison, any remaining portion of the period of supervised release that is not required to be served in prison may not run during the time the person is in prison, and must resume after the person is released from prison.

7. It amends Title 17-A, section 1252, subsection 4-E regarding imprisonment for a conviction of gross sexual assault against a person under 12 years of age to stipulate that supervised release is required following the term of imprisonment.

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LD 534 An Act To Increase Crisis Intervention Training in the State ONTP

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

This bill requires that, beginning January 2017, at least 20% of law enforcement officers in a municipal police department and in a county sheriff department must complete the so-called Memphis model of crisis intervention team training. Beginning June 2017, officers who have not completed this training must be certified in mental health first aid.

LD 535 An Act To Amend the Laws Governing the Concealed Handguns Permit Application Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNPHY L BRAKEY	ONTP OTP	

This bill removes questions about marijuana use from the concealed handguns permit application.

LD 548 An Act To Provide a Concealed Handgun Permit for Active Military Members ONTP

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

This bill allows a person who is a member of the Armed Forces of the United States or a state's military forces to be eligible for a permit to carry a concealed handgun if the person is not otherwise prohibited by law from possessing a firearm.

LD 549 Resolve, To Create the Task Force on Disaster Resiliency ONTP

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

This resolve establishes the Task Force on Disaster Resiliency to investigate and strengthen the State's disaster response to extreme weather and sea level rise events.

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LD 566 An Act To Protect Individuals from Breaches of Trust by Clergy Members

INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GUERIN	OTP-AM	

This bill makes unlawful any sexual contact by a clergy member with an individual to whom the clergy member within the past year has provided, in private counseling, religious or spiritual advice, aid or comfort.

Committee Amendment "A" (H-111)

This amendment replaces the bill and makes it unlawful for a member of the clergy who is in a position of trust or authority over another person to use that clergy's position of trust or authority to engage in a sexual act, sexual contact or sexual touching with the other person. It also places the current definition of "domestic partner" under the definition section of the Maine Revised Statutes, Title 17-A, chapter 11 and deletes repetitive definitions of "domestic partner" found throughout the chapter. The amendment clarifies that the Sex Offender Registration and Notification Act of 2013 applies only prospectively, including with respect to offenses in other jurisdictions.

LD 573 An Act To Provide for Annulment of Certain Arrest Records and Expungement of Certain Confidential Criminal History Record Information

ONTP

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

This bill directs the Department of Public Safety, State Bureau of Identification to establish a process for the annulment of a person's arrest record and expungement of the person's confidential criminal history record information. The process must apply to certain arrests and information that is described as confidential under the Maine Revised Statutes, Title 16, section 703, subsection 2, paragraphs A to H. The bill requires the process to include notice to all persons who are included in the information as victims and to all law enforcement agencies that are included in the information. The bill requires the process to include a decision in favor of annulment of the arrest record and expungement of the information by the commanding officer of the State Bureau of Identification upon a finding that annulment of the arrest record and expungement of the information is in the best interests of the person to whom the information pertains and is not detrimental to the public interest or to the protection of society. The bill directs the State Bureau of Identification to adopt routine technical rules to implement the law.

LD 577 An Act To Amend the Laws Governing Penalties for Writing Bad Checks

ONTP

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

This bill amends the civil penalties for issuing a check that is subsequently dishonored. Current law allows a person to recover the amount of the check, the court costs and the processing charges incurred by the holder, plus interest at the rate of 12% per annum from the date of dishonor. If the person liable does not pay the amount of the check, plus costs and interest, before the hearing, the court may award reasonable attorney's fees to the prevailing party plus a civil penalty, not to exceed \$150. A person who issues a second dishonored check to the same payee is liable for damages of the lesser of two times the amount of the check and \$750 if the person does not have an account at the

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bank from which the check is issued or \$400 if there are insufficient funds to pay the check.

This bill increases the civil penalty for issuing a check that is dishonored to twice the face amount of the check or \$500, whichever is less.

This bill also imposes a service charge of \$30 or 5% of the face amount of the check, whichever is greater, and removes the interest penalty. The penalty for issuing a second dishonored check to the same payee is increased to the lesser of three times the face value of the check and \$1,000 if the person does not have an account at the bank from which the check is issued or \$750 if there are insufficient funds to pay the check.

LD 599 An Act To Direct the Department of Public Safety To Establish a Public Safety Answering Point for the Passamaquoddy Indian Reservation at Indian Township Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DANA	REF TO EUT ONTP	

This bill directs the Public Utilities Commission, Emergency Services Communications Bureau to identify and establish a public safety answering point within the Passamaquoddy Indian Reservation at Indian Township to serve persons located within Indian Township.

LD 600 An Act To Prohibit a Person Convicted of a Crime of Domestic Violence from Possessing a Firearm for a Period of 5 Years and To Better Align Maine Law with Federal Law Regarding Persons Prohibited from Possessing Firearms PUBLIC 287

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PICKETT BURNS	OTP-AM ONTP	H-389

This bill amends Maine law prohibiting the possession of firearms to better conform the law to federal law. This bill adds the following persons to the list of persons who may not possess firearms:

1. Fugitives from justice;
2. Persons who are unlawful users of or are addicted to any controlled substance and as a result are prohibited from possession of a firearm under 18 United States Code, Section 922(g)(3);
3. Aliens who are illegally or unlawfully in the United States or who were admitted under nonimmigrant visas and who are prohibited from possession of a firearm under 18 United States Code, Section 922(g)(5);
4. Persons who have been discharged from the United States Armed Forces under dishonorable conditions;
5. Persons who have renounced United States citizenship; and
6. Persons who have been convicted in any court of a crime of domestic violence designated as a Class D or Class E crime or an equivalent crime of that jurisdiction.

Committee Amendment "A" (H-389)

This amendment, which is the majority report of the committee, modifies the provision in the bill regarding a

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prohibition on the possession of a firearm by a person convicted of a crime of domestic violence. This amendment provides that a person convicted or adjudicated of a Class D crime of domestic violence is prohibited from possessing a firearm for five years from the date of the conviction or adjudication. The prohibition expires at the end of the five-year period unless the person is convicted of any subsequent crime during the five-year period.

Enacted Law Summary

Public Law 2015, chapter 287 adds the following persons to the list of persons who may not possess firearms:

1. Fugitives from justice;
2. Persons who are unlawful users of or are addicted to any controlled substance and as a result are prohibited from possession of a firearm under 18 United States Code, Section 922(g)(3);
3. Aliens who are illegally or unlawfully in the United States or who were admitted under nonimmigrant visas and who are prohibited from possession of a firearm under 18 United States Code, Section 922(g)(5);
4. Persons who have been discharged from the United States Armed Forces under dishonorable conditions;
5. Persons who have renounced United States citizenship; and
6. Persons who have been convicted or adjudicated of a Class D crime of domestic violence within the previous five year period, calculated from the date of the conviction or adjudication. The prohibition expires at the end of the five-year period unless the person is convicted of any subsequent crime during the five-year period.

LD 623 An Act To Expand Maine's Carbon Monoxide Detectors Law

PUBLIC 375

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DIAMOND TIMMONS	OTP-AM	S-290

This bill adds existing single-family dwellings, hotels, motels, inns, bed and breakfasts, certain other lodging places, fraternity houses, sorority houses, dormitories and child care facilities to the list of structures required to install carbon monoxide detectors, which may be powered by a nonreplaceable ten-year battery. In the event of any construction of, addition to, restoration of or conversion of a building to one of these structures, the owner is required to install a carbon monoxide detector that is powered by both the electrical service in the building or dwelling and by battery.

Committee Amendment "A" (S-290)

This amendment replaces the bill. The amendment does the following.

1. It requires carbon monoxide detectors in all fraternity houses, sorority houses and dormitories affiliated with educational facilities, children's homes, shelters and residential care facilities licensed by the Department of Health and Human Services and eating and lodging places and lodging places.
2. It requires carbon monoxide detectors in all educational facilities, but it exempts dormitories and other buildings of educational facilities that meet National Fire Protection Association standards.
3. It defines "educational facility" to mean public and private postsecondary institutions and child care facilities.
4. It specifies which types of power sources for carbon monoxide detectors may be used in which buildings.

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5. It provides a schedule for public and private postsecondary institutions to achieve full compliance by January 1, 2019.
6. It includes a transition provision for carbon monoxide detectors in use on the effective date of this legislation that have nonconforming power sources.
7. It provides an effective date of January 1, 2016.

Enacted Law Summary

Public Law 2015, chapter 375 does the following.

1. It requires carbon monoxide detectors in all fraternity houses, sorority houses and dormitories affiliated with educational facilities, children's homes, shelters and residential care facilities licensed by the Department of Health and Human Services and eating and lodging places and lodging places.
2. It requires carbon monoxide detectors in all educational facilities, but it exempts dormitories and other buildings of educational facilities that meet National Fire Protection Association standards.
3. It defines "educational facility" to mean public and private postsecondary institutions and child care facilities.
4. It specifies which types of power sources for carbon monoxide detectors may be used in which buildings.
5. It provides a schedule for public and private postsecondary institutions to achieve full compliance by January 1, 2019.
6. It includes a transition provision for carbon monoxide detectors in use on the effective date of this legislation that have nonconforming power sources.
7. It provides an effective date of January 1, 2016.

LD 624 An Act To Make a Technical Correction to the Law Establishing the State Trauma Prevention and Control Advisory Committee within the Field of Public Safety

PUBLIC 30

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUTREMBLE GERRISH	OTP	

Under current law, the State Trauma Prevention and Control Advisory Committee is established under the subject field of "Human Services." This bill instead establishes that committee under the subject field "Public Safety."

Enacted Law Summary

Public Law 2015, chapter 30 establishes the State Trauma Prevention and Control Advisory Committee in Title 5 of the Maine Revised Statutes under the subject field of "Public Safety".

LD 629 An Act Regarding Community Paramedicine Pilot Projects

**PUBLIC 92
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUTREMBLE GERRISH	OTP-AM	S-32

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This bill removes a requirement that an emergency medical services provider that conducts a community paramedicine pilot project work with an identified primary care medical director, have an emergency medical services medical director and collect and submit data and written reports to the board, in accordance with requirements established by the board. The bill also removes a provision limiting the number of pilot projects.

Committee Amendment "A" (S-32)

This amendment adds an emergency preamble and an emergency clause to the bill. The amendment removes the time limitation of three years for community paramedicine pilot projects. Like the bill, the amendment removes a provision limiting the number of pilot projects. Unlike the bill, the amendment does not strike the requirement that an emergency medical services provider that conducts a community paramedicine pilot project work with an identified primary care medical director, have an emergency medical services medical director and collect and submit data and written reports to the board, in accordance with requirements established by the board.

Enacted Law Summary

Public Law 2015, chapter 92 removes the time limitation of three years for community paramedicine pilot projects and the limit on the number of pilot projects.

Public Law 2015, chapter 92 was enacted as an emergency measure effective May 19, 2015.

LD 651 An Act To Amend Maine's Sex Trafficking and Child Welfare Laws

PUBLIC 360

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK DION	OTP-AM	S-96

This bill revises the criminal laws regarding sexual exploitation, prostitution and sex trafficking of minors by increasing the maximum age of the minors in various provisions to 18 years of age, clarifying under various provisions that it is not a defense that the minor gave consent and adding the crime of aggravated sex trafficking to the list of prior offenses that are used to enhance a charge of sex trafficking from a Class D to a Class C crime if a defendant has been convicted of two or more of the offenses. The bill also amends the Child and Family Services and Child Protection Act by adding to the definition of "abuse and neglect" various criminal offenses relating to sexual exploitation, prostitution and sex trafficking of minors and creating a rebuttable presumption of a parent's unwillingness or inability to protect a child from jeopardy in considering the termination of parental rights if a child for whom the parent was responsible is the victim of sexual exploitation, sex trafficking or aggravated sex trafficking.

Committee Amendment "A" (S-96)

This amendment changes the title and strikes most of the bill, retaining those sections that include references to aggravated sex trafficking, sex trafficking and prostitution of a minor or a person with a disability as crimes for which an enhanced charge applies. The amendment also retains the changes to the Child and Family Services and Child Protection Act. The amendment adds sexual exploitation of a minor, sex trafficking and aggravated sex trafficking to the list of aggravating factors in the child welfare laws.

Enacted Law Summary

Public Law 2015, chapter 360 adds the crime of aggravated sex trafficking to the list of prior offenses that are used to enhance a charge of sex trafficking from a Class D to a Class C crime if a defendant has been convicted of two or more of the offenses. The law amends the Child and Family Services and Child Protection Act by adding to the definition of "abuse and neglect" various criminal offenses relating to sexual exploitation, prostitution and sex trafficking of minors and by creating a rebuttable presumption of a parent's unwillingness or inability to protect a

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child from jeopardy in considering the termination of parental rights if a child for whom the parent was responsible is the victim of sexual exploitation, sex trafficking or aggravated sex trafficking.

LD 652 An Act To Authorize the Carrying of Concealed Handguns without a Permit

PUBLIC 327

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRAKEY SHAW	ONTP OTP-AM	S-119 S-153 VOLK S-175 ROSEN S-174 BRAKEY

This bill authorizes a person who is not prohibited from possessing a firearm to carry a concealed handgun without a permit. This bill also authorizes a person to possess a loaded pistol or revolver while in a motor vehicle or a trailer or other vehicle being hauled by a motor vehicle.

Committee Amendment "A" (S-119)

This amendment, which is the minority report of the committee, adds an appropriations and allocations section that deallocates funds to the Department of Public Safety due to the elimination of the permitting process.

Senate Amendment "B" To Committee Amendment "A" (S-153)

This amendment requires a person who is authorized under the bill to carry a concealed handgun without a permit to sign an acknowledgment that the person was provided a firearm safety brochure upon purchase of a handgun. A firearm safety brochure is currently required to be provided with every firearm sold. The amendment adds to the information provided in the firearm safety brochure information developed by the Department of Public Safety related to locations where handguns are prohibited and information concerning the use of handguns for self-defense. The amendment requires the purchaser to retain the acknowledgment. It also requires the Department of Public Safety to post a firearm safety brochure and the acknowledgment form and a list of certified safety programs on the department's publicly accessible website.

Senate Amendment "D" To Committee Amendment "A" (S-175)

Under the bill, a person who is not otherwise prohibited from carrying a firearm may carry a concealed handgun without a permit. This amendment incorporates the provisions of House Amendment "B" to Committee Amendment "A" and provides that a person who is 18 years of age or older and under 21 years of age and is on active duty in the Armed Forces of the United States or the National Guard or is an honorably discharged veteran of the Armed Forces of the United States or the National Guard and is not otherwise prohibited from carrying a firearm may carry a concealed handgun without a permit.

Senate Amendment "C" To Committee Amendment "A" (S-174)

This amendment incorporates the provisions of House Amendment "A" to Committee Amendment "A" and provides that the duty of an individual to inform a law enforcement officer that the individual is carrying a concealed handgun applies only to an individual who does not have a valid permit to carry a concealed handgun that has been issued as provided in the Maine Revised Statutes, Title 25, chapter 252.

Enacted Law Summary

Public Law 2015, chapter 327 authorizes a person who is 21 years of age or older and is not prohibited from possessing a firearm to carry a concealed handgun without a permit. Additionally, chapter 327:

1. Provides that a person who is 18 years of age or older and under 21 years of age and is on active duty in the Armed Forces of the United States or the National Guard or is an honorably discharged veteran of the Armed Forces

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of the United States or the National Guard and is not otherwise prohibited from carrying a firearm may carry a concealed handgun without a permit:

2. Authorizes a person 21 years of age or older to possess a loaded pistol or revolver while in a motor vehicle or a trailer or other vehicle being hauled by a motor vehicle unless otherwise prohibited from possessing a firearm;
3. Requires a person who is eligible to carry a concealed handgun without a permit to sign and retain an acknowledgment upon purchase of a handgun that the person was provided a firearm safety brochure developed by the Department of Public Safety;
4. Requires the Department of Public Safety to include information in its firearm safety brochure about locations where handguns are prohibited and information concerning the use of handguns for self-defense;
5. Requires the Department of Public Safety to post its firearm safety brochure and the acknowledgment form and a list of certified safety programs on the department's publicly accessible website;
6. Requires a person carrying a concealed handgun without a permit to inform a law enforcement officer that the individual is carrying a concealed handgun unless the person has a valid permit to carry a concealed handgun that has been issued as provided in Title 25, chapter 252; and
7. Deallocates funds to the Department of Public Safety due to the elimination of the permitting process.

LD 655 Resolve, To Study the Feasibility of a State Firefighter Training Facility CARRIED OVER

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

This resolve directs the Department of Public Safety to hire an independent consultant to study the feasibility of establishing a statewide, centrally located firefighter training facility and several regional firefighter training facilities. It includes a General Fund appropriation and requires the department to submit a report based on the results of the study to the Joint Standing Committee on Criminal Justice and Public Safety by January 6, 2016.

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

**LD 657 An Act To Provide Enhanced Mental Health Services to the County Died Between
Prison Population Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAVERS DUTREMBLE	ONTP OTP-AM	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to increase funding for mental health care services for the county prison population, including educating and training prison employees in behavioral health assessment and protocols on an annual basis. It would also require that every county jail have a mental health worker on site at least eight hours a day.

Committee Amendment "A" (H-222)

This amendment is the minority report of the committee. It directs the Consumer Council System of Maine to

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convene a broadly representative working group to collect data to determine the unmet needs for mental health services in the county jails. The amendment directs the Consumer Council System of Maine to report to the Joint Standing Committee on Criminal Justice and Public Safety on the need for mental health services in the county jails, the components and costs of current mental health service delivery and the estimated extent and costs of the unmet needs by February 1, 2016. The amendment authorizes the Consumer Council System of Maine to include in its report recommendations and possible sources of funding. The amendment authorizes the committee to submit legislation to the Second Regular Session of the 127th Legislature.

LD 658 An Act To Allow Text Messaging for Reporting Emergencies

**Accepted Majority
(ONTP) Report**

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

This bill directs the Public Utilities Commission, Emergency Services Communication Bureau to develop standards and procedures for public safety answering points to accept emergency text messaging from all wireless carriers in the State beginning July 1, 2016. This bill also amends the laws regarding confidentiality of audio recordings of E-9-1-1 calls to apply also to text messages.

Committee Amendment "A" (H-158)

This amendment is the minority report of the committee. The amendment changes the provision of the bill that requires the Public Utilities Commission, Emergency Services Communication Bureau to develop standards and procedures for the acceptance of text messages by all public safety answering points beginning July 1, 2016 to a provision that requires the bureau to develop standards and procedures for acceptance of text messages by the E-9-1-1 system and the acceptance of text messages by at least one public safety answering point from all cellular and wireless telecommunications service providers in the State as required by the Federal Communications Commission beginning July 1, 2017. The amendment changes the provisions of the bill regarding the confidentiality of text messages sent to the E-9-1-1 system to provide that all digital communications sent to the E-9-1-1 system are confidential, subject to the same exceptions that apply to the confidentiality of audio recordings of emergency calls.

LD 679 An Act To Prohibit the Unauthorized Dissemination of Certain Private Images

PUBLIC 339

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FREDETTE HILL	OTP-AM	H-430 S-331 HAMPER

This bill prohibits a person from intentionally displaying, distributing or offering a photograph, videotape, film or digital recording of another person in a state of nudity or engaged in a sexual act if that person knows or should have known that the depicted person is 18 years of age or older, is identifiable and has not consented to the disclosure. A violation of this prohibition is a Class D crime.

Committee Amendment "A" (H-430)

This amendment provides a new title and replaces the bill. Like the bill, the amendment prohibits unauthorized distribution of certain private images, but changes the term "distribution" to "dissemination," adds as elements of the crime the dissemination's being done with the intent to harass, torment or threaten the depicted person or another person, knowingly instead of intentionally and in a manner in which there is no public or newsworthy purpose and adds masturbation to the definition of "sexual act." The amendment amends the law on protection from abuse

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procedure to allow a complaint to be filed by a victim of unauthorized dissemination of certain private images without regard to whether a criminal prosecution has occurred. The amendment removes from the exceptions proposed in the bill the lawful and common practices of law enforcement, reporting unlawful activity and dissemination when permitted or required by law or rule in legal proceedings.

Senate Amendment "A" To Committee Amendment "A" (S-331)

This amendment adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2015, chapter 339 prohibits unauthorized dissemination of certain private images. The law prohibits the dissemination of images that show a person in a state of nudity or engaged in a sexual act or engaged in sexual contact if the dissemination is done:

1. In a manner in which there is no public or newsworthy purpose;
2. With the intent to harass, torment or threaten; and
3. The actor knows or should have known that the person depicted is an adult, is identifiable from the image or from information displayed with the image and has not consented to the dissemination, display or publication of the images.

Chapter 339 amends protection from abuse procedure to allow a complaint to be filed by a victim of unauthorized dissemination of certain private images without regard to whether a criminal prosecution has occurred. It designates unauthorized dissemination of certain private images as a Class D crime. It provides exceptions for lawful and common practices of medical treatment, images that involve voluntary exposure in a public or commercial setting and interactive computer and information services as defined in 47 United States Code, Sections 153 and 230(f)(2).

LD 688 An Act To Amend the Laws Related to the Bolduc Correctional Facility

PUBLIC 48

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROSEN LONG	OTP-AM	S-23

This bill makes the following changes to the laws relating to the Bolduc Correctional Facility.

1. It repeals the statutory provision relating to the Maine State Prison minimum security unit. Because the Bolduc Correctional Facility was established in law in Public Law 2013, chapter 508, this provision is now superfluous.
2. It specifies that employees of the Bolduc Correctional Facility have the same power to search for and apprehend escapees as the employees of the other Department of Corrections facilities have.

Committee Amendment "A" (S-23)

This amendment clarifies that employees of the Bolduc Correctional Facility have the same power to search for and apprehend escapees as do deputy sheriffs.

Enacted Law Summary

Public Law 2015, chapter 48 makes the following changes to the laws relating to the Bolduc Correctional Facility.

1. It repeals the statutory provision relating to the Maine State Prison minimum security unit. Because the Bolduc Correctional Facility was established in law in Public Law 2013, chapter 508, this provision is now superfluous.

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2. It specifies that employees of the Bolduc Correctional Facility have the same power to search for and apprehend escapees as do deputy sheriffs.

LD 697 An Act To Restore Public Safety Programs in the Department of Public Safety

**PUBLIC 148
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
Lajoie Burns	OTP-AM OTP-AM	H-145

The bill does the following:

1. Part A restores the inspection and certificate requirements for boilers located in structures used by schools or colleges for the purpose of housing classrooms, gymnasiums, auditoriums or dormitories. These provisions were discontinued by Public Law 2013, chapter 595, Part U, section 11.
2. Part B allows qualified private sector organizations or individuals to inspect amusement rides to ensure they are safe for the public. The bill assigns oversight responsibilities over the certification of qualified amusement ride inspectors to the Office of the State Fire Marshal. The bill also corrects cross-references.

Committee Amendment "A" (H-145)

This amendment is the majority report of the committee. The amendment deletes from the bill the provision related to inspection of steam boilers in schoolhouses. The amendment deletes from the bill reference to private certified inspectors for amusement rides and inserts inspectors employed by the Office of the State Fire Marshal. The amendment deletes from the bill the provisions on inspection decals that related to inspection by private sector inspectors and inserts provisions related to inspection by inspectors who are employed by the Office of the State Fire Marshal. The amendment specifies the application process for amusement rides and sets the fee at a level not to exceed \$100 per ride as established by the Commissioner of Public Safety by rule. The amendment specifies that the insurer that issues the liability insurance policy for operators of amusement rides, amusement shows and traveling circuses and amusement devices must be approved by the Commissioner of Public Safety. The amendment specifies the information required for an application for amusement rides and amusement shows.

Committee Amendment "B" (H-146)

This amendment is the minority report of the committee. The amendment deletes from the bill the provision related to inspection of steam boilers in schoolhouses. The amendment deletes from the bill reference to private certified inspectors for amusement rides and inserts inspectors employed by the Office of the State Fire Marshal. The amendment deletes from the bill the provisions on inspection decals that related to inspection by private sector inspectors and inserts provisions related to inspection by inspectors who are employed by the Office of the State Fire Marshal. The amendment specifies the application process for amusement rides and sets the fee at a level not to exceed \$50 per ride as established by the Commissioner of Public Safety by rule. The amendment specifies that the insurer that issues the liability insurance policy for operators of amusement rides, amusement shows and traveling circuses and amusement devices must be approved by the Commissioner of Public Safety. The amendment specifies the information required for an application for amusement rides and amusement shows.

Enacted Law Summary

Public Law 2015, chapter 148 specifies the application process for amusement rides and inspection process in the Office of the State Fire Marshal. It sets the fee at a level not to exceed \$100 per ride as established by the Commissioner of Public Safety by rule. It specifies that the insurer that issues the liability insurance policy for operators of amusement rides, amusement shows and traveling circuses and amusement devices must be approved by the Commissioner of Public Safety. It specifies the information required for an application for amusement rides

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and amusement shows.

Public Law 2015, chapter 148 was enacted as an emergency measure effective June 9, 2015.

LD 710 An Act Providing a Good Samaritan Defense to Individuals Reporting a Drug Overdose Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DION GERZOFISKY	OTP-AM ONTP	H-237

This bill creates an affirmative defense to prosecution for unlawful possession of a scheduled drug. The bill specifies that it is an affirmative defense to prosecution that the evidence of possession was obtained as a result of the person's seeking, in good faith, medical assistance for someone experiencing a drug-related overdose or the evidence of possession was obtained as a result of the person's seeking or obtaining medical assistance for a drug-related overdose the person is experiencing. The bill also specifies that the affirmative defense is not grounds for suppression of evidence with respect to any crime.

Committee Amendment "A" (H-237)

This amendment is the majority report of the committee. This amendment broadens the Good Samaritan defense provided by the bill to individuals reporting a drug overdose to apply to illegal possession of hypodermic apparatuses and use of drug paraphernalia.

**LD 729 An Act To Add Acetylfentanyl and Methylfentanyl Derivatives to the List of Schedule W Drugs PUBLIC 330
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BURNS	OTP-AM	S-145

This bill adds acetylfentanyl to the list of Schedule W drugs. Acetylfentanyl is not approved by the United States Food and Drug Administration and is closely related to the prescription opioid fentanyl, which is a Schedule W drug.

Committee Amendment "A" (S-145)

This amendment adds an emergency preamble and emergency clause to the bill. The amendment adds to the list of Schedule W drugs any methylfentanyl derivatives.

Enacted Law Summary

Public Law 2015, chapter 330 adds acetylfentanyl and methylacetylfentanyl derivates to the list of Schedule W drugs. Acetylfentanyl and methylacetylfentanyl derivates are not approved by the United States Food and Drug Administration and are closely related to the prescription opioid fentanyl, which is a Schedule W drug.

Public Law 2015, chapter 330 was enacted as an emergency measure effective July 12, 2015.

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LD 748 An Act To Provide for Tiered Qualifications for Volunteer Firefighters in Certain Municipalities Leave to Withdraw Pursuant to Joint Rule

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

This bill provides that in a municipality with fewer than 2,500 permanent residents the fire chief, with the approval of the municipal officers of that municipality, may approve training for volunteer firefighters that provides for three tiers of qualifications as follows:

1. At the highest tier three firefighters;
2. At the middle tier firefighters who are trained and who are qualified to perform all firefighter services except for entry into a burning building; and
3. At the lowest tier firefighters who are trained and who are qualified to perform basic firefighter duties including, but not limited to, handling fire hoses, trucks and equipment.

LD 792 An Act To Protect Patients from Sexual Exploitation Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAWICKI BRAKEY	ONTP OTP-AM	

Current laws regarding gross sexual assault, unlawful sexual contact and unlawful sexual touching prohibit relationships or contact by a person who is a psychiatrist, a psychologist or licensed as a social worker or a person who purports to be a psychiatrist, a psychologist or licensed as a social worker with a current patient or client. This bill amends the laws regarding gross sexual assault, unlawful sexual contact and unlawful sexual touching by adding additional medical professionals licensed under the Maine Revised Statutes, Title 32 to the list of persons prohibited from having certain relationships or contact with patients and adds the definition of "health care services providers" to Title 17-A, chapter 11. "Health care services providers" includes physicians, osteopathic physicians, chiropractors, physical therapists, physician assistants and nurses.

Committee Amendment "A" (H-221)

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

LD 818 An Act To Amend the Maine Emergency Medical Services Act of 1982 PUBLIC 82

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUTREMBLE LAJOIE	OTP-AM	S-63

This bill amends the Maine Emergency Medical Services Act of 1982. Specifically, the bill:

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1. Changes the term "first responder" to "emergency medical responder" to align the law with the Emergency Medical Services rules and the national scope of practice levels;
2. Modifies the composition of the Medical Direction and Practices Board to include an at-large member, a pharmacist and the statewide assistant emergency medical services medical director and to specify that the representative of the Maine Chapter of the American College of Emergency Medicine Physicians must be an emergency physician;
3. Removes a requirement that the Emergency Medical Services' Board or its staff must request the Attorney General to file a complaint in District Court to commence either full or emergency proceedings to suspend a license for more than a year or to revoke a license when the board or its staff concludes to so suspend or revoke the license is in order;
4. Requires applicants and licensees to notify the Emergency Medical Services' Board regarding name and address changes, criminal convictions, actions taken by another regulatory agency against any of their occupational and professional licenses and material changes to their conditions and qualifications set forth in their original applications for licensure; and
5. Repeals the law establishing the Epinephrine Training Fund.

Committee Amendment "A" (S-63)

This amendment does the following:

1. It specifies that the Medical Direction and Practices Board may include a toxicologist instead of a licensed pharmacist;
2. It clarifies that the Emergency Medical Services' Board has the power and duty to appoint or approve the members of the Medical Direction and Practices Board;
3. It deletes from the bill the provision that repeals the requirement that the Emergency Medical Services' Board or its staff must request the Attorney General to file a complaint in District Court to commence either full or emergency proceedings to suspend a license for more than a year or to revoke a license when the board or its staff concludes that such suspension or revocation is in order; and
4. It adds to the purposes for which information specifically identifying individuals collected by Maine Emergency Medical Services may be released the purposes of public health surveillance and linkage with patient electronic medical records.

Enacted Law Summary

Public Law 2015, chapter 82 amends the Maine Emergency Medical Services Act of 1982 as follows:

1. It changes the term "first responder" to "emergency medical responder" to align the law with the Emergency Medical Services rules and the national scope of practice levels;
2. It modifies the composition of the Medical Direction and Practices Board to include an at-large member, a pharmacist or a toxicologist and the statewide assistant emergency medical services medical director and to specify that the representative of the Maine Chapter of the American College of Emergency Medicine Physicians must be an emergency physician;
3. It requires applicants and licensees to notify the Emergency Medical Services' Board regarding name and address changes, criminal convictions, actions taken by another regulatory agency against any of their

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occupational and professional licenses and material changes to their conditions and qualifications set forth in their original applications for licensure;

4. It clarifies that the Emergency Medical Services' Board has the power and duty to appoint or approve the members of the Medical Direction and Practices Board;
5. It adds to the purposes for which information specifically identifying individuals collected by Maine Emergency Medical Services may be released the purposes of public health surveillance and linkage with patient electronic medical records; and
6. It repeals the law establishing the Epinephrine Training Fund.

LD 823 An Act To Upgrade the Concealed Handgun Permit Law

CARRIED OVER

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

This bill amends the laws concerning permits to carry concealed handguns by:

1. Making the Chief of the State Police the sole issuing authority for a permit to carry concealed handguns;
2. Extending the term of a permit to carry concealed handguns from four years to ten years; and
3. Removing the requirement that a course that includes handgun safety taken by an applicant for a permit to carry concealed handguns must have been taken by the applicant within five years prior to the date of application.

Committee Amendment "A" (H-309)

This amendment makes the following changes to the bill.

1. It increases the application and renewal fees for a concealed handgun permit from \$35 to \$52.50 and from \$20 to \$52.50, respectively, for a resident. For a nonresident the fee is increased from \$60 to \$120 for either an application or a renewal.
2. The bill proposes to extend the period a permit is valid from four to ten years. This amendment makes a permit valid for five years.
3. It requires the State Police to establish a centralized database containing information about concealed handgun permit holders and applicants for concealed handgun permits. It provides that the centralized database must be accessible by law enforcement agencies or law enforcement officers or by court order and that information about a permit holder or an applicant must be purged from the centralized database within five years after the permit expires or after the period for an appeal of a denial or a revocation of a permit has run.
4. It provides that an application for a concealed handgun permit received before January 1, 2017 is not subject to the provisions of this legislation, but an application for a new concealed handgun permit or a renewal of a concealed handgun permit received by an issuing authority on or after January 1, 2017 is subject to this legislation.
5. It adds an appropriations and allocations section.
6. It adds an effective date of January 1, 2017.

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House Amendment "A" To Committee Amendment "A" (H-385)

This amendment amends Committee Amendment "A" to remove the requirement that the State Police establish a centralized database containing information about concealed handgun permit holders and applicants for concealed handgun permits.

This amendment also requires the Chief of the State Police to enter into reciprocity agreements with other states regarding recognition of concealed handgun permits. Public Law 2015, chapter 144 requires Maine to recognize a permit to carry a concealed handgun issued by another state. This amendment does not affect that.

This bill was reported out of committee, then committed back to the Joint Standing Committee on Criminal Justice and Public Safety and carried over to any special or regular session of the 127th Legislature by joint order, H.P. 998.

**LD 868 An Act To Remove Limitations on Reciprocity for Concealed Handguns
Permits**

PUBLIC 144

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

Current law authorizes the Chief of the State Police to grant reciprocity to a permit to carry a concealed handgun issued from another state if the other state has substantially equivalent or stricter requirements for the issuance of a permit and the other state observes the same rules of reciprocity regarding a person issued a permit under Maine law.

This bill removes the authority of the Chief of the State Police to enter into reciprocity agreements and eliminates the required equivalency provisions and simply recognizes a concealed handgun permit issued to a person by that person's state of residence if that person's state of residence honors a permit to carry a concealed handgun issued under Maine law.

Enacted Law Summary

Public Law 2015, chapter 144 removes the authority of the Chief of the State Police to enter into reciprocity agreements for concealed handgun permits with other states and eliminates the existing concealed handgun permit equivalency provisions and simply recognizes a concealed handgun permit issued to a person by that person's state of residence if that person's state of residence honors a permit to carry a concealed handgun issued under Maine law.

**LD 936 An Act To Protect Children from Sexual Predators, Sexual Abuse and
Sexual Assault**

ONTP

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

This bill does the following:

1. Raises to Class C the crime of sexual abuse of a minor who is either 14 or 15 years of age;
2. Raises to Class C the crime of visual sexual aggression against a child under 14 years of age;

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3. Raises to Class C the crime of sexual misconduct with a child and changes the age of the victim to include children 14 years of age or younger. Current law applies only to children under 14 years of age;
4. Raises to Class C the crime of solicitation of a child to commit a prohibited act and changes the age of the victim to include children 14 years of age or younger. Current law applies only to children under 14 years of age;
5. Enacts a prohibition on traveling into, out of or within this State or attempting to travel for the purposes of illegal sexual acts involving a minor. The bill also prohibits transporting a minor, attempting to transport a minor or soliciting or enticing a minor to travel into, out of or within the State for illegal sexual purposes. Illegal sexual purposes include engaging in a sexual act with a minor, prohibited under the Maine Revised Statutes, Title 17-A, chapter 11; engaging in sexual exploitation of a minor, prohibited under Title 17-A, chapter 12; or engaging in sex trafficking or prostitution, prohibited under Title 17-A, chapter 35. The bill makes illegal traveling a Class B crime;
6. Expands current law on sexual exploitation of a minor that prohibits exhibiting uncovered or covered portions of the genitals, anus or pubic area to include uncovered or covered breasts or buttocks;
7. Raises to Class C the crime of possession of sexually explicit material showing a child under 16 years of age engaging in sexually explicit conduct; and
8. Expands forfeiture of assets for a violation of Title 17-A, chapter 12, sexual exploitation of a minor, to provide for forfeiture of all money, negotiable instruments, securities, personal property and accounts held in a financial institution or held in any other manner in the name of the defendant or in which the defendant has an ownership interest that are directly or indirectly proceeds of the violation.

LD 971 An Act To Reinstate the State Fire Marshal's Authority To Inspect ONTP
Amusement Rides

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

Public Law 2013, chapter 595, Part U, section 4 repealed the Maine Revised Statutes, Title 8, chapter 19, which governed the licensing of exhibitions, performances and amusement shows, including the authority of the Department of Public Safety, Office of the State Fire Marshal to inspect amusement shows and amusement devices. This bill restores the repealed language.

**LD 988 An Act To Create the Crime of Operating While Fatigued Accepted Majority
(Ontp) Report**

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

This bill creates the new crime of operating while fatigued. A person commits the crime of operating while fatigued if that person operates a motor vehicle while having been without sleep for a period of 24 consecutive hours; while having been without sleep for 24 consecutive hours and is in the state of sleep; or while the person's ability or alertness is so impaired by fatigue as to make it unsafe to begin or continue to operate a motor vehicle. The

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criminal and administrative penalties for operating while fatigued are consistent with criminal and administrative penalties for operating under the influence, including the application of those penalties to juveniles.

Committee Amendment "A" (H-144)

This amendment is the minority report of the committee. The amendment replaces the bill, which makes operating while fatigued a crime. The amendment instead adds operating while fatigued to the types of motor vehicle operation that are designated as failure to maintain control of a motor vehicle, which is a traffic infraction.

LD 1002 An Act Regarding the Electronic Monitoring Program

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FREDETTE	OTP-AM	H-220

This bill includes a General Fund appropriation of \$500,000 in fiscal year 2015-16 and fiscal year 2016-17 for the State Board of Corrections to fund the increased use of electronic monitoring.

Committee Amendment "A" (H-220)

This amendment adds to the bill a requirement that a defendant ordered to participate in the electronic monitoring program must pay the costs of participation directly to the organization that provides electronic monitoring unless to do so would impose an undue hardship on the defendant.

This bill was carried over on the Special Appropriations Table to any special or regular session of the 127th Legislature by joint order, S.P. 555.

LD 1013 An Act To Prevent the Shackling of Pregnant Prisoners and Pregnant Juveniles

PUBLIC 315

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HASKELL MAKER	OTP-AM ONTP	S-302

This bill prohibits the use of restraints on a pregnant prisoner or detainee except in extraordinary circumstances. When restraints are used, the corrections official must document the extraordinary circumstance that required the use of restraints. The bill clarifies that when a pregnant prisoner or detainee is admitted to a medical facility or birthing center, a corrections officer may not be present in the room during labor or childbirth unless specifically requested by medical personnel. The bill also requires the adoption of policies on the treatment of pregnant prisoners and detainees and requires that information about those policies be disseminated to all prisoners and detainees.

Committee Amendment "A" (S-302)

This amendment is the majority report of the committee. The amendment replaces the bill. The amendment clarifies that the Commissioner of Corrections establishes mandatory minimum standards for using restraints applicable to pregnant prisoners and pregnant juveniles in jails by adopting routine technical rules. The amendment clarifies that notice of the rules is provided only to female prisoners and female juveniles. The bill places responsibility for certain provisions on corrections officials, and the amendment makes those provisions applicable to the jail administrator in a jail and the chief administrative officer in a state correctional facility.

Enacted Law Summary

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Public Law 2015, chapter 315 prohibits the use of restraints on a pregnant prisoner or detainee except in extraordinary circumstances. When restraints are used, the the jail administrator or chief administrative officer in a state correctional facility must document the extraordinary circumstance that required the use of restraints. The law provides that when a pregnant prisoner or detainee is admitted to a medical facility or birthing center, a corrections officer may not be present in the room during labor or childbirth unless specifically requested by medical personnel. The law requires the Commissioner of Corrections to establish mandatory minimum standards for using restraints applicable to pregnant prisoners and pregnant juveniles in jails by adopting routine technical rules and to provide notice of those standards to female prisoners and female juveniles.

LD 1029 An Act To Improve Maine's Juvenile Justice System

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DION GERZOFKY	OTP-AM OTP-AM	H-235

This bill directs juvenile community corrections officers, when determining alternatives based on preliminary investigations, and the court, when entering a dispositional order for an adjudicated juvenile, to consider that whenever possible and appropriate the juvenile be referred to participate in a program intended to increase community safety by reducing the likelihood of future illegal behavior by the juvenile, to hold the juvenile accountable to the juvenile's victims and the community and to assist the juvenile in becoming a responsible and productive member of society.

The bill prohibits the use of physical restraints on a juvenile during a court proceeding and specifies that restraints must be removed prior to the juvenile's appearance before the court unless a Juvenile Court Judge finds that use of restraints is necessary because the present behavior of the juvenile represents a current threat to that juvenile's safety or the safety of others in the courtroom; recent disruptive courtroom behavior of the juvenile has placed others in potentially harmful situations or presents a substantial risk of inflicting physical harm on that juvenile or others; present behavior of the juvenile presents a substantial risk of flight from the courtroom; or less restrictive restraints are unavailable.

Prior to a juvenile's appearance in court, the court is directed to inquire of the transporting agency and the judicial marshal or other designated court security as to whether reasonable grounds exist for the use of physical restraints in a particular situation or for a particular juvenile. If the transporting agency or the judicial marshal or other designated court security raises a concern that reasonable grounds exist for the use of physical restraints, the burden at hearing is on the juvenile to show by a preponderance of the evidence that reasonable grounds for use of physical restraints do not exist or that a less restrictive alternative that will alleviate the need for physical restraints exists. The court is directed to permit testimony on the issue of whether the use of physical restraints is necessary in a particular situation or for a particular juvenile.

The bill also amends the provisions regarding the dissemination of certain juvenile court records to specify that dissemination may be allowed only with the consent of the court, after hearing, taking into consideration the purposes of the Maine Juvenile Code. The bill specifies that police records, juvenile community corrections officers' records and all other reports of social and clinical studies may not be open to inspection in cases not open to the general public, and in cases that are open to the general public those records may be open to inspection only with the consent of the court, after hearing, taking into consideration the purposes of the Maine Juvenile Code and the need of the person seeking to inspect the records to access the information through this process. The juvenile, counsel who represented the juvenile at the adjudicatory or dispositional hearing and the district attorney must be given notice of the hearing and an opportunity to be heard.

Committee Amendment "A" (H-235)

This amendment is the majority report of the committee. The amendment deletes the phrase "whenever possible

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and appropriate" from the bill as it relates to the circumstances under which a juvenile participates in a program intended to increase community safety, hold the juvenile accountable and assist the juvenile in becoming a responsible and productive member of society. The amendment directs the Criminal Law Advisory Committee to review the laws regarding confidentiality and access to records of court proceedings pertaining to police records, juvenile community corrections officers' records and all other reports of social and clinical studies pertaining to juveniles and to report to the Joint Standing Committee on Criminal Justice and Public Safety by January 1, 2016 with any recommendations and necessary legislation. The amendment authorizes the committee to submit legislation to the Second Regular Session of the 127th Legislature. The amendment revises the procedure for the court to determine whether grounds for the use of restraints exist and adds to the grounds that past behavior of the juvenile presents a substantial risk that the juvenile's safety or the safety of others in the courtroom is threatened.

Committee Amendment "B" (H-236)

This amendment is the minority report of the committee. The amendment replaces the bill. The amendment directs the Criminal Law Advisory Commission to review the laws regarding confidentiality and access to records of court proceedings pertaining to police records, juvenile community corrections officers' records and all other reports of social and clinical studies pertaining to juveniles and to report to the Joint Standing Committee on Criminal Justice and Public Safety by January 1, 2016 with any recommendations and necessary legislation. The amendment authorizes the committee to submit legislation to the Second Regular Session of the 127th Legislature.

**LD 1057 Resolve, To Review and Report Recommendations on the Safety of
Motorized Farm Rides Provided for a Fee to the Public**

RESOLVE 32

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
NUTTING KATZ	OTP-AM	H-234

Public Law 2013, chapter 595, Part U, section 4 repealed the Maine Revised Statutes, Title 8, chapter 19, which governed the licensing of exhibitions, performances and amusement shows, including the authority of the Department of Public Safety, Office of the State Fire Marshal to inspect amusement shows and amusement devices. This bill restores the repealed language and specifies that a hayride is included within the definition of an "amusement device" over which the Department of Public Safety, Office of the State Fire Marshal has licensing and inspection authority.

Committee Amendment "A" (H-234)

This amendment replaces the bill with a resolve. The resolve directs the State Fire Marshal and the Chief of the Maine State Police to work together as cochairs to convene a broadly representative group of stakeholders to review methods of ensuring the safety of the public on motorized hayrides, pumpkin rides and other farm rides that are offered for a fee to the public on farms and rural land. The resolve requires the Office of the State Fire Marshal and the Maine State Police to prepare a report and submit it to the Joint Standing Committee on Criminal Justice and Public Safety and the Joint Standing Committee on Transportation by February 1, 2016. Following review of the report, the Joint Standing Committee on Criminal Justice and Public Safety and the Joint Standing Committee on Transportation are authorized to separately submit legislation to the Second Regular Session of the 127th Legislature.

Enacted Law Summary

Resolve 2015, chapter 32 directs the State Fire Marshal and the Chief of the Maine State Police to work together as cochairs to convene a broadly representative group of stakeholders to review methods of ensuring the safety of the public on motorized hayrides, pumpkin rides and other farm rides that are offered for a fee to the public on farms and rural land. The resolve requires the Office of the State Fire Marshal and the Maine State Police to prepare a report and submit it to the Joint Standing Committee on Criminal Justice and Public Safety and the Joint Standing Committee on Transportation by February 1, 2016. Following review of the report, the Joint Standing Committee

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on Criminal Justice and Public Safety and the Joint Standing Committee on Transportation are authorized to separately submit legislation to the Second Regular Session of the 127th Legislature.

LD 1068 An Act To Require That Certain Active Duty Military Personnel Are Eligible for the Resident Application Fee for a Concealed Handgun Permit

PUBLIC 123

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL R ROSEN	OTP-AM ONTP	H-153

This bill provides that a person on active duty in the United States Armed Forces who pays income taxes to this State and is otherwise qualified to be issued a permit to carry a concealed handgun is eligible for a permit issued by the Chief of the State Police upon payment of the application fee for a resident.

Committee Amendment "A" (H-153)

This amendment, which is the majority report of the committee, removes from the bill the requirement that a member of the United States Armed Forces pay income taxes to this State in order to pay a resident's application fee for a permit to carry a concealed handgun and instead requires that the member qualify as a resident of the State under the Department of Administrative and Financial Services, Bureau of Revenue Services rules.

Enacted Law Summary

Public Law 2015, chapter 123 provides that a member of the Armed Services on active duty who qualifies as a resident of the State under the Department of Administrative and Financial Services, Bureau of Revenue Services rules is eligible to pay the resident fee when applying for a permit to carry a concealed handgun.

LD 1071 An Act To Increase the Penalties for Vandalizing a Cemetery

Accepted Majority (ONTP) Report

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

This bill:

1. Amends the laws regarding damaging cemeteries and burial grounds by including damage to metal plaques, flags, flag holders, veteran's grave markers, vegetation and plants and adding damage created by an animal owned by or in the control of a person and by increasing the class of the crime from Class D to Class C;
2. Designates as a Class D crime a person's removing a flower, flag, flag holder or other memorial token from a burial ground without permission to do so or owning or controlling an animal that damages or destroys property in a cemetery or burial ground;
3. Adds metal plaques, flags, flag holders and veteran's grave markers to the crime of illegal possession or sale of gravestones;
4. Amends the restitution provisions in the law by expanding the list of authorized claimants to the crimes of interference with a cemetery or burial ground and illegal possession or sale of gravestones and removes from the consideration of the court the defendant's inability to pay; and

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5. Expands the list of claimants who may bring a civil suit with treble damages for the illegal possession or sale of gravestones.

Committee Amendment "A" (S-100)

This amendment is the minority report of the committee. The amendment retains the provisions of the bill that make restitution mandatory in criminal cases involving interference with a cemetery or burial ground and illegal possession of gravestones. The amendment strikes from the bill the provision that removes from the consideration of the court the inability to pay of a person who commits these crimes. The amendment strikes from the bill the strict liability crime of removal of a flower, flag, flag holder or memorial token from a grave, tomb, monument or burial lot and the crime of owning or controlling an animal that destroys, mutilates, defaces, injures or removes any tomb, monument, gravestone, marker, metal plaque, flag, flag holder or veteran's grave marker or other structure or thing placed or designed as a memorial or to protect a memorial for the dead, or any portion or fragment of any such memorial, or any fence, railing, curb or other enclosure for the burial of the dead. The amendment maintains the designation in current law of interference with a cemetery or burial ground as a Class D crime. The amendment requires municipalities to repair and restore tombs, monuments, gravestones, markers and any fences, railings, curbs or other enclosures that have been damaged and for which repair and restoration have not been provided by a person or organization.

LD 1074 An Act To Make Damaging a Public Easement with a Motor Vehicle a PUBLIC 258
Class E Crime

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS HARLOW	OTP-AM ONTP	S-209

This bill provides that a person who, as a result of operating a motor vehicle on a public easement in fact, damages or destroys crops, forest products, personal property or roads on that public easement commits a Class E crime.

Committee Amendment "A" (S-209)

This amendment is the majority report of the committee. The amendment strikes from the bill the definition of "public easement" and defines that term instead by reference to the Maine Revised Statutes, Title 23, section 3021, subsection 2 and provides a definition of "emergency responder." The amendment provides an exception for an emergency responder that is similar to the exception in current law for a law enforcement officer.

Enacted Law Summary

Public Law 2015, chapter 258 provides that a person who, as a result of operating a motor vehicle on a public easement in fact, damages or destroys crops, forest products, personal property or roads on that public easement commits a Class E crime. The law provides an exception for an emergency responder that is similar to the exception in current law for a law enforcement officer.

LD 1096 An Act To Create the Crime of Intentional Interference with Business Accepted Majority
Operations Operations (ONTP) Report

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

This bill creates the crime of intentional interference with business operations, which is committed when a person intentionally hinders, impairs or obstructs or attempts to hinder, impair or obstruct the performance of a business operation, including damaging or rendering inoperable property of an organization, including buildings, equipment

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or critical infrastructure, on private or public property, on a private or public way or within a railroad right-of-way or energy infrastructure corridor. Intentional interference with business operations is a Class E crime, except that a person who refuses to stop interfering when ordered to do so by a law enforcement officer commits a Class D crime. If, at the time of the violation, the person has two or more prior Maine convictions for intentional interference with business operations, the person commits a Class C crime.

LD 1100 An Act To Expand Options for the Prevention of Domestic Violence

**Accepted Majority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DION GERZOFISKY	ONTP OTP-AM	

This bill creates a gun violence restraining order to authorize a court to order a person to surrender that person's firearms and ammunition for a specific period of time when it has been proved that the person poses a danger of causing personal injury to that person or another person. The bill provides that:

1. A law enforcement officer may file for a temporary emergency gun violence restraining order, which expires in 21 days;
2. A law enforcement officer or a household or family member of the person may request an ex parte gun violence restraining order, which expires in 21 days. The court is required to hold a hearing to determine if a one-year order should be issued within 21 days;
3. A law enforcement officer or a household or family member of the person may request that a one-year gun violence restraining order be issued. The plaintiff must prove by clear and convincing evidence that the person poses a significant danger, that the order is necessary to prevent injury and that less restrictive alternatives have been tried or are inappropriate in the specific case;
4. The subject of a gun violence restraining order is required to surrender all firearms and ammunition in the person's possession to a law enforcement officer or to sell the firearms and ammunition to a federally licensed firearms dealer. If the firearms and ammunition are surrendered to a law enforcement agency, the firearms and ammunition must be returned to the person at the expiration of the gun violence restraining order; and
5. A person who possesses firearms or ammunition in violation of a gun violence restraining order commits a Class D crime. Part of the sentence must include the prohibition on possession of firearms and ammunition for an additional five years.

Committee Amendment "A" (H-441)

This amendment is the minority report of the committee. It adds an appropriations and allocations section.

LD 1112 An Act To Make Technical Changes to the Sex Offender Registration and Notification Acts of 1999 and 2013

PUBLIC 280

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

This bill amends the Sex Offender Registration and Notification Act of 1999 and the Sex Offender Registration and Notification Act of 2013 to make technical changes.

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With respect to the Sex Offender Registration and Notification Act of 1999, the bill:

1. Amends the Act to provide that, with respect to individuals convicted in other jurisdictions, only those individuals convicted before September 18, 1999 may apply for relief from the registration requirement, in order to parallel the provision applicable to registrants with Maine convictions. The bill also amends the law to require persons found not criminally responsible to be included in reinstating the registration requirement;
2. Amends the Act to require registration of a person sentenced after September 17, 1999 for a crime added after that date to the Act;
3. Amends the Act to not require verifications to be sent if the verification requirement has been suspended and to change the time period from 90 days to three months in order to require only four verifications a year. The bill also amends the law to clarify that in-person verification should occur every five years on the anniversary of the initial registration;
4. Amends the Act to require verifications from lifetime registrants who move to Maine from other jurisdictions;
5. Amends the Act to begin the registration period only after the duty to register has occurred;
6. Amends the Act to allow the Department of Public Safety, State Bureau of Identification to suspend the verification requirement for a registrant who is incarcerated, incapacitated or hospitalized; and
7. Amends the Act to provide for notice if a custodian of records certification is challenged.

With respect to the Sex Offender Registration and Notification Act of 2013, the bill:

1. Amends the Act to make the crime of gross sexual assault against a person with intellectual disabilities or autism receiving services from a program of the Department of Health and Human Services a Tier II offense regardless of the age of the victim;
2. Amends the Act to include incest with prior convictions as a Tier III offense;
3. Amends the Act to clarify that the bureau's duty to collect and post information occurs after the initial registration form is received;
4. Amends the Act to not require verifications to be sent if the verification requirement has been suspended, to change the time period from 90 days to three months for Tier III registrants in order to require only four verifications a year and to change the time period from 180 days to six months for Tier II registrants;
5. Amends the Act to allow the bureau to suspend the verification requirement for a registrant who is incapacitated or hospitalized;
6. Amends the violations section in the Act to include cross-references to relevant provisions of the Sex Offender Registration and Notification Act of 1999; and
7. Amends the Act to provide for notice if a custodian of record certification is challenged.

Enacted Law Summary

Public Law 2015, chapter 280 amends the Sex Offender Registration and Notification Act of 1999 and the Sex Offender Registration and Notification Act of 2013 to make technical changes.

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With respect to the Sex Offender Registration and Notification Act of 1999, Chapter 280:

1. Amends the Act to provide that, with respect to individuals convicted in other jurisdictions, only those individuals convicted before September 18, 1999 may apply for relief from the registration requirement, in order to parallel the provision applicable to registrants with Maine convictions. It also amends the law to require persons found not criminally responsible to be included in reinstating the registration requirement;
2. Amends the Act to require registration of a person sentenced after September 17, 1999 for a crime added after that date to the Act;
3. Amends the Act to not require verifications to be sent if the verification requirement has been suspended and to change the time period from 90 days to three months in order to require only four verifications a year. The bill also amends the law to clarify that in-person verification should occur every five years on the anniversary of the initial registration;
4. Amends the Act to require verifications from lifetime registrants who move to Maine from other jurisdictions;
5. Amends the Act to begin the registration period only after the duty to register has occurred;
6. Amends the Act to allow the Department of Public Safety, State Bureau of Identification to suspend the verification requirement for a registrant who is incarcerated, incapacitated or hospitalized; and
7. Amends the Act to provide for notice if a custodian of records certification is challenged.

With respect to the Sex Offender Registration and Notification Act of 2013, Chapter 280:

1. Amends the Act to make the crime of gross sexual assault against a person with intellectual disabilities or autism receiving services from a program of the Department of Health and Human Services a Tier II offense regardless of the age of the victim;
2. Amends the Act to include incest with prior convictions as a Tier III offense;
3. Amends the Act to clarify that the bureau's duty to collect and post information occurs after the initial registration form is received;
4. Amends the Act to not require verifications to be sent if the verification requirement has been suspended, to change the time period from 90 days to three months for Tier III registrants in order to require only four verifications a year and to change the time period from 180 days to six months for Tier II registrants;
5. Amends the Act to allow the bureau to suspend the verification requirement for a registrant who is incapacitated or hospitalized;
6. Amends the violations section in the Act to include cross-references to relevant provisions of the Sex Offender Registration and Notification Act of 1999; and
7. Amends the Act to provide for notice if a custodian of record certification is challenged.

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LD 1113 An Act To Replace the Bail Code with a System of Validated Risk Assessment Tools **ONTP**

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

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

This bill proposes to amend the standards for preconviction release by eliminating cash bail and requiring a judge or justice when making bail determinations to consider validated risk assessment tools. The purpose of this bill is to shift the emphasis from cash to suitability for release based on risk, in order to ensure the defendant's appearance in court and to prevent the defendant from committing new crimes.

LD 1114 An Act To Protect Maine's Children from Sexual Abuse and Exploitation **CARRIED OVER**

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

This bill amends the law regarding solicitation of a child to commit a prohibited act and creates the crimes of exploitive travel and unlawful electronic transmission of an image or video depicting sexually explicit conduct. The bill also amends the criminal forfeiture provisions of the sexual exploitation of minors laws to include conveyances and money instruments as items in addition to computer equipment that may be subject to forfeiture proceedings.

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

LD 1135 An Act Regarding the Requirements for Sprinkler Systems in Townhouses **INDEF PP**

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

This bill requires the Office of the State Fire Marshal to inspect and approve all sprinkler system plans for townhouses constructed after January 1, 2016. The bill establishes a definition for the term "townhouse" that mirrors the definition used in the International Residential Code.

This bill was not referred to a committee.

LD 1155 An Act Concerning Electronic Monitoring and Increased Bail for Certain Crimes Involving Violence **Accepted Majority (ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PICCHIOTTI WHITTEMORE	ONTP OTP-AM	

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This bill requires a minimum cash bail for defendants charged with certain crimes under the Maine Revised Statutes, Title 17-A. The bill requires a minimum cash bail of \$4,000 for a charge of assault under section 207, domestic violence assault under section 207-A, aggravated assault under section 208, elevated aggravated assault under section 208-B or elevated aggravated assault on a pregnant person under section 208-C. The bill requires a minimum cash bail of \$2,000 for a charge of criminal threatening under section 209, domestic violence criminal threatening under section 209-A, terrorizing under section 210, stalking under section 210-A, domestic violence terrorizing under section 210-B, domestic violence stalking under section 210-C, reckless conduct under section 211, domestic violence reckless conduct under section 211-A or aggravated reckless conduct under section 213. The bill provides that a defendant who is released on bail on a charge of a violation of Title 17-A, section 207, 207-A, 208, 208-B, 208-C, 209, 209-A, 210, 210-A, 210-B, 210-C, 211, 211-A or 213 must be required to participate in an electronic monitoring program, if an electronic monitoring program is available, and must be required to pay the full cost of participation in that program. The bill requires bail commissioners and judicial officers when setting preconviction bail for a defendant for an alleged violation of Title 17-A, section 207, 207-A, 208, 208-B, 208-C, 209, 209-A, 210, 210-A, 210-B, 210-C, 211, 211-A or 213, when feasible, to obtain information from the victim.

Committee Amendment "A" (H-436)

This amendment, which is the minority report of the committee, adds an appropriations and allocations section.

LD 1160 An Act To Make Possession of a Firearm with an Altered or Obscured PUBLIC 364
Serial Number a Class C Crime

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HASKELL DION	OTP-AM ONTP	S-165

This bill changes criminal simulation involving the possession or transportation of a firearm with the manufacturer's make, model or serial number altered, removed or obscured from a Class E crime to a Class C crime.

Committee Amendment "A" (S-165)

This amendment, which is the majority report of the committee, replaces the bill. Current law provides that a person who with the intent to defraud and to prevent detection alters or removes the manufacturer's make, model or serial number from a firearm commits the Class E crime of criminal simulation. To be guilty of that crime, the person must have committed the act with the intent to defraud and to prevent identification. This amendment changes the law to require either the intent to defraud or the intent to prevent identification, but not both, as elements of the crime. It also makes this crime a Class C crime as is provided for in the bill.

This amendment also provides that a person who possesses an altered firearm with the intent to defraud or to prevent identification or intentionally or knowingly transports such a firearm with the intent to defraud or to prevent identification commits the crime of criminal simulation.

Enacted Law Summary

Current law provides that a person who with the intent to defraud and to prevent detection alters or removes the manufacturer's make, model or serial number from a firearm commits the Class E crime of criminal simulation. To be guilty of that crime, the person must have committed the act with the intent to defraud and to prevent identification. Public Law 2015, chapter 364 requires either the intent to defraud or the intent to prevent identification, but not both, as elements of the crime and makes this crime a Class C crime.

Public Law 2015, chapter 364 also provides that a person who possesses an altered firearm with the intent to defraud or to prevent identification or intentionally or knowingly transports such a firearm with the intent to defraud

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or to prevent identification commits the crime of criminal simulation.

LD 1179 An Act To Prohibit Certain Payments with Respect to an Adoption

PUBLIC 233

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAKER DIAMOND	OTP-AM	H-241

This bill creates the Class C crime of selling a human being to another person in exchange for pecuniary gain or any other material benefit or consideration.

Committee Amendment "A" (H-241)

This amendment provides a new title for the bill, replaces the bill and prohibits, within the context of an adoption of a child, any payment that is not authorized under the Maine Revised Statutes, Title 18-A, section 9-306.

Enacted Law Summary

Public Law 2015, chapter 233 prohibits, within the context of an adoption of a child, any payment that is not authorized under the Maine Revised Statutes, Title 18-A, section 9-306. The law designates a payment made in violation of the prohibition as a Class D crime.

LD 1200 An Act To Create a Civil Cause of Action for Intentional Interference with Business Operations

Died Between Houses

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

This bill creates a civil cause of action for intentional interference with business operations. "Business operations" is defined to mean an activity engaged in with the object of gain, benefit or advantage, either direct or indirect, by a private entity. The bill provides that:

1. An individual is liable to a private entity for damages if the individual commits an act that hinders, impairs or obstructs or attempts to hinder, impair or obstruct the performance of business operations by the private entity;
2. An organization that promotes, advocates for or directs an individual to engage in the acts described in the bill is liable to the private entity in the same manner as the individual committing the act;
3. The private entity may recover damages by filing an action in court and may be awarded actual damages, a civil penalty and costs and fees, including reasonable attorney's fees; and
4. A person who knowingly uses the provisions in this bill to demand or extract money from an individual or organization that is not legally obligated to pay damages commits a Class E crime.

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LD 1243 An Act To Make the Law Regarding Critical Incident Stress Management Teams More Beneficial and Effective

PUBLIC 112

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BURNS PICKETT	OTP	

This bill amends the definition of "critical incident" to include employees of and emergency dispatchers for a criminal justice agency. The bill also allows the chief law enforcement officer of a law enforcement agency or the chief law enforcement officer's designee to designate critical incident stress management team members.

Enacted Law Summary

Public Law 2015, chapter 112 amends the definition of "critical incident," as it pertains to Critical Incident Stress Management Teams under the Maine Revised Statutes, Title 25, chapter 501, to include employees of and emergency dispatchers for a criminal justice agency. The law also allows the chief law enforcement officer of a law enforcement agency or the chief law enforcement officer's designee to designate critical incident stress management team members.

LD 1246 An Act To Strengthen Laws Regarding the Manufacture and Sale of Methamphetamine and Other Drugs

PUBLIC 346

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROSEN DAVITT	OTP-AM OTP-AM	S-280 S-337 HAMPER

This bill strengthens laws regarding the manufacture and sale of methamphetamine and other drugs. It does the following:

1. Provides that possession of two grams or more of fentanyl or 90 or more individual containers containing fentanyl constitutes "trafficking";
2. Provides that possession of at least one gram but less than two grams of fentanyl or at least 45 but fewer than 90 individual containers of fentanyl constitutes "furnishing";
3. Establishes the crime of aggravated unlawful operation of a clandestine methamphetamine laboratory; and
4. Prohibits the unlawful possession of a scheduled drug containing fentanyl, seven grams or more of cocaine or two grams or more of cocaine in the form of cocaine base.

Committee Amendment "A" (S-280)

This amendment is the majority report of the committee. The amendment defines "fentanyl powder" and clarifies that the fentanyl for which the bill establishes the penalties is fentanyl powder. The amendment deletes from the bill the word clandestine in regard to the methamphetamine laboratories that are criminalized in the bill.

Committee Amendment "B" (S-281)

This amendment is the minority report of the committee. The amendment changes the title of the bill. The amendment defines "fentanyl powder" and clarifies that the fentanyl for which the bill establishes the penalties is fentanyl powder. The amendment deletes from the bill the word clandestine in regard to the methamphetamine laboratories that are criminalized in the bill. The amendment reduces possession of oxycodone in the form of pills,

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capsules, tablets, mixtures or substance in the aggregate less than 30 milligrams and possession of hydrocodone or hydromorphone from a Class C crime to a Class D crime.

Senate Amendment "A" To Committee Amendment "A" (S-337)

This amendment adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2015, chapter 346 strengthens laws regarding the manufacture and sale of methamphetamine and other drugs. It does the following:

1. Provides that possession of two grams or more of fentanyl powder or 90 or more individual containers containing fentanyl powder constitutes "trafficking";
2. Provides that possession of at least one gram but less than two grams of fentanyl powder or at least 45 but fewer than 90 individual containers of fentanyl powder constitutes "furnishing";
3. Establishes the crime of aggravated unlawful operation of a methamphetamine laboratory;
4. Prohibits and designates as a Class C crime the unlawful possession of a scheduled drug containing fentanyl powder, seven grams or more of cocaine or two grams or more of cocaine in the form of cocaine base; and
5. Authorizes a court to order as part of the sentence of a defendant restitution that to pay as an expense of emergency response the costs of a response to a suspected unlawful methamphetamine laboratory, including trained laboratory personnel and laboratory services.

**LD 1275 An Act Regarding Notice to the Public Pertaining to a Resident Person
Deported from Canada to the United States for Committing a Sex
Offense against a Child**

PUBLIC 76

Sponsor(s)

Committee Report

Amendments Adopted

This bill is reported out by the Joint Standing Committee on Criminal Justice and Public Safety pursuant to Joint Rule 353, after receipt of a report from the Commissioner of Public Safety submitted pursuant to Resolve 2013, chapter 97. The bill authorizes a law enforcement agency that obtains from the United States Customs and Border Protection written documentation that a person resident in the jurisdiction of the agency has been deported from Canada to the United States because the person was convicted in Canada of a sex offense against a child to provide notice to the public as determined by the agency to be appropriate to ensure the public safety. The bill states that neither the failure to perform the actions permitted by the bill nor the taking of actions in compliance with the bill subjects any state, municipal or county official or employee to liability in a civil action.

Enacted Law Summary

Public Law 2015, chapter 76 authorizes a law enforcement agency that obtains from the United States Customs and Border Protection written documentation that a person resident in the jurisdiction of the agency has been deported from Canada to the United States because the person was convicted in Canada of a sex offense against a child to provide notice to the public as determined by the agency to be appropriate to ensure the public safety. The law states that neither the failure to perform the actions permitted by the bill nor the taking of actions in compliance with the bill subjects any state, municipal or county official or employee to liability in a civil action.

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LD 1380 An Act To Legalize, Tax and Regulate Marijuana

**Accepted Majority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RUSSELL VALENTINO	ONTP OTP-AM	

This bill addresses the use, possession, cultivation, manufacturing, testing, transportation and sale of marijuana and marijuana products.

The bill legalizes the possession of up to an ounce of marijuana for a person 21 years of age and older, taxes sales of marijuana and regulates the marijuana industry, which in the language of the bill is conducted by marijuana establishments. The bill does the following:

1. In Part A the bill imposes the marijuana excise tax of 15% on the sale or transfer of marijuana from a licensed commercial marijuana cultivation facility to a licensed retail marijuana store and to a licensed marijuana product manufacturing facility. The bill imposes a sales tax of 10% on marijuana and marijuana products sold at retail marijuana stores. The bill provides for the distribution of marijuana excise and sales tax revenues. The bill requires an annual report to the joint standing committees of the Legislature having jurisdiction over appropriations and financial affairs and taxation matters on excise and sales tax receipts and the distribution of the revenues. The bill directs the Department of Administrative and Financial Affairs, Bureau of Revenue Services to review methods for ensuring that all nonexempt marijuana sold in the State is assessed and to report its findings and recommendations to the joint standing committee of the Legislature having jurisdiction over taxation matters and authorizes the committee to submit legislation to the First Regular Session of the 128th Legislature;
2. In Part B the bill updates the law relating to marijuana that generally prohibits possession of marijuana to exempt possession by certain people and of certain amounts from prosecution as a crime. The bill makes possession of up to two and one-half ounces of marijuana a civil violation for persons less than 21 years of age, punishable by a fine of up to \$100, with an option of court-ordered community service and possible expungement after one year. The bill legalizes possession of up to one ounce of marijuana by a person 21 years of age or older. The bill makes possession of over one ounce but under 2 1/2 ounces of marijuana by a person 21 years of age or older a civil violation, punishable by a fine of up to \$100, with an option of court-ordered community service and possible expungement after one year;
3. In Part C the bill enacts the Personal Use of Marijuana Act, allowing a person 21 years of age or older to use, purchase from a retail marijuana store or possess up to one ounce of marijuana or marijuana products and marijuana accessories. The bill allows a person 21 years of age or older to transfer or furnish, without remuneration, up to one ounce of marijuana and up to six marijuana seedlings to another person 21 years of age or older. The bill allows a person 21 years of age or older to possess, grow, cultivate or process up to six marijuana plants and to possess the marijuana products produced from the marijuana plants on the premises where the plants were grown. The bill allows a person 21 years of age or older to use marijuana in a nonpublic place, including a private residence. The bill allows a person 21 years of age or older to cultivate marijuana at home. The bill addresses the relationship of the provisions in the bill to state laws regarding marijuana, smoking tobacco products, operation of motor vehicles, watercraft, snowmobiles and all-terrain vehicles and hunting. The bill addresses marijuana under federal law and on federal property. The bill directs that a person who consumes or uses marijuana or marijuana products in accordance with the law may not be denied parental rights and responsibilities for a minor child because of that use unless the person's behavior creates an unreasonable danger to the health or welfare of the minor child. The bill provides similar protections with regard to the Child and Family Services and Child Protection Act;
4. In Part D the bill requires the Bureau of Alcoholic Beverages and Lottery Operations within the Department of

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Administrative and Financial Services to enforce the laws and rules relating to the manufacturing, processing, labeling, storing, transporting, testing and selling of marijuana and marijuana products by marijuana establishments and marijuana transportation providers and to administer the laws relating to licensure, regulation and collection of taxes from marijuana establishments. The bill specifies authorized activities for marijuana establishments, requirements for record keeping, restrictions on access for persons under 21 years of age, procedures for investigations, disciplinary procedures and procedures for license suspension. The bill establishes procedures for licensing marijuana establishments, which include commercial marijuana cultivation facilities, marijuana testing facilities, marijuana product manufacturing facilities and retail marijuana stores, and marijuana transportation providers. The bill specifies general licensing requirements for marijuana establishments and marijuana transportation providers and general operational requirements. The bill includes specific requirements for the manufacturing of solvent-based marijuana concentrate by marijuana product manufacturing facilities. The bill requires the bureau to adopt rules required for implementation and designates the rules as major substantive rules. The bill requires the bureau to issue an annual report that contains information on rulemaking, licensing and inspections and statistical data on youth consumption and perceptions of safety of marijuana, tobacco, alcohol and controlled substances. The bill authorizes the joint standing committees of the Legislature having jurisdiction over health and human services matters, taxation matters and alcoholic beverages matters to submit legislation to address issues related to the report. The bill contains provisions allowing for local control with regard to marijuana establishments, including allowing a sales tax of up to 2% on sales by retail marijuana stores of marijuana and marijuana products. The bill provides for licensure by default by a municipality if the bureau delays issuing licenses beyond January 30, 2018. The bill establishes the Marijuana Regulation and Licensing Fund to pay the bureau's expenses, allows researchers access to marijuana and provides for access to marijuana for participants in research. The bill provides rules of construction for the provisions regarding marijuana establishments and marijuana transportation providers, provides for the validity and enforceability of contracts and addresses professional licensure for professional occupations. The bill establishes the Marijuana Research Fund to provide research grants and the Low-income Marijuana Patient Access Program Fund to reimburse caregivers and dispensaries for the costs of providing medical marijuana to low-income persons. The bill requires the bureau to adopt major substantive rules by January 31, 2018. The bill requires the bureau to begin accepting and processing applications for marijuana establishments and marijuana transportation providers by January 1, 2018;

5. In Part E the bill protects property from forfeiture based on the personal use of marijuana law. The bill provides that the odor of marijuana alone does not create probable cause of criminal activity;

6. In Part F the bill amends the laws on the preparation of foods to allow for food containing marijuana and marijuana products to be prepared by marijuana establishments. The bill amends the Maine Food Law to include in the definition of "food establishment" a marijuana establishment that prepares edible marijuana or an edible marijuana product and provides that food containing marijuana produced by a marijuana establishment is not considered adulterated. The bill amends the law on adulterated food to specify that goods that contain marijuana and are prepared for sale in a retail marijuana establishment pursuant to the Maine Revised Statutes, Title 28-A, chapter 111 are not to be considered adulterated food. The bill enacts a new section in the Maine Food Law that imposes requirements on marijuana establishments that sell edible marijuana products with regard to the packaging and labeling of marijuana and marijuana products and prohibits misleading, false or deceptive advertising or advertising that is inconsistent with local laws and regulations in the municipality in which the marijuana establishment operates. The bill amends the law on employment of minors to require the director of the Bureau of Labor Standards in the Department of Labor to adopt rules prohibiting the employment of minors in marijuana establishments licensed pursuant to Title 28-A, chapter 111. The bill directs the Department of Labor, in consultation with the State Workforce Investment Board, to review and make recommendations on workforce development needs, including training and certification, and to report to the joint standing committee of the Legislature having jurisdiction over labor, commerce, research and economic development matters by April 1, 2017;

7. In Part G the bill amends the law on the criteria for issuing a permit to carry concealed handguns to provide that conduct allowed under the law on medical use of marijuana under Title 22, chapter 558-C and conduct allowed under the law on personal use of marijuana under Title 22, chapter 558-D may not be the basis for a finding of a

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lack of good moral character;

8. In Part H the bill establishes in Title 5, chapter 379 the Youth Marijuana Prevention and Control Advisory Council. The bill establishes the Youth Marijuana Prevention and Control Program to prevent youth from using marijuana and marijuana products except for the medical use of marijuana in accordance with Title 22, chapter 558-C. The program consists of a major media campaign, grants for community-based programs, procedures for monitoring and evaluating the program and, in conjunction with law enforcement and other state and federal agencies, increased law enforcement efforts to increase compliance with laws regarding the transportation, distribution and sale of marijuana and marijuana products. The bill provides for the duties of the Youth Marijuana Prevention and Control Advisory Council, which include advising the Department of Health and Human Services and working to ensure coordination of the program with nonprofit and community agencies, the department, the Department of Education and other state agencies. The bill specifies that the members of the advisory council are appointed by the Governor, the President of the Senate and the Speaker of the House of Representatives. The bill requires that the initial appointments to the advisory council must be made by March 15, 2017 and that the first meeting of the advisory council must be held by April 15, 2017; and

9. In Part I the bill provides for a referendum to approve the legislation. This procedure requires that the bill, if passed into law and enacted, must be submitted to the voters of the State in a statewide election in November 2016.

Committee Amendment "A" (H-488)

This amendment, which is the minority report of the committee. It retains the structure of the bill that legalizes personal use of marijuana by adults 21 years of age and older, that establishes a system of regulation of marijuana establishments and marijuana transportation providers within the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations and that imposes a tax of 10% on retail sales of marijuana and marijuana products. The amendment does the following:

1. It amends taxation provisions in the bill to provide the structure for the payment of taxes and administration by the Bureau of Revenue Services;
2. It corrects the confusing use of the term "minor" in the bill, which was intended to cover persons through 20 years of age, by referring to persons too young to be allowed personal use of marijuana as "underage persons";
3. It provides maximum penalties for underage persons with respect to the purchase, consumption and possession of marijuana and with respect to other prohibited acts related to marijuana. It allows a judge to assign an underage person to perform specified work for a public entity or charitable institution as an alternative to these penalties;
4. In the provisions on possession of marijuana it reduces from six to three the number of marijuana seedlings that a person may transfer to another person, clarifies that the limit of six plants applies to all plants and requires that the reasonable precautions that must be taken to keep marijuana plants from underage persons apply to storing and securing marijuana;
5. It amends the provision prohibiting marijuana sales from vending machines by allowing sales from vending machines inside a retail marijuana store;
6. It amends the provisions on applications for marijuana establishments and marijuana transportation providers to comply with the requirement that the location of the business be a municipality, unorganized place or plantation that has voted to allow such businesses and provides the option of that jurisdiction to limit the number of businesses;
7. It amends the provisions on operation of a retail marijuana store, a marijuana product manufacturing facility and a commercial marijuana cultivation facility;
8. It makes technical editing and typographic corrections in the bill;

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- 9. It amends the bill's labeling requirements for retail sales of marijuana and marijuana products;
- 10. It allows municipalities, unorganized places and plantations to impose a local marijuana sales tax of up to 2%;
- 11. It changes from 15% to 5% the excise tax imposed in the bill on marijuana that is sold or transferred from a commercial marijuana cultivation facility; and
- 12. It clarifies that the 10% sales tax on the retail sale of marijuana is in addition to the regular state sales tax.

LD 1387 An Act Regarding the State Board of Corrections

CARRIED OVER

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

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

This bill proposes to amend the laws regarding the State Board of Corrections.

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

LD 1401 An Act To Allow for and Regulate the Adult Use of Cannabis

**Accepted Majority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DION GERZOFISKY	ONTP OTP-AM	

This bill reforms state marijuana laws by establishing an excise tax on marijuana, allowing the personal use and cultivation of cannabis and allowing, regulating and licensing certain commercial cannabis-related activities, while providing provisions to protect persons under 21 years of age, employers and schools.

Part A of the bill establishes a 10% sales tax on cannabis, which is in addition to the current sales and use tax. Revenue from the sales tax on cannabis is distributed on a monthly basis as follows:

- 1. Ten percent each to regulate cannabis establishments; to counties and municipalities, based on the ratio of sales of cannabis products in the municipality or county to the sales of cannabis products in the State; to the Fund for a Healthy Maine for the elderly low-cost drug program; to the Department of Education for school construction; to conduct research on cannabis; to the Department of Health and Human Services, Maine Center for Disease Control and Prevention for a public awareness campaign to reduce the use of cannabis by persons under 21 years of age and the use of alcohol and tobacco; and to the Department of Health and Human Services to obtain federal funding for MaineCare; and
- 2. The balance to the General Fund.

Part A directs the Department of Administrative and Financial Services, Bureau of Revenue Services to report annually, beginning January 30, 2017, the amount of tax revenue generated and the amount distributed to each program to the joint standing committees of the Legislature having jurisdiction over appropriations and financial affairs and taxation matters. The bill directs the Bureau of Revenue Services to review methods for ensuring that all

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cannabis that is sold in the State is assessed and to report its findings and recommendations to the joint standing committee of the Legislature having jurisdiction over taxation matters by February 15, 2017.

Part B removes the civil violation for possession of cannabis by adults 21 years of age and older and specifies a civil fine of at least \$100 for possession of cannabis by a person under 21 years of age; a judge may, as an alternative or in addition to the fine, assign the person to perform work for the State, a subdivision of the State, a public entity or a charity.

Part C of the bill establishes the Cannabis Regulation Act, which allows a person 21 years of age or older to possess, purchase and use cannabis within certain limits and to cultivate a limited amount of cannabis for personal use. It allows a person to possess cannabis paraphernalia and up to one ounce of cannabis. It allows a person to cultivate up to three cannabis plants and up to six seedlings, and to purchase up to one ounce of cannabis, cannabis paraphernalia and cannabis seedlings from someone who is licensed to sell these products. The bill imposes restrictions on cannabis use similar to those that apply to tobacco use regarding smoking in public places. It requires those cultivating cannabis to secure the cannabis from access by unauthorized persons and by minors.

Part C includes specific requirements for the operations of commercial cannabis-related activities regarding the location of operations, security measures, labeling and record keeping. It allows localities to limit, regulate or ban the issuance of cannabis-related licenses. It further limits the number of retail cannabis stores based on the size of the municipality. Enforcement and administration of the Cannabis Regulation Act is the responsibility of the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations, which is renamed the Bureau of Alcoholic Beverages, Cannabis and Lottery Operations. The bureau is required to adopt rules for the licensing and regulation of cannabis establishments; upon the adoption of such rules, each dispensary registered under the Maine Medical Use of Marijuana Act is granted a provisional license to operate a commercial cannabis cultivation facility, a cannabis product manufacturing facility and a retail cannabis store. Included in the rules must be a provision giving preference for licensing to a registered dispensary under the Maine Medical Use of Marijuana Act. A dispensary organized as a nonprofit corporation that reorganizes under the Maine Revised Statutes, Title 13-C is deemed to be the same dispensary for licensing purposes. Part C creates the Cannabis Regulation and Licensing Fund to provide a funding mechanism for regulation of commercial cannabis-related activities and the Cannabis Research Fund to fund research on cannabis; both funds are funded by revenue from the sales tax on cannabis.

Part C also amends the Maine Medical Use of Marijuana Act to remove the requirement that dispensaries be nonprofit corporations, remove the restriction on how much marijuana may be transferred by a primary caregiver for compensation, require a primary caregiver's cultivation facility to be open to reasonable inspection by the Department of Health and Human Services and cap the number of primary caregivers registered with the department at the number registered with the department on December 31, 2015.

Finally, Part C requires the Department of Agriculture, Conservation and Forestry to adopt rules regulating the use of pesticides in cannabis cultivation operations.

Part D renames the Bureau of Alcoholic Beverages and Lottery Operations within the Department of Administrative and Financial Services, the Bureau of Alcoholic Beverages, Cannabis and Lottery Operations.

Part E updates the exceptions to the laws restricting possession of marijuana in the Maine Criminal Code to reflect the use permitted by this legislation. Part E also provides that the odor of cannabis does not create probable cause of criminal activity.

Part F removes provisions in the law that make licensing of industrial hemp farming contingent upon federal action and that require licensees to document the type of hemp planted and to provide notification of each sale. This Part also updates various provisions of Title 7 and Title 22 that are affected by the enactment of the Cannabis Regulation Act and amends Title 26 to prohibit the employment of a person under 21 years of age in an

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establishment licensed for commercial cannabis-related activities.

Part G provides that a person cannot be found to lack good moral character for personal, medical or commercial marijuana activities allowed by this legislation when that person is applying to obtain a permit to carry a concealed handgun.

Part H creates the Prevention and Control of Marijuana Use by Youth Program and its administering body, the Prevention and Control of Marijuana Use by Youth Advisory Council. The purpose of the program is to prevent persons under 21 years of age from using marijuana products. Part H also creates the Cannabis Research Fund, which is established to conduct research on cannabis.

Committee Amendment "A" (H-477)

This amendment, which is the minority report of the committee, adds an appropriations and allocations section.

LD 1413 An Act To Allow an Attorney To Speak or Provide a Written Statement for a Victim at Sentencing

PUBLIC 282

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HERBIG KATZ	OTP-AM ONTP	H-398

Current law provides that a victim may participate in the process of a defendant's sentencing and requires the court to consider any oral or written statement made by the victim to the court. This bill provides that the victim may have an attorney represent the victim and submit a written statement or speak on the victim's behalf during the sentencing process.

Committee Amendment "A" (H-398)

This amendment is the majority report of the committee. The amendment changes the title and removes from the bill the provision that provides that an attorney may represent the victim at a sentencing hearing. It retains and clarifies the provision of the bill that allows an attorney to submit a written statement or speak on the victim's behalf.

Enacted Law Summary

Public Law 2015, chapter 282 allows an attorney for a victim of a crime to submit a written statement or speak on the victim's behalf in the court sentencing procedure.

LD 1437 An Act To Establish Training Standards for Persons Investigating Domestic Abuse Complaints

Died Between Houses

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

This bill requires that an investigation of an alleged incident of domestic abuse must be conducted by a law enforcement officer who has met the training standards of a full-time law enforcement officer.

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LD 1440 An Act To Amend the Laws Regarding the Department of Corrections and Correctional Services

**PUBLIC 291
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROSEN	OTP-AM	S-251

This bill authorizes law enforcement officers and juvenile community corrections officers to refer juveniles who commit minor offenses to diversion or restorative justice programs. In order to facilitate the effectiveness of these programs, the protection provided against admissibility in evidence for admissions made at other early stages of the juvenile justice process is provided for admissions made in connection with these diversion and restorative justice programs. An outdated reference to "community resolution teams" is also removed.

The bill adds to the protections of the victim notification statute by requiring victim notification of funeral and deathbed visits by prisoners, by adding to the definition of "victim" a person who has obtained from a court a protection from abuse order or received the court's approval for a protection from abuse agreement and by allowing victims to request notification directly from the Department of Corrections.

The bill allows a court to revoke the probation of an offender who has contact with a victim during incarceration if contact has been prohibited as a condition of probation.

The bill clarifies that the exemption from the payment of a health care copayment for certain mentally ill or developmentally disabled prisoners applies only to health care addressing the mental illness or developmental disability and not to unrelated health care. These provisions apply to both jail and Department of Corrections prisoners. The bill also removes a provision that is outdated as a result of recently enacted statutes prohibiting anyone under 18 years of age from being incarcerated in an adult facility.

The bill removes language providing that certain positions in the Department of Corrections serve at the pleasure of the commissioner. The positions include facility heads and regional community corrections administrators.

The bill expands the arrest powers of probation officers so that, in addition to the other categories of offenders they may arrest, they are also authorized to arrest escapees from facilities of the Department of Corrections.

The bill repeals an outdated uniform interstate compact for juveniles.

The bill amends the provision of law requiring a court sentencing a juvenile bound over and convicted as an adult to imprisonment to commit the juvenile to a Department of Corrections juvenile facility until the person attains 18 years of age, with any imprisonment time remaining after the person attains 18 years of age to be served in an adult facility. Currently, this provision is limited to certain serious crimes. The bill eliminates the limitation, thus preventing a person who has not attained 18 years of age who commits a less serious crime from being incarcerated in an adult facility.

Committee Amendment "A" (S-251)

This amendment removes from the bill provisions related to juvenile community corrections officer duties, statements made during a diversion or restorative justice program, preliminary procedures in juvenile corrections, victim notification, revocation of probation and repeal of the Uniform Interstate Compact on Juveniles. The amendment adds an emergency preamble and emergency clause to the bill.

Enacted Law Summary

Public Law 2015, chapter 291 does the following.

Joint Standing Committee on Criminal Justice and Public Safety

1. It clarifies that the exemption from the payment of a health care copayment for certain mentally ill or developmentally disabled prisoners applies only to health care addressing the mental illness or developmental disability and not to unrelated health care. These provisions apply to both jail and Department of Corrections prisoners.
2. It repeals a provision that is outdated as a result of recently enacted statutes prohibiting anyone under 18 years of age from being incarcerated in an adult facility.
3. It repeals language providing that certain positions in the Department of Corrections serve at the pleasure of the commissioner. The positions include facility heads and regional community corrections administrators.
4. It expands the arrest powers of probation officers so that, in addition to the other categories of offenders they may arrest, they are also authorized to arrest escapees from facilities of the Department of Corrections.

Public Law 2015, chapter 291 was enacted as an emergency measure effective June 30, 2015.

Joint Standing Committee on Criminal Justice and Public Safety

SUBJECT INDEX

Criminal History Record Information/DNA/Forensics

Not Enacted

LD 573	An Act To Provide for Annulment of Certain Arrest Records and Expungement of Certain Confidential Criminal History Record Information	ONTP
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Criminal Law

Enacted

LD 264	An Act To Restore the Right To Possess Certain Knives That Are Used by Many Citizens as Tools	PUBLIC 23
LD 431	An Act To Strengthen the Laws Prohibiting Stalking	PUBLIC 357
LD 679	An Act To Prohibit the Unauthorized Dissemination of Certain Private Images	PUBLIC 339
LD 1074	An Act To Make Damaging a Public Easement with a Motor Vehicle a Class E Crime	PUBLIC 258
LD 1179	An Act To Prohibit Certain Payments with Respect to an Adoption	PUBLIC 233

Not Enacted

LD 239	An Act To Create a Permanent Wabanaki Law Enforcement Seat on the Board of Trustees of the Maine Criminal Justice Academy	Died Between Houses
LD 355	An Act To Extend the Statute of Limitations for the Prosecution of the Crime of Robbery	ONTP
LD 1071	An Act To Increase the Penalties for Vandalizing a Cemetery	Majority (ONTP) Report
LD 1096	An Act To Create the Crime of Intentional Interference with Business Operations	Majority (ONTP) Report
LD 1200	An Act To Create a Civil Cause of Action for Intentional Interference with Business Operations	Died Between Houses
LD 1380	An Act To Legalize, Tax and Regulate Marijuana	Majority (ONTP) Report
LD 1401	An Act To Allow for and Regulate the Adult Use of Cannabis	Majority (ONTP) Report

Criminal Procedure/Bail/Sentencing

Enacted

LD 150	Resolve, Requiring a Review of and a Report on Pretrial and Post-conviction Use of Batterers' Intervention Programs	RESOLVE 15
LD 512	An Act To Implement Certain Recommendations of the Criminal Law Advisory Commission Relative to the Maine Criminal Code	PUBLIC 358

Not Enacted

LD 1113	An Act To Replace the Bail Code with a System of Validated Risk Assessment Tools	ONTP
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Department of Corrections

Enacted

LD 688	An Act To Amend the Laws Related to the Bolduc Correctional Facility	PUBLIC 48
LD 1440	An Act To Amend the Laws Regarding the Department of Corrections and Correctional Services	PUBLIC 291 EMERGENCY

Not Enacted

LD 1387	An Act Regarding the State Board of Corrections	CARRIED OVER
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Domestic Violence

Not Enacted

LD 1100	An Act To Expand Options for the Prevention of Domestic Violence	Majority (ONTP) Report
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Drugs

Enacted

LD 113	An Act To Reduce the Penalties for Certain Drug Offenses	PUBLIC 308
LD 729	An Act To Add Acetylfentanyl and Methylfentanyl Derivatives to the List of Schedule W Drugs	PUBLIC 330 EMERGENCY
LD 1246	An Act To Strengthen Laws Regarding the Manufacture and Sale of Methamphetamine and Other Drugs	PUBLIC 346

Not Enacted

LD 376	An Act To Provide a Source of Funding for Drug Abuse Resistance Education	Died Between Houses
LD 710	An Act Providing a Good Samaritan Defense to Individuals Reporting a Drug Overdose	Veto Sustained

Electronic Devices--Monitoring/Crimes/Disposal

Not Enacted

LD 1002	An Act Regarding the Electronic Monitoring Program	CARRIED OVER
LD 1155	An Act Concerning Electronic Monitoring and Increased Bail for Certain Crimes Involving Violence	Majority (ONTP) Report

Firearms/Concealed Firearms

Enacted

LD 600	An Act To Prohibit a Person Convicted of a Crime of Domestic Violence from Possessing a Firearm for a Period of 5 Years and To Better Align Maine Law with Federal Law Regarding Persons Prohibited from Possessing Firearms	PUBLIC 287
LD 652	An Act To Authorize the Carrying of Concealed Handguns without a Permit	PUBLIC 327
LD 868	An Act To Remove Limitations on Reciprocity for Concealed Handguns Permits	PUBLIC 144
LD 1068	An Act To Require That Certain Active Duty Military Personnel Are Eligible for the Resident Application Fee for a Concealed Handgun Permit	PUBLIC 123
LD 1160	An Act To Make Possession of a Firearm with an Altered or Obscured Serial Number a Class C Crime	PUBLIC 364

Not Enacted

LD 230	An Act To Allow a Person To Request a Pardon from the Governor for the Purpose of Restoring Gun Rights	Majority (ONTP) Report
LD 415	An Act To Promote the Safe Use and Sale of Firearms	Died Between Houses
LD 535	An Act To Amend the Laws Governing the Concealed Handguns Permit Application	Majority (ONTP) Report
LD 548	An Act To Provide a Concealed Handgun Permit for Active Military Members	ONTP
LD 823	An Act To Upgrade the Concealed Handgun Permit Law	CARRIED OVER

Fireworks

Not Enacted

LD 149	An Act To Protect Private Property and Livestock from Fireworks	Majority (ONTP) Report
LD 177	An Act To Protect Farm Animals from Noise from the Discharge of Fireworks and Explosives	Majority (ONTP) Report
LD 302	An Act To Encourage Responsible Consumer Fireworks Use	Died Between Houses

LD 324	An Act To Control Fireworks in Monhegan Island Plantation	Minority (ONTP) Report
LD 459	An Act To Protect the Environment from Fireworks Debris	Veto Sustained

Juveniles

Enacted

LD 263	An Act To Provide a Minor with a Defense to Prosecution in a Situation That Involves Risk of Alcohol Overdose	PUBLIC 154
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Not Enacted

LD 1029	An Act To Improve Maine's Juvenile Justice System	Veto Sustained
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Law Enforcement

Enacted

LD 375	An Act To Create a Blue Alert Program in Maine	PUBLIC 26
LD 1243	An Act To Make the Law Regarding Critical Incident Stress Management Teams More Beneficial and Effective	PUBLIC 112

Not Enacted

LD 534	An Act To Increase Crisis Intervention Training in the State	ONTP
LD 1437	An Act To Establish Training Standards for Persons Investigating Domestic Abuse Complaints	Died Between Houses

Maine Emergency Management Agency

Not Enacted

LD 549	Resolve, To Create the Task Force on Disaster Resiliency	ONTP
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OUI/OAS/Other MV Violations

Not Enacted

LD 69	An Act To Require Drug Testing of the Driver of a Motor Vehicle Involved in a Fatal Accident	Died On Adjournment
LD 458	An Act To Implement a Motor Vehicle Violation Electronic Citation Program	ONTP
LD 504	An Act To Increase the Penalty for Failing To Carry Proof of Motor Vehicle Financial Responsibility	Report A (ONTP)
LD 988	An Act To Create the Crime of Operating While Fatigued	Majority (ONTP) Report

Prison/Jail/Inmate

Enacted

LD 186	An Act To Reverse Jail Consolidation	PUBLIC 335 EMERGENCY
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LD 1013 An Act To Prevent the Shackling of Pregnant Prisoners and Pregnant Juveniles PUBLIC 315

Not Enacted

LD 195 An Act Regarding County Jails CARRIED OVER
LD 440 An Act To Create a Secure, Therapeutic Mental Health Unit CARRIED OVER
LD 657 An Act To Provide Enhanced Mental Health Services to the County Prison Population Died Between Houses

Public Safety/Emergency Medical Services

Enacted

LD 62 An Act To Require Notice to Municipalities of Certain Licensing and Registration Actions Taken by the Emergency Medical Services' Board PUBLIC 6
LD 623 An Act To Expand Maine's Carbon Monoxide Detectors Law PUBLIC 375
LD 624 An Act To Make a Technical Correction to the Law Establishing the State Trauma Prevention and Control Advisory Committee within the Field of Public Safety PUBLIC 30
LD 629 An Act Regarding Community Paramedicine Pilot Projects PUBLIC 92 EMERGENCY
LD 697 An Act To Restore Public Safety Programs in the Department of Public Safety PUBLIC 148 EMERGENCY
LD 818 An Act To Amend the Maine Emergency Medical Services Act of 1982 PUBLIC 82
LD 1057 Resolve, To Review and Report Recommendations on the Safety of Motorized Farm Rides Provided for a Fee to the Public RESOLVE 32

Not Enacted

LD 460 An Act To Restore Liability Insurance Requirements for Amusement Rides and Other Public Exhibitions ONTP
LD 599 An Act To Direct the Department of Public Safety To Establish a Public Safety Answering Point for the Passamaquoddy Indian Reservation at Indian Township Died Between Houses
LD 655 Resolve, To Study the Feasibility of a State Firefighter Training Facility CARRIED OVER
LD 658 An Act To Allow Text Messaging for Reporting Emergencies Majority (ONTP) Report
LD 748 An Act To Provide for Tiered Qualifications for Volunteer Firefighters in Certain Municipalities Leave to Withdraw
LD 971 An Act To Reinstate the State Fire Marshal's Authority To Inspect Amusement Rides ONTP
LD 1135 An Act Regarding the Requirements for Sprinkler Systems in Townhouses INDEF PP

Sex Offender Registration

Enacted

LD 379	An Act To Create the Sex Offender Management and Risk Assessment Advisory Commission	PUBLIC 86
LD 1112	An Act To Make Technical Changes to the Sex Offender Registration and Notification Acts of 1999 and 2013	PUBLIC 280

Sex Offenses -- Criminal

Enacted

LD 1275	An Act Regarding Notice to the Public Pertaining to a Resident Person Deported from Canada to the United States for Committing a Sex Offense against a Child	PUBLIC 76
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Not Enacted

LD 54	Resolve, To Ensure Notification to the Public of the Location in Maine of Persons Convicted in Foreign Countries of Crimes Relating to the Sexual Abuse of a Child	ONTP
LD 566	An Act To Protect Individuals from Breaches of Trust by Clergy Members	INDEF PP
LD 792	An Act To Protect Patients from Sexual Exploitation	Died Between Houses
LD 936	An Act To Protect Children from Sexual Predators, Sexual Abuse and Sexual Assault	ONTP
LD 1114	An Act To Protect Maine's Children from Sexual Abuse and Exploitation	CARRIED OVER

Sex Trafficking

Enacted

LD 651	An Act To Amend Maine's Sex Trafficking and Child Welfare Laws	PUBLIC 360
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Theft/Bad Checks

Enacted

LD 43	An Act To Specify That Theft by Deception Includes False Claims Regarding Military Service	PUBLIC 21
LD 310	An Act To Prevent Organized Retail Crime	PUBLIC 85

Not Enacted

LD 577	An Act To Amend the Laws Governing Penalties for Writing Bad Checks	ONTP
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Victim Rights

Enacted

LD 1413	An Act To Allow an Attorney To Speak or Provide a Written Statement for a Victim at Sentencing	PUBLIC 282
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STATE OF MAINE
127TH LEGISLATURE
FIRST REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON EDUCATION AND
CULTURAL AFFAIRS**

August 2015

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Joint Standing Committee on Education and Cultural Affairs

LD 3 **An Act To Ensure Consistent Certification of Graduation Standards in Publicly Funded Secondary Schools**

**PUBLIC 40
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HUBBELL	OTP-AM	H-70

This bill makes demonstrated proficiency in the system of learning results a requirement for the award of a diploma indicating graduation from a public charter school, in order to match the requirements for public schools and private schools approved for tuition that enroll at least 60 percent publicly funded students. The bill also makes the statewide assessment program required under the Maine Revised Statutes, Title 20-A, section 6202 applicable to public charter schools.

Committee Amendment "A" (H-70)

This amendment retains the provisions of the bill that clarify that public charter schools are subject to the provisions established under the system of learning results, including the statewide assessment program designed to measure students' academic achievement, that apply to public schools and private schools approved for tuition purposes that enroll at least 60 percent publicly funded students. The amendment adds the following provisions to the bill.

1. It provides that public charter schools are subject to the provisions established under the state standards initiated for awarding proficiency-based diplomas in the Maine Revised Statutes, Title 20-A, section 4722-A and also provides that public charter schools are eligible for transition grants to implement the proficiency-based diploma standards.
2. It provides that a public charter school that operates a public preschool program must comply with the rules adopted by the Department of Education regarding basic school approval requirements for public preschool programs.
3. It updates a reference to the organization that approves accreditation for secondary private schools as part of the basic school approval provisions for private schools and revises this basic school approval provision to specify that a private school approved for tuition purposes that enrolls at least 60 percent publicly funded students may be approved under this provision if it also meets the requirements of the system of learning results.
4. It requires that private secondary schools approved for attendance purposes by the Department of Education include the instruction required by the provisions established under the state standards initiated for awarding proficiency-based diplomas to secondary school students.

Enacted Law Summary

Public Law 2015, chapter 40 changes the education statutes to clarify that public charter schools are subject to the provisions established under the system of learning results, including the statewide assessment program designed to measure students' academic achievement, that apply to public schools and private schools approved for tuition purposes that enroll at least 60 percent publicly funded students. This law amends and clarifies the following statutory provisions:

1. It provides that public charter schools are subject to the provisions established under the state standards initiated for awarding proficiency-based diplomas in the Maine Revised Statutes, Title 20-A, section 4722-A and also provides that public charter schools are eligible for transition grants to implement the proficiency-based diploma standards.
2. It provides that a public charter school that operates a public preschool program must comply with the rules

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adopted by the Department of Education regarding basic school approval requirements for public preschool programs.

3. It updates a reference to the organization that approves accreditation for secondary private schools as part of the basic school approval provisions for private schools and revises this basic school approval provision to specify that a private school approved for tuition purposes that enrolls at least 60 percent publicly funded students may be approved under this provision if it also meets the requirements of the system of learning results.

4. It requires that private secondary schools approved for attendance purposes by the Department of Education include the instruction required by the provisions established under the state standards initiated for awarding proficiency-based diplomas to secondary school students.

Public Law 2015, chapter 40 was enacted as an emergency measure effective April 30, 2015.

LD 17 An Act To Restore Programs and Faculty to the University of Maine System ONTP

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

This bill provides ongoing funds to restore programs and faculty to the University of Maine System.

LD 18 Resolve, To Review and Audit the University of Maine System's Finances and Governance Practices ONTP

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

This resolve directs the Office of Program Evaluation and Government Accountability to review and audit the University of Maine System's finances and governance practices and submit a report of its findings to the Joint Standing Committee on Education and Cultural Affairs no later than January 15, 2016. The joint standing committee may submit legislation on the topic of the report to the Second Regular Session of the 127th Legislature.

LD 19 An Act Regarding Special Education for Students Enrolled in a Home Instruction Program ONTP

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

This bill provides that a student enrolled in a home instruction program is eligible for special education and related services in the same manner that students enrolled in a private school are eligible for these services.

Joint Standing Committee on Education and Cultural Affairs

LD 38 An Act To Allow Sufficient Time for Implementation of the Performance Evaluation and Professional Growth System for Educators PUBLIC 18 EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HUBBELL LANGLEY	OTP	

This bill delays by one year the phased stages to implement educator effectiveness requirements for school administrative units.

Enacted Law Summary

Public Law 2015, chapter 18 delays by one year the phased stages to implement educator effectiveness requirements for school administrative units.

Public Law 2015, chapter 18 was enacted as an emergency measure effective April 12, 2015.

LD 42 An Act To Increase Funding for Instruction within the University of Maine System ONTP

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

This bill requires that the amount by which any appropriation by the Legislature for the University of Maine System exceeds the fiscal year 2014-15 appropriation for the University of Maine System must be dedicated to instructional purposes and that the system report to the joint standing committee of the Legislature having jurisdiction over education matters specific details regarding the expenditure.

LD 44 Resolve, To Direct the Department of Education To Train School Personnel To Implement Dyslexia Awareness and Student Accommodation Policies ONTP

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

This resolve requires the Department of Education to train school personnel to implement dyslexia awareness and student accommodation policies.

LD 56 An Act To Limit Increases in the State's Share of Funding for Kindergarten to Grade 12 Public Education ONTP

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

This bill limits the State's share of the total cost of funding public education from kindergarten to grade 12 to no more than the prior fiscal year's share multiplied by one plus the most recent percentage of annual increase in the Consumer Price Index once the state share percentage reaches 55 percent.

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LD 59 An Act To Protect Students' Rights and Privacy Regarding Their School Records

PUBLIC 97

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FOLEY COLLINS	OTP-AM	H-55

This bill directs the Commissioner of Education to adopt rules regarding dissemination of student information by schools not covered under current law. These rules are major substantive rules and must include substantially the same prohibitions and standards regarding dissemination of student information as applicable to publicly funded schools. The commissioner is required to recommend an appropriate penalty for a violation of the rules to the Joint Standing Committee on Education and Cultural Affairs no later than January 15, 2016.

Committee Amendment "A" (H-55)

This amendment strikes and replaces the section of the bill that adds a new section to the Maine Revised Statutes, Title 20-A, chapter 221, subchapter 1 related to the dissemination of student information by certain private schools that are not covered under current law. The amendment establishes substantially the same standards and prohibitions applicable to publicly funded schools for private schools approved by the Department of Education and private schools recognized by the department as providing equivalent instruction.

Enacted Law Summary

Public Law 2015, chapter 97 adds a new section to the Maine Revised Statutes, Title 20-A, chapter 221, subchapter 1 related to the prohibitions and standards regarding dissemination of student information by certain private schools that are not covered under current law. The law establishes substantially the same standards and prohibitions applicable to publicly funded schools for private schools approved by the Department of Education and private schools recognized by the department as providing equivalent instruction. The law also directs the Commissioner of Education to recommend an appropriate penalty for a violation of these standards and prohibitions to the Joint Standing Committee on Education and Cultural Affairs no later than January 15, 2016. The committee is authorized to report out a bill to implement a penalty for a violation of these standards and prohibitions to the Second Regular Session of the 127th Legislature.

LD 60 An Act To Ensure Proper Funding for Teacher Retirement

**Died On
Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KUMIEGA LIBBY	OTP-AM ONTP	H-14

This bill changes the method for funding teacher retirement costs. It repeals those provisions of law enacted pursuant to Public Law 2013, chapter 368 that require school administrative units and private schools to pay for teacher retirement.

Committee Amendment "A" (H-14)

This amendment is the majority report of the Joint Standing Committee on Education and Cultural Affairs. The amendment adds an appropriations and allocations section to the bill.

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LD 65 An Act To Apply Equally a Curtailment or Other Loss in General ONTP
Purpose Aid to Education

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

If state revenue to a school administrative unit is reduced for any reason, this bill allows a school administrative unit to reduce the tuition it pays to a public or private school by the same percentage that the school administrative unit's share of state revenue under essential programs and services is reduced.

LD 97 Resolve, Directing the Department of Education To Amend the School RESOLVE 2
Emergency Drill Rules

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LIBBY FARNSWORTH	OTP	

This resolve directs the Department of Education to amend school emergency evacuation rules to include lockdown drills as well as emergency evacuation drills within the established required number of drills to be performed.

Enacted Law Summary

Resolve 2015, chapter 2 directs the Department of Education to amend school emergency evacuation rules to include lockdown drills as well as emergency evacuation drills within the established required number of drills to be performed.

LD 99 An Act To Stabilize the Faculty and Programs at the University of ONTP
Southern Maine

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

This bill provides one-time funds of \$2,000,000 in fiscal year 2014-15 to the University of Southern Maine to develop a recruitment and marketing program to stabilize enrollment.

**LD 109 An Act To Ensure Maine Companies Have Access to Skilled Labor Died On
Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ESPLING HASKELL	OTP-AM	H-20

This bill provides \$75,000 per fiscal year to the Department of Education for the New Mainers Resource Center.

Committee Amendment "A" (H-20)

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This amendment incorporates a fiscal note.

**LD 127 An Act To Preserve Programs in Allied Health at Kennebec Valley
Community College**

**Accepted Majority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BECK WHITTEMORE	ONTP OTP-AM	

This bill provides one-time funding in fiscal year 2015-16 to Kennebec Valley Community College to preserve its programs in allied health.

Committee Amendment "A" (H-36)

This amendment is the minority report of the Joint Standing Committee on Education and Cultural Affairs. The amendment incorporates a fiscal note.

**LD 128 An Act To Allow a School Administrative Unit To Implement a Firearm
Safety Education Program for Elementary School Students**

ONTP

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

This bill requires the State Board of Education to develop guidelines for a standardized program of firearm safety education for elementary students and provides that school boards may adopt a firearm safety education program in conformance with the guidelines.

LD 129 An Act To Provide Options to Schools for Making Up School Days

**PUBLIC 60
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUELL EDGECOMB P	OTP-AM	H-37

This bill provides that school administrative units may annually extend up to 25 school days by one hour each day. Five one-hour extensions count as one additional school day. Schools may use the extensions only to make up school days missed because of weather or emergency closures.

Committee Amendment "A" (H-37)

This amendment adds an emergency preamble and an emergency clause to the bill and directs the Department of Education to amend its rules regarding the methods required and the options available for school officials to request a waiver from the Commissioner of Education to schedule make-up days and reschedule instructional time in Section 6 of Rule Chapter 125: Basic Approval Standards: Public Schools and School Administrative Units. The amendment directs the Department of Education to adopt the amendments to the rule within seven business days of the effective date of this legislation. It also provides that the amended rule becomes effective when filed by the department.

The amendment retains the provisions in the bill that provide that school administrative units may annually extend up to 25 school days by one hour each day, that five one-hour extensions count as one additional school day and that

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schools may use the extensions only to make up school days missed because of weather or emergency closures. The amendment requires approval of the Commissioner of Education for implementation of extensions.

Enacted Law Summary

Public Law 2015, chapter 60 provides that, upon approval of the Commissioner of Education, school administrative units may annually extend up to 25 school days by one hour each day to make up school days missed because of weather or emergency closures. The law provides that five one-hour extensions count as one additional school day for a school up day missed because of weather or emergency closure. The law also directs the Department of Education to amend its rules in Section 6 of Rule Chapter 125: Basic Approval Standards: Public Schools and School Administrative Units regarding the methods required and the options available for school officials to request a waiver from the Commissioner of Education to schedule make-up days and reschedule instructional time.

Public Law 2015, chapter 60 was enacted as an emergency measure effective May 10, 2015.

LD 130 An Act To Exempt Certain Established Public Prekindergarten Programs from New Regulations ONTP

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

This bill exempts public preschool programs in existence for at least three years on September 1, 2014 from new Department of Education rules related to standards and best practices for public preschool programs.

LD 131 An Act To Amend the Laws Related to Public Funding of Charter Schools PUBLIC 54 EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HUBBELL LANGLEY	OTP-AM	H-38

This bill establishes provisions to fund public charter schools that are authorized by the Maine Charter School Commission beginning in fiscal year 2015-16.

1. The bill establishes provisions that calculate the total allocation of funds to be provided under general purpose aid for local schools for public charter schools that are authorized by the Maine Charter School Commission and establishes that the Commissioner of Education must adjust the operating allocation calculated for public charter schools by multiplying the operating allocation by the appropriate transition percentage in accordance with the Maine Revised Statutes, Title 20-A, section 15671, subsection 7.
2. It also provides that, beginning in fiscal year 2015-16, the Commissioner of Education's recommendations to the Governor and the Department of Administrative and Financial Services for funding levels under the Essential Programs and Services Funding Act must include funding level computations for the total operating allocation of funds to public charter schools authorized by the commission in accordance with the provisions of this legislation.
3. It establishes a moratorium on the approval, authorization and execution of contracts for virtual public charter schools by the commission, and it provides that the moratorium applies to the period between the effective date of this legislation and one year following the effective date of this legislation.
4. It requires the Maine Charter School Commission to review the virtual public charter school models in other states and to submit a report to the joint standing committee of the Legislature having jurisdiction over education

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and cultural affairs that recommends a model for virtual public charter schools that will best serve the academic and developmental needs of Maine students.

5. It requires that virtual public charter schools and authorizers include the Legislature among the recipients of certain of their reports.

Committee Amendment "A" (H-38)

This amendment provides clarification to the provisions established to fund public charter schools that are authorized by the Maine Charter School Commission beginning in fiscal year 2015-16. The amendment accomplishes the following:

1. It adds a provision to provide that a public charter school may receive payment for students residing in the unorganized territory and provides that a special education student residing in the unorganized territory must be treated the same as a resident student from a school administrative unit for purposes of special education costs;
2. It amends the calculation of the total allocation and state contribution for a public charter school to provide that the EPS per-pupil rate is different when only one school administrative unit sends students to a public charter school as compared to the EPS per-pupil rate when there is more than one school administrative unit sending students to the public charter school;
3. It amends the student count used for the determination of the EPS per-pupil rates for public charter schools by providing that the basic student count is the October 1st student count of the most recent calendar year prior to the year of funding;
4. It amends the provision related to the total allocation and state contribution for public charter schools to provide that up to three percent of this amount must be withheld and transferred to the Maine Charter School Commission in accordance with the Maine Revised Statutes, Title 20-A, section 2405, subsection 5, paragraph B;
5. It removes the provision that establishes a moratorium on the approval of, authorization of and execution of contracts for virtual public charter schools by the Maine Charter School Commission;
6. It removes the provision that requires the Maine Charter School Commission to review the virtual public charter school models in other states and to submit a report to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs; and
7. It amends the provisions that require the Commissioner of Education and the Governor to notify the governing board of each public charter school of the estimated amount of state contributions and the recommended funding level computations that must be allocated to the public charter school pursuant to the Maine Revised Statutes, Title 20-A, section 15683-B to provide that these estimated contributions must be posted on the Department of Education's publicly accessible website.

Enacted Law Summary

Public Law 2015, chapter 54 makes the following changes to the laws governing the funding of public charter schools authorized by the Maine Charter School Commission beginning in fiscal year 2015-16.

1. It provides that, beginning in fiscal year 2015-16, the Commissioner of Education's recommendations to the Governor and the Department of Administrative and Financial Services for funding levels under the Essential Programs and Services Funding Act must include funding level computations for the total operating allocation of funds to public charter schools authorized by the commission in accordance with the provisions of this legislation.
2. It requires that the calculation of the total allocation of funds to be provided under general purpose aid for local schools for public charter schools that are authorized by the Maine Charter School Commission and establishes that

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the Commissioner of Education must adjust the operating allocation calculated for public charter schools by multiplying the operating allocation by the appropriate transition percentage in accordance with the Maine Revised Statutes, Title 20-A, section 15671, subsection 7.

3. It requires that the Commissioner of Education and the Governor notify the governing board of each public charter school of the estimated amount of state contributions and the recommended funding level computations that must be allocated to the public charter school pursuant to the Maine Revised Statutes, Title 20-A, section 15683-B to provide that these estimated contributions must be posted on the Department of Education's publicly accessible website.

4. It provides that the calculation of the total allocation and state contribution for the EPS per-pupil rate for a public charter school is different when only one school administrative unit sends students to a public charter school as compared to the EPS per-pupil rate when there is more than one school administrative unit sending students to the public charter school.

5. It provides that the basic student count used for the determination of the EPS per-pupil rates for public charter schools is the October 1st student count of the most recent calendar year prior to the year of funding.

6. It provides that a public charter school may receive payment for students residing in the unorganized territory and provides that a special education student residing in the unorganized territory must be treated the same as a resident student from a school administrative unit for purposes of special education costs.

7. It requires that up to three percent of the amount the total allocation and state contribution for public charter schools authorized by the Maine Charter School Commission must be withheld and transferred to the commission in accordance with the provisions in the Maine Revised Statutes, Title 20-A, section 2405, subsection 5, paragraph B.

8. Finally, it requires that virtual public charter schools and authorizers include the Legislature among the recipients of certain of their reports required by law.

Public Law 2015, chapter 54 was enacted as an emergency measure effective May 8, 2015.

LD 151 An Act To Protect Public Health in the Maine Community College System

Leave to Withdraw Pursuant to Joint Rule

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

This bill prohibits smoking on the grounds of any campus of the Maine Community College System. The bill provides an effective date of October 15, 2015 and an exception to the smoking ban for smoking undertaken as part of a religious ceremony or as part of a cultural activity by a defined group.

LD 152 An Act To Encourage Cardiopulmonary Resuscitation To Be Taught in High School

ONTP

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

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This bill directs the Department of Education to develop a cardiopulmonary resuscitation model training program for school administrative units to offer to school personnel, secondary school students, parents and members of the public. In developing the training program, the department is authorized to seek collaboration and support in the form of money, staffing and expertise from organizations with the purpose of promoting cardiac health. The department is directed to encourage school administrative units to implement the training program.

**LD 201 Resolve, Regarding Legislative Review of Portions of Chapter 101:
Maine Unified Special Education Regulation Birth to Age Twenty, a
Major Substantive Rule of the Department of Education**

**RESOLVE 25
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-180

This resolve provides for legislative review of portions of Chapter 101: Maine Unified Special Education Regulation Birth to Age Twenty, a major substantive rule of the Department of Education.

Committee Amendment "A" (H-180)

This amendment provides that final adoption of portions of Chapter 101: Maine Unified Special Education Regulation Birth to Age Twenty, a provisionally adopted major substantive rule of the Department of Education, is authorized contingent upon the department's making specified changes to the proposed rule.

Enacted Law Summary

Resolve 2015, chapter 25 provides that final adoption of portions of Chapter 101: Maine Unified Special Education Regulation Birth to Age Twenty, a provisionally adopted major substantive rule of the Department of Education, is authorized contingent upon the department's making specified changes to the proposed rule.

Resolve 2015, chapter 25 was finally passed as an emergency measure effective June 11, 2015.

**LD 215 An Act To Improve Student Retention in Maine's Postsecondary
Institutions**

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND MAKER	OTP-AM	S-21

This bill directs Jobs for Maine's Graduates, a state-authorized nonprofit corporation, to provide mentoring and counseling services, course guidance and graduation planning, peer support services and financial guidance to up to 200 students and at up to four postsecondary institutions in the State for the purpose of significantly increasing the percentage of eligible students who obtain a postsecondary degree. Eligible students must have previously been enrolled in a Jobs for Maine's Graduates high school program, been in or currently be in foster care or have earned a high school equivalency diploma within the five years prior to obtaining these services.

Committee Amendment "A" (S-21)

This amendment removes the limitations included in the bill on the number of postsecondary education institutions and the number of students that may be served by Jobs for Maine's Graduates as authorized by the bill.

This bill was carried over on the Special Appropriations Table to any special or regular session of the 127th Legislature by joint order, S.P. 555.

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**LD 218 An Act To Support Fair Financing in Charter Schools and School
Administrative Units**

ONTP

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

This bill provides that per-pupil allocations paid by a school administrative unit to a public charter school must be returned to the school administrative unit of the student's residence, on a prorated basis, if the student discontinues enrollment at the public charter school and returns to the school administrative unit during the school year. The bill also changes the allocation of a provision of law to clarify when a school administrative unit needs to transfer funds to a charter school for certain programs.

**LD 231 An Act To Ensure That Schoolchildren with Dyslexia Receive the
Assistance Needed**

PUBLIC 338

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MORRISON MILLETT	OTP-AM	H-279 S-327 HAMPER

This bill defines dyslexia as a specific learning disability that is neurological in origin. It requires school administrative units to conduct screenings of students from kindergarten to grade two for dyslexia, except that, for the 2016-2017 school year, school administrative units must screen students from kindergarten to grade three. It requires school administrative units to screen certain transfer and older students. It also creates the position of dyslexia consultant within the Department of Education and provides for the dyslexia consultant to provide school administrative units with dyslexia professional awareness training.

Committee Amendment "A" (H-279)

This amendment replaces the bill. It defines "dyslexia" and requires school administrative units to screen for dyslexia only those students from kindergarten to grade two who have certain difficulties, as noted by a classroom teacher, beginning in the 2016-2017 school year. It also requires the Department of Education to hire a dyslexia coordinator by October 1, 2015 and describes the dyslexia coordinator's duties. The amendment adds an appropriations and allocations section.

Senate Amendment "A" To Committee Amendment "A" (S-327)

This amendment strikes the General Fund appropriations from Committee Amendment "A." This amendment also adds a mandate preamble.

Enacted Law Summary

Public Law 2015, chapter 338 defines "dyslexia" and requires school administrative units to screen for dyslexia only those students from kindergarten to grade two who have certain difficulties, as noted by a classroom teacher, beginning in the 2016-2017 school year. It also requires the Department of Education to hire a dyslexia coordinator by October 1, 2015, who assists the Department of Education in complying with the dyslexia screening requirements and required general education interventions and develops a plan to implement dyslexia awareness training for teachers, implements professional development in evidence-based screening practices and identifies needs of schools for implementing intervention strategies for reading and language-based learning difficulties.

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LD 235 An Act To Adjust Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of the Department of Education, the Maine Arts Commission and the Maine State Museum and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2015

**PUBLIC 7
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROTUNDO HAMPER	OTP-AM	H-16

Part A of the bill adjusts appropriations and allocations from the General Fund and other funds for the expenditures of the Department of Education for the fiscal year ending June 30, 2015.

Part B of the bill further adjusts appropriations and allocations from the General Fund and other funds for the expenditures of the Department of Education for the fiscal year ending June 30, 2015.

Part C of the bill provides for the transfer of the payment for students who attend public charter schools authorized by the Maine Charter School Commission from the resident school administrative unit to the State. The cost of these public charter schools is included in the total cost of funding public education from kindergarten to grade 12 beginning in fiscal year 2015-16.

Part D of the bill revises the amount of financing agreements for portable computer systems for students and educators from up to \$69,696,000 to up to \$95,000,000 and the interest costs from up to \$5,575,680 to up to \$7,600,000. The amount has been revised to include those costs borne by the school administrative units.

Part E of the bill adjusts appropriations from the General Fund for the expenditures of the Maine Arts Commission for the fiscal year ending June 30, 2015.

Part F of the bill adjusts appropriations and allocations from the General Fund and other funds for the expenditures of the Maine State Museum for the fiscal year ending June 30, 2015.

Committee Amendment "A" (H-16)

This amendment is the majority report of the Joint Standing Committee on Education and Cultural Affairs. The amendment strikes Part C from the bill. Part C proposed to provide for the transfer of the payment for students who attend public charter schools authorized by the Maine Charter School Commission from the resident school administrative unit to the State.

Enacted Law Summary

Public Law 2015, chapter 7 makes the following changes to the funding appropriated or allocated for certain education and cultural affairs programs in fiscal year 2014-15.

1. It adjusts appropriations and allocations from the General Fund and other funds for the expenditures of the Department of Education for the fiscal year ending June 30, 2015.
2. It further adjusts appropriations and allocations from the General Fund and other funds for the expenditures of the Department of Education for the fiscal year ending June 30, 2015.
3. It revises the amount of financing agreements for portable computer systems for students and educators from up to \$69,696,000 to up to \$95,000,000 and the interest costs from up to \$5,575,680 to up to \$7,600,000. The amount

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has been revised to include those costs borne by the school administrative units.

4. It adjusts appropriations from the General Fund for the expenditures of the Maine Arts Commission for the fiscal year ending June 30, 2015.

5. It adjusts appropriations and allocations from the General Fund and other funds for the expenditures of the Maine State Museum for the fiscal year ending June 30, 2015.

Public Law 2015, chapter 7 was enacted as an emergency measure effective April 1, 2015.

LD 240 An Act To Amend the School Funding Formula

ONTP

Sponsor(s)

HOGAN
COLLINS

Committee Report

ONTP

Amendments Adopted

This bill is a concept draft pursuant to Joint Rule 208. The bill proposes to amend the school funding formula.

LD 261 Resolve, Directing the Maine Arts Commission, the Maine Historic Preservation Commission and the Maine State Museum Commission To Study the Replacement of Statues in the National Statuary Hall Collection

RESOLVE 51

Sponsor(s)

MASON

Committee Report

OTP-AM

Amendments Adopted

S-34

This resolve establishes the Commission to Install a Statue of Joshua Lawrence Chamberlain in the National Statuary Hall Collection. The commission is directed to take steps necessary to result in the placement of a statue of Joshua Lawrence Chamberlain in the National Statuary Hall Collection in the United States Capitol. This statue will replace that of William King, Maine's first governor, the ownership of which may be transferred to the State, subject to the approval of the United States Congress's Joint Committee on the Library. The commission is directed to seek outside funding to fully fund the costs associated with carrying out the intent of the resolve.

Committee Amendment "A" (S-34)

This amendment replaces the resolve and directs the Maine Arts Commission, the Maine Historic Preservation Commission and the Maine State Museum Commission to study the public's interest in replacing one or both statues contributed by Maine currently in the National Statuary Hall Collection in the United States Capitol and the procedures for and the feasibility of accomplishing that process. The commissions are required to report their findings to the Joint Standing Committee on Education and Cultural Affairs by January 15, 2016, and the committee is authorized to report out a bill related to the subject matter of the report to the Second Regular Session of the 127th Legislature. The amendment also adds an appropriations and allocations section.

Enacted Law Summary

Resolve 2015, chapter 51 directs the Maine Arts Commission, the Maine Historic Preservation Commission and the Maine State Museum Commission to study the public's interest in replacing one or both statues contributed by Maine currently in the National Statuary Hall Collection in the United States Capitol and the procedures for and the feasibility of accomplishing that process. It requires the commissions to report their findings to the Joint Standing Committee on Education and Cultural Affairs by January 15, 2016, and it authorizes the committee to report out a

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bill related to the subject matter of the report to the Second Regular Session of the 127th Legislature.

LD 265 An Act To Require the State To Fund Public Charter Schools ONTP

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

This bill requires the State to provide full funding of public charter schools.

LD 300 An Act To Appropriate Funds To Help Restore the Historic Wood Island Life Saving Station in Kittery Died On Adjournment

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HILL RYKERSON	OTP-AM	S-2

This bill provides one-time funding to the Wood Island Life Saving Station Association for the planning, design and restoration of the Wood Island Life Saving Station in the Town of Kittery.

Committee Amendment "A" (S-2)

This amendment incorporates a fiscal note.

While this bill was not enacted, the funding provision proposed in this bill was included in Public Law 2015, chapter 267, An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2015, June 30, 2016 and June 30, 2017.

LD 305 An Act To Authorize Circus Conservatory of America To Grant Baccalaureate Degrees CARRIED OVER

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

This bill authorizes Circus Conservatory of America to grant the degrees of Bachelor of Arts and Bachelor of Fine Arts.

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

LD 306 Resolve, To Prevent Overpayment for Virtual Education ONTP

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

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This resolve requires the Department of Education, in conjunction with the Maine Education Policy Research Institute, to design an essential programs and services funding model for virtual public charter schools that reflects evidence-based, appropriate costs to reduce the current overpayment made to virtual public charter schools for services, teachers and facilities that are not actually provided by the virtual public charter schools. This resolve requires the Department of Education to report the new funding model for virtual public charter schools to the Legislature by June 1, 2015.

LD 311 An Act To Improve Attendance at Public Elementary Schools

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LIBBY BROOKS	OTP-AM	S-22

This bill gives school boards the option of reducing the minimum age required for school attendance from seven years of age to five years of age. The bill also provides that students who are at least five years of age and enrolled in a public day school are subject to the same provisions regarding truancy as students who are seven years of age or older and who are required to attend a public day school.

Committee Amendment "A" (S-22)

This amendment strikes the bill and instead provides that a person five years of age or older who is enrolled in public day school is required to attend during the time it is in regular session. This amendment provides that a person five years of age or older and under seven years of age may withdraw from school at any time within the 45 days after enrollment, and may withdraw from school after 45 days after enrollment after consultation with the school board or its designee. This amendment provides that students who are at least five years of age and enrolled in a public day school are subject to the same provisions regarding truancy as students who are at least seven years of age and have not completed grade six who are required to attend a public day school. This amendment clarifies that a person five years of age or older and under seven years of age is not required to meet the alternatives to attendance requirements set forth in the Maine Revised Statutes, Title 20-A, section 5001-A, subsection 3.

LD 314 An Act To Amend the Administration of the Transportation System in the Department of Education

Accepted Majority (ONTP) Report

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

This bill amends the law allowing the Commissioner of Education to pay costs attributable to transportation requirements under the Essential Programs and Services Funding Act and the law governing the transportation of public school students, including the costs of one Education Specialist III position, by changing that position to an Administrator position.

Committee Amendment "A" (H-56)

This amendment is the minority report of the Joint Standing Committee on Education and Cultural Affairs. The amendment changes the position proposed in the bill from an "Administrator" position to a "professional" position.

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LD 356 An Act To Permit the New England School of Dental Technology To Grant the Degree of Bachelor of Science CARRIED OVER

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

This bill authorizes the New England School of Dental Technology to grant the degree of Bachelor of Science beginning December 1, 2015.

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

LD 374 An Act To Require School Administrators To Complete 50 Hours of Direct Student Instruction To Be Recertified Accepted Majority (ONTP) Report

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

This bill provides that, beginning July 1, 2017, the statutory provisions related to the renewal of certificates for school administrators are amended to include the completion of at least 50 hours of direct student instruction as a qualification for renewal of the administrator's certificate. The bill also directs the Department of Education and the State Board of Education to provisionally adopt rules related to the renewal of certificates for school administrators no later than December 31, 2016.

Committee Amendment "A" (S-28)

This amendment is the minority report of the Joint Standing Committee on Education and Cultural Affairs. The amendment provides that, beginning July 1, 2017, the statutory provisions related to the renewal of certificates for school administrators are amended to permit the completion of at least 15 hours of academic instruction or involvement as a qualification for renewal of the administrator's certificate. Like the bill, the amendment directs the Department of Education and the State Board of Education to provisionally adopt rules related to the renewal of certificates for school administrators no later than December 31, 2016.

LD 380 Resolve, To Establish a Working Group To Aid with the End of Student Hunger ONTP

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

The Task Force To End Student Hunger in Maine, as authorized pursuant to Resolve 2013, chapter 107, submitted its final report to the 127th Legislature; among many other recommendations of the task force is a requirement that the Department of Education convene a working group by March 1, 2015 to review the opportunities and challenges of the Community Eligibility Provision in the United States Department of Agriculture, study best practices related to the Community Eligibility Provision for school administrative units, address barriers to the use of the Community Eligibility Provision and make recommendations to the Department of Education and the Department of Health and Human Services. The working group is required to complete and submit its report by April 30, 2015.

This resolve, an emergency measure, includes only that provision of the task force's recommendations regarding the

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formation of a working group to allow the working group to be convened and finish its work by the April 30, 2015 deadline.

LD 391 Resolve, To Create a State-run Virtual Academy Providing Maine Students with Access to Online Learning through Their Existing School Districts ONTP

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

This resolve does the following.

1. It directs the Department of Education to convene a stakeholder group to develop plans to establish online and digital learning opportunities, which may include a state-administered virtual academy and a state-administered digital learning exchange, that provide all public schools in the State access to online instruction, online courses and digital learning resources for their students.
2. It directs the stakeholder group, in collaboration with the Department of Education, to complete the design of online and digital learning opportunities for Maine students and submit a report, including findings and any necessary implementing legislation, to the Joint Standing Committee on Education and Cultural Affairs by December 1, 2015.
3. It directs the stakeholder group, in collaboration with school administrative units in the State, to develop a memorandum of understanding with the Virtual Learning Academy Charter School in New Hampshire to provide Maine secondary school students with access to virtual learning programs during the 2015-2016 school year.

LD 392 An Act To Eliminate the Maine School Performance Grading System Accepted Majority (ONTP) Report

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

This bill prohibits the Department of Education from using a school performance grading system that uses a single letter grade to measure school performance.

LD 393 An Act To Create a Unified Board of Higher Education ONTP

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

This bill replaces the Board of Trustees of the University of Maine System, the Board of Trustees of the Maine Community College System and the Board of Trustees of the Maine Maritime Academy with the Board of Trustees of Higher Education to provide a unified body for the governance of those institutions.

1. Part A makes changes to the law to replace some select references to the individual boards of trustees with references to the unified board and enacts a new chapter in the Maine Revised Statutes, Title 20-A with provisions

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that establish the new unified board.

2. Part B establishes a transition team to recommend further changes to the law to fully accomplish the transition to the unified board. The transition team will specifically recommend changes to determine the qualifications of trustees and the powers and duties of the unified board in a report to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs. The report of the transition team must also recommend changes to the administration or organization of and the existing law governing the University of Maine System, the Maine Maritime Academy and the Maine Community College System to ensure the efficient operation under the unified board and to avoid any potential conflicts with the law establishing the unified board. The joint standing committee is authorized to submit a bill to the Second Regular Session of the 127th Legislature based upon the report.

LD 417 An Act Regarding Measures To Ensure Support for Students' Financial Literacy

PUBLIC 64

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
POULIOT LANGLEY	OTP-AM	H-50

This bill directs the Commissioner of Education to develop methods to measure students' proficiency in financial literacy for those students taking part in financial literacy education pursuant to the Maine Revised Statutes, Title 20-A, section 254, subsection 13 in order to help ensure they can demonstrate proficiency prior to graduation. The Commissioner of Education shall submit by January 13, 2016 a report on the measures and any suggested legislation to the Joint Standing Committee on Education and Cultural Affairs, which may report out a bill to the Second Regular Session of the 127th Legislature.

Committee Amendment "A" (H-50)

This amendment strikes and replaces the bill to direct the Commissioner of Education to identify best practices to support students' financial literacy for those students taking part in financial literacy education pursuant to the Maine Revised Statutes, Title 20-A, section 254, subsection 13. The amendment also requires the Commissioner of Education to submit, by January 13, 2016, the 2016 annual report on the strategies and resources available to implement an integrated model for instruction in personal finance for use in secondary schools and the best practices available to support students' financial literacy.

Enacted Law Summary

Public Law 2015, chapter 64 directs the Commissioner of Education to identify best practices to support students' financial literacy for those students taking part in financial literacy education pursuant to the Maine Revised Statutes, Title 20-A, section 254, subsection 13. The amendment also requires the Commissioner of Education to submit, by January 13, 2016, the 2016 annual report on the strategies and resources available to implement an integrated model for instruction in personal finance for use in secondary schools and the best practices available to support students' financial literacy.

LD 418 Resolve, To Study the Use of Social Impact Bonds as a Funding Mechanism for Public Education Programs in Maine

RESOLVE 52

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
POULIOT LANGLEY	OTP-AM ONTP	H-10

This resolve requires the University of Maine System's Education Research Institute to study the use of social impact bonds to fund extended learning programs and prekindergarten programs. A social impact bond generally

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involves a government entity partnering with a service provider or outside investor that provides the financing for the project or service that is the object of the bond with the government entity not being required to pay back the bond unless success is demonstrated by a measurable outcome.

Committee Amendment "A" (H-10)

This amendment is the majority report of the Joint Standing Committee on Education and Cultural Affairs as it incorporates a fiscal note.

Enacted Law Summary

Resolve 2015, chapter 52 requires the University of Maine System's Education Research Institute to study the use of social impact bonds to fund extended learning programs and prekindergarten programs. The Education Research Institute must submit a report of this study, including any recommended legislation, to the Joint Standing Committee on Education and Cultural Affairs by December 2, 2015. The committee may report out a bill based upon the report to the Second Regular Session of the 127th Legislature.

LD 419 An Act To Establish the Summer Success Program Fund

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PIERCE T	OTP-AM ONTP	H-450

This bill is a concept draft pursuant to Joint Rule 208. The bill proposes to amend the current law to promote the establishment and expansion of summer school programs for elementary and secondary school students. The bill proposes that:

1. Elementary and secondary schools be provided with additional resources and incentives to establish or expand summer school programs that enhance the academic opportunities for Maine students;
2. The Department of Education provide elementary and secondary schools with examples of effective models of summer school programs that improve student performance, including model programs that involve school networking and partnerships with community-based organizations such as the Maine Alliance of Boys & Girls Clubs that provide summer activities to align and leverage existing resources, improve program quality and develop shared outcomes for student success; and
3. The current provisions in the Maine Revised Statutes, Title 20-A related to funding summer school programs be amended to provide additional funds for the establishment and expansion of summer school programs for elementary and secondary school students. The amendments to the current law may include, but are not limited to:
 - A. Providing an adjustment of the state share of the total allocation to qualifying school administrative units for the costs of establishing or expanding summer school programs for elementary and secondary school students; or
 - B. Providing qualifying school administrative units with the allocation of state grants to be awarded on an annual basis by the Department of Education for the establishment and expansion of summer school programs for elementary and secondary school students.

Committee Amendment "A" (H-450)

This amendment, which is the majority report of the committee, replaces the concept draft to establish the Summer Success Program Fund, a dedicated fund to be directed and administered by the Commissioner of Education and held by the Treasurer of State, to encourage the facilitation of high-quality summer success programs in school

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administrative units throughout the State. The amendment proposes the following.

1. It provides that money paid into the fund may include General Fund appropriations, as well as grants, gifts and other money from any unit of federal, state or local government or from any person, firm, partnership or corporation for deposit to the fund and money received from a social impact bond. It requires that school administrative units ensure that grants provided from the fund for expanding access to summer success programs supplement and not supplant federal funding.
2. It requires the commissioner to administer the fund within the Department of Education and to establish standards and approval for the allocation and use of fund money for summer success programs offered at elementary or secondary schools in the State. It also allows the commissioner to include the following in the standards:
 - A. Guidelines similar to the federal 21st Century Community Learning Centers program to close the achievement gap between economically disadvantaged students and their peers;
 - B. Effective models of summer success programs that involve networking and partnerships with community-based organizations that provide a range of high-quality services to support student learning and development; and
 - C. Implementation of the formative and summative assessment methods to measure student achievement in order to monitor the progress of students participating in summer success programs.
3. It provides that, beginning in fiscal year 2016-17, the department is required to provide grant funding, through a grant application process, to cover 90 percent of the costs of summer success programs in school administrative units with greater than 50 percent student participation in the federal free and reduced-price lunch program.
4. It adds the fund to the enhancing student performance and opportunity provisions of the Essential Programs and Services Funding Act.
5. It requires the commissioner to submit a report to the Joint Standing Committee on Education and Cultural Affairs by December 15, 2015 that outlines the proposed rules to implement the fund by the 2016-2017 school year.

It adds an appropriations and allocations section.

This bill was carried over on the Special Appropriations Table to any special or regular session of the 127th Legislature by joint order, S.P. 555.

LD 428 An Act To Amend the Powers and Duties of the State Board of Education

PUBLIC 72

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LANGLEY KORNFIELD	OTP	

This bill specifically authorizes the State Board of Education to enter into an interstate reciprocity agreement regarding postsecondary distance education, to administer the agreement and to approve or disapprove an application to participate in the agreement from a postsecondary institution that has its principal campus in the State.

Enacted Law Summary

Public Law 2015, chapter 72 specifically authorizes the State Board of Education to enter into an interstate reciprocity agreement regarding postsecondary distance education, to administer the agreement and to approve or

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disapprove an application to participate in the agreement from a postsecondary institution that has its principal campus in the State.

LD 441 An Act To Amend the Laws Governing Local Share of Education Costs

**Accepted Majority
(ONTP) Report**

Sponsor(s)

LIBBY
POULIOT

Committee Report

ONTP
OTP-AM

Amendments Adopted

This bill extends the remaining phase-out of the proportional share reduction for school administrative units not meeting their required local share of education funding from one more year, ending in fiscal year 2015-16, to three more years, ending in fiscal year 2017-18.

Committee Amendment "A" (S-45)

This amendment is the minority report of the Joint Standing Committee on Education and Cultural Affairs; it incorporates a fiscal note.

LD 454 An Act To Enact the Student Information Privacy Act

PUBLIC 256

Sponsor(s)

KATZ
POULIOT

Committee Report

OTP-AM

Amendments Adopted

S-222

This bill establishes requirements for providers of websites, mobile applications or online services that collect, maintain or use personal information of elementary or secondary school students.

Committee Amendment "A" (S-222)

This amendment replaces the bill. The amendment enacts the Student Information Privacy Act, which prohibits the operator of an Internet website, online service or mobile application designed, marketed and used for kindergarten to grade 12 purposes from presenting targeted advertising to students, amassing a profile of a student except in furtherance of school purposes, selling student data or disclosing student personally identifiable data without consent. The amendment permits an operator to disclose data in certain circumstances and under certain limitations, including to ensure legal and regulatory compliance, to participate in judicial process, for legitimate research purposes and for school purposes to a school, school administrative unit or state agency. The amendment requires an operator to maintain reasonable security procedures and practices to protect student data and requires an operator to delete data upon request of a school or school administrative unit. The amendment requires compliance with the Student Information Privacy Act by the 2016-2017 school year when an operator has signed a contract with the Department of Education, a school administrative unit or a school prior to enactment.

Enacted Law Summary

Public Law 2015, chapter 256 enacts the Student Information Privacy Act, which prohibits the operator of an Internet website, online service or mobile application designed, marketed and used for kindergarten to grade 12 purposes from presenting targeted advertising to students, amassing a profile of a student except in furtherance of school purposes, selling student data or disclosing student personally identifiable data without consent. The law permits an operator to disclose data in certain circumstances and under certain limitations, including to ensure legal and regulatory compliance, to participate in judicial process, for legitimate research purposes and for school purposes to a school, school administrative unit or state agency. The law requires an operator to maintain reasonable security procedures and practices to protect student data and requires an operator to delete data upon

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request of a school or school administrative unit. The law requires compliance with the Student Information Privacy Act by the 2016-2017 school year when an operator has signed a contract with the Department of Education, a school administrative unit or a school prior to enactment.

LD 461 An Act To Change the Notification Deadline for the Nonrenewal of a Teacher's Contract

PUBLIC 65

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAKER EDGECOMB P	OTP-AM	H-51

This bill changes the deadline for a superintendent to notify a teacher of the superintendent's decision not to renew the teacher's contract from at least six months before the terminal date of the contract to at least 90 days before the terminal date of the contract. It also requires the school administrative unit to pay a forfeiture to the teacher if this deadline is not met.

Committee Amendment "A" (H-51)

This amendment strikes and replaces the bill to provide that the deadline for a superintendent to notify a teacher of the superintendent's decision not to renew the teacher's contract is at least six months before the terminal date of the contract except for teachers who received a summative effectiveness rating indicating ineffectiveness pursuant to the performance evaluation and professional growth system established under the Maine Revised Statutes, Title 20-A, chapter 508 for the preceding school year. The amendment also requires that unless the superintendent provides a written notice to the contrary not later than May 15th to a teacher who received a summative effectiveness rating indicating ineffectiveness pursuant to chapter 508 for the preceding school year, the teacher's contract must be extended automatically for one year.

Enacted Law Summary

Public Law 2015, chapter 65 provides that the deadline for a superintendent to notify a teacher of the superintendent's decision not to renew the teacher's contract is at least six months before the terminal date of the contract except for teachers who received a summative effectiveness rating indicating ineffectiveness pursuant to the performance evaluation and professional growth system established under the Maine Revised Statutes, Title 20-A, chapter 508 for the preceding school year. The law also requires that unless the superintendent provides a written notice to the contrary not later than May 15th to a teacher who received a summative effectiveness rating indicating ineffectiveness pursuant to chapter 508 for the preceding school year, the teacher's contract must be extended automatically for one year.

LD 462 An Act To Clarify Rulemaking for Transportation of Public School Students

PUBLIC 73

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HUBBELL LANGLEY	OTP-AM	H-62

This bill removes from the education laws rule-making language regarding the transportation of public preschool students.

Committee Amendment "A" (H-62)

This amendment requires the Department of Education to adopt major substantive rules in the event that the Federal Government or the State requires transportation to be provided for public preschool children.

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Enacted Law Summary

Public Law 2015, chapter 73 removes from the education laws rule-making language regarding the transportation of public preschool students. The law also requires the Department of Education to adopt major substantive rules in the event that the Federal Government or the State requires transportation to be provided for public preschool children.

LD 463 An Act Regarding Eligibility of Children Placed in Guardianship for the ONTP
School Lunch and Milk Program

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

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

This bill proposes to provide that a student placed in legal guardianship is eligible for free meals under the school lunch and milk program in the Maine Revised Statutes, Title 20-A, chapter 223, subchapter 7 without considering the income of the student's guardian.

LD 464 An Act To Improve Science and Engineering Education for Maine's Veto Sustained
Students

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DEVIN DILL	OTP-AM	H-43 S-60 LANGLEY

This bill requires the Department of Education to include the so-called Next Generation Science Standards for kindergarten to grade 12 in the State's system of learning results and assessment and directs the Commissioner of Education to amend Department of Education rules on or before December 31, 2015 in order to include the science standards as part of the State's system of learning results and assessment beginning with the 2016-2017 school year.

Committee Amendment "A" (H-43)

This amendment removes the requirement that the assessment of the Next Generation Science Standards for kindergarten to grade 12 must be implemented beginning with the 2016-2017 school year. The amendment also changes the language to clarify that the amendments to the Department of Education rules chapters must be provisionally adopted and submitted to the Legislature for legislative review during the Second Regular Session of the 127th Legislature.

Senate Amendment "A" To Committee Amendment "A" (S-60)

This amendment changes the date by which the Department of Education is required to provisionally adopt rules from December 31, 2015 to December 31, 2016 and requires the rules to be submitted to the First Regular Session of the 128th Legislature.

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**LD 536 An Act To Amend Provisions Regarding the Appointment of Members of
the Maine Charter School Commission**

**Died Between
Houses**

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

This bill amends the provisions that apply to the appointment of the four members of the Maine Charter School Commission, who are currently nominated and appointed by the three members of the State Board of Education subject only to review by the joint standing committee of the Legislature having jurisdiction over education matters and majority vote of the state board, to provide instead for nomination by the three members of the state board for appointment by the Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over education matters and confirmation by the Senate.

Committee Amendment "A" (H-316)

This amendment is the majority report of the Joint Standing Committee on Education and Cultural Affairs. The amendment makes changes to the provisions in the bill that apply to the appointment of four of the seven members of the Maine Charter School Commission. Instead of having the Governor appoint the four commission members nominated by the three members of the State Board of Education appointed to the commission by the state board, the amendment provides that the four commission members are nominated by those three members of the state board appointed to the commission and are subject to review by the joint standing committee of the Legislature having jurisdiction over education matters and to confirmation by the Senate.

**LD 537 An Act To Avoid the Inappropriate Use of Assessment Tools on Children
before Grade 3**

PUBLIC 183

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAUGHTRY	OTP-AM	H-198

This bill prohibits the Commissioner of Education from establishing a statewide assessment program to measure and evaluate on a continuing basis the academic achievements of students in prekindergarten to grade two.

Committee Amendment "A" (H-198)

This amendment strikes and replaces the bill. The amendment adds a provision to the Maine Revised Statutes, Title 20-A related to the early childhood educational programs for children ages four to nine to clarify that early childhood statewide assessment tools are used to inform instruction and to communicate effectively with parents, but that the statewide assessments of early childhood programs must avoid the inappropriate use of assessment information.

Enacted Law Summary

Public Law 2015, chapter 183 adds a provision to the Maine Revised Statutes, Title 20-A related to the early childhood educational programs for children ages four to nine to clarify that early childhood statewide assessment tools are used to inform instruction and to communicate effectively with parents, but that the statewide assessments of early childhood programs must avoid the inappropriate use of assessment information.

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LD 538 An Act To Reduce Fees at Maine's Postsecondary Institutions

ONTP

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

This bill prohibits a postsecondary institution from assessing a student a student health fee unless the student has expressly agreed to pay the fee.

LD 556 An Act To Require Public Schools To Offer Instruction Related to Cardiopulmonary Resuscitation and the Use of an Automated External Defibrillator

PUBLIC 140

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
POULIOT MILLETT	OTP-AM	H-122

This bill requires public schools to offer training to students on how to perform cardiopulmonary resuscitation and use automated external defibrillators in accordance with rules adopted by the Department of Education. The rules must be designed to ensure that the training requirements can be met without a public school's being required to expand or modify its activity so as to necessitate additional expenditures from local revenues.

Committee Amendment "A" (H-122)

This amendment incorporates a fiscal note.

Enacted Law Summary

Public Law 2015, chapter 140 requires public schools to offer training to students on how to perform cardiopulmonary resuscitation and use automated external defibrillators in accordance with rules adopted by the Department of Education. The rules must be designed to ensure that the training requirements can be met without a public school's being required to expand or modify its activity so as to necessitate additional expenditures from local revenues.

LD 557 An Act To Provide Reasonable Accommodations for School Attendance for Children Certified for the Medical Use of Marijuana

PUBLIC 369

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANDERSON HAMPER	OTP-AM ONTP	H-207 S-148 LANGLEY

This bill:

1. Provides that a school board may not prohibit the possession on school grounds of medical marijuana in a nonsmokeable form by the parent or guardian of a child with a disability for whom medical marijuana has been recommended by the child's health care provider as a reasonable accommodation necessary for that child to attend events held on school grounds; and
2. Provides that a child with a disability may not be denied eligibility to attend school solely because the child requires medical marijuana in a nonsmokeable form as a reasonable accommodation necessary for the child to

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attend school.

Committee Amendment "A" (H-207)

This amendment is the majority report of the Joint Standing Committee on Education and Cultural Affairs. The amendment removes the provision in the bill that prohibits a school board from prohibiting possession of medical marijuana and instead provides that a parent, guardian or other person designated as a primary caregiver for a minor child certified for the medical use of marijuana may possess and administer marijuana in a nonsmokeable form to that child in a school bus or on the grounds of a preschool or primary or secondary school.

Senate Amendment "A" To Committee Amendment "A" (S-148)

This amendment amends Committee Amendment "A" to strike and replace the provision in the bill that provides that a child upon a recommendation from the child's health care provider may not be denied eligibility to attend school solely because the child requires medical marijuana in a nonsmokeable form as a reasonable accommodation necessary for the child to attend school.

This amendment provides that a child who holds a written certification for the use of medical marijuana from a medical provider under the Maine Medical Use of Marijuana Act may not be denied eligibility to attend school solely because the child requires medical marijuana in a nonsmokeable form as a reasonable accommodation necessary for the child to attend school.

This amendment retains the provisions in Committee Amendment "A" concerning the possession and administering of marijuana in a nonsmokeable form by a parent, guardian or other primary caregiver.

Enacted Law Summary

Public Law 2015, chapter 369 provides that a child who holds a written certification for the use of medical marijuana from a medical provider under the Maine Medical Use of Marijuana Act may not be denied eligibility to attend school solely because the child requires medical marijuana in a nonsmokeable form as a reasonable accommodation necessary for the child to attend school. This law also provides that a parent, guardian or other person designated as a primary caregiver for a minor child certified for the medical use of marijuana may possess and administer marijuana in a nonsmokeable form to that child in a school bus or on the grounds of a preschool or primary or secondary school.

LD 567 Resolve, To Implement Recommendations from the Maine Science, Technology, Engineering and Mathematics Education and Workforce Plan

Accepted Majority (ONTP) Report

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

This bill requires the Department of Education to convene a stakeholder-based advisory committee with representatives from the science, technology, engineering and mathematics fields, including computer science, to assist the department in developing and implementing recommendations made in the Maine Science, Technology, Engineering and Mathematics Education and Workforce Plan, including the adoption of next generation science standards in all school administrative units, and to determine the feasibility of implementing the other recommendations in the plan.

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LD 578 An Act To Redefine the Method by Which the Department of Education Determines Cost Sharing for School Construction and Renovation Projects for Municipalities within a School Administrative Unit Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GINZLER HAMPER	ONTP OTP-AM	

This bill is a concept draft pursuant to Joint Rule 208. The bill proposes to amend the current education statutes pertaining to the methods by which the Department of Education determines how the costs for school construction and renovation projects are shared among the member municipalities of a school administrative unit. The bill would implement:

1. An alternative method for determining the sharing of costs for a school construction or renovation project among member municipalities of a school administrative unit comparable to the methods established under the Maine Revised Statutes, Title 20-A, section 1481-A, subsection 3; and
2. An amendment to the provisions of the Essential Programs and Services Funding Act regarding the sharing of debt service costs related to school construction and renovation projects in order to more equitably distribute the local share of school construction and renovation project costs among the member municipalities of a school administrative unit by including the number of resident pupils in each municipality and the property fiscal capacity of each municipality as the basis for sharing the debt service costs related to school construction and renovation projects.

Committee Amendment "A" (H-263)

This amendment, which is the minority report of the committee, strikes and replaces the concept draft. It provides an alternative method for determining cost sharing for school construction and renovation projects for the member municipalities within a school administrative district, community school district or regional school unit.

LD 579 An Act To Allow Teachers To Teach and Students To Learn by Amending the Laws Governing Education Standards ONTP

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

This bill repeals the requirements for a system of proficiency-based education standards scheduled to become effective in 2017.

LD 601 An Act To Clarify the Authority of Individualized Education Plans in Relation to Proficiency-based Diplomas ONTP

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

This bill allows a child with a disability who demonstrates proficiency through the use of evidence and alternative measures specified in the child's individualized education plan to be awarded a high school diploma.

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LD 627 An Act To Make College More Affordable for Maine Residents

**Died Between
Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLETT POULIOT	OTP-AM ONTP	

This bill changes the Maine State Grant Program by providing that grants awarded to students attending the University of Maine System, the Maine Maritime Academy or the Maine Community College System may not be less than \$2,500 for students attending their first year, \$3,500 for students attending their second year, \$4,500 for students attending their third year and \$5,500 for students attending their fourth year.

Committee Amendment "A" (S-221)

This amendment, which is the majority report of the committee, requires that the Maine State Grants Program tiered awards proposed in the bill, if funds are available, must be made available to eligible students with no expected family contribution who attend private postsecondary education institutions, as well as those who attend public postsecondary education institutions, in the State.

LD 637 An Act Concerning the Calendars of Career and Technical Education Programs and Partnering Schools

**Accepted Majority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DILL CHAPMAN	ONTP OTP-AM	

This bill provides that the calendars of all schools affiliated with a career and technical education center or within a career and technical education region must be aligned within five to seven days of each other and with the regional school calendar, depending upon the number of schools sending students to the regional school.

Committee Amendment "A" (S-44)

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

LD 683 Resolve, Regarding Legislative Review of the Final Repeal of Chapter 60: New School Siting Approval, a Late-filed Major Substantive Rule That Has Been Provisionally Repealed by the Department of Education, State Board of Education

ONTP

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

This resolve provides for legislative review of Chapter 60: New School Siting Approval, a major substantive rule of the Department of Education, State Board of Education that was filed outside the legislative rule acceptance period.

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LD 685 Resolve, Regarding Legislative Review of Portions of Chapter 61: Rules ONTP
for Major Capital School Construction Projects, a Late-filed Major
Substantive Rule of the Department of Education, State Board of
Education

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

This resolve provides for legislative review of portions of Chapter 61: Rules for Major Capital School Construction Projects, a major substantive rule of the Department of Education, State Board of Education that was filed outside the legislative rule acceptance period.

LD 692 An Act Regarding Educator Effectiveness PUBLIC 3
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EDGECOMB P MAKER	OTP-AM	S-3

This bill directs school administrative units to use state assessment data for English language arts and math as a measure of performance for teachers and as a measure of performance for principals. It clarifies the law regarding the usage of summative effectiveness ratings for certain categories of performance rating. It adds an additional component to the rules regarding monitoring of the performance evaluation and professional growth systems. The bill also directs the Department of Education to amend its rules regarding performance evaluation and professional growth systems.

Committee Amendment "A" (S-3)

This committee amendment makes the following changes to the components proposed in the bill to amend the Department of Education rules regarding the design and implementation of the performance evaluation and professional growth systems.

1. It strikes the proposed change to section 7, subsection 1 of the rules that would require school administrative units to develop a defensible approach to using student learning and growth as a significant factor in the summative effectiveness rating of an educator.
2. It strikes the individual education plan "IEP" language included in section 7, subsection 4 of the rule concerning Student Learning Objectives and IEP goals and adds a provision in section 7, subsection 3, paragraph F of the rule concerning Permissible Measures, to specify that an IEP may not be used as a measure of student learning and growth in the evaluation of an educator.
3. It amends the expedited amendment process provision in the bill to clarify that the Department of Education shall adopt the amendments to the department's Chapter 180 Rule as provided in this Act within seven business days of the effective date of this Act.
4. It changes the deadline date established for stakeholder groups to reach consensus on the performance evaluation and professional growth system in section 12, subsection 1, paragraphs D and E of the rules, from June 1, 2015 to July 15, 2015.
5. It adds a provision to require that each school administrative unit shall submit to the Department of Education by

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July 15, 2015 a plan describing the intentions of its pilot project.

Enacted Law Summary

Public Law 2015, chapter 3 clarifies the law regarding the usage of summative effectiveness ratings for certain categories of performance rating for teachers and principals. The law directs school administrative units to use state assessment data for English language arts and math as a measure of performance for teachers and as a measure of performance for principals. It also adds an additional component to the Department of Education's Chapter 180 rules regarding monitoring of the performance evaluation and professional growth systems and directs the department to amend its rules regarding performance evaluation and professional growth systems.

Public Law 2015, chapter 3 was enacted as an emergency measure effective March 17, 2015.

LD 695 An Act To Clarify Statewide Assessment Program Options Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GIDEON LIBBY	ONTP OTP-AM	H-295

This bill requires a school administrative unit to excuse a student from standardized assessments at the written request of the student's parent or guardian and establishes requirements for school administrative units and the Department of Education related to excusing a student.

Committee Amendment "A" (H-295)

This amendment, which is the minority report of the committee, strikes and replaces the bill to require the Department of Education, beginning in the 2015-2016 school year, to create an annual report that outlines the federal and state laws and judicial decisions relating to the right or option of a student's parent or guardian to excuse the student from a statewide assessment program administered as part of the system of learning results. This amendment allows an educator to discuss the information published in the department's report with a student's parent or guardian and also allows the educator to refer the parent or guardian to the school's principal or another administrator employed by the school administrative unit.

LD 696 An Act To Establish a Moratorium on the Establishment of Virtual Charter Schools Died Between Houses

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

This bill provides that the Maine Charter School Commission may not authorize the operation of any virtual public charter school until the Legislature enacts legislation that expressly authorizes the operation of virtual public charter schools in the State. The moratorium applies to the operations of any virtual public charter school that has not commenced operations as of the effective date of this legislation, regardless of whether the commission has approved, authorized or executed a contract for the virtual public charter school.

The bill amends the definition of "virtual public charter school" to specify that virtual public charter schools provide education services through an online learning program that enrolls students on a part-time basis in grades nine to 12. The bill also requires the Maine Charter School Commission to review the law and the virtual public charter school models that have been implemented in other states and develop a virtual public charter school model that will best serve the learning needs of students. The virtual public charter school model developed must apply only to

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part-time students in grades nine to 12 and must place emphasis on blended learning models for high school students.

The Maine Charter School Commission is directed to report its findings, recommendations and any necessary implementing legislation with respect to the authorization or operation of virtual public charter schools to the Joint Standing Committee on Education and Cultural Affairs no later than December 1, 2015 and authorizes the joint standing committee to report out a bill to the Second Regular Session of the 127th Legislature related to the recommendations included in this report.

Committee Amendment "A" (H-156)

This amendment is the majority report of the Joint Standing Committee on Education and Cultural Affairs. The amendment strikes the provisions in the bill that specify that a virtual public charter school may enroll students only on a part-time basis and amends provisions in the bill to indicate that a virtual public charter school enrolls students on a full-time basis. The amendment also adds an appropriations and allocations section.

LD 711 An Act To Provide for a Later Starting Time for High Schools

**Accepted Minority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAUGHTRY MILLETT	OTP-AM ONTP	

This bill requires that, by September 1, 2017, each school administrative unit ensure that its secondary schools' school days start no earlier than 8:30 a.m. and that there be at least 11 consecutive hours of uninterrupted time from the end of a class, extracurricular activity, athletic practice or any other school activity to the start of the next school day. A school administrative unit is required to submit a compliance plan. Units that do not comply face reductions in the state share of funding attributable to the cost of the components of essential programs and services.

Committee Amendment "A" (H-123)

This amendment is the majority report of the Joint Standing Committee on Education and Cultural Affairs. The amendment changes the earliest allowed school day start time for secondary schools proposed in the bill from 8:30 a.m. to 8:00 a.m. and eliminates the requirement in the bill that a secondary school within a school administrative unit must allow 11 consecutive hours between school activities and the next school day. The amendment also eliminates the requirement in the bill that a school administrative unit provide a plan to adopt a later school start time in its secondary schools.

LD 725 An Act To Increase Suicide Awareness and Prevention in Maine Public Schools

ONTP

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

This bill requires a school administrative unit to complete and file proof of completion of suicide prevention awareness education and suicide prevention and intervention training for school personnel with the Department of Education. It also requires health education provided by a school administrative unit to students in grades 8 to 12 to include a comprehensive suicide prevention program.

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LD 728 An Act To Limit the Amount of Money a Municipality May Spend on Education ONTP

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

This bill provides that, beginning with the 2016 tax year, it is the goal and policy of the State that the amount of property taxes distributed by a municipality for education under the Essential Programs and Services Funding Act may not exceed 55 percent of the state valuation of the municipality's property subject to the valuation filed with the Secretary of State. The bill also provides that a municipality is not required to pay more than 55 percent of the funds raised by local property taxes for the municipality's required contribution to the school administrative unit's total cost of education unless a majority of the elected officials of the municipality approve raising and expending funds appropriated through local taxation for educational purposes that exceed 55 percent of the state valuation of the municipality's property.

LD 749 An Act To Ensure Integrity in Students' Proficiency ONTP

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

This bill provides that a teacher other than the teacher involved in the instruction of the students taking an examination in the subject area of the examination must administer and evaluate the results of the examination when it is used to determine proficiency in the areas described in the Maine Revised Statutes, Title 20-A, section 6209, subsection 2.

LD 763 An Act To Change the Budget Approval Process for Alternative Organizational Structures PUBLIC 286

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TUELL BURNS	OTP-AM	H-400

This bill changes the school budget approval process for alternative organizational structures. Current law requires that a change in who approves a budget must be approved at the next statewide election. The bill requires that such a determination of who approves a budget must be approved at a special meeting authorized by a majority of the governing body of the alternative organizational structure rather than at the next statewide election.

Committee Amendment "A" (H-400)

This amendment makes changes to the provisions in the bill that apply to the school budget approval process for alternative organizational structures. Current law requires that a change in who approves a budget must be approved at the next statewide election. The bill requires that such a determination of who approves a budget must be approved at a special meeting authorized by a majority of the governing body of the alternative organizational structure rather than at the next statewide election. The amendment provides that the determination of the school budget approval process must be approved at the next regular election or special election of all of the member entities of the alternative organizational structure. The amendment also provides that a referendum authorized for this purpose must be called and conducted by the governing body of the alternative organizational structure in accordance with the procedures for calling and conducting a referendum in a regional school unit as set forth in the

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Maine Revised Statutes, Title 20-A, under section 1502, but not including subsection 2, and section 1503.

Enacted Law Summary

Public Law 2015, chapter 286 makes changes to the current law that applies to the school budget approval process for alternative organizational structures. This law provides that the determination of the school budget approval process must be approved at the next regular election or special election of all of the member entities of the alternative organizational structure. The law also provides that a referendum authorized for this purpose must be called and conducted by the governing body of the alternative organizational structure in accordance with the procedures for calling and conducting a referendum in a regional school unit as set forth in the Maine Revised Statutes, Title 20-A, under section 1502, but not including subsection 2, and section 1503.

**LD 764 Resolve, To Impose a One-year Delay on the Use of Standardized Tests
To Evaluate Teachers Veto Sustained**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCELWEE MILLET	ONTP OTP-AM	H-264 H-354 KORNFIELD

This resolve prohibits school administrative units from using the Maine Educational Assessment for Mathematics and English Language Arts/Literacy standardized tests administered prior to the 2017-18 school year to measure educator effectiveness.

Committee Amendment "A" (H-264)

This amendment is the minority report of the Joint Standing Committee on Education and Cultural Affairs. The amendment changes the resolve's provision from a two-year delay to a one-year delay prohibiting school administrative units from using the Maine Educational Assessment for Mathematics and English Language Arts/Literacy standardized tests to measure educator effectiveness.

House Amendment "A" To Committee Amendment "A" (H-354)

This amendment removes the emergency preamble and emergency clause from the resolve.

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

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
POULIOT VALENTINO	OTP-AM ONTP	

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, 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 bill was committed to the Joint Standing Committee on Appropriations and Financial Affairs and carried over to any special or regular session of the 127th Legislature by joint order, H.P. 994 as amended by H-504.

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LD 793 Resolve, To Examine Unfunded Mandates in the Education Laws and To Recommend Unfunded Mandates To Be Eliminated ONTP

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

This resolve establishes a work group to examine unfunded mandates in the education laws. The work group is charged with reviewing three reports on unfunded education mandates and determining which unfunded mandates have been addressed, which ones still exist and which ones should be addressed as a matter of priority. The work group is required to make recommendations as to how to best address those unfunded mandates determined to be priorities and report to the Joint Standing Committee on Education and Cultural Affairs no later than December 2, 2015. The joint standing committee may submit a bill related to the report to the Second Regular Session of the 127th Legislature.

LD 794 An Act To Ensure That Funding to the University of Maine System Is Used Efficiently ONTP

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

This bill requires that the University of Maine System allocate a certain percentage of its annual funding to faculty salaries, classroom technology and supplies directly related to student learning in the classroom.

LD 840 An Act To Collect and Report Data on the Implementation of Proficiency-based Diplomas and Standards-based Student Learning PUBLIC 367

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HUBBELL LANGLEY	OTP-AM	H-292

This bill is a concept draft pursuant to Joint Rule 208. The bill proposes to require the State to advance implementation of proficiency-based diplomas and a standards-based system of education by using strategic planning, monitoring and economies of scale to accelerate implementation of the diplomas and system at the local level. The bill proposes to meet these goals by:

1. Requiring the Department of Education to develop a five-year plan and budget to outline strategic supports for the implementation of proficiency-based diplomas under the Maine Revised Statutes, Title 20-A, section 4722-A and submit the plan and budget to the Joint Standing Committee on Education and Cultural Affairs by January 31, 2016;
2. Requiring the Department of Education annually to collect and report progress towards the implementation of proficiency-based diplomas in public schools, public charter schools and private schools under the Maine Revised Statutes, Title 20-A, section 2951, subsection 5, including the number of students graduating with proficiency-based diplomas and the number of students awarded proficiency in each of the content areas of the system of learning results established under Title 20-A, section 6209 and the guiding principles set forth in department rules governing implementation of the system of learning results established pursuant to Title 20-A, section 6209;
3. Maintaining school administrative unit per-pupil subsidies at the current rate;

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4. Providing competitive grants to regional district partnerships and nonprofit organizations to address statewide priorities and involve the State's business and higher education communities in delivering consistent messages about standards and proficiency, create a statewide research and development process to solve complex implementation problems and provide on-site consultation in curriculum, instruction, assessment and organizational change, increase local knowledge in key implementation areas and build local support systems and services; and

5. Requiring the Department of Education to contract with an external organization through a request for proposals process to develop, administer and track the competitive grant process and report annually to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs, the Commissioner of Education and the public on the progress of the implementation of a standards-based system of education and emerging needs as the needs arise.

Committee Amendment "A" (H-292)

This amendment strikes and replaces the concept draft with a bill that directs the Department of Education to annually collect and report data on the progress of public schools and public charter schools towards the implementation of proficiency-based diplomas, including the number of students graduating with proficiency-based diplomas and the number of students awarded proficiency in each of the content areas and in each of the guiding principles of the system of learning results established under the Maine Revised Statutes, Title 20-A, section 6209.

Enacted Law Summary

Public Law 2015, chapter 367 directs the Department of Education to annually collect and report data on the progress of public schools and public charter schools towards the implementation of proficiency-based diplomas, including the number of students graduating with proficiency-based diplomas and the number of students awarded proficiency in each of the content areas and in each of the guiding principles of the system of learning results established under the Maine Revised Statutes, Title 20-A, section 6209.

LD 852 An Act To Establish Maine's School Beverage Standards ONTP

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

This bill limits the beverages public schools that participate in the National School Lunch Program may sell to water, 100 percent fruit or vegetable juice with no added sugar, no-fat or low-fat milk, including flavored milk and sparkling water with natural flavoring.

LD 853 An Act To Allow Secondary Schools To Grant Certificates of Academic Proficiency PUBLIC 342

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HUBBELL LANGLEY	OTP-AM ONTP	H-294 S-324 HAMPER

This bill authorizes school administrative units to award certificates of content area proficiency to students who demonstrate proficiency in each content area of the system of learning results.

Committee Amendment "A" (H-294)

This amendment, which is the majority report of the committee, provides that if a school administrative unit awards a certificate of content area proficiency to a student who demonstrates proficiency in a particular content area of the

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system of learning results, the school administrative unit is required to report its issuance of certificates of content area proficiency to the Department of Education.

Senate Amendment "A" To Committee Amendment "A" (S-324)

This amendment strikes the provision in the committee amendment to the bill that requires the Department of Education to collect and aggregate data reported by school administrative units that submit reports of certificates of content area proficiency issued to students who demonstrate proficiency. The amendment replaces this requirement with permissive language that allows the department to collect and report aggregate data reported by school administrative units.

Enacted Law Summary

Public Law 2015, chapter 342 authorizes school administrative units to award certificates of content area proficiency to students who demonstrate proficiency in each content area of the system of learning results. The law provides that if a school administrative unit awards a certificate of content area proficiency to a student who demonstrates proficiency in a particular content area of the system of learning results, the school administrative unit is required to report its issuance of certificates of content area proficiency to the Department of Education. The law also permits the department to collect and report aggregate data reported by school administrative units that submit reports of certificates of content area proficiency issued to students who demonstrate proficiency.

LD 876 An Act To Encourage Equity in School Funding by Limiting a Municipality's Contribution Based on Its Student Enrollment ONTP

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

In the case of a school administrative district, community school district or regional school unit composed of more than one municipality, this bill limits the municipal contribution to the total cost of education to the essential programs and services, EPS, per-pupil rate multiplied by the municipality's most recent calendar year average pupil count.

LD 877 Resolve, To Study the Fort Norumbega Site in Bucksport ONTP

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

This resolve requires the Maine Historic Preservation Commission to provide assistance to the Town of Bucksport to study the site in the Town of Bucksport that is considered to be the site of a French-built fort called Fort Norumbega.

LD 878 An Act To Support College Affordability in Maine PUBLIC 103

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TIPPING-SPITZ	OTP-AM	H-108

This bill is a concept draft pursuant to Joint Rule 208. The bill proposes to enact measures designed to reduce the costs associated with higher education in order to encourage resident students to remain in the State to attend

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school, and nonresident students to come to the State to attend school.

Committee Amendment "A" (H-108)

This amendment strikes and replaces the bill. It allows the Finance Authority of Maine to provide consolidation loans for student debt of Maine students as part of its existing Higher Education Loan and Loan Insurance Program.

Enacted Law Summary

Public Law 2015, chapter 103 allows the Finance Authority of Maine to provide consolidation loans for student debt of Maine students as part of its existing Higher Education Loan and Loan Insurance Program.

LD 933 An Act To Implement the Recommendations of the Task Force To End Student Hunger in Maine Died On Adjournment

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND HICKMAN	OTP-AM	S-147

This bill implements the recommendations of the Task Force To End Student Hunger in Maine as follows.

1. The bill establishes the Commission To End Student Hunger, an ongoing commission of 17 appointed members, which is directed to work to implement a five-year plan to end student hunger, is authorized to conduct a statewide summit of state leaders to end student hunger and is required to advise four hunger coordinators who will assist in implementing the five-year plan.
2. The bill provides that the full costs of school nutrition are subsidizable costs in the state education funding formula.
3. The bill directs the Department of Education and the Department of Health and Human Services to collaborate to reduce student hunger. The bill requires the two departments to meet quarterly to collaborate on child hunger and nutrition programs. The bill requires the two departments to provide quarterly reports to the joint standing committee of the Legislature having jurisdiction over education matters and to the Commission To End Student Hunger. The bill requires the two departments to expand access to departmental data and to provide each school administrative unit and school with analyses of its existing child nutrition programs and their funding and federal funding not being used. The bill requires child nutrition data to be publicly available on the websites of the Department of Education and the Department of Health and Human Services. The bill requires the Department of Education to establish a grant program to assist schools and school administrative units in ending student hunger.
4. The bill requires the Department of Education to convene a working group by March 1, 2015 to review the opportunities and challenges of the community eligibility provision administered by the United States Department of Agriculture and study best practices and barriers related to the community eligibility provision and make recommendations to the Department of Education and the Department of Health and Human Services. The bill requires the Department of Education to submit a report to the Legislature and the Governor by April 30, 2015.
5. The bill requires the Department of Education and the Department of Health and Human Services to encourage the congressional delegation of the State to make participation in federal meals and snacks programs for students easier for school administrative units and nonprofit organizations and to make administration of the programs easier for the departments.

Committee Amendment "A" (S-147)

The amendment reduces the number of members of the Commission To End Student Hunger from 17 to 11 and

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includes an evaluation of the community schools in operation during the prior school year. The bill also authorizes the Department of Education to provide funding, including funds allocated for a five-year pilot project beginning in the 2016-2017 school year, to support the implementation of community schools.

Committee Amendment "A" (S-131)

This amendment reduces the number of schools the Department of Education is authorized to designate for the purpose of the pilot project as community schools from five as in the bill to three. The amendment reduces the maximum annual state allocations for community schools in the pilot project authorized under the Maine Revised Statutes, Title 20-A, chapter 333 from \$250,000 as in the bill to \$150,000. The amendment also removes the reporting requirements of school boards and the Commissioner of Education regarding community schools that are required in the bill. The amendment also adds an appropriations and allocations section.

While this bill was not enacted, the provisions proposed in this amendment were included in Public Law 2015, chapter 267, An Act Making Unified Appropriations and Allocations for the Expenditure of State Government, General Fund and Other Funds and Changing Certain Provisions of the Law necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2015, June 30, 2016 and June 30, 2017.

LD 968 An Act To Expand Access to Affordable Higher Education and To INDEF PP
Strengthen Workforce Development

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

This bill provides ongoing General Fund appropriations of \$1,300,000 per year beginning in fiscal year 2015-16 to the Southern Maine Community College to increase economic development and provide support for operations and key educational programs at the Midcoast Campus at Brunswick Landing.

While this bill was not enacted, the funding provision proposed in this bill was amended and included in Public Law 2015, chapter 267, An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2015, June 30, 2016 and June 30, 2017.

This bill was not referred to a committee.

LD 981 An Act To Establish a Veterinary School CARRIED OVER

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

This bill is a concept draft pursuant to Joint Rule 208. The bill proposes to establish a veterinary school.

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

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LD 985 An Act To Align Maine's School Marketing Law with Current Federal Food Standards

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAUGHTRY	OTP-AM	H-157 S-207 KATZ

This bill updates the school food and beverage marketing law by requiring the Department of Education, beginning October 1, 2015, to adopt rules regarding the marketing, advertising or promotion of food in school buildings and on school grounds to ensure compliance with the most recent federal regulations adopted pursuant to Section 204 of the Healthy, Hunger-Free Kids Act of 2010 and the Richard B. Russell National School Lunch Act. It also requires the Department of Education to adopt rules prohibiting the marketing, advertising or promotion of beverages except for water, 100 percent juice and low-fat milk in school buildings or on school grounds.

Committee Amendment "A" (H-157)

This amendment replaces the bill. The amendment requires the Department of Education to adopt major substantive rules that limit the sale and marketing of foods and beverages in school buildings and on school grounds to those foods and beverages that may be sold in schools under federal regulations, with the exception of diet soda. This amendment sets an effective date of October 1, 2015.

Senate Amendment "A" To Committee Amendment "A" (S-207)

This amendment specifies that a program that provides a student with free or discounted food or beverages as a reward is prohibited but a program that provides funding to a school or school administrative unit in exchange for purchases of food or beverages is not prohibited, as long as that program is not marketed on school grounds.

LD 1033 Resolve, To Assist the University of Maine System and the Maine Community College System To Reduce the Need for Remedial Education

CARRIED OVER

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

This resolve is a concept draft pursuant to Joint Rule 208. The resolve proposes to require the Department of Education to analyze the data for the last three academic years from public and private secondary schools regarding the number of students needing remedial education at the postsecondary level and the graduation rates of those students from postsecondary programs. The department is required to determine what methods are used by those schools with high graduation rates among students requiring remedial education and determine how to use those methods in other schools that do not have graduation rates as high. This resolve provides \$1,000,000, disbursed by the department, to assist schools with low rates of graduation among its remedial education students to adopt methods of increasing the graduation rates of those students.

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

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LD 1042 Resolve, To Create the Task Force on School Leadership

**RESOLVE 46
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LANGLEY FARNSWORTH	OTP-AM	S-162 S-332 MASON

This resolve establishes the Task Force on School Leadership to conduct a comprehensive study on excellence in school leadership in prekindergarten to grade 12 public schools.

Committee Amendment "A" (S-162)

This amendment changes the task force membership by adding a middle school principal and adding a teacher who has a school administrator certificate.

Senate Amendment "A" To Committee Amendment "A" (S-332)

This amendment removes one Senate member and one House of Representatives member from the Task Force on School Leadership and limits the task force to two meetings.

Enacted Law Summary

Resolve 2015, chapter 46 establishes the Task Force on School Leadership to conduct a comprehensive study on excellence in school leadership in prekindergarten to grade 12 public schools. The task force must submit a report, including its findings, recommendations and suggested legislation to the Joint Standing Committee on Education and Cultural Affairs no later than December 2, 2015. The committee may report out a bill to the Second Regular Session of the 127th Legislature.

Resolve 2015, chapter 46 was finally passed as an emergency measure effective July 12, 2015.

LD 1047 An Act To Allow for Collaboration in Public Charter Schools

**Accepted Majority
(ONTP) Report**

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

This bill clarifies that a public charter school may enroll students from outside the State and accept tuition for those students if there is space available because the public charter school did not reach its full capacity under the public charter school's application. The bill provides that a public charter school also may admit out-of-state students if the public charter school's proposed vision or plans according to the public charter school's application would be enhanced by the attendance of students from outside the State. The bill also allows a public charter school to operate in association with a private school if the public charter school complies with the provisions in law concerning public charter schools, the public charter school's operations comply with the public charter school's contract and the public charter school's finances are accounted for separately from the finances of the private school.

Committee Amendment "A" (H-208)

This amendment is the minority report of the Joint Standing Committee on Education and Cultural Affairs. The amendment clarifies that a public charter school may enroll students from outside the State and accept tuition for those students if there is space available because the public charter school did not reach its capacity under the public

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charter school's application and the public charter school's proposed vision and plans according to the public charter school's application would be enhanced by the attendance of students from outside the State. The amendment also strikes the provision in the bill that allows a public charter school to operate in association with a private school if the public charter school complies with the provisions in law concerning public charter schools, the public charter school's operations comply with the public charter school's contract and the public charter school's finances are accounted for separately from the finances of the private school.

**LD 1048 An Act To Allow School Administrative District No. 27 To Transfer
Ownership of the St. Francis Elementary School to the Town of St.
Francis**

**P & S 4
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN J EDGECOMB P	OTP	

This emergency bill authorizes the board of directors of School Administrative District No. 27 to transfer ownership of the St. Francis Elementary School building and its site to the Town of St. Francis, subject to the approval of the voters of the Town of St. Francis. The bill authorizes the municipal officers of the Town of St. Francis to lease a portion of the St. Francis Elementary School building and its site back to School Administrative District No. 27 for educational purposes, and, subject to applicable law, the town's municipal officers are authorized to renovate, use, lease, sell, mortgage or otherwise convey the property, subject to any leasehold rights of School Administrative District No. 27 for educational purposes. The bill also provides that, as long as School Administrative District No. 27 leases any portion of the property, the other uses of the property must be compatible with use of the property for educational purposes as reasonably determined by the district's board of directors.

Enacted Law Summary

Private and Special Law 2015, chapter 4 authorizes the board of directors of School Administrative District No. 27 to transfer ownership of the St. Francis Elementary School building and its site to the Town of St. Francis, subject to the approval of the voters of the Town of St. Francis. The law authorizes the municipal officers of the Town of St. Francis to lease a portion of the St. Francis Elementary School building and its site back to School Administrative District No. 27 for educational purposes, and, subject to applicable law, the town's municipal officers are authorized to renovate, use, lease, sell, mortgage or otherwise convey the property, subject to any leasehold rights of School Administrative District No. 27 for educational purposes. The law also provides that, as long as School Administrative District No. 27 leases any portion of the property, the other uses of the property must be compatible with use of the property for educational purposes as reasonably determined by the district's board of directors.

Private and Special Law 2015, chapter 4 was enacted as an emergency measure effective April 30, 2015.

LD 1064 Resolve, To Establish the Maine Summer Success Program

ONTP

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

This resolve directs the Department of Education to develop the Maine Summer Success Program, which would use the results of a series of tests in order to identify students who are not achieving their grade levels of competence and to see who would benefit from attendance at such a program. The department is directed to explore the use of social impact bonds to fund the program. The department is to report its development plan to the Joint Standing Committee on Education and Cultural Affairs by December 2, 2015.

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LD 1081 An Act To Change the Individualized Education Program Notice Requirements

Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WARREN CUSHING	ONTP OTP-AM	

This bill requires that the notification to a parent of a child with a disability informing the parent of the parent's right to be a member of the child's individualized education program team must include notice that the parent has 14 days to object to any proposal by a school administrative unit for the placement of the child and that the parent or school administrative unit may request alternative dispute resolution.

Committee Amendment "A" (H-209)

This amendment which is the minority report of the committee, reduces the time a parent or guardian of a child with a disability has to object to any proposals by a school administrative unit for the placement of the child from 14 days, as provided in the bill, to seven days.

LD 1082 An Act To Ensure Equitable Support of Education for Maine Students in School Administrative District No. 6 and School Administrative District No. 44

INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
AUSTIN CUSHING	OTP-AM	

This bill eliminates the exemption for member municipalities in School Administrative District No. 6 and School Administrative District No. 44 from the standard municipal cost-sharing arrangement. For purposes of the cost-sharing calculation between these member municipalities in these two school administrative districts, the valuation and per-pupil figures for the member municipalities must both be set to 50 percent. The bill also repeals the prohibition against the withdrawal of the Town of Frye Island from School Administrative District No. 6.

Committee Amendment "A" (H-261)

This amendment replaces the bill with a resolve and requires the Town of Frye Island and the other member municipalities in School Administrative District No. 6 or their representatives to negotiate in good faith in order to reach a settlement of the disputes between the member municipalities regarding the formula for computing each municipality's assessment for the total expenses of the school district and the provisions for the Town of Frye Island to withdraw from the school district. The amendment also requires that the member municipalities present a report that includes their findings and recommendations regarding changes to the formula for apportionment of kindergarten to grade 12 education costs of the member municipalities and to the statutes related to the authorization and procedures necessary for the Town of Frye Island to withdraw from the school district to the Joint Standing Committee on Education and Cultural Affairs no later than December 11, 2015. Finally, the amendment provides that the joint standing committee may submit a bill to the Second Regular Session of the 127th Legislature regarding its recommendations on the report submitted by the member municipalities to settle these disputes.

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LD 1118 Resolve, To Establish the Study Commission on the Social Emotional Learning and Development of Maine's Young Children ONTP

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

This resolve creates the Study Commission on the Social Emotional Learning and Development of Maine's Young Children to promote the social emotional learning and development of young children and reduce expulsions in early child care and education settings in the State by making an inventory of policies, rules, funding and services regarding early child care and education in the State and making recommendations, including suggested legislation, to strengthen the support for young children's social emotional learning and development and to address young children's behavioral needs.

LD 1141 An Act To Promote Degree Completion by Maine Community College Students Died On Adjournment

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAUGHTRY	OTP-AM ONTP	H-262

This bill is a concept draft pursuant to Joint Rule 208. The bill proposes to implement a comprehensive strategy to increase the affordability of tuition at state public universities and colleges for Maine residents, thereby increasing the graduation rate from those state public institutions of higher education, and to attract to and keep in Maine young professionals. The comprehensive strategy may include, but is not limited to:

1. Establishing a textbook scholarship program, in coordination with the public institutions of higher education to provide scholarships for the purchase of textbooks at those institutions. The scholarships would be available to graduates of Maine high schools who have a grade point average of 3.0 or better on a 4.0 scale;
2. Establishing scholarships or providing incentives for degree completion with agreements to remain in the State after graduation for specified periods. Under this program, a full scholarship for the fourth and final year of school at a Maine public institution of higher education would be provided to students who agree to work in the State for a certain period of time following graduation;
3. Requiring the Department of Education and the Finance Authority of Maine cooperatively to issue low-interest student loans to students attending a public or private institution of higher education in this State who meet certain criteria, such as financial need, academic merit, graduating within four years or agreeing to work in public service for a certain period after graduation;
4. Requiring the Finance Authority of Maine to establish additional tax credits, state grants and other forms of financial aid for higher education for residents of this State who are graduates from a Maine public institution of higher education and an education loan repayment program for all graduates of an institution of higher education who are residents of this State;
5. Establishing a loan repayment program for graduates employed in certain high-demand fields in this State;
6. Establishing goals for college graduation attainment for the next 25 years;

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- 7. Exploring the development of an entity, such as a board of regents, to oversee higher education in this State in order to best serve the higher education needs of the residents and businesses of this State; and
- 8. Establishing a pilot project, based on Oregon's "Pay Forward, Pay Back" model, under which a student enrolled in a public institution of higher education, in lieu of paying tuition or fees, contracts to pay the State a certain percentage of the student's annual income following graduation for a specified number of years. The pilot project would eventually replace the current system of charging a resident of the State tuition and fees for enrollment at a state public institution of higher education. The pilot project would:
 - A. Allow a student who is a resident of the State and who qualifies for admission to an institution to enroll in the institution without paying tuition or fees;
 - B. Provide that, in lieu of paying tuition or fees, the student must sign a binding contract to pay to the State or the institution for a specified number of years a certain percentage of the student's annual adjusted gross income upon graduation from the institution;
 - C. Specify the number of years and the percentage of annual adjusted gross income for contracts at each participating institution and base the specifications on research to date; and
 - D. Establish a funding source for the first 15 to 20 years of the pilot project and a revolving fund into which payments made under the pilot project are deposited to provide long-term funding.

A pilot project may include variations by specific institution depending on the total cost of education at the institution, the portion of the cost that is paid by the State, the number of years of student repayment specified in the contract and the percentage of annual adjusted gross income specified in the contract.

Committee Amendment "A" (H-262)

This amendment, which is the majority report of the committee, strikes and replaces the concept draft with a bill to appropriate funds from the General Fund to the Maine Community College System for adding College Navigator positions and expanding student work study opportunities.

LD 1152 An Act To Amend the Definition of "Property Fiscal Capacity" in the School Funding Law To Address Inequities Affecting Municipalities Experiencing Significant Reductions in Value ONTP

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

Current law defines a municipality's fiscal capacity for the purpose of calculating the local share and state share of the cost of public kindergarten to grade 12 education as the average state valuation for the municipality over a three-year period prior to the most recently certified state valuation. In order to avoid overstating the fiscal capacity of a municipality that has experienced a significant loss in value of 2 percent or more attributable to a single taxpayer, this bill resets the three-year period to average state valuations for those municipalities going forward, beginning with the first year the municipality's certified state valuation reflects that significant loss in value.

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LD 1153 An Act To Restore Local Control of Education to Towns

ONTP

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

This bill repeals the laws governing proficiency-based graduation requirements. It provides that a school administrative unit may elect to opt out of the so-called Common Core State Standards and statewide student assessments. It provides that a school administrative unit may establish a method of transferring funds to a public charter school that is an alternative to the current method. It makes it optional, instead of mandatory, for a school administrative unit to develop and implement a performance evaluation and professional growth system for educators.

LD 1173 An Act To Improve School Administrative Efficiency and Expand Capacity for Professional Growth for Educators with Regional Collaborative Programs and Services

PUBLIC 251

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HUBBELL LANGLEY	OTP-AM	H-293

This bill amends the education statutes related to regional collaboration between school administrative units to deliver certain administrative, instructional and noninstructional functions. The bill facilitates the transformation of the public education system in the State by providing grant funding from the Fund for the Efficient Delivery of Educational Services to support regional collaborative agreements between two or more school administrative units and, whenever possible, with local and county governments and State Government or with any public institution of higher education or nonprofit corporation to achieve efficiencies and reduce costs in the delivery of collaborative programs and support services related to:

1. Standards that guide curriculum and instruction and promote student advancement and graduation based on student demonstration of proficiency in meeting educational standards pursuant to the Maine Revised Statutes, Title 20-A, section 4722-A; and
2. Professional development standards that foster access to professional development, training and support for teachers and principals and expand opportunities for professional growth for teachers and principals pursuant to Title 20-A, chapter 508.

The bill also requires the Department of Education to provisionally adopt amendments to rules established for the Fund for the Efficient Delivery of Educational Services in order to align the awarding of grant funds to school administrative units with the provisions amended by this bill beginning with the 2016-2017 school year.

Committee Amendment "A" (H-293)

The amendment makes the following changes to the bill:

1. It removes the functions proposed in the bill for inclusion in the regional collaboration agreements included in the Maine Revised Statutes, Title 20-A, chapter 114;
2. It restores the statutory provision in Title 20-A, chapter 114-A that provides grant funding to one or more school administrative units, municipalities and counties from the Fund for the Efficient Delivery of Educational Services to

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support the improvement of educational opportunities and student achievement;

3. It amends the criteria established for providing grant funds from the Fund for the Efficient Delivery of Educational Services to expand access to professional development, training and support for teachers and school administrators by requiring that priority must be given to high-quality professional development initiatives aligned with evidence-based best practices that can be linked to improvements in student learning and expansion of opportunities for professional growth for teachers and principals pursuant to the educator effectiveness provisions established in Title 20-A, chapter 508; and

4. It removes the requirement that the Department of Education amend the rules established for the Fund for the Efficient Delivery of Educational Services.

Enacted Law Summary

Public Law 2015, chapter 251 facilitates the transformation of the public education system in the State by providing grant funding from the Fund for the Efficient Delivery of Educational Services to support regional collaborative agreements between one or more school administrative units and, whenever possible, with local and county governments and State Government or with any public institution of higher education or nonprofit corporation to achieve efficiencies and reduce costs in the delivery of collaborative programs and support services related to:

1. Standards that guide curriculum and instruction and promote student advancement and graduation based on student demonstration of proficiency in meeting educational standards pursuant to the Maine Revised Statutes, Title 20-A, section 4722-A; and

2. Professional development standards that foster access to professional development, training and support for teachers and principals and expand opportunities for professional growth for teachers and principals pursuant to Title 20-A, chapter 508.

LD 1180 An Act To Require Education in Public Preschool Programs and Elementary Schools Regarding Child Sexual Abuse

PUBLIC 292

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAKER DIAMOND	OTP-AM	H-353

This bill requires the Commissioner of Education to develop model policies and a program of technical assistance for child sexual abuse response policies and reporting procedures and for age-appropriate instruction on child sexual abuse detection and prevention that may be used as part of the basic course of study in public preschool programs and elementary schools. The bill requires the Department of Education to make the model policies and technical assistance program available no later than March 1, 2016 to assist school administrative units with the implementation of child sexual abuse education programs and child sexual abuse response policies and reporting procedures in public preschool programs and kindergarten to grade five.

The bill requires that, beginning in the 2016-2017 school year, the basic course of study for elementary schools must include age-appropriate instruction on child sexual abuse detection and prevention for all students enrolled in public preschool programs and kindergarten to grade five. The bill requires a school administrative unit that operates a public preschool program or an elementary school to develop a prevention plan, beginning in the 2016-2017 school year, that includes a written local policy and an implementation plan for the child sexual abuse education programs and child sexual abuse response policies and reporting procedures.

The bill also requires the commissioner to review the content standards and performance indicators for the content area of health education, including age-appropriate instruction on child sexual abuse detection and prevention during the 2015-2016 school year as part of the commissioner's five-year review cycle of the content standards and

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performance indicators required under the system of learning results.

Committee Amendment "A" (H-353)

This amendment adds a mandate preamble.

This amendment replaces the bill. The amendment changes the model policy provisions of the bill to provide that the Commissioner of Education must develop a model policy on child sexual abuse prevention education and response for public preschool programs and elementary schools. The amendment requires the Department of Education to develop the model policy by July 1, 2016, to make the model policy available to school administrative units and to assist school administrative units in developing their own policies for child sexual abuse prevention education and response, based upon the model policy, which schools must develop for the 2017-2018 school year.

Enacted Law Summary

Public Law 2015, chapter 292 provides that the Commissioner of Education must develop a model policy on child sexual abuse prevention education and response for public preschool programs and elementary schools. The law requires the Department of Education to develop the model policy by July 1, 2016, to make the model policy available to school administrative units and to assist school administrative units in developing their own policies for child sexual abuse prevention education and response, based upon the model policy, which schools must develop for the 2017-2018 school year.

LD 1198 An Act To Improve Representation on the Board of Trustees of the University of Maine System ONTP

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

This bill requires that one member of the Board of Trustees of the University of Maine System be a full-time faculty member of the university system and directs the Governor to make every effort to appoint one member with a strong agricultural background.

LD 1207 Resolve, To Implement an Online Professional Development Platform for Teachers and Educators ONTP

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

This resolve directs the Department of Education to conduct research and design a plan to implement an online platform that provides Maine teachers and educators with access to comprehensive, high-quality professional development and training resources that can advance teacher effectiveness and improve student performance. The department is required to report the results of the research, along with any recommended legislation to execute the plan, to the Joint Standing Committee on Education and Cultural Affairs by December 2, 2015.

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LD 1220 An Act To Increase Funding for the Maine Community College System Died On Adjournment

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCABE LIBBY	OTP-AM ONTP	H-107

This bill provides a five percent increase in appropriations to the Maine Community College System for the 2015-2016 biennium.

Committee Amendment "A" (H-107)

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

LD 1222 An Act To Remove Barriers to School Construction Financing in Regional School Units PUBLIC 181

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BABBIDGE COLLINS	OTP-AM	H-197

This bill authorizes a regional school unit to issue bonds that may be repaid using a level debt payment structure.

Committee Amendment "A" (H-197)

This amendment provides that the level debt payment structure authorized in the bill applies only to a regional school unit that issues bonds for a non-state-funded school construction project that is 100 percent locally funded. The amendment also authorizes a level debt payment structure only if the payment structure results in lower costs for the regional school unit throughout the life of the issue of the bonds.

Enacted Law Summary

Public Law 2015, chapter 181 authorizes a regional school unit that issues bonds for a non-state-funded school construction project that is 100 percent locally funded to issue bonds that may be repaid using a level debt payment structure. The law authorizes a level debt payment structure only if the payment structure results in lower costs for the regional school unit throughout the life of the issue of the bonds.

LD 1229 Resolve, To Create a Pilot Program To Conduct Screenings for Scotopic Sensitivity Syndrome ONTP

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

This resolve directs the Department of Education to design and implement a scotopic sensitivity syndrome screening pilot program in 10 elementary schools to screen children in grades three to six for scotopic sensitivity syndrome in the 2016-2017 school year and report its findings and results to the joint standing committee of the Legislature having jurisdiction over education matters. The joint standing committee may report out a bill related to the report to the 128th Legislature.

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LD 1230 An Act To Create a Digital Content Library for Education

**PUBLIC 372
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LANGLEY HUBBELL	OTP-AM	S-146

This bill creates a digital portal for education, which makes digital texts and online courses available to all students through a common statewide platform administered by the Commissioner of Education. This bill allows providers of digital texts and online courses to install them onto the portal at their own expense and set the fee charged for enrollment in or subscription to the digital text or online course. The commissioner is required to maintain a catalog of available digital texts and online courses.

Committee Amendment "A" (S-146)

This amendment replaces the bill, which establishes a digital portal for education, and instead creates a digital content library, which makes digital educational content and learning resources available to all students through a method determined by the Commissioner of Education and based upon the recommendations of a digital content library advisory group.

Enacted Law Summary

Public Law 2015, chapter 372 creates a digital content library, which makes digital educational content and learning resources that further the State's educational initiatives available to all students through a method determined by the Commissioner of Education and based upon the recommendations of a digital content library advisory group.

Public Law 2015, chapter 372 was enacted as an emergency measure effective July 16, 2015.

LD 1235 Resolve, To Strengthen Standards-based Diplomas

RESOLVE 41

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ALFOND HUBBELL	OTP-AM	S-206

This bill changes the date by which the Department of Education's working group is required to develop and submit for review standards, assessments and assessment criteria for determining student proficiency as part of the development of a standards-based system of education. The bill also requires the working group to begin meeting as soon as practicable and that all meetings be open to the public.

Committee Amendment "A" (S-206)

This amendment replaces the bill with a resolve and creates the Maine Proficiency Education Council to study and make recommendations for a five-year plan for the full implementation of proficiency-based graduation requirements across the State in accordance with the Maine Revised Statutes, Title 20-A, section 4722-A. The Commissioner of Education shall submit a report including the recommendations of the council to the Joint Standing Committee on Education and Cultural Affairs no later than January 1, 2016.

Enacted Law Summary

Resolve 2015, chapter 41 creates the Maine Proficiency Education Council to study and make recommendations for a five-year plan for the full implementation of proficiency-based graduation requirements across the State in accordance with the Maine Revised Statutes, Title 20-A, section 4722-A. The Commissioner of Education must

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submit a report including the recommendations of the council to the Joint Standing Committee on Education and Cultural Affairs no later than January 1, 2016.

LD 1249 An Act To Bring Equity to the State Portion of the Education Funding Formula as It Applies to Regional School Unit No. 35 ONTP

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

This bill is a concept draft pursuant to Joint Rule 208. The purpose of this bill is to bring equity to the school funding formula as it applies to Regional School Unit No. 35, comprising the towns of Eliot and South Berwick. The bill would change the current formula for distribution of the costs for education within Regional School Unit No. 35 in a manner that would take into consideration unequal changes in property valuation, median income and population. The bill would phase in the changes to each municipality's share of costs over a period of five years in order to reduce the fiscal impact on the municipalities.

LD 1250 An Act To Reform Public Charter Schools Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GIDEON MILLETT	ONTP OTP-AM	

This bill amends the laws governing public charter schools by:

1. Requiring the Department of Education to post the annual audit of a public charter school and information concerning every contract entered into by a public charter school on a publicly accessible portion of the department's website;
2. Requiring a public charter school to provide the Department of Education with information on every contract executed by the public charter school, including leases, employment contracts or agreements with outside providers of materials or supplies or maintenance, administrative, food or educational services;
3. Requiring that notice for governing board meetings of public charter schools be posted on a publicly accessible portion of the public charter school's website at least 30 days before the meeting, that governing board meetings be open to the public and the governing board take accurate minutes of the meeting and post those minutes on a publicly accessible portion of the public charter school's website within 48 hours after adjournment of the meeting; and
4. Prohibiting a public charter school from accepting a gift or grant that is conditional upon the removal of a staff member or teacher of the public charter school.

Committee Amendment "A" (H-152)

This amendment is the minority report of the Joint Standing Committee on Education and Cultural Affairs. The amendment strikes the following provisions in the bill:

1. The provisions that require that notice for a meeting of a governing board of a public charter school be posted on a publicly accessible portion of the public charter school's website at least 30 days before the meeting, that a governing board meeting be open to the public and that the governing board take accurate minutes of the meeting

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2. Formative assessments that measure student growth over time; and
3. Information of the state assessment program under Title 20-A, section 6204 on student achievement reported by the department in compliance with applicable federal statutes and regulations regarding student assessment as required by the federal No Child Left Behind Act of 2001, 20 United States Code, Chapter 70.

The bill would require the commissioner to annually report the statewide and school level results of the school assessment system with regard to the performance of schools and the proficiency of students in each of the State's elementary and secondary schools and to provide each participating school with a profile of school performance and student proficiency based upon data from the school assessment system. The reporting mechanisms and the categories reported must be uniform for each school compared at the elementary level or the secondary level.

The bill would also require the Commissioner of Education to convene a task force to develop a system to evaluate or rate the performance of public schools in the State and to incorporate the recommendations of the task force in the adoption of major substantive rules under this bill. The task force must include, but is not limited to, representatives of the following entities and stakeholder groups:

1. The Department of Education;
2. The State Board of Education;
3. Teachers;
4. Principals;
5. Parents;
6. The Education Research Institute under Title 20-A, section 10; and
7. Students.

The school assessment system developed by the task force must include, but is not limited to, the following elements:

1. Accurate measures of student progress over at least three years;
2. Rates of postsecondary school attendance and enlistment in the United States Armed Forces over at least three years;
3. A peer group comparison that takes into account, but is not limited to, use of special education services, the number of students eligible for free or reduced-price meals, local and county unemployment data and median household income;
4. School attendance rates;
5. Graduation rates;
6. Procedures to address specific challenges unique to a municipality, county or school administrative unit; and
7. Interviews with parents of students, members of governing boards of school administrative units, teachers and other education leaders about the overall school environment.

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The bill would require the task force to review the requirements of Title 20-A, chapter 222 and the school assessment systems that have been implemented in other states and jurisdictions and develop a school assessment system that will best serve the academic and developmental needs of students in this State. The school assessment system may not use a bell curve, and a school may not be penalized because of the failure of students to take certain standardized tests. The task force would be required to provide opportunities for the public and interested parties to provide input regarding the development of the school assessment system and give notice to the public and interested parties of the task force's meetings during which the public may provide testimony or feedback on the proposed models under consideration by the task force.

Committee Amendment "A" (H-467)

This amendment replaces the concept draft with a bill that does the following:

1. It provides that, beginning with the 2017-2018 school year and only after the adoption of major substantive rules by the Department of Education, for public schools, public charter schools and private schools approved for tuition purposes that enroll at least 60 percent publicly funded students, the Commissioner of Education shall implement a school assessment system to measure school performance and student proficiency in achieving the knowledge and skills described in the parameters for essential instruction and graduation requirements established under the Maine Revised Statutes, Title 20-A, section 6209, subsection 2 and the Department of Education's rule Chapter 132: Learning Results: Parameters for Essential Instruction;
2. It provides that, notwithstanding any other provisions of Title 20-A, chapter 222, the commissioner may not provide a report of the statewide or school-level results of the school assessment system until the final adoption of department rules adopted in accordance with Title 20-A, section 6214, subsection 3. It provides that the rules must be consistent with the recommendations reported by the task force established in this amendment. It also provides that this law may not be construed to prevent or inhibit the department from providing reports to comply with the federal statutes and regulations pertaining to student assessment as required by the federal No Child Left Behind Act of 2001;
3. It directs the commissioner to convene a task force to review school assessment systems that have been implemented in other states and to develop a system to evaluate and rate the performance of schools in this State;
4. It provides that the commissioner must report the task force's findings, recommendations and any necessary legislation with respect to the implementation of a school assessment system to the Joint Standing Committee on Education and Cultural Affairs no later than January 15, 2016 and authorizes the joint standing committee to report out a bill to the Second Regular Session of the 127th Legislature related to the recommendations included in this report; and
5. It provides that the department must file provisionally adopted major substantive rules by January 6, 2017 to implement the school assessment system and that the rules must specify the methods to be used as part of the annual assessment of the performance of elementary and secondary schools and the proficiency of elementary and secondary school students beginning with the 2017-2018 school year.

This amendment also adds an appropriations and allocations section.

This bill was carried over on the Special Appropriations Table to any special or regular session of the 127th Legislature by joint order, S.P. 555.

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LD 1266 An Act To Expand and Improve State-approved School Construction Projects

**Accepted Majority
(ONTP) Report**

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

This bill amends the education statutes related to the method by which the Department of Education determines the state and local shares of the major capital costs for a state-approved school construction project. The bill requires that the amount of the state and local shares for the approved major capital costs of the school construction project approved for a school year beginning on or after July 1, 2016 must be based on the same percentages as the state and the school administrative unit's contributions to the total cost of education as determined by the school administrative unit's state share percentage as calculated in accordance with the Maine Revised Statutes, Title 20-A, section 15672, subsection 31. The bill also requires that a school administrative unit establish a reserve fund to finance capital improvement or capital equipment for a state-approved school construction project approved for a school year beginning on or after July 1, 2016.

Committee Amendment "A" (H-253)

This amendment is the minority report of the Joint Standing Committee on Education and Cultural Affairs. The amendment reduces the required annual deposit or investment for capital improvement or capital equipment from two percent, as proposed in the bill, to one percent for the reserve fund to be established by a school administrative unit that receives a state share percentage of 20 percent or more for a school construction project approved for state funding on or after July 1, 2016.

LD 1276 An Act To Improve Educational Assessments of Maine Students

P & S 10

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCLELLAN	OTP-AM	H-280 S-219 LANGLEY

This bill:

1. Directs the Department of Education to terminate the State's membership in the Smarter Balanced Assessment Consortium and adopt a method of education assessment that complies with federal law but does not collect or disseminate personal data and attributes of students, such as attitudes, values, motivations, stereotypes or feelings;
2. Requires that a state assessment of student achievement be developed with direct input from teachers, parents and school boards and specifically address the needs of students and citizens of the State;
3. Requires that personally identifying data of a student derived from a state assessment of student achievement be disseminated only with the express written permission of each of the student's parents or guardians;
4. Requires that the State's participation in or entrance into an agreement with an organization, consortium or association in establishing or implementing standards and a state assessment of student performance be done through major substantive rules; and
5. Prohibits a state assessment of student achievement from being aligned with the so-called common core state standards initiated and adopted by several states.

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Committee Amendment "A" (H-280)

This amendment retains the provisions in the bill that:

1. Direct the Department of Education to terminate the State's membership in the Smarter Balanced Assessment Consortium and adopt a method of educational assessment that complies with federal law but does not collect or disseminate personal data and attributes of students, such as attitudes, values, motivations, stereotypes and feelings; and
2. Require that personally identifying data of a student derived from a state assessment of student achievement be disseminated only with the express written permission of each of the student's parents or guardians or of the student, if of majority age.

The amendment makes the following changes to the bill:

1. It removes the emergency preamble and the emergency clause;
2. It removes the requirement that the State's participation in or entrance into an agreement with an organization, consortium or association in establishing or implementing standards and a state assessment of student performance be done through major substantive rules;
3. It requires that the state assessment of student achievement be selected with direct input from education stakeholders and must specifically address the needs of students and citizens of the State; and
4. It removes the prohibition of a state assessment of student achievement from being aligned with the so-called common core state standards.

Senate Amendment "A" (S-219)

This amendment removes the provision that requires that personally identifying data of a student derived from a state assessment of student achievement be disseminated only with the express written permission of each of the student's parents or guardians or the student, if the student is of majority age.

Enacted Law Summary

Private and Special Law 2015, chapter 10 directs the Department of Education to terminate the State's membership in the Smarter Balanced Assessment Consortium and adopt a method of education assessment that complies with federal law but does not collect or disseminate personal data and attributes of students, such as attitudes, values, motivations, stereotypes or feelings. The law also requires that a state assessment of student achievement be developed for the 2015-2016 school year and each school year thereafter.

LD 1277 An Act To Establish a Magnet School for Marine Science, Technology, Transportation and Engineering

PUBLIC 363

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GILLWAY LANGLEY	OTP-AM	H-314

This bill establishes the Maine School for Marine Science, Technology, Transportation and Engineering as a public magnet school for the purpose of providing certain high-achieving high school students with a challenging educational experience. The school will be located in the Town of Searsport and will serve students from throughout the State. Students from other states and countries may attend on a space-available basis. The bill also corrects a cross-reference.

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required by the Maine Revised Statutes, Title 20-A, section 15686-A by requiring the Commissioner of Education to submit an annual report on the components scheduled for review every three years, including a work plan that specifies the components to be reviewed during the next fiscal year, to the joint standing committee of the Legislature having jurisdiction over education matters. If the work plan is inconsistent with the components scheduled for review, the commissioner shall provide the reason for each requested change in the report submitted to the joint standing committee, and the joint standing committee is authorized to approve in writing the proposed changes to the component review schedule specified in the work plan.

LD 1282 An Act To Support Conservation and the Health and Wellness of Maine ONTP
Youth through Physically Active Residential Environmental Education
Programs

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

This bill establishes the Environmental Living and Learning for Maine Students Program to support residential environmental education program experiences for public school students in grades five to eight in the State. It also establishes the Environmental Living and Learning for Maine Students Scholarship Fund to provide scholarships to students in the State to attend a residential environmental education program. Scholarships must be in an amount equal to 50 percent of the cost of attendance at a residential environmental education program and must be distributed to students in a manner that ensures students receiving scholarships attend residential environmental education programs across the State.

LD 1285 An Act To Support School Nutrition Died Between
Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOHNSON HICKMAN	OTP-AM ONTP	

This bill requires the Department of Education to develop and support local food training programs for public school food service personnel and facilitate the use of local food hubs to expand the use of local foods in schools. It increases the limit on the amount that the State matches for the acquisition of local food by a school administrative unit if the unit sends a food service employee for training in the acquisition and use of local foods. It directs the department to develop and post a position description for school food service program personnel on its publicly accessible website and to develop an annual competitive skill-oriented school food service recognition emphasizing creative and effective use of local foods. It directs the Department of Education to apply for federal grant funding for the implementation of the local foods training program and the increased state contribution for the Local Produce Fund and it makes implementation contingent on receipt of funding. It also allows the department to accept grant funding from hospitals and other sources.

Committee Amendment "A" (S-196)

This amendment which is the majority report of the committee adds a definition of the term "local food hub," which is any business or organization that locates and obtains local food and can handle the logistics of supplying and delivering local foods to schools. This amendment also adds an appropriations and allocations section.

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LD 1360 An Act To Increase the Number of Science, Technology, Engineering and Mathematics Professionals in Maine

**Died On
Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK POULIOT	OTP-AM	S-243

The purpose of this bill is to increase the number of students pursuing graduate and undergraduate degrees in the fields of science, computer science, technology, engineering and mathematics. This bill creates the Maine Science, Technology, Engineering and Mathematics Loan Program administered by the Finance Authority of Maine. Under the bill, loans with varying interest rates will be provided to participating students depending on their future employment: loans with zero percent interest rates will be available to students who remain in or return to the State and work in the fields of science, computer science, technology, engineering and mathematics upon graduation; loans bearing an interest rate of five percent will be available to students who remain in or return to the State upon graduation but are not employed in the fields of science, computer science, technology, engineering and mathematics; and loans bearing an interest rate of eight percent annually will be available for students who live and work outside the State upon graduation. This bill appropriates \$10,000,000 to fund the program for fiscal year 2015-16.

Committee Amendment "A" (S-243)

This amendment strikes a reference to a loan repayment program from the title of the chapter of law proposed to be enacted in the bill. The amendment adds high school seniors to the definition of "STEM student." The amendment also changes the maximum loan term from four years to five years and strikes a reference to eight percent loans being available to students who, upon graduation, are not employed in the field of science, technology, engineering and mathematics. Finally, the amendment adds a contingency funding provision that prohibits the Finance Authority of Maine from providing loans through the Maine Science, Technology, Engineering and Mathematics Loan Program in fiscal year 2015-16 unless legislation is enacted during the First Regular Session of the 127th Legislature that provides additional funding for the General Purpose Aid for Local Schools program for fiscal year 2015-16 and for the Maine Community College System for fiscal year 2015-16 and fiscal year 2016-17.

LD 1370 An Act To Improve the Quality of Teachers

CARRIED OVER

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

This bill proposes to improve teacher quality in the State by amending the current statutes related to programs involving teacher preparation, support systems for provisional teachers, teacher certification, teacher salaries and college loans for students enrolled in a program of study leading to certification as a teacher. The bill includes the following provisions.

1. It expands the student teaching experience and specifics an academic achievement level necessary for applicants to qualify for a provisional teaching certificate.
2. It strengthens the support systems required to provide assistance for provisional teachers during each year of their probationary period.
3. It directs the Commissioner of Education to pay salary supplements to classroom teachers who are involved in

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the operation of a school administrative unit's support system approved in accordance with the provisions of the Maine Revised Statutes, Title 20-A, section 13015.

4. It provides that an individual who has not completed a master's degree program and who is issued a teacher certificate in accordance with Title 20-A, chapter 502 on or after July 1, 2015 may not receive a renewed certificate or a new teaching certificate unless the individual completes a master's degree program within five years of being employed as a teacher in the State.
5. It increases the minimum salaries for certified teachers to \$40,000 beginning in the 2016-2017 school year and includes state funding for the incremental costs of meeting this minimum as part of the school funding formula.
6. It requires the Department of Education to increase the qualifying scores for the standardized qualifying examinations for applicants for initial teacher certification in its Rule Chapter 13: Qualifying Examinations for Teachers, Educational Specialists and Administrators no later than July 1, 2016.
7. It provides additional appropriations for the Educators for Maine Program within the Finance Authority of Maine in order to double the annual investment of state loan funds awarded to eligible students.

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

LD 1386 An Act To Amend the Laws Governing High School Graduation Requirements

**Accepted Majority
(ONTP) Report**

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

This bill amends the current education statutes related to requirements for awarding a high school diploma to establish a blended system of graduation requirements that provides that a diploma indicating graduation from a secondary school must be awarded to students who accumulate at least 20 academic credits documenting the successful completion of courses and demonstrate proficiency in meeting state standards in at least two content areas of the system of learning results established under the Maine Revised Statutes, Title 20-A, section 6209. The bill also provides that a school administrative unit may award an endorsement of content area proficiency to a student who has demonstrated proficiency in a content area of the system of learning results. This bill accomplishes the following.

1. It amends the basic school approval standards that guide curriculum and instruction and promote student advancement and graduation to include language for transitioning to the blended system. Specifically, it provides that a school administrative unit's comprehensive education plan must include a plan for transitioning to the blended system.
2. It provides that, beginning in the 2016-2017 school year, diplomas must be awarded to students who meet the new curriculum and instructional requirements established for secondary schools and school boards must adopt policies to phase in these new requirements.
3. It strikes the provision that would repeal, on July 1, 2020, the standards for awarding high school diplomas to secondary school students who successfully complete courses required for graduation in accordance with Title 20-A, section 4722, thus providing that these standards will continue to apply as part of the blended system.
4. It removes the requirement that a diploma indicating graduation from a secondary school on or after January 1, 2017 must be based on student demonstration of proficiency in all content areas established under the system of

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learning results and instead provides that a diploma indicating graduation must be based on student demonstration of proficiency in at least two content areas established under the system of learning results.

5. It provides that an endorsement of content area proficiency must be included in a student's academic transcript as an official credential of academic achievement of content area proficiency.

6. It directs the Department of Education to adopt or amend rules pursuant to Title 20-A, section 253, subsection 9 by December 31, 2015 in order to implement the new blended system beginning with the 2016-2017 school year.

Committee Amendment "A" (H-352)

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

LD 1394 An Act To Implement the Recommendations of the Commission To Strengthen the Adequacy and Equity of Certain Cost Components of the School Funding Formula **CARRIED OVER**

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

This bill is reported out by the Joint Standing Committee on Education and Cultural Affairs pursuant to Resolve 2013, chapter 114, section 10. The bill incorporates changes to the education statutes and rules proposed by the Commission To Strengthen the Adequacy and Equity of Certain Cost Components of the School Funding Formula that the commission's report indicated are necessary to implement its recommendations.

The joint standing committee has not taken a position on the substance of the report or this bill, and by submitting this bill the joint standing committee is not suggesting and does not intend to suggest that it agrees or disagrees with any aspect of the recommendations and the necessary changes to the Maine Revised Statutes, Title 20-A, included in the report or this bill. The committee is submitting the bill for the sole purpose of turning the proposals in the report into a printed bill that can be referred to the joint standing committee for an appropriate public hearing and subsequent processing in the normal course of business. The joint standing committee is taking this action to ensure clarity and transparency in the legislative review of the proposals included in the report submitted by the commission.

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

LD 1396 An Act Regarding Educational Standards for Maine Students **Accepted Majority (ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GERRISH EDGEComb P	ONTP OTP-AM	

This bill provides Maine students and teachers with high-quality content standards that have been demonstrated as some of the best state standards in the nation. The bill accomplishes the following with regard to the statewide content standards, statewide assessment programs, the comparison of recent and proposed content standards and statewide assessment programs and the release of personally identifiable data.

With regard to content standards, the bill:

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1. Prohibits the Department of Education from adopting and implementing the common core state standards, or any standards developed by any similar initiative process or program, as the State's content standards for English language arts and mathematics and voids any prior actions taken to adopt or implement the common core state standards;
2. Requires the Department of Education, within 90 days after the bill's effective date, to replace the content standards in English language arts, mathematics, science and social studies with new standards that are consistent with the standards adopted by Massachusetts prior to that state's adoption of the common core state standards, so that Maine's standards are, as much as possible, identical to those adopted by Massachusetts, except when a Maine context requires otherwise;
3. Specifies that the content standards that are based on the Massachusetts standards are effective for the 2016-2017, 2017-2018 and 2018-2019 school years only;
4. Requires the Department of Education, by June 30, 2017, to adopt new content standards for kindergarten and for each of grades one to 12 in English language arts, mathematics, science and social studies that are distinct and independent from the standards previously adopted by the Department of Education so that they are in place beginning with the 2019-2020 school year;
5. States that a school administrative unit is not required to use all or any part of the content standards adopted by the Department of Education;
6. Prohibits the Commissioner of Education from adopting any model curricula that are aligned with the content standards; and
7. Prohibits the Department of Education, the State Board of Education and any other state official, board or agency from adopting or revising any content standards in English language arts, mathematics, science or social studies until the new or revised standards are approved in accordance with the bill.

With regard to assessments, the bill:

1. Prohibits the Department of Education from using the assessments developed by the Smarter Balanced Assessment Consortium or the Partnership for Assessment of Readiness for College and Careers during the 2015-2016 school year or any school year thereafter; and also prohibits the department beginning with the 2015-2016 school year from using the assessments related to or based on the common core state standards by the Smarter Balanced Assessment Consortium, the Partnership for Assessment of Readiness for College and Careers or any other consortium of states working together to develop a set of assessments that measure whether students are on track to be successful in college and their careers;
2. For the 2015-2016 school year, requires the Department of Education to furnish and school administrative units and schools to administer the assessments for elementary and secondary schools that were administered during the 2013-2014 school year, including the New England Common Assessment Program for grades three to eight and the Maine High School Assessment testing program for grade 11 that includes the SATs in reading, mathematics and writing, as well as the Maine High School Assessment science test that was developed in collaboration with Measured Progress;
3. Requires the Department of Education to adopt or develop, not later than 90 days after the effective date of the bill, assessments for elementary and secondary schools in English language arts and mathematics that are aligned with the State's version of Massachusetts content standards for use only during the 2016-2017, 2017-2018 and 2018-2019 school years;
4. Requires the Department of Education to adopt or develop by June 30, 2019 assessments for elementary and

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secondary schools in English language arts and mathematics that are aligned with the new standards for use during the 2019-2020 school year and each school year thereafter;

5. Specifies that the nationally standardized assessment that is required as part of the statewide educational assessment program must be a nationally recognized, norm-referenced assessment, instead of a nationally standardized assessment as under current law and adds the requirement that it measure college and career readiness; and

6. Requires that a school administrative unit excuse a student from standardized assessments at the written request of the student's parent or guardian and establishes requirements for school administrative units and the Department of Education related to excusing a student.

With regard to the comparison of standards and assessments, the bill:

1. Requires the Department of Education to compare and publish on its website a comparison of the new content standards in English language arts, mathematics, science and social studies that will be effective in the 2019-2020 school year with Maine's state standards and the parameters for essential instruction and graduation requirements and to submit a report to the Legislature and Governor outlining the results of the comparison of the standards; and

2. Requires the subcommittees in the content areas of English language arts, mathematics, science and social studies to compare the content standards in English language arts, mathematics, science and social studies with the content standards that were previously adopted by the Department of Education pursuant to Public Law 2009, chapter 313, section 19 and Public Law 2009, chapter 647, section 1.

With regard to the release of personally identifiable data, the bill:

1. Specifies that, if the Federal Government requires a grant recipient to provide personally identifiable information of students or teachers as a condition of a federal education grant relating to content standards, only aggregate data may be provided for that purpose; and

2. Prohibits a federal grant recipient from releasing personally identifiable information without informed written consent of the student's parent or guardian for a student's information or of the teacher for a teacher's information.

Committee Amendment "A" (H-315)

This amendment, which is the minority report of the committee, makes a technical change to the bill to reflect changes in law enacted by Public Law 2015, chapter 40.

**LD 1406 An Act To Implement the Recommendations of the Commission To
Study College Affordability and College Completion**

**Died On
Adjournment**

Sponsor(s)

Committee Report

Amendments Adopted

OTP-AM

S-163

This emergency bill includes certain recommendations proposed by the Commission To Study College Affordability and College Completion for consideration by the Joint Standing Committee on Education and Cultural Affairs.

The joint standing committee has not taken a position on the substance of the report or this bill and by submitting this bill the committee is not suggesting and does not intend to suggest that it agrees or disagrees with any aspect of the recommendations and the necessary changes to the Maine Revised Statutes, Title 20-A, chapter 419-A included in the report or this bill. The joint standing committee is submitting the bill for the sole purpose of turning the

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proposals in the report into a printed bill that can be referred to the committee for an appropriate public hearing and subsequent processing in the normal course of business. The joint standing committee is taking this action to ensure clarity and transparency in the legislative review of the proposals included in the report submitted by the Commission To Study College Affordability and College Completion.

Committee Amendment "A" (S-163)

This amendment makes the following changes to the recommendations proposed by the Commission To Study College Affordability and College Completion for consideration by the Joint Standing Committee on Education and Cultural Affairs.

1. It strikes the proposal to increase the minimum Maine State Grant Program awards from \$1,000 to \$1,500.
2. It changes the date for the initial report required from the Finance Authority of Maine for the annual Maine State Grant Program awards made to eligible students, including the possible tiered grants awarded, from January 15, 2016 to September 1, 2016 and also amends the annual report date to September 1st.
3. It changes the date for the college attainment and degree completion goal reports required from the University of Maine System, the Maine Community College System and the Maine Maritime Academy from July 1, 2015 to January 1, 2016.
4. It changes the date for the reports on strategic planning and funding required to implement college completion strategies required from the University of Maine System, the Maine Community College System and the Maine Maritime Academy from July 1, 2015 to January 1, 2016.
5. It strikes the proposal to require the Finance Authority of Maine to amend the Maine State Grant Program rules related to awarding tiered grants to eligible students.
6. It strikes the appropriations to the Finance Authority of Maine for tiered grant awards and to the Maine Community College System for adding College Navigator positions and expanding student work study opportunities and replaces them with an allocation to fund the one-time costs of the legislative per diem and expenses of the Task Force To Study College Attainment and Degree Completion Goals.

**LD 1420 An Act Regarding Participation by Private School Students in
Extracurricular and Interscholastic Activities at Public Schools**

**Accepted Majority
(ONTP) Report**

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

Current law allows a student at a private school that is recognized by the Department of Education as providing an equivalent instruction alternative to try out for extracurricular or interscholastic activities at a public school if the private school the student attends does not offer the same extracurricular or interscholastic activities, the principal of the public school approves and the student agrees to abide by other conditions.

This bill extends the same privilege to a student enrolled in an equivalent instruction program at a private school that is approved for attendance purposes by the Department of Education. Private schools that are approved by the department must meet standards for hygiene, health and safety and either be accredited by the New England Association of Schools and Colleges or meet applicable requirements of Maine law pertaining to private schools and the department's requirements for approval for attendance purposes.

Joint Standing Committee on Education and Cultural Affairs

LD 1441 An Act To Establish the Public Higher Education Systems Coordinating Committee

PUBLIC 261

Sponsor(s)

Committee Report

Amendments Adopted

OTP

This bill is reported out pursuant to joint order by the Joint Standing Committee on Education and Cultural Affairs. The bill replaces the Education Coordinating Committee with the Public Higher Education Systems Coordinating Committee to:

1. Promote efficiency, cooperative effort and strategic planning between the governance structures of the University of Maine System and the Maine Community College System and address issues including, but not limited to, improving college affordability, promoting student transfer between the systems, reducing the duplication of programs, identifying opportunities for building cross-system economies of scale and sharing of resources and recommending statutory changes to improve the efficiency or effectiveness of the public institutions of higher education;
2. Investigate and pursue opportunities for collaboration and resource sharing with the Maine Maritime Academy; and
3. With the Commissioner of Education and the Chair of the State Board of Education, investigate and pursue opportunities to improve college preparation, transition and completion for Maine's secondary students.

The first meeting of the committee must be convened by October 15, 2015 and the committee is directed to meet at least twice each year. The committee is required to submit a report on its deliberations, including any recommendations, to the Governor and the joint standing committee of the Legislature having jurisdiction over education matters by February 15th each year.

Enacted Law Summary

Public Law 2015, chapter 261 replaces the Education Coordinating Committee with the Public Higher Education Systems Coordinating Committee to:

1. Promote efficiency, cooperative effort and strategic planning between the governance structures of the University of Maine System and the Maine Community College System and address issues including, but not limited to, improving college affordability, promoting student transfer between the systems, reducing the duplication of programs, identifying opportunities for building cross-system economies of scale and sharing of resources and recommending statutory changes to improve the efficiency or effectiveness of the public institutions of higher education;
2. Investigate and pursue opportunities for collaboration and resource sharing with the Maine Maritime Academy; and
3. With the Commissioner of Education and the Chair of the State Board of Education, investigate and pursue opportunities to improve college preparation, transition and completion for Maine's secondary students.

The first meeting of the committee must be convened by October 15, 2015 and the committee is directed to meet at least twice each year. The committee is required to submit a report on its deliberations, including any recommendations, to the Governor and the joint standing committee of the Legislature having jurisdiction over education matters by February 15th each year.

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LD 1443 An Act To Merge the Maine Educational Loan Authority with the Finance Authority of Maine

PUBLIC 170

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LANGLEY	OTP-AM	S-223

This bill merges the Maine Educational Loan Authority with the Finance Authority of Maine.

Committee Amendment "A" (S-223)

This amendment incorporates a fiscal note.

Enacted Law Summary

Public Law 2015, chapter 170 merges the Maine Educational Loan Authority with the Finance Authority of Maine.

LD 1448 An Act To Amend Education Laws

INDEF PP

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

This bill gives the Commissioner of Education the authority to designate a school administrative unit to enroll a student when the student's school administrative unit neither maintains a school nor contracts with another school administrative unit and no school administrative unit enrolls the student voluntarily. For a student receiving special education services, the bill requires a resident school administrative unit to pay to the receiving school administrative unit tuition, special education tuition, other costs directly related to the student's special education and costs associated with due process proceedings for providing a free, appropriate public education.

This bill makes the following changes to the laws relating to public charter schools.

1. The bill allows charter schools authorized by a local school board or a collaborative among local school boards to give enrollment preference to residents of the school administrative unit or units whose school board or school boards authorized the charter school.
2. The bill extends the submission deadline for a charter school authorizer's annual report to the Commissioner of Education from 60 to 90 days after the end of the school fiscal year and adds language to address the disposition of graduation records and records of other students not transitioning to another Maine public school if a charter school closes.
3. The bill adds language to reflect that charter schools are subject to educator effectiveness requirements.
4. The bill provides that the compulsory attendance laws apply to virtual charter schools.
5. The bill allows the Commissioner of Education to designate the school administrative unit that is responsible for oversight of the individualized education program of a child with a disability who is a state ward and is placed in an out-of-state residential treatment center by the Department of Health and Human Services.
6. For a charter school in a school administrative unit with an enrollment of 500 or fewer students, current law caps the number of students from the school administrative unit that the charter school may enroll during its first three

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years of operation at five percent of the school administrative unit's noncharter public school students per grade level. The bill provides that if five percent of the school administrative unit's noncharter public school students per grade level is less than one, the charter school may enroll one student from the school administrative unit per grade level in each of the charter school's first three years of operation.

This bill was not referred to a committee.

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SUBJECT INDEX

Administration, Department of Education, State Board, and School Governance

Enacted

LD 59	An Act To Protect Students' Rights and Privacy Regarding Their School Records	PUBLIC 97
LD 129	An Act To Provide Options to Schools for Making Up School Days	PUBLIC 60 EMERGENCY
LD 462	An Act To Clarify Rulemaking for Transportation of Public School Students	PUBLIC 73
LD 840	An Act To Collect and Report Data on the Implementation of Proficiency-based Diplomas and Standards-based Student Learning	PUBLIC 367
LD 1173	An Act To Improve School Administrative Efficiency and Expand Capacity for Professional Growth for Educators with Regional Collaborative Programs and Services	PUBLIC 251

Not Enacted

LD 130	An Act To Exempt Certain Established Public Prekindergarten Programs from New Regulations	ONTP
LD 305	An Act To Authorize Circus Conservatory of America To Grant Baccalaureate Degrees	CARRIED OVER
LD 314	An Act To Amend the Administration of the Transportation System in the Department of Education	Majority (ONTP) Report
LD 356	An Act To Permit the New England School of Dental Technology To Grant the Degree of Bachelor of Science	CARRIED OVER
LD 392	An Act To Eliminate the Maine School Performance Grading System	Majority (ONTP) Report
LD 419	An Act To Establish the Summer Success Program Fund	CARRIED OVER
LD 536	An Act To Amend Provisions Regarding the Appointment of Members of the Maine Charter School Commission	Died Between Houses
LD 793	Resolve, To Examine Unfunded Mandates in the Education Laws and To Recommend Unfunded Mandates To Be Eliminated	ONTP
LD 981	An Act To Establish a Veterinary School	CARRIED OVER
LD 1033	Resolve, To Assist the University of Maine System and the Maine Community College System To Reduce the Need for Remedial Education	CARRIED OVER

LD 1064	Resolve, To Establish the Maine Summer Success Program	ONTP
LD 1253	An Act To Improve the Evaluation of Elementary and Secondary Schools	CARRIED OVER

Adult Education

Not Enacted

LD 109	An Act To Ensure Maine Companies Have Access to Skilled Labor	Died On Adjournment
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Alternative Education, Charter Schools and School Choice

Enacted

LD 131	An Act To Amend the Laws Related to Public Funding of Charter Schools	PUBLIC 54 EMERGENCY
LD 1277	An Act To Establish a Magnet School for Marine Science, Technology, Transportation and Engineering	PUBLIC 363

Not Enacted

LD 218	An Act To Support Fair Financing in Charter Schools and School Administrative Units	ONTP
LD 265	An Act To Require the State To Fund Public Charter Schools	ONTP
LD 306	Resolve, To Prevent Overpayment for Virtual Education	ONTP
LD 696	An Act To Establish a Moratorium on the Establishment of Virtual Charter Schools	Died Between Houses
LD 1047	An Act To Allow for Collaboration in Public Charter Schools	Majority (ONTP) Report
LD 1250	An Act To Reform Public Charter Schools	Majority (ONTP) Report
LD 1282	An Act To Support Conservation and the Health and Wellness of Maine Youth through Physically Active Residential Environmental Education Programs	ONTP
LD 1448	An Act To Amend Education Laws	INDEF PP

Career and Technical Education

Not Enacted

LD 637	An Act Concerning the Calendars of Career and Technical Education Programs and Partnering Schools	Majority (ONTP) Report
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Cultural Affairs

Enacted

LD 235	An Act To Adjust Appropriations and Allocations from the General Fund and Other Funds for the Expenditures of the Department of Education, the Maine Arts Commission and the Maine State Museum and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2015	PUBLIC 7 EMERGENCY
LD 261	Resolve, Directing the Maine Arts Commission, the Maine Historic Preservation Commission and the Maine State Museum Commission To Study the Replacement of Statues in the National Statuary Hall Collection	RESOLVE 51

Not Enacted

LD 300	An Act To Appropriate Funds To Help Restore the Historic Wood Island Life Saving Station in Kittery	Died On Adjournment
LD 877	Resolve, To Study the Fort Norumbega Site in Bucksport	ONTP

Curriculum, Instruction, Textbooks and Testing

Enacted

LD 3	An Act To Ensure Consistent Certification of Graduation Standards in Publicly Funded Secondary Schools	PUBLIC 40 EMERGENCY
LD 231	An Act To Ensure That Schoolchildren with Dyslexia Receive the Assistance Needed	PUBLIC 338
LD 417	An Act Regarding Measures To Ensure Support for Students' Financial Literacy	PUBLIC 64
LD 537	An Act To Avoid the Inappropriate Use of Assessment Tools on Children before Grade 3	PUBLIC 183
LD 556	An Act To Require Public Schools To Offer Instruction Related to Cardiopulmonary Resuscitation and the Use of an Automated External Defibrillator	PUBLIC 140
LD 853	An Act To Allow Secondary Schools To Grant Certificates of Academic Proficiency	PUBLIC 342
LD 1180	An Act To Require Education in Public Preschool Programs and Elementary Schools Regarding Child Sexual Abuse	PUBLIC 292
LD 1235	Resolve, To Strengthen Standards-based Diplomas	RESOLVE 41
LD 1276	An Act To Improve Educational Assessments of Maine Students	P & S 10

Not Enacted

LD 128	An Act To Allow a School Administrative Unit To Implement a Firearm Safety Education Program for Elementary School Students	ONTP
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LD 152	An Act To Encourage Cardiopulmonary Resuscitation To Be Taught in High School	ONTP
LD 338	An Act To Reduce Remedial Course Requirements at Maine Community Colleges	ONTP
LD 464	An Act To Improve Science and Engineering Education for Maine's Students	Veto Sustained
LD 567	Resolve, To Implement Recommendations from the Maine Science, Technology, Engineering and Mathematics Education and Workforce Plan	Majority (ONTP) Report
LD 579	An Act To Allow Teachers To Teach and Students To Learn by Amending the Laws Governing Education Standards	ONTP
LD 695	An Act To Clarify Statewide Assessment Program Options	Veto Sustained
LD 725	An Act To Increase Suicide Awareness and Prevention in Maine Public Schools	ONTP
LD 749	An Act To Ensure Integrity in Students' Proficiency	ONTP
LD 1153	An Act To Restore Local Control of Education to Towns	ONTP
LD 1386	An Act To Amend the Laws Governing High School Graduation Requirements	Majority (ONTP) Report
LD 1396	An Act Regarding Educational Standards for Maine Students	Majority (ONTP) Report

Education - Other

Enacted

LD 454	An Act To Enact the Student Information Privacy Act	PUBLIC 256
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Not Enacted

LD 711	An Act To Provide for a Later Starting Time for High Schools	Minority (ONTP) Report
LD 956	An Act To Create Community Schools	Died On Adjournment
LD 1118	Resolve, To Establish the Study Commission on the Social Emotional Learning and Development of Maine's Young Children	ONTP
LD 1420	An Act Regarding Participation by Private School Students in Extracurricular and Interscholastic Activities at Public Schools	Majority (ONTP) Report

Health, Nutrition and Safety

Enacted

LD 557	An Act To Provide Reasonable Accommodations for School Attendance for Children Certified for the Medical Use of Marijuana	PUBLIC 369
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Not Enacted

LD 380	Resolve, To Establish a Working Group To Aid with the End of Student Hunger	ONTP
LD 463	An Act Regarding Eligibility of Children Placed in Guardianship for the School Lunch and Milk Program	ONTP
LD 852	An Act To Establish Maine's School Beverage Standards	ONTP
LD 933	An Act To Implement the Recommendations of the Task Force To End Student Hunger in Maine	Died On Adjournment
LD 985	An Act To Align Maine's School Marketing Law with Current Federal Food Standards	Veto Sustained
LD 1229	Resolve, To Create a Pilot Program To Conduct Screenings for Scotopic Sensitivity Syndrome	ONTP
LD 1285	An Act To Support School Nutrition	Died Between Houses

Online Learning Programs and Courses**Enacted**

LD 1230	An Act To Create a Digital Content Library for Education	PUBLIC 372 EMERGENCY
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Not Enacted

LD 391	Resolve, To Create a State-run Virtual Academy Providing Maine Students with Access to Online Learning through Their Existing School Districts	ONTP
LD 1251	An Act To Safeguard Students' Personal and Private Information	ONTP
LD 1252	An Act To Protect Student Data	ONTP

Postsecondary Education Finance and Student Aid**Enacted**

LD 428	An Act To Amend the Powers and Duties of the State Board of Education	PUBLIC 72
LD 878	An Act To Support College Affordability in Maine	PUBLIC 103
LD 1443	An Act To Merge the Maine Educational Loan Authority with the Finance Authority of Maine	PUBLIC 170

Not Enacted

LD 17	An Act To Restore Programs and Faculty to the University of Maine System	ONTP
LD 42	An Act To Increase Funding for Instruction within the University of Maine System	ONTP
LD 99	An Act To Stabilize the Faculty and Programs at the University of Southern Maine	ONTP

LD 127	An Act To Preserve Programs in Allied Health at Kennebec Valley Community College	Majority (ONTP) Report
LD 318	An Act To Appropriate Funds to Kennebec Valley Community College for its Programs in Allied Health	ONTP
LD 627	An Act To Make College More Affordable for Maine Residents	Died Between Houses
LD 784	An Act To Authorize a Revenue Bond for a Student Loan Reduction Plan	CARRIED OVER
LD 794	An Act To Ensure That Funding to the University of Maine System Is Used Efficiently	ONTP
LD 939	An Act To Increase Transparency in the University of Maine System Regarding Procurement and Administrative Costs	ONTP
LD 968	An Act To Expand Access to Affordable Higher Education and To Strengthen Workforce Development	INDEF PP
LD 1141	An Act To Promote Degree Completion by Maine Community College Students	Died On Adjournment
LD 1220	An Act To Increase Funding for the Maine Community College System	Died On Adjournment
LD 1360	An Act To Increase the Number of Science, Technology, Engineering and Mathematics Professionals in Maine	Died On Adjournment
LD 1406	An Act To Implement the Recommendations of the Commission To Study College Affordability and College Completion	Died On Adjournment

Postsecondary Education Governance and Coordination

Enacted

LD 1441	An Act To Establish the Public Higher Education Systems Coordinating Committee	PUBLIC 261
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Not Enacted

LD 18	Resolve, To Review and Audit the University of Maine System's Finances and Governance Practices	ONTP
LD 151	An Act To Protect Public Health in the Maine Community College System	Leave to Withdraw
LD 215	An Act To Improve Student Retention in Maine's Postsecondary Institutions	CARRIED OVER
LD 393	An Act To Create a Unified Board of Higher Education	ONTP
LD 538	An Act To Reduce Fees at Maine's Postsecondary Institutions	ONTP
LD 1198	An Act To Improve Representation on the Board of Trustees of the University of Maine System	ONTP

Safe Schools and Student Conduct

Enacted

LD 97	Resolve, Directing the Department of Education To Amend the School Emergency Drill Rules	RESOLVE 2
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School Budgets

Enacted

LD 763	An Act To Change the Budget Approval Process for Alternative Organizational Structures	PUBLIC 286
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Not Enacted

LD 1082	An Act To Ensure Equitable Support of Education for Maine Students in School Administrative District No. 6 and School Administrative District No. 44	INDEF PP
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School Construction, Facilities and Buses

Enacted

LD 1048	An Act To Allow School Administrative District No. 27 To Transfer Ownership of the St. Francis Elementary School to the Town of St. Francis	P & S 4 EMERGENCY
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LD 1222	An Act To Remove Barriers to School Construction Financing in Regional School Units	PUBLIC 181
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Not Enacted

LD 578	An Act To Redefine the Method by Which the Department of Education Determines Cost Sharing for School Construction and Renovation Projects for Municipalities within a School Administrative Unit	Majority (ONTP) Report
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LD 683	Resolve, Regarding Legislative Review of the Final Repeal of Chapter 60: New School Siting Approval, a Late-filed Major Substantive Rule That Has Been Provisionally Repealed by the Department of Education, State Board of Education	ONTP
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LD 685	Resolve, Regarding Legislative Review of Portions of Chapter 61: Rules for Major Capital School Construction Projects, a Late-filed Major Substantive Rule of the Department of Education, State Board of Education	ONTP
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LD 1266	An Act To Expand and Improve State-approved School Construction Projects	Majority (ONTP) Report
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School Finance

Enacted

LD 418	Resolve, To Study the Use of Social Impact Bonds as a Funding Mechanism for Public Education Programs in Maine	RESOLVE 52
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Not Enacted

LD 56	An Act To Limit Increases in the State's Share of Funding for Kindergarten to Grade 12 Public Education	ONTP
LD 60	An Act To Ensure Proper Funding for Teacher Retirement	Died On Adjournment
LD 65	An Act To Apply Equally a Curtailment or Other Loss in General Purpose Aid to Education	ONTP
LD 240	An Act To Amend the School Funding Formula	ONTP
LD 441	An Act To Amend the Laws Governing Local Share of Education Costs	Majority (ONTP) Report
LD 728	An Act To Limit the Amount of Money a Municipality May Spend on Education	ONTP
LD 876	An Act To Encourage Equity in School Funding by Limiting a Municipality's Contribution Based on Its Student Enrollment	ONTP
LD 1152	An Act To Amend the Definition of "Property Fiscal Capacity" in the School Funding Law To Address Inequities Affecting Municipalities Experiencing Significant Reductions in Value	ONTP
LD 1249	An Act To Bring Equity to the State Portion of the Education Funding Formula as It Applies to Regional School Unit No. 35	ONTP
LD 1394	An Act To Implement the Recommendations of the Commission To Strengthen the Adequacy and Equity of Certain Cost Components of the School Funding Formula	CARRIED OVER

Special Education Programs and Finance

Enacted

LD 201	Resolve, Regarding Legislative Review of Portions of Chapter 101: Maine Unified Special Education Regulation Birth to Age Twenty, a Major Substantive Rule of the Department of Education	RESOLVE 25 EMERGENCY
LD 350	An Act To Expedite MaineCare Payments for School Administrative Units	PUBLIC 63

Not Enacted

LD 19	An Act Regarding Special Education for Students Enrolled in a Home Instruction Program	ONTP
LD 44	Resolve, To Direct the Department of Education To Train School Personnel To Implement Dyslexia Awareness and Student Accommodation Policies	ONTP
LD 601	An Act To Clarify the Authority of Individualized Education Plans in Relation to Proficiency-based Diplomas	ONTP
LD 1081	An Act To Change the Individualized Education Program Notice Requirements	Died Between Houses
LD 1281	An Act To Reduce the Burden on Local Communities of Transportation Costs for Special Needs Students	ONTP

Teachers and Administrators

Enacted

LD 38	An Act To Allow Sufficient Time for Implementation of the Performance Evaluation and Professional Growth System for Educators	PUBLIC 18 EMERGENCY
LD 461	An Act To Change the Notification Deadline for the Nonrenewal of a Teacher's Contract	PUBLIC 65
LD 692	An Act Regarding Educator Effectiveness	PUBLIC 3 EMERGENCY
LD 1042	Resolve, To Create the Task Force on School Leadership	RESOLVE 46 EMERGENCY

Not Enacted

LD 374	An Act To Require School Administrators To Complete 50 Hours of Direct Student Instruction To Be Recertified	Majority (ONTP) Report
LD 764	Resolve, To Impose a One-year Delay on the Use of Standardized Tests To Evaluate Teachers	Veto Sustained
LD 1207	Resolve, To Implement an Online Professional Development Platform for Teachers and Educators	ONTP
LD 1370	An Act To Improve the Quality of Teachers	CARRIED OVER

Truants, Dropouts and Homeless Students

Not Enacted

LD 311	An Act To Improve Attendance at Public Elementary Schools	Veto Sustained
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STATE OF MAINE
127TH LEGISLATURE
FIRST REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON ENVIRONMENT AND
NATURAL RESOURCES**

August 2015

MEMBERS:

SEN. THOMAS B. SAVIELLO, CHAIR
SEN. ERIC L. BRAKEY
SEN. CATHERINE BREEN

REP. JOAN W. WELSH, CHAIR
REP. ROBERT S. DUCHESNE
REP. JOHN L. MARTIN
REP. DENISE PATRICIA HARLOW
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REP. ANDREW RUSSELL BUCKLAND
REP. JEFFERY P. HANLEY
REP. DUSTIN MICHAEL WHITE
REP. BENJAMIN M. CHIPMAN

STAFF:

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OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
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Joint Standing Committee on Environment and Natural Resources

LD 40 An Act To Protect Maine's Great Ponds ONTP

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

This bill creates a prohibition on the application of fertilizers within 50 feet of the normal high-water line of a great pond, with exceptions for persons involved in agriculture or applying fertilizer to establish or restore vegetation to stop, slow or remediate shoreline erosion or damage.

LD 70 An Act To Assist Towns in Eradicating Milfoil and Other Invasive Aquatic Plants and Nuisance Species ONTP

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

This bill provides funding in fiscal years 2014-15 and 2015-16 in the amount of \$225,000 for the Lake and River Protection Fund within the Department of Inland Fisheries and Wildlife and in the amount of \$900,000 for the Invasive Aquatic Plant and Nuisance Species Fund within the Department of Environmental Protection. These General Fund distributions are intended to correspond to the annual average funds deposited into each of these accounts representing fees collected on motorboat and personal watercraft lake and river protection stickers issued pursuant to the Maine Revised Statutes, Title 12, section 13058, subsection 3. Pursuant to statute, these funds are used by each department to engage in activities relating to the containment, eradication and management of the spread of invasive aquatic plants and nuisance species in Maine, to assist municipalities and other entities in accomplishing these goals and to aid in the enforcement of laws and rules pertaining to invasive aquatic plants and nuisance species.

LD 85 An Act To Prohibit Synthetic Plastic Microbeads in Personal Care Products and Over-the-counter Drugs PUBLIC 4

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

This bill establishes dates after which the manufacture for sale or acceptance for sale of personal care products containing synthetic plastic microbeads is prohibited. It also establishes dates after which the manufacture for sale or acceptance for sale of an over-the-counter drug containing synthetic plastic microbeads is prohibited.

Enacted Law Summary

Public Law 2015, chapter 4 establishes dates after which the manufacture for sale or acceptance for sale of personal care products containing synthetic plastic microbeads is prohibited. It also establishes dates after which the manufacture for sale or acceptance for sale of an over-the-counter drug containing synthetic plastic microbeads is prohibited.

Joint Standing Committee on Environment and Natural Resources

LD 105 An Act To Enhance the Competitiveness of Maine's Biomass Facilities ONTP
by Exempting from Waste Handling Fees Certain Construction and
Demolition Debris

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

This bill prohibits the imposition of a fee for the disposal of construction and demolition debris or residue from the processing of construction and demolition debris used for daily cover.

LD 146 Resolve, Regarding Legislative Review of Chapter 200: Metallic Mineral ONTP
Exploration, Advanced Exploration and Mining, a Major Substantive
Rule of the Department of Environmental Protection

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

This resolve provides for legislative review of Chapter 200: Metallic Mineral Exploration, Advanced Exploration and Mining, a major substantive rule of the Department of Environmental Protection.

LD 147 Resolve, Regarding Legislative Review of Portions of Chapter 500: RESOLVE 12
Stormwater Management, a Major Substantive Rule of the Department EMERGENCY
of Environmental Protection

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-45

This resolve provides for legislative review of portions of Chapter 500: Stormwater Management, a major substantive rule of the Department of Environmental Protection.

Committee Amendment "A" (H-45)

This amendment authorizes final adoption of portions of Chapter 500: Stormwater Management, a provisionally adopted major substantive rule of the Department of Environmental Protection, only if certain changes are made to the provisionally adopted rule sections on the urban impaired stream standard and the permit shield provision.

Enacted Law Summary

Resolve 2015, chapter 12 authorizes final adoption of portions of Chapter 500: Stormwater Management, a provisionally adopted major substantive rule of the Department of Environmental Protection, only if certain changes are made to the provisionally adopted rule sections on the urban impaired stream standard and the permit shield provision.

Resolve 2015, chapter 12 was finally passed as an emergency measure effective April 29, 2015.

Joint Standing Committee on Environment and Natural Resources

LD 153 An Act To Amend Setback Requirements and Standards Related to ONTP
Species Migration under the Laws Regulating Development near Vernal
Pools

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

This bill requires the Department of Environmental Protection and the Department of Inland Fisheries and Wildlife to adopt rules regarding significant vernal pool habitats to define a fixed radial area of regulation around a vernal pool depression and allow for an alternative directional corridor area of regulation. Use of an alternative directional corridor area would have to be requested by the applicant, who must demonstrate to the Department of Environmental Protection that the use of an alternative directional corridor area would provide habitat protection value equal to or greater than would the fixed radial area of regulation. Department of Environmental Protection rules must specify the regulatory process and standards for obtaining a permit in an alternative directional corridor area.

LD 190 An Act To Add Certain Capital Goods to the Product Stewardship PUBLIC 67
Exclusions

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

This bill exempts specialized manufacturing equipment, specialized processing equipment and their components from the laws governing product stewardship.

Enacted Law Summary

Public Law 2015, chapter 67 exempts specialized manufacturing equipment, specialized processing equipment and their components from the laws governing product stewardship.

LD 241 Resolve, Regarding Metallic Mineral Mining Rules of the Department of INDEF PP
Environmental Protection

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN J SAVIELLO		

This resolve directs the Department of Environmental Protection to resubmit for legislative review Rule Chapter 200: Metallic Mineral Exploration, Advanced Exploration and Mining, a major substantive rule of the Department of Environmental Protection previously provisionally adopted and submitted to the 126th Legislature for review. During the Second Regular Session of the 126th Legislature, the department submitted its provisionally adopted mining rule for legislative review, but the Legislature did not enact into law legislation authorizing final adoption of the rule. This resolve directs that the Legislature review the rule in accordance with the Maine Administrative Procedure Act, but stipulates that the rule may not be finally adopted by the department unless legislation submitted to the 127th Legislature authorizing final adoption becomes law.

Joint Standing Committee on Environment and Natural Resources

This bill was not referred to a committee.

**LD 307 An Act To Amend the Shoreland Zoning Laws To Exempt Certain
Walkways and Trails from Setback Requirements**

PUBLIC 11

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUTREMBLE FECTEAU	OTP-AM	S-6

This bill exempts the construction of a walkway or trail from certain water and wetland setback requirements if the walkway or trail will be adjacent to a segment of a river located within a downtown revitalization project and the walkway or trail meets other specified requirements.

Committee Amendment "A" (S-6)

This amendment changes the headnote to indicate that the exemption from setback requirements proposed in the bill is available only for walkways and trails over rivers within a downtown revitalization project. The amendment also extends the exemption to privately owned walkways or trails.

Enacted Law Summary

Public Law 2015, chapter 11 exempts the construction of a walkway or trail from certain water and wetland setback requirements if the walkway or trail will be adjacent to a segment of a river located within a downtown revitalization project and the walkway or trail meets other specified requirements.

**LD 313 An Act To Create a Sustainable Solution to the Handling, Management
and Disposal of Solid Waste in the State**

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL R SAVIELLO		

This bill, which is a concept draft pursuant to Joint Rule 208, proposes to implement recommendations from the Department of Environmental Protection relating to solid waste handling, management and disposal issues identified in a letter dated March 24, 2014 to the department from the Joint Standing Committee on Environment and Natural Resources. Specifically, this bill would enact measures designed to:

1. Provide incentives for and encourage the increased use of methods of source reduction, reuse, recycling and composting as a means of achieving the state-mandated recycling goal of 50 percent under the Maine Revised Statutes, Title 38, section 2132, together with a method for accurately measuring future achievements toward that goal;
2. Achieve economic stabilization of the three existing waste-to-energy facilities in the State by January 1, 2016, with options for funding that stabilization;
3. Develop a plan to minimize the need for future expansion of landfill capacity in Maine, including state-owned landfills;
4. Identify additional strategies to increase the beneficial use of waste materials, particularly where there are potential economic benefits to be derived from these materials; and
5. Develop other components of an overall comprehensive implementation plan necessary and appropriate to better

Joint Standing Committee on Environment and Natural Resources

advance the goals of the State's solid waste management hierarchy under Title 38, section 2101.

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

LD 325 An Act To Strengthen Recycling of Single-use Plastic Shopping Bags

**Accepted Minority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DEVIN JOHNSON	OTP-AM ONTP	

This bill requires a retailer to assess a 5¢ surcharge for a plastic bag designed for one-time use distributed to a customer at the point of retail sale. A retailer retains 2¢ from the surcharge for administrative costs. The revenues from the plastic bag surcharge are credited to the Plastics Recycling Fund administered by the Department of Environmental Protection for the purpose of promoting recycling efforts related to plastics. A retailer may provide recyclable paper bags to bag products at the point of sale. A retailer must provide reusable bags for purchase by a customer.

Committee Amendment "A" (H-83)

This amendment, which is the majority report of the committee, replaces the bill and changes the title. It prohibits a retailer from using plastic bags to bag products at the point of retail sale or otherwise make plastic bags available to customers, with exceptions for certain types of plastic bags. This prohibition is effective September 1, 2020. A retailer may provide recyclable paper bags to bag products at the point of sale and must provide reusable bags for purchase by a customer. The amendment also makes changes to existing law regarding retailer collection and recycling of used plastic bags to ensure consistency with the implementation of the plastic bag prohibition.

LD 352 Resolve, Regarding Legislative Review of Portions of Chapter 119: Motor Vehicle Fuel Volatility Limit, a Major Substantive Rule of the Department of Environmental Protection

**RESOLVE 10
EMERGENCY**

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

This resolve provides for legislative review of portions of Chapter 119: Motor Vehicle Fuel Volatility Limit, a major substantive rule of the Department of Environmental Protection.

Enacted Law Summary

Resolve 2015, chapter 10 authorizes final adoption of portions of Chapter 119: Motor Vehicle Fuel Volatility Limit, a major substantive rule of the Department of Environmental Protection.

Resolve 2015, chapter 10 was finally passed as an emergency measure effective April 16, 2015.

Joint Standing Committee on Environment and Natural Resources

**LD 394 Resolve, To Lower the Department of Environmental Protection's
5-point Odor Intensity Referencing Scale for Odor Control at Solid
Waste Processing Facilities**

CARRIED OVER

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

This resolve directs the Department of Environmental Protection to amend its Chapter 409 rules in effect on July 27, 2014 relating to the operation of solid waste processing facilities to decrease by 50 percent the existing concentration levels in water of n-butanol corresponding to each level within the modified five-point odor intensity referencing scale for use in odor control for facilities that process wastewater treatment sludge from publicly owned treatment works and facilities that process septage.

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

**LD 395 An Act To Clarify Storm Water Management Standards for Expansions
of Existing Projects**

PUBLIC 34

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN J	OTP-AM	H-46

This bill, which is a concept draft pursuant to Joint Rule 208, proposes to amend the site location of development laws, as set forth in the Maine Revised Statutes, Title 38, chapter 3, subchapter 1, article 6, to provide that any surface water generated by an expansion project and any new or existing system through which that water flows must comply with the surface water regulatory standards in effect at the time the expansion application is filed if:

1. A development is being expanded and the existing, original development was permitted by a municipality, did not require a permit under the site location of development laws and is being expanded in a manner that triggers the need for a permit; or
2. A development is being expanded and an expansion of the development was previously permitted under the site location of development laws.

If the criteria are not met and as long as a development complied with the applicable standards at the time the existing, original development was created, the surface water generated by the existing, original development and the systems through which that water flows do not need to comply with the regulatory standards in effect at the time the expansion application is filed.

Committee Amendment "A" (H-46)

This amendment replaces the bill, changing the bill title and providing an exemption from current storm water management standards for the existing portion of a project that is expanded as long as the existing portion met all applicable state and municipal standards for storm water management in effect at the time the existing portion was constructed. This exemption does not apply to an existing project that is expanded if the existing storm water management system will be used, in whole or in part, to treat storm water flowing from the expanded portion of the existing project; the expanded portion of the existing project; or a redevelopment project.

Enacted Law Summary

Public Law 2015, chapter 34 provides an exemption from current storm water management standards for the

Joint Standing Committee on Environment and Natural Resources

existing portion of a project that is expanded as long as the existing portion met all applicable state and municipal standards for storm water management in effect at the time the existing portion was constructed. This exemption does not apply to an existing project that is expanded if the existing storm water management system will be used, in whole or in part, to treat storm water flowing from the expanded portion of the existing project; the expanded portion of the existing project; or a redevelopment project.

LD 396 An Act To Encourage the Use of Alternatives to Single-use Plastic Disposable Bags ONTP

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

This bill requires a retailer to assess a 5¢ fee for a single-use plastic disposable bag distributed to a customer at the point of retail sale. The retailer retains 1¢ from each 5¢ fee for administrative costs and may elect to retain an additional 1¢ from each 5¢ fee to provide a carryout program that credits a customer no less than 5¢ for each bag provided by the customer at the point of retail sale for packaging purchases. The revenues from the fee, less the portion retained by the retailer for administrative costs and, if applicable, the carryout program, are credited to the Plastics Recycling Fund administered by the Department of Environmental Protection for the purpose of promoting recycling efforts in the State related to plastics. A retailer may provide recyclable paper products at the point of sale and must provide reusable bags for purchase by a customer. This bill authorizes the Department of Environmental Protection to enforce these laws and impose penalties for violations. This bill also directs that, by January 1, 2016, the Department of Environmental Protection must conduct a public information campaign relating to plastics and their impact on the environment and must implement an outreach campaign aimed at providing reusable bags to residents of the State, especially to elderly and low-income households.

LD 397 An Act Regarding the Packaging and Labeling of Disposable Cleaning and Personal Hygiene Products Accepted Majority (ONTP) Report

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

This bill provides that, effective January 1, 2016, a person may not package or label a disposable cleaning or personal hygiene product for distribution or sale in the State in a package or with a label that states the product is flushable and safe for sewer and septic systems unless the package or label states in a highly visible manner that the product is flushable and safe for sewer and septic systems; the person makes available to the Department of Environmental Protection and maintains written documentation of testing substantiating that the product meets the acceptance criteria for flushability as published in the Guidance Document for Assessing the Flushability of Nonwoven Consumer Products, published by the Association of the Nonwoven Fabrics Industry on June 1, 2013; and this testing has been performed by a laboratory that is capable of performing and qualified to perform the testing. The bill also provides that a person may not package or label a disposable cleaning or personal hygiene product for distribution or sale in the State that is not flushable or safe for sewer and septic systems unless the package or label on the product states in a highly visible manner that the product is not flushable or safe for sewer or septic systems. These requirements do not apply to a wholesaler or retailer that distributes or sells but does not package or label disposable cleaning or personal hygiene products or to liquid, gel or powder cleaning products or septic treatment products. The bill directs the department to adopt rules to implement these provisions.

Joint Standing Committee on Environment and Natural Resources

**LD 442 An Act To Clarify Municipal Capacity for Site Location of Development
and Encourage Local Development**

PUBLIC 28

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

Current law allows a municipality with capacity to review and approve applications for new developments that trigger the site location of development laws, as well as modifications to developments that were initially reviewed and approved by that municipality. The law, however, does not allow a municipality with capacity to review and approve modifications to a development that was initially reviewed and approved by the Department of Environmental Protection. This bill allows a municipality with capacity to review and approve modifications to an existing development that was initially reviewed and approved by the department.

Enacted Law Summary

Public Law 2015, chapter 28 amends the site location of development laws to allow a municipality with capacity to review and approve modifications to an existing development that was initially reviewed and approved by the Department of Environmental Protection.

LD 467 An Act To Change the Borders of the Saco River Corridor

ONTP

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

This bill reduces the size of the Saco River Corridor. Under current law, the corridor includes lands adjacent to the rivers within the corridor to a distance of 500 feet from the high water line of the rivers or the edge of the floodplain if that extends beyond 500 feet, up to a maximum of 1,000 feet. The bill changes the distance to 250 feet from the high water line or to the edge of the floodplain if that extends beyond 250 feet, up to a maximum of 250 feet.

**LD 468 An Act To Prohibit the Use of Certain Disposable or Polystyrene Food
Service Containers**

**Accepted Majority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BURSTEIN MIRAMANT	ONTP OTP-AM	

Beginning January 1, 2016, this bill prohibits the sale or distribution, at retail or wholesale, in the State of disposable food service containers composed in whole or in part of polystyrene foam, as well as disposable food service containers that are not recyclable or compostable unless there is no recyclable or compostable product available at a comparable cost. This bill requires the Department of Environmental Protection to adopt rules to implement these statutory provisions.

Committee Amendment "A" (H-187)

This amendment, which is the minority report of the committee, amends the bill as follows:

1. It amends the definition of "compostable" to remove the phrase "at a rate consistent with other materials that undergo degradation by biological processes;"

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- 2. It amends the definition of "disposable food service container" to provide a cross-reference for the term "prepared food" and to clarify that "disposable food service container" does not include items composed entirely of paper or aluminum and does not include polystyrene foam coolers and ice chests that are intended for reuse or for the shipping or transportation of prepared food; and
- 3. It provides that the prohibition in the bill does not apply to the use of disposable food service containers necessary for compliance with applicable state or federal food safety laws, rules or regulations.

LD 551 An Act To Provide Incentives for Implementation of Municipal Comprehensive Plans To Prevent Sprawl Leave to Withdraw Pursuant to Joint Rule

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL R SAVIELLO		

This bill, which is a concept draft pursuant to Joint Rule 208, proposes to provide incentives to municipalities that implement comprehensive plans to prevent sprawl.

LD 568 An Act To Protect Maine Lakes PUBLIC 75

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHIPMAN BREEN	OTP-AM	H-66

This bill amends the laws governing the Lakes Assessment and Protection Program. It also creates a prohibition on the application of fertilizers within 25 feet of the normal high-water line of a great pond, with exceptions for persons involved in agriculture.

Committee Amendment "A" (H-66)

This amendment replaces the bill and creates a prohibition on the application of fertilizers containing phosphorus or nitrogen within 25 feet of the normal high-water line of a great pond, except that a person may apply a fertilizer within 25 feet but not closer than 10 feet of the normal high-water line of a great pond using a drop spreader, rotary spreader with a deflector or targeted spray liquid.

Enacted Law Summary

Public Law 2015, chapter 75 creates a prohibition on the application of fertilizers containing phosphorus or nitrogen within 25 feet of the normal high-water line of a great pond, except that a person may apply a fertilizer within 25 feet but not closer than 10 feet of the normal high-water line of a great pond using a drop spreader, rotary spreader with a deflector or targeted spray liquid.

LD 580 An Act To Extend the Funding Period for Landfill Closure Costs PUBLIC 302

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUCHESNE SAVIELLO	OTP-AM	H-115

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Under current law, the Department of Environmental Protection pays 75 percent of certain landfill closure costs incurred on or after July 1, 1994 and before December 31, 2015. This bill extends that time period to December 31, 2025.

Committee Amendment "A" (H-115)

This amendment incorporates a fiscal note.

Senate Amendment "A" (S-113)

This amendment changes the date by which a license must have been issued for a landfill from September 1, 1989 to January 10, 1990 in order for the Department of Environmental Protection to pay 75 percent of certain closure costs for that landfill. It also adds an appropriations and allocations section.

This amendment was not adopted.

Senate Amendment "B" (S-182)

This amendment provides that a license application for a landfill received on or before September 1, 1989 makes the landfill eligible for payment of 75 percent of certain landfill closure costs by the Department of Environmental Protection. It also adds an appropriations and allocations section.

This amendment was not adopted.

Enacted Law Summary

Public Law 2015, chapter 302 authorizes the Department of Environmental Protection to pay 75 percent of certain landfill closure costs incurred on or after July 1, 1994 and before December 31, 2025.

LD 588 An Act To Revise the Mining Laws

**Leave to Withdraw
Pursuant to Joint
Rule**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO CAMPBELL R		

This bill, which is a concept draft pursuant to Joint Rule 208, proposes to amend the laws governing metallic mineral mining.

LD 595 An Act To Reduce Carbon Emissions from Residential Heating

ONTP

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

This bill requires the Department of Environmental Protection to set aside no less than \$200,000 per year of the revenue resulting from the sale of carbon dioxide emissions allowances for the purchase of high-efficiency wood stoves through financial incentives as determined by the department by rule.

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LD 596 An Act To Allow for the Purchase and Use of Specialty Racing Fuel in ONTP
Maine

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

This bill allows gasoline containing more than half of one percent by volume methyl tertiary butyl ether (MTBE) to be sold for or used by a motor vehicle in a race, as long as the gasoline containing MTBE is sold and distributed in prepackaged drums, pails or other containers.

LD 602 An Act To Amend the Laws Governing the Prohibition on the Sale of Accepted Majority
Motor Fuel Containing Corn-based Ethanol (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TIMBERLAKE MASON	ONTP OTP-AM	

Current law provides that the prohibition on the sale of motor fuel containing corn-based ethanol does not take effect until at least 10 other states or a number of states with a collective population of 30,000,000 have enacted laws that prohibit the sale of motor fuel containing corn-based ethanol. This bill amends the law to provide that this prohibition takes effect if at least three other states have enacted laws that prohibit the sale of motor fuel containing corn-based ethanol.

Committee Amendment "A" (H-79)

This amendment, which is the minority report of the committee, provides that the prohibition on the sale of motor fuel containing corn-based ethanol does not take effect until at least three of the other New England states, Connecticut, Massachusetts, New Hampshire, Rhode Island and Vermont, have enacted laws that prohibit the sale of motor fuel containing corn-based ethanol.

LD 603 An Act To Achieve Regional Uniformity in Sulfur Standards for Heating PUBLIC 66
Oil

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TIMBERLAKE MASON	OTP-AM	H-47

This bill delays by six months the implementation of the statewide prohibition on the use of any but ultra low sulfur distillate fuel.

Committee Amendment "A" (H-47)

This amendment replaces the bill, retaining the six-month delay on the implementation of the statewide prohibition on the use of any but ultra low sulfur distillate fuel, but clarifying that the prohibition applies to the importation, distribution and offering for sale, rather than the use, of any but ultra low sulfur distillate fuel. The amendment also incorporates the change in the implementation date and the prohibition language throughout the statutory section.

Enacted Law Summary

Public Law 2015, chapter 66 delays by six months the implementation of the statewide prohibition on the

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importation, distribution or offering for sale of any but ultra low sulfur distillate fuel.

LD 659 Resolve, To Increase Recycling in Maine through Increased Composting and Energy Recovery from Organic Wastes ONTP

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

This resolve requires the Department of Environmental Protection, with input from stakeholders, to develop a comprehensive strategy to encourage composting and energy recovery from food waste and other organic wastes. It also requires the department to submit the strategy and related recommendations to the Joint Standing Committee on Environment and Natural Resources by January 15, 2016.

LD 680 An Act To Reduce Waste from Disposable Bags Accepted Majority (ONTP) Report

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

This bill requires a retailer to assess a 5¢ fee for a single-use disposable plastic or kraft paper bag distributed to a customer at the point of retail sale. The retailer retains 1¢ from each 5¢ fee for administrative costs and may elect to retain an additional 1¢ from each 5¢ fee to provide a carryout program that credits a customer no less than 5¢ for each bag provided by the customer at the point of retail sale for packaging purchases. The revenues from the fee, less the portion retained by the retailer for administrative costs and, if applicable, the carryout program, are credited to the Plastics and Paper Recycling Fund administered by the Department of Environmental Protection for the purpose of promoting recycling efforts in the State related to plastics and paper. A retailer must provide reusable bags for purchase by customers. This bill authorizes the Department of Environmental Protection to enforce these laws and impose penalties for violations. This bill also directs that, by January 1, 2016, the Department of Environmental Protection must conduct a public information campaign relating to plastics and paper and their impact on the environment and must implement an outreach campaign aimed at providing reusable bags to residents of the State, especially to elderly and low-income households.

Committee Amendment "A" (H-84)

This amendment, which is the minority report of the committee, adds an appropriations and allocations section.

LD 712 An Act To Increase Organic Waste Recycling in the State ONTP

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

This bill enacts a statutory provision directing the Department of Environmental Protection to track state, regional, municipal and local organic waste recycling efforts and, as resources allow, to develop, implement and administer programs to encourage or support organic waste recycling in the State. The department is directed to submit by January 15, 2017, and annually thereafter, a report to the joint standing committee of the Legislature having jurisdiction over environmental and natural resources matters detailing its findings and any recommendations

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related to organic waste recycling, including any proposed legislation to implement its recommendations. After receiving the report, the committee may report out a bill relating to organic waste recycling. The bill also directs the department to develop, implement and administer an organic waste recycling pilot program. For the pilot program, the department is required to invite as participants at least three municipalities and the Legislative Council and the Department of Administrative and Financial Services, Bureau of General Services. The Department of Environmental Protection is directed to provide technical assistance and may provide financial assistance to each participating entity in developing and implementing an organic waste recycling program. Each participating entity must collect data on and document the amount of organic waste diverted from the waste stream by the program, the related cost savings realized by the participating entity and any problems encountered in implementing the program, and must compile this information into a report for the department. The department is directed to analyze the reports submitted by the participating entities and, by January 15, 2017, submit a report to the joint standing committee of the Legislature having jurisdiction over environmental and natural resources matters detailing the findings of the program and including any recommendations for legislation. This bill also adopts a definition for the term "organic waste."

LD 713 Resolve, To Further Protect Lake Water Quality

CARRIED OVER

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

This resolve directs the Department of Environmental Protection to, as soon as practicable, amend its Rule Chapter 1000: Guidelines for Municipal Shoreland Zoning Ordinances in effect on the effective date of this resolve to reflect a number of changes, including changes to setbacks for new principal and accessory structures, phosphorus mitigation requirements in conjunction with the expansion of the footprint of a structure within the setback area and requirements for the location of wells within the setback area. The resolve also directs the Commissioner of Environmental Protection to convene a stakeholder group to conduct a study regarding the effectiveness of the department's shoreland zoning rules since January 1, 2005 and to report its findings and any recommendations for legislation to the Joint Standing Committee on Environment and Natural Resources by January 1, 2016. The committee may report out a bill relating to those recommendations to the Second Regular Session of the 127th Legislature.

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

LD 727 An Act To Allow the Retrofit of Underground Oil Storage Tanks

PUBLIC 361

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOODSOME	OTP-AM	S-48

This bill authorizes the retrofitting of single-walled underground oil storage tanks with secondary containment meeting certain standards.

Committee Amendment "A" (S-48)

This amendment provides that a site assessment of an underground oil storage facility is required when a single-walled underground oil storage tank is retrofitted with secondary containment as authorized in the bill. The amendment also adds an appropriations and allocations section.

Enacted Law Summary

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Public Law 2015, chapter 361 authorizes the retrofitting of single-walled underground oil storage tanks with secondary containment meeting certain standards.

LD 750 An Act To Allow Regulated Metal Mining in Maine

**Accepted Minority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHAPMAN GRATWICK	OTP-AM ONTP	

This bill provides for a moratorium on metallic mineral exploration or mining in the State. It directs the Department of Environmental Protection, by January 1, 2017, to provisionally adopt and submit for legislative review major substantive rules related to the Maine Metallic Mineral Mining Act. These rules must:

1. Include standards necessary to protect the public health and safety and the environment;
2. Comply with all applicable federal environmental laws and standards;
3. Require that all mining areas be left in or returned to a geologically stable condition following remediation and closure;
4. Require the permittee to provide a specific plan for ensuring that all mining areas will be left in or returned to a geologically stable condition following remediation and closure;
5. Require the permittee to demonstrate that the environmental quality and security of the site will be protected through the use of proven technologies and best available practices and require use of these technologies and practices as a permit condition;
6. Require that all remediation costs related to a mining area are paid by the permittee and not by the State;
7. Require that the financial assurance method approved for and the financial assurance amount required for a permittee be determined by an independent third-party expert with a background in mining;
8. Prohibit in situ leaching, heap leaching and block caving;
9. Prohibit the granting of a permit to certain applicants; and
10. Implement a framework for permitting a mining activity that includes several well-defined decision points for the department to conduct additional review of the permitted activities.

The bill provides that the department may not finally adopt the rules unless the Legislature authorizes final adoption. The moratorium remains in effect until the Legislature authorizes final adoption of the department's rules and the department finally adopts those rules. The bill also provides for accompanying major substantive rulemaking by the Maine Land Use Planning Commission regarding certification of mining permit applications.

Committee Amendment "A" (H-272)

This amendment, which is the majority report of the committee, replaces the bill and authorizes final adoption by the Department of Environmental Protection of Chapter 200: Metallic Mineral Exploration, Advanced Exploration and Mining, a provisionally adopted major substantive rule of the Department of Environmental Protection that was submitted to the Legislature for review on January 10, 2014 and that was also submitted to the Legislature for review on January 9, 2015 only if a number of specified changes to the rule are made. The amendment also

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provides for a number of corresponding changes to the Maine Metallic Mineral Mining Act and for rulemaking by the Maine Land Use Planning Commission related to commission certification of metallic mineral mining permit applications as described in the Act.

LD 765 Resolve, To Develop a Statewide Plan for the Disposal of Household Hazardous Waste ONTP

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

This resolve directs the Department of Environmental Protection to design a statewide plan for the collection of household hazardous waste and to develop a long-term funding mechanism to support the plan. It directs the department to consider designating regional collection locations for the acceptance of household hazardous waste and to submit a report relating to the plan to the Joint Standing Committee on Environment and Natural Resources by December 2, 2015 and authorizes the committee to report out a bill regarding the subject matter of the department's report.

LD 795 An Act To Encourage Prudent Development along the Coast or in a Flood Zone by Considering Predictions for Sea Level Rise CARRIED OVER

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

This bill, which is a concept draft pursuant to Joint Rule 208, proposes to enact measures that would require sea level model predictions to be taken into account in the design phase of any development project on the coast or in a flood zone if more than 10 percent of the total funding for the project is state funding. "Development project" includes, but is not limited to, the development of buildings, land, walkways, bridges, roads, culverts and piers. The bill also proposes to enact measures to require coordination among state and federal agencies, universities and stakeholders concerning development projects on the coast or in a flood zone that may be affected by sea level rise.

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

LD 824 An Act Regarding Ethanol Motor Fuel Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'CONNOR BRAKEY	OTP-AM	H-74

This bill amends the law regarding ethanol-enhanced motor fuel to clarify that a motor fuel distributor, franchisor or refiner may not impose any condition, restriction, agreement or understanding that prohibits or limits the sale, resale, transfer or purchase of conventional, ethanol-free motor fuel products in the State. The bill also directs the Commissioner of Environmental Protection to convene a stakeholder group to conduct a study regarding motor fuel and fuel additives, including, but not limited to, acetaldehyde in ethanol motor fuel. The stakeholder group is directed to study the State's compliance with the federal Clean Air Act Amendments of 1990 with respect to emissions of acetaldehyde produced by the combustion of ethanol motor fuel, and conduct a comprehensive review of the statewide costs associated with the acetaldehyde in ethanol motor fuel, including the corrosive effects of acetaldehyde on small engines, the effects of acetaldehyde on marine resources in the State and the negative impact such effects have on business in the State. The commissioner shall report the stakeholder group's findings to the

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Joint Standing Committee on Environment and Natural Resources by December 1, 2015. The committee may report out a bill to the Second Regular Session of the 127th Legislature.

Committee Amendment "A" (H-74)

This amendment makes a change to a statutory headnote and removes language that makes the statutory provision proposed in the bill apply notwithstanding any provision of law to the contrary. It also removes the requirement in the bill that directs the Commissioner of Environmental Protection to convene a stakeholder group to conduct a study regarding motor fuel and fuel additives.

LD 884 An Act To Amend Laws Concerning Water Quality Standards

ONTP

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

This bill makes the following changes to the laws concerning water quality:

1. It allows the Department of Environmental Protection to issue more than three discharge licenses to allow discharges to Class AA waters for the purpose of assisting in the restoration of Atlantic salmon and returning the waters to a state that is closer to historically natural chemical quality;
2. It allows the Department of Environmental Protection to issue more than three discharge licenses to allow discharges to Class A waters for the purpose of assisting in the restoration of Atlantic salmon and returning the waters to a state that is closer to historically natural chemical quality;
3. It recognizes an alternate name for Beaverdam Brook and Clifford Brook;
4. It recognizes an alternate name for Crooked Stream and that the name of Township 31 Middle Division has been changed to Day Block Township;
5. It clarifies the location of the West Branch of the Narraguagus River;
6. It recognizes an alternate name for Mile Brook;
7. It recognizes that the names of Squa Pan Stream and Squa Pan Lake have been changed to Scopan Stream and Scopan Lake;
8. It clarifies the description of the Class AA waters within the St. John River basin and specifies where the headwaters start;
9. In the law concerning minor drainage areas, which is organized by county, it lists the Town of Winterport under the proper heading of Waldo County;
10. It recognizes that town lines have been redrawn in Casco Bay and that the Class SA area encompassing Jewell Island and other islands, which previously was divided between Portland, Cumberland and Harpswell, is now divided between the towns of Chebeague Island, Harpswell, Long Island and Portland;
11. In the laws concerning classification of waters as estuarine and marine, it corrects a conflict between descriptions of two stream segments and clarifies that the marine classification extends to the head of tide; and
12. It clarifies a description of a line at the mouth of The Basin in Phippsburg.

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**LD 911 An Act Concerning the Review of Certain Projects under the Site
Location of Development Laws**

PUBLIC 190

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WINSOR SAVIELLO	OTP-AM	H-271

This bill amends the laws regarding the expedited permitting of grid-scale wind energy development as follows:

1. It creates several new definitions relating to the scenic impact of a wind energy development;
2. It allows for the consideration of cumulative scenic impacts in the permitting of wind energy developments;
3. It adds to the definition of "scenic resource of state or national significance" great ponds that were studied for their value in 1987 or 1989 and that have on them commercial sporting camps established prior to 2007;
4. It allows the Department of Environmental Protection to require a visual impact assessment for wind energy developments located within 15 miles of scenic resources of state or national significance and mandates a visual impact assessment if a generating facility is located within 15 miles of specific scenic resources of state or national significance; and
5. It allows the Department of Environmental Protection to require a visual impact assessment for wind energy developments located beyond 15 miles from scenic resources of state or national significance under certain limited circumstances.

Committee Amendment "A" (H-271)

This amendment replaces the bill and amends the laws regarding the expedited permitting of grid-scale wind energy development as follows:

1. It creates new definitions relating to the scenic impact of a wind energy development project; and
2. It allows for the consideration of cumulative scenic impacts in the permitting of wind energy development projects.

Enacted Law Summary

Public Law 2015, chapter 190 amends the laws regarding the expedited permitting of grid-scale wind energy development as follows:

1. It creates new definitions relating to the scenic impact of a wind energy development project; and
2. It allows for the consideration of cumulative scenic impacts in the permitting of wind energy development projects.

LD 947 An Act To Fund State Efforts To Reduce the Landfilling of Solid Waste

ONTP

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

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This bill, which is a concept draft pursuant to Joint Rule 208, proposes to establish the Maine Solid Waste Reduction Fund and the Maine Solid Waste Reduction Program, administered by the Department of Environmental Protection, to provide grants to assist municipalities in the diversion of solid waste from disposal at solid waste landfills through equipment or infrastructure purchases or the establishment of programs to reduce the need for waste disposal. The bill provides funding for this fund and program through the elimination of certain exemptions from fees for the disposal of solid waste at landfills.

LD 948 An Act To Harmonize Maine's Laws Governing Toxic Chemicals in ONTP
Children's Products with Those of Other States

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

This bill amends the laws governing toxic chemicals in children's products to ensure consistency with similar laws enacted in other states. It requires annual reporting of the use of chemicals of high concern in children's products sold in Maine, phased in over a five-year period, with implementing rules adopted by January 1, 2016. It requires the Commissioner of Environmental Protection to designate three priority products that contain a chemical of high concern or a priority chemical by January 1, 2017. The bill also requires the Department of Environmental Protection to adopt, not later than January 1, 2016, a rule designating four phthalates as priority chemicals and requiring manufacturers and distributors of children's products containing those phthalates to report to the department.

LD 1040 An Act To Enhance Funding Opportunities for the Youth Conservation PUBLIC 365
Corps

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO	OTP-AM	S-86

This bill creates a statutory program to reduce shoreline erosion and protect lake quality, to be administered by the Department of Environmental Protection. It directs the department to contract with the Lakes Environmental Association for implementation of the program and to use volunteer labor from the Youth Conservation Corps for an eight-week period in the summer of 2016 and the summer of 2017. The scope of the contracted work is to be determined by the amount of outside funds deposited into the Erosion Control Fund from which the department is directed to disburse \$3 from the fund for every \$2 received from the outside source, up to \$150,000 for each year.

Committee Amendment "A" (S-86)

This amendment replaces the bill and creates a statutory program to reduce shoreline erosion and protect lake water quality to be implemented and administered by a private organization contracted with by the Department of Environmental Protection. Under the bill, the department would administer the program. The amendment directs the department to distribute appropriated funds through a competitive bid process to implement and administer the program and stipulates that the contracted private organization must use labor from a youth conservation corps in the summers of 2016 and 2017 to implement erosion control measures and that the contracted organization is allowed to disburse to a youth conservation corps no more than \$1 of state funding for every \$2 in matching funds contributed by that youth conservation corps. The amendment adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2015, chapter 365 creates a statutory program, administered by the Department of Environmental Protection, to reduce shoreline erosion and protect lake water quality to be implemented and administered by a

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private organization contracted with by the department. The department is directed to distribute appropriated funds through a competitive bid process to implement and administer the program, and the contracted private organization must use labor from a youth conservation corps in the summers of 2016 and 2017 to implement erosion control measures and is allowed to disburse to a youth conservation corps no more than \$1 of state funding for every \$2 in matching funds contributed by that youth conservation corps.

LD 1043 An Act To Strengthen the Overboard Discharge Removal Grant Program ONTP

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

This bill amends the laws regarding the State's contribution to residential overboard discharge replacement projects. Under current law, depending on income level, an individual may apply for a grant for reimbursement of all or a portion of the cost of removing and replacing any overboard discharge, but may be approved for such reimbursement only after project completion. This bill allows the Commissioner of Environmental Protection to approve applications for reimbursement in advance of construction if certain conditions are met and to dedicate the proposed project expenses for reimbursement for a specified period of time. Upon completion of the project and submission of expense documentation, the commissioner is directed to reimburse the individual for the previously applied for and approved eligible project expenses. The bill also provides an appropriation in fiscal years 2015-16 and 2016-17 in the amount of \$200,000 per year to provide grants to reimburse individuals for the cost of removing an overboard discharge under this program.

LD 1044 An Act To Ensure That Collection Facilities Can Participate in the Architectural Paint Stewardship Program PUBLIC 331 EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO	OTP-AM	S-157

This bill amends the laws governing the stewardship program for architectural paint by amending definitions and enacting requirements for architectural paint collection sites.

Committee Amendment "A" (S-157)

This amendment replaces the bill and amends the laws governing the stewardship program for architectural paint as follows:

1. It amends the definitions of the terms "architectural paint" and "consumer" and adds new definitions for the terms "collection container," "collection site," "conditionally exempt small quantity generator" and "post-consumer paint that is a hazardous waste";
2. It amends the requirements regarding the information to be included in a submitted plan for the establishment of a paint stewardship program;
3. It provides new requirements applicable to participating collection sites under an approved paint stewardship program, including directives on the collection and storage of post-consumer paint, record-keeping by collection sites and acceptance of post-consumer paint that is a hazardous waste;
4. It provides that, except as may otherwise be required by federal law or under an approved paint stewardship program plan, the Department of Environmental Protection may not impose requirements on collection sites that are

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more stringent than the requirements set forth in statute; and

5. It provides that a collection site that uses environmentally sound management practices is not subject to penalties for violation of the department's rules related to post-consumer paint.

The amendment also adds an appropriations and allocations section and an emergency preamble and an emergency clause.

Enacted Law Summary

Public Law 2015, chapter 331 amends the laws governing the stewardship program for architectural paint as follows:

1. It amends the definitions of the terms "architectural paint" and "consumer" and adds new definitions for the terms "collection container," "collection site," "conditionally exempt small quantity generator" and "post-consumer paint that is a hazardous waste;"
2. It amends the requirements regarding the information to be included in a submitted plan for the establishment of a paint stewardship program;
3. It provides new requirements applicable to participating collection sites under an approved paint stewardship program, including directives on the collection and storage of post-consumer paint, record-keeping by collection sites and acceptance of post-consumer paint that is a hazardous waste;
4. It provides that, except as may otherwise be required by federal law or under an approved paint stewardship program plan, the Department of Environmental Protection may not impose requirements on collection sites that are more stringent than the requirements set forth in statute; and
5. It provides that a collection site that uses environmentally sound management practices is not subject to penalties for violation of the department's rules related to post-consumer paint.

Public Law 2015, chapter 331 was enacted as an emergency measure effective July 12, 2015.

LD 1045 An Act To Modify the Laws Regarding the Collection and Recycling of Mercury-added Thermostats

PUBLIC 83

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO MARTIN J	OTP-AM	S-62

This bill amends the laws regarding the collection and recycling of mercury-added thermostats as follows:

1. It adds a definition for the term "contractor";
2. It clarifies that the financial incentive provided for the return of a mercury-added thermostat is to be provided to the contractor or homeowner who removed the thermostat from service;
3. It changes the due date on the annual manufacturer's report to the Department of Environmental Protection from January 30th to April 1st and removes the requirement that the report contain an accounting of administrative costs;
4. It requires contractors to submit annual reports to the department containing information on the contractor and the thermostats removed from service and disposed of during the previous calendar year; and

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5. It repeals at a future date certain portions of the laws regarding the collection and recycling of mercury-added thermostats.

The bill also directs the department to review the financial incentive plan under the laws regarding the collection and recycling of mercury-added thermostats and, by February 15, 2016, submit a report to the Joint Standing Committee on Environment and Natural Resources addressing certain aspects of the plan and, where applicable, recommending legislation to amend the plan or other relevant laws.

Committee Amendment "A" (S-62)

This amendment replaces the bill and amends the laws regarding the collection and recycling of mercury-added thermostats as follows:

1. It retains the provision from the bill that adds a definition for the term "contractor";
2. It clarifies that the financial incentive provided for the return of a mercury-added thermostat is to be provided to any person who returns a mercury-added thermostat to an established recycling collection point; and
3. It retains the provision from the bill that changes the due date on the annual manufacturer's report to the Department of Environmental Protection from January 30th to April 1st and removes the requirement that the report contain an accounting of administrative costs.

The amendment also retains the provision from the bill that directs the department to review the financial incentive plan under the laws regarding the collection and recycling of mercury-added thermostats and, by February 15, 2016, submit a report to the Joint Standing Committee on Environment and Natural Resources addressing certain aspects of the plan and, where applicable, recommending legislation to amend the plan or other relevant laws.

The amendment removes from the bill the provisions that require contractors to submit annual reports to the department containing information on the contractor and the thermostats removed from service and disposed of during the previous calendar year and that repeal at a future date certain portions of the laws regarding the collection and recycling of mercury-added thermostats.

Enacted Law Summary

Public Law 2015, chapter 83 amends the laws regarding the collection and recycling of mercury-added thermostats as follows:

1. It adds a definition for the term "contractor;"
2. It clarifies that the financial incentive provided for the return of a mercury-added thermostat is to be provided to any person who returns a mercury-added thermostat to an established recycling collection point; and
3. It changes the due date on the annual manufacturer's report to the Department of Environmental Protection from January 30th to April 1st and removes the requirement that the report contain an accounting of administrative costs.

Public Law 2015, chapter 83 also directs the department to review the financial incentive plan under the laws regarding the collection and recycling of mercury-added thermostats and, by February 15, 2016, submit a report to the Joint Standing Committee on Environment and Natural Resources addressing certain aspects of the plan and, where applicable, recommending legislation to amend the plan or other relevant laws.

Joint Standing Committee on Environment and Natural Resources

**LD 1128 An Act To Make Minor Changes and Corrections to Statutes
Administered by the Department of Environmental Protection**

PUBLIC 124

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO WELSH	OTP-AM	S-91

This bill makes changes to various reporting requirements in the environmental protection laws. It eliminates a biennial report to the Legislature by the directors of the Clean Government Initiative and regular reports by the Commissioner of Environmental Protection on the status of licensed discharges and oil spill prevention and control. Instead of requiring the commissioner to report annually to the Legislature on the surface water ambient toxic monitoring program, this bill requires a limited biennial executive summary. It changes a cross-reference to correct the citation. It changes rule-making authority regarding hazardous waste, waste oil and biomedical waste by moving authority from the Board of Environmental Protection to the commissioner.

Committee Amendment "A" (S-91)

This amendment retains the provisions from the bill except as follows:

1. It allows for the submission of an executive summary of the Commissioner of Environmental Protection's report on the surface water ambient toxic monitoring program to the joint standing committees of the Legislature having jurisdiction over natural resources matters and marine resources matters and requires the full report to be published on the Department of Environmental Protection's website and a copy or copies to be provided to the State Librarian and retains the requirements that the report contain the annual work program for the past year and the current year and the results of the dioxin monitoring program;
2. It retains the commissioner's report on the status of licensed discharges but changes the reporting frequency from annual to biennial; and
3. It provides that rule-making authority on the transportation, collection and storage of waste oil and on the registration, design and operation of used oil collection centers for the purposes of the Maine Revised Statutes, Title 38, section 1319-Y remains with the Board of Environmental Protection and is not transferred to the commissioner.

Enacted Law Summary

Public Law 2015, chapter 124 makes changes to various reporting requirements and rule-making authority in the environmental protection laws as follows:

1. It eliminates a biennial report to the Legislature by the directors of the Clean Government Initiative;
2. It changes the reporting frequency on the Commissioner of Environmental Protection's report on the status of licensed discharges from annual to biennial;
3. It allows for the submission of an executive summary of the commissioner's report on the surface water ambient toxic monitoring program to the joint standing committees of the Legislature having jurisdiction over natural resources matters and marine resources matters and requires the full report to be published on the Department of Environmental Protection's website and a copy or copies to be provided to the State Librarian and retains the requirements that the report contain the annual work program for the past year and the current year and the results of the dioxin monitoring program;
4. It eliminates a biennial report to the Legislature by the commissioner on oil spill prevention and control; and

Joint Standing Committee on Environment and Natural Resources

5. It changes rule-making authority regarding hazardous waste, waste oil and biomedical waste by moving authority from the Board of Environmental Protection to the commissioner, except that rule-making authority on the transportation, collection and storage of waste oil and on the registration, design and operation of used oil collection centers for the purposes of the Maine Revised Statutes, Title 38, section 1319-Y remains with the board and is not transferred to the commissioner.

LD 1194 An Act To Allow Municipalities To Contract with and Dispose of Waste, ONTP
including Residue, in State-owned Solid Waste Disposal Facilities, as
Allowed under a Facility License, To Ensure Compliance with the Solid
Waste Management Hierarchy

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

This bill ensures compliance with the solid waste management hierarchy established in the Maine Revised Statutes, Title 38, section 2101 by authorizing a municipality or regional association to enter into a contract or agreement with the owner or operator of a state-owned solid waste disposal facility in order to utilize the facility for managing solid waste generated within the State, including for the disposal of residue from a solid waste processing facility. This bill also prohibits the owner or operator of a state-owned solid waste disposal facility from entering into, implementing or enforcing a contract or agreement with any person to prohibit, directly or indirectly, a municipality or regional association from entering into a contract or agreement with the owner or operator of the facility to utilize the facility for managing solid waste generated within the State, including for the disposal of residue from a solid waste processing facility.

LD 1204 An Act To Increase Recycling and Composting by Creating the Maine ONTP
Recycling Fund

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

This bill establishes the Recycling Grants and Low-interest Loan Program and the Maine Recycling Fund under the Department of Environmental Protection to assist municipalities and persons engaged in the business of collecting, transporting, processing or marketing recyclable materials and to fund activities designed to enhance the State's recycling rate and the diversion of recyclable materials that would otherwise be disposed of in a landfill or processed at a waste-to-energy facility. The bill requires the fund to be used only to fund the program and to provide assistance to municipal recycling efforts.

The bill also establishes the Recycling Public Advisory Council to assist the department in the administration of the program. The bill directs the council, in cooperation and consultation with the department, to initiate and conduct public outreach and education programs on the purposes and value of source-separated recycling, or recycling by separation at the point of generation, and sustainable materials management in order to maximize the recovery of all recyclable materials and yard waste generated by commercial and residential sectors.

This bill phases out beverage containers 32 ounces and greater in capacity from the bottle redemption laws beginning December 1, 2016 and ends the liability of redemption centers and dealers to consumers for deposits on January 1, 2017 and the liability of manufacturers and distributors to redemption centers for deposits and handling fees on February 1, 2018. The bill requires manufacturers and distributors of bottles 32 ounces or greater in capacity to pay a fee, beginning December 1, 2016 and ending December 1, 2022, at the rate of \$0.005 per beverage container delivered for sale or distribution during any month in order to provide revenue to the fund.

Joint Standing Committee on Environment and Natural Resources

LD 1208 An Act Concerning Pavement Sealing Products

**Accepted Majority
(ONTP) Report**

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

This bill prohibits the sale and use of coal tar sealant products beginning October 1, 2016.

LD 1244 An Act To Amend Environmental Permitting Standards

PUBLIC 264

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO HANLEY	OTP-AM	S-156 S-227 BREEN

This bill requires the Commissioner of Environmental Protection to issue a decision on an application for an expedited wind energy development within one year of the date the department accepts the application as complete. It repeals procedures related to the review of an application for a grid-scale wind energy development. It provides permitting requirements for small-scale wind energy developments. It requires parties to a water level dispute to attempt to resolve the matter through mediation before the department proceeds with an adjudicatory hearing. It establishes standards for microhydropower projects and requires the department to adopt rules ensuring that a microhydropower project will not have an undue adverse effect on the natural environment and will not violate water quality standards.

Committee Amendment "A" (S-156)

This amendment retains provisions from the bill that repeal procedures related to the review of an application for a grid-scale wind energy development and provide permitting requirements for small-scale wind energy developments. The amendment also retains the provision from the bill that allows the Department of Environmental Protection to charge parties to a water level dispute an appropriate licensing fee sufficient to cover costs incurred in conducting an adjudicatory hearing, but the amendment sets a maximum fee of \$20,000. The amendment removes provisions from the bill that increase the time in which the Commissioner of Environmental Protection is required to issue a decision on an application for an expedited wind energy development from 185 days to one year, that establish standards and criteria for microhydropower projects and that require parties to a water level dispute to attempt to resolve the matter through mediation prior to an adjudicatory hearing.

Senate Amendment "A" To Committee Amendment "A" (S-227)

This amendment amends Committee Amendment "A" to remove the provision allowing the Department of Environmental Protection to charge parties to a water level dispute a licensing fee sufficient to cover costs incurred in conducting an adjudicatory hearing, with a maximum fee of \$20,000. This amendment also amends the laws governing the establishment of water level regimes to provide that after October 1, 2015 but before October 1, 2016 the Commissioner of Environmental Protection may not conduct an adjudicatory hearing for the purpose of or issue an order establishing a water level regime or minimum flow requirements, except that the commissioner may conduct an adjudicatory hearing or issue an order for these purposes on requests or petitions submitted prior to October 1, 2015. All orders establishing a water level regime issued prior to October 1, 2015 remain in effect and enforceable until they expire or are amended or rescinded. This amendment also authorizes the Joint Standing Committee on Environment and Natural Resources to report out a bill to the Second Regular Session of the 127th Legislature relating to the establishment of water level regimes.

Joint Standing Committee on Environment and Natural Resources

Enacted Law Summary

Public Law 2015, chapter 264 repeals procedures related to the review of an application for a grid-scale wind energy development and provides permitting requirements for small-scale wind energy developments. It amends the laws governing the establishment of water level regimes to provide that after October 1, 2015 but before October 1, 2016 the Commissioner of Environmental Protection may not conduct an adjudicatory hearing for the purpose of or issue an order establishing a water level regime or minimum flow requirements, except that the commissioner may conduct an adjudicatory hearing or issue an order for these purposes on requests or petitions submitted prior to October 1, 2015. All orders establishing a water level regime issued prior to October 1, 2015 remain in effect and enforceable until they expire or are amended or rescinded. It also authorizes the Joint Standing Committee on Environment and Natural Resources to report out a bill to the Second Regular Session of the 127th Legislature relating to the establishment of water level regimes.

LD 1303 An Act To Stabilize and Streamline the Department of Environmental Protection's Ground Water Oil Clean-up Fund and Maine Coastal and Inland Surface Oil Clean-up Fund

**PUBLIC 319
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO WELSH	OTP-AM	S-301

This bill combines current provisions of law related to the Ground Water Oil Clean-up Fund and the Maine Coastal and Inland Surface Oil Clean-up Fund. It streamlines administration of oil clean-up funds and stabilizes funding for clean-up activities. It improves government administration by combining two boards with expertise in oil spill prevention and cleanup and responsibility for fund oversight into one, and it streamlines fee requirements from two separate amounts for each product type into one.

Committee Amendment "A" (S-301)

This amendment adds an emergency preamble and emergency clause and retains all provisions from the bill except as follows:

1. It provides that the balance in the new Maine Ground and Surface Waters Clean-up and Response Fund is limited to \$18,500,000;
2. It provides that unrefined crude oil is not subject to the funding provision for the new Maine Ground and Surface Waters Clean-up and Response Fund that allows for fee increases when the fund balance falls to \$6,000,000 or less;
3. It provides additional specific fee information for reimbursement of fees imposed on transfers out of state;
4. It removes from the bill certain changes to the statutory standard deductible amounts for coverage of clean-up costs and eligible third-party damage costs under the new Maine Ground and Surface Waters Clean-up and Response Fund. It eliminates from the bill the section that transfers from the Board of Environmental Protection to the Clean-up and Response Fund Review Board the authority to adopt rules to determine the standards for assessing an applicant's ability to pay the deductible with respect to the applicant's personal residence; and
5. It amends certain provisions of the bill governing the appointment of members to the Clean-up and Response Fund Review Board.

The amendment also makes necessary changes to statutory cross-references and adds an appropriations and allocations section.

Joint Standing Committee on Environment and Natural Resources

legislative review on January 8, 2015 and approved for final adoption by the Legislature pursuant to Resolve 2015, chapter 12, effective April 29, 2015. It corrects an inadvertent omission from Resolve 2015, chapter 12 and provides for final adoption of the rule chapter in accordance with Resolve 2015, chapter 12 as amended by this resolve, as long as final adoption occurs within 60 days of the effective date of this resolve.

Enacted Law Summary

Resolve 2015, chapter 22 provides for final adoption by the Department of Environmental Protection of portions of Rule Chapter 500: Stormwater Management, a major substantive rule of the department that was submitted for legislative review on January 8, 2015 and approved for final adoption by the Legislature pursuant to Resolve 2015, chapter 12, effective April 29, 2015. This resolve corrects an inadvertent omission from Resolve 2015, chapter 12 and provides for final adoption of the rule chapter in accordance with Resolve 2015, chapter 12 as amended by this resolve, as long as final adoption occurs within 60 days of the effective date of this resolve.

Resolve 2015, chapter 22 was finally passed as an emergency measure effective June 9, 2015.

LD 1435 An Act Regarding Ethanol-free Motor Fuel

PUBLIC 143

Sponsor(s)

O'CONNOR

Committee Report

Amendments Adopted

This bill clarifies that a motor fuel distributor, franchisor or refiner may not impose any condition, restriction, agreement or understanding that prohibits or limits the sale, resale, transfer or purchase of conventional, ethanol-free motor fuel products in the State on a prospective basis.

This bill was not referred to a committee.

Enacted Law Summary

Public Law 2015, chapter 143 clarifies that a motor fuel distributor, franchisor or refiner may not impose any condition, restriction, agreement or understanding that prohibits or limits the sale, resale, transfer or purchase of conventional, ethanol-free motor fuel products in the State on a prospective basis.

Joint Standing Committee on Environment and Natural Resources

SUBJECT INDEX

Bottle Redemption Program

Enacted

LD 1366 An Act To Promote Recycling Program Integration and Efficiencies PUBLIC 166

Not Enacted

LD 1204 An Act To Increase Recycling and Composting by Creating the
Maine Recycling Fund ONTP

Coal tar

Not Enacted

LD 1208 An Act Concerning Pavement Sealing Products Majority (ONTP)
Report

Coastal areas

Not Enacted

LD 795 An Act To Encourage Prudent Development along the Coast or in a
Flood Zone by Considering Predictions for Sea Level Rise CARRIED OVER

Department of Environmental Protection

Enacted

LD 1128 An Act To Make Minor Changes and Corrections to Statutes
Administered by the Department of Environmental Protection PUBLIC 124

Energy

Not Enacted

LD 595 An Act To Reduce Carbon Emissions from Residential Heating ONTP

Fuels

Enacted

LD 352 Resolve, Regarding Legislative Review of Portions of Chapter 119:
Motor Vehicle Fuel Volatility Limit, a Major Substantive Rule of the
Department of Environmental Protection RESOLVE 10
EMERGENCY

LD 603 An Act To Achieve Regional Uniformity in Sulfur Standards for
Heating Oil PUBLIC 66

LD 727 An Act To Allow the Retrofit of Underground Oil Storage Tanks PUBLIC 361

LD 1303	An Act To Stabilize and Streamline the Department of Environmental Protection's Ground Water Oil Clean-up Fund and Maine Coastal and Inland Surface Oil Clean-up Fund	PUBLIC 319 EMERGENCY
LD 1435	An Act Regarding Ethanol-free Motor Fuel	PUBLIC 143
<u>Not Enacted</u>		
LD 596	An Act To Allow for the Purchase and Use of Specialty Racing Fuel in Maine	ONTP
LD 602	An Act To Amend the Laws Governing the Prohibition on the Sale of Motor Fuel Containing Corn-based Ethanol	Majority (ONTP) Report
LD 824	An Act Regarding Ethanol Motor Fuel	Veto Sustained

Hazardous Waste

<u>Not Enacted</u>		
LD 765	Resolve, To Develop a Statewide Plan for the Disposal of Household Hazardous Waste	ONTP

Invasives

<u>Not Enacted</u>		
LD 70	An Act To Assist Towns in Eradicating Milfoil and Other Invasive Aquatic Plants and Nuisance Species	ONTP

Metallic Mineral Mining

<u>Not Enacted</u>		
LD 146	Resolve, Regarding Legislative Review of Chapter 200: Metallic Mineral Exploration, Advanced Exploration and Mining, a Major Substantive Rule of the Department of Environmental Protection	ONTP
LD 241	Resolve, Regarding Metallic Mineral Mining Rules of the Department of Environmental Protection	INDEF PP
LD 588	An Act To Revise the Mining Laws	Leave to Withdraw
LD 750	An Act To Allow Regulated Metal Mining in Maine	Minority (ONTP) Report

Permitting

<u>Enacted</u>		
LD 1244	An Act To Amend Environmental Permitting Standards	PUBLIC 264

Product Stewardship

<u>Enacted</u>		
LD 190	An Act To Add Certain Capital Goods to the Product Stewardship Exclusions	PUBLIC 67

LD 1044	An Act To Ensure That Collection Facilities Can Participate in the Architectural Paint Stewardship Program	PUBLIC 331 EMERGENCY
LD 1045	An Act To Modify the Laws Regarding the Collection and Recycling of Mercury-added Thermostats	PUBLIC 83

Shoreland Zoning

Enacted

LD 307	An Act To Amend the Shoreland Zoning Laws To Exempt Certain Walkways and Trails from Setback Requirements	PUBLIC 11
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Not Enacted

LD 467	An Act To Change the Borders of the Saco River Corridor	ONTP
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Significant Wildlife Habitat - Vernal pools

Not Enacted

LD 153	An Act To Amend Setback Requirements and Standards Related to Species Migration under the Laws Regulating Development near Vernal Pools	ONTP
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Site Location of Development

Enacted

LD 442	An Act To Clarify Municipal Capacity for Site Location of Development and Encourage Local Development	PUBLIC 28
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Solid Waste

Enacted

LD 580	An Act To Extend the Funding Period for Landfill Closure Costs	PUBLIC 302
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Not Enacted

LD 105	An Act To Enhance the Competitiveness of Maine's Biomass Facilities by Exempting from Waste Handling Fees Certain Construction and Demolition Debris	ONTP
LD 313	An Act To Create a Sustainable Solution to the Handling, Management and Disposal of Solid Waste in the State	CARRIED OVER
LD 325	An Act To Strengthen Recycling of Single-use Plastic Shopping Bags	Minority (ONTP) Report
LD 394	Resolve, To Lower the Department of Environmental Protection's 5-point Odor Intensity Referencing Scale for Odor Control at Solid Waste Processing Facilities	CARRIED OVER
LD 396	An Act To Encourage the Use of Alternatives to Single-use Plastic Disposable Bags	ONTP
LD 468	An Act To Prohibit the Use of Certain Disposable or Polystyrene Food Service Containers	Majority (ONTP) Report

LD 659	Resolve, To Increase Recycling in Maine through Increased Composting and Energy Recovery from Organic Wastes	ONTP
LD 680	An Act To Reduce Waste from Disposable Bags	Majority (ONTP) Report
LD 712	An Act To Increase Organic Waste Recycling in the State	ONTP
LD 947	An Act To Fund State Efforts To Reduce the Landfilling of Solid Waste	ONTP
LD 1194	An Act To Allow Municipalities To Contract with and Dispose of Waste, including Residue, in State-owned Solid Waste Disposal Facilities, as Allowed under a Facility License, To Ensure Compliance with the Solid Waste Management Hierarchy	ONTP
LD 1359	An Act To Assist Municipalities with the Recycling of Solid Waste by Allowing Net Electrical Billing Credits	ONTP

Storm Water

Enacted

LD 147	Resolve, Regarding Legislative Review of Portions of Chapter 500: Stormwater Management, a Major Substantive Rule of the Department of Environmental Protection	RESOLVE 12 EMERGENCY
LD 395	An Act To Clarify Storm Water Management Standards for Expansions of Existing Projects	PUBLIC 34
LD 1427	Resolve, Regarding the Department of Environmental Protection's Rule Chapter 500: Stormwater Management	RESOLVE 22 EMERGENCY

Sustainable Development

Not Enacted

LD 551	An Act To Provide Incentives for Implementation of Municipal Comprehensive Plans To Prevent Sprawl	Leave to Withdraw
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Toxic Chemicals

Not Enacted

LD 948	An Act To Harmonize Maine's Laws Governing Toxic Chemicals in Children's Products with Those of Other States	ONTP
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Waste - Other

Enacted

LD 85	An Act To Prohibit Synthetic Plastic Microbeads in Personal Care Products and Over-the-counter Drugs	PUBLIC 4
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Not Enacted

LD 397	An Act Regarding the Packaging and Labeling of Disposable Cleaning and Personal Hygiene Products	Majority (ONTP) Report
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Water Quality

Enacted

LD 568	An Act To Protect Maine Lakes	PUBLIC 75
LD 1040	An Act To Enhance Funding Opportunities for the Youth Conservation Corps	PUBLIC 365

Not Enacted

LD 40	An Act To Protect Maine's Great Ponds	ONTP
LD 713	Resolve, To Further Protect Lake Water Quality	CARRIED OVER
LD 884	An Act To Amend Laws Concerning Water Quality Standards	ONTP
LD 1043	An Act To Strengthen the Overboard Discharge Removal Grant Program	ONTP

Wind Power

Enacted

LD 911	An Act Concerning the Review of Certain Projects under the Site Location of Development Laws	PUBLIC 190
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STATE OF MAINE
127TH LEGISLATURE
FIRST REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON ENERGY, UTILITIES
AND TECHNOLOGY**

August 2015

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SEN. GARRETT P. MASON
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Joint Standing Committee on Energy, Utilities and Technology

LD 89 An Act To Improve Telecommunications in Maine ONTP

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

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

This bill would implement a comprehensive strategy to improve telecommunications in Maine.

LD 103 An Act To Recruit New Businesses to Maine by Providing Energy Efficiency Assistance ONTP

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

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

This bill proposes to create a program using a \$5,000,000 fund to help employers lower their energy costs through energy efficiency and weatherization initiatives. This program would be modeled after the Governor's Jobs Initiative Program administered by the Department of Labor's bureau of employment services, which provides financial assistance to employers that are expanding, reorganizing or locating in the State or are training new or current employees to upgrade worker skills.

LD 132 An Act To Remove the 100-megawatt Limit on Hydropower under the Renewable Resources Laws Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'CONNOR THIBODEAU	ONTP OTP-AM	

This bill removes the 100-megawatt maximum capacity limit for a hydroelectric generator that meets all state and federal fish passage requirements applicable to generators to qualify as a renewable capacity resource and for a hydroelectric generator to qualify as a renewable resource for the purpose of meeting the State's renewable resource portfolio requirement.

Committee Amendment "A" (H-270)

This amendment, which is the minority report, removes the 100-megawatt maximum capacity limit for all generation sources as it pertains to renewable capacity resources and renewable resources, not just hydroelectric generation, as in the bill. The amendment also adds anaerobic digestion of by-products of waste from animals or agricultural crops, food or vegetative material, algae or organic refuse as a renewable capacity resource under the renewable resource portfolio requirements.

Joint Standing Committee on Energy, Utilities and Technology

LD 192 An Act To Clarify the Law Governing the Collection of Unpaid Sanitary District Charges

PUBLIC 174

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO	OTP-AM	S-121

This bill makes three changes to the section of the Maine Sanitary District Enabling Act governing the administration of liens on real estate to enforce the collection of unpaid sanitary district charges. The bill removes language regarding committing a rate, toll, rent or other charge to the treasurer of a sewer district. The bill requires that a district provide to an owner of record a copy of a sewer lien certificate if the owner did not receive a demand notice. The bill also changes the law so that a mortgage holder of record or an owner of record who did not receive a required copy of the lien certificate has an additional three months to pay in full before the lien automatically forecloses.

Committee Amendment "A" (S-121)

This amendment adds a mandate preamble to the bill. It clarifies the date when sewer and municipal water system liens arise and are initially perfected, which is the date the service is provided. It also clarifies and expands upon a requirement in the bill that the treasurer of a sanitary district must mail a copy of a lien certificate to a record owner of real estate that did not receive a demand notice for the payment of an unpaid rate, toll, rent or other charge of the sanitary district.

Enacted Law Summary

Public Law 2015, chapter 174 removes language regarding committing a rate, toll, rent or other charge to the treasurer of a sewer district. It clarifies the date when sewer and municipal water system liens arise and are initially perfected, which is the date the service is provided. It also clarifies that the treasurer of a sanitary district must mail a copy of a lien certificate to a record owner of real estate that did not receive a demand notice for the payment of an unpaid rate, toll, rent or other charge of the sanitary district. It also provides that a mortgage holder of record or an owner of record who did not receive a required copy of the lien certificate has an additional three months to pay in full before the lien automatically forecloses.

LD 200 Resolve, Regarding Legislative Review of Portions of Chapter 895: Underground Facility Damage Prevention Requirements, a Major Substantive Rule of the Public Utilities Commission

**RESOLVE 9
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
	OTP-AM	H-17

This resolve provides for legislative review of portions of Chapter 895: Underground Facility Damage Prevention Requirements, a major substantive rule of the Public Utilities Commission.

Committee Amendment "A" (H-17)

This amendment requires the Public Utilities Commission to make an additional change to Chapter 895: Underground Facility Damage Prevention Requirements, a major substantive rule of the commission, before final adoption is authorized. It requires a specific time frame, not to exceed 10 business days, for a non-member operator to notify the commission that the non-member operator's contact person who receives excavation notifications has changed or that the contact information of the contact person has changed for purposes of maintaining the commission's OKTODIG database.

Joint Standing Committee on Energy, Utilities and Technology

Enacted Law Summary

Resolve 2015, chapter 9 provides for legislative review of portions of Chapter 895: Underground Facility Damage Prevention Requirements, a major substantive rule of the Public Utilities Commission. It also requires the Public Utilities Commission to make an additional change to Chapter 895 before final adoption is authorized. It requires a specific time frame, not to exceed 10 business days, for a non-member operator to notify the commission that the non-member operator's contact person who receives excavation notifications has changed or that the contact information of the contact person has changed for purposes of maintaining the commission's OKTODIG database.

Resolve 2015, chapter 9 was finally passed as an emergency measure effective April 14, 2015.

LD 216 An Act To Amend the Charter of the Hampden Water District

**P & S 2
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUSHING DAVITT	OTP-AM	S-9

This bill amends the Hampden Water District charter to change a trustee's term of office from five years to three years and to change what constitutes a vacancy on the board of trustees and how a vacancy may be filled.

Committee Amendment "A" (S-9)

This amendment provides that current terms of the trustees of the Hampden Water District are modified to transition from the current five-year terms to the three-year terms established in the bill. The amendment also removes language from the bill and from the district's current charter that defines particular circumstances that create a vacancy in the position of trustee; the amendment authorizes the board of trustees to define in its bylaws particular circumstances under which a vacancy is deemed to be created, such as when a trustee ceases to be a resident of the district.

Enacted Law Summary

Private and Special Law 2015, chapter 2 amends the Hampden Water District charter to change a trustee's term of office from five years to three year and provides that current terms of the trustees of the Hampden Water District are modified to transition from five-year terms to three-year terms. It allows trustees to call and hold a special election to fill a vacancy of the board. It removes language from the district's current charter that defines particular circumstances that create a vacancy in the position of trustee and instead authorizes the board of trustees to define in its bylaws particular circumstances under which a vacancy is deemed to be created, such as when a trustee ceases to be a resident of the district.

Private and Special Law 2015, chapter 2 was enacted as an emergency measure effective April 16, 2015.

LD 237 An Act To Address Recommendations from the Report by the Office of Program Evaluation and Government Accountability Regarding the Public Utilities Commission

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNPHY L WOODSOME	OTP-AM	H-53

This bill establishes a consumer advisor position in the Office of the Public Advocate to advise citizens participating in proceedings before the Public Utilities Commission. The position is established to address a recommendation in

Joint Standing Committee on Energy, Utilities and Technology

the Office of Program Evaluation and Government Accountability's 2013 report on the Public Utilities Commission that the Public Utilities Commission and the Public Advocate explore ways to facilitate consumers' ability to effectively represent themselves in adjudicatory proceedings before the Public Utilities Commission.

Committee Amendment "A" (H-53)

This amendment adds an appropriations and allocations section to the bill.

LD 273 An Act To Encourage and Enhance the Future of Waste-to-energy Facilities by Establishing a Portfolio Requirement for Electricity from Waste Energy Resources CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL R SAVIELLO		

This bill does the following.

1. It amends the definition of renewable capacity resource to include waste energy resources.
2. It defines "waste energy resource" as a source of electrical generation that is fueled by municipal solid waste in conjunction with recycling and whose total power capacity does not exceed 35 megawatts. In addition, the waste energy resource would have to meet Maine's air emissions standards for resource recovery facilities and licensing standards for solid waste facilities and ensure that residuals from the waste energy resource are disposed of at a landfill meeting Maine's licensing standards.
3. It requires 3.5 percent of a competitive energy providers portfolio to come from waste energy resources.
4. It allows competitive energy providers to satisfy the portfolio requirements for waste energy resources through an alternative compliance payment mechanism, the rate of which is to be established by rule yearly, by the Public Utilities Commission. Payment made by providers is to fund the Efficiency Maine Trust and Renewable Resource Fund.

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

LD 295 An Act To Promote Tidal Energy Projects ONTP

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

This bill expands the definition of "tidal energy demonstration project" as it relates to general permits for tidal energy demonstration projects to cover tidal range projects. Tidal range projects capture the potential energy created by the difference in sea level (or head) across a marine enclosure.

This bill amends Public Law 2009, chapter 615 to allow the Public Utilities Commission to direct the renewal of a long-term contract for up to 25 years. This potential 25 year extension would be in addition to the current allowable term for a long-term contract of 20 years.

It increases the allowed installed capacity for both deep-water offshore wind energy pilot projects and tidal energy demonstration projects from 30 megawatts to 45 megawatts and allows up to 30 megawatts of that power to be

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derived from tidal demonstration projects, which is an increase from five megawatts allowed under the current law.

Lastly, this bill directs the Commission to conduct additional competitive solicitation of proposals for tidal energy demonstration projects as soon as practicable after the bill becomes effective, and to make all reasonable efforts to complete its review of proposals and finalize long-term contracts as soon as practicable after initiating a solicitation.

LD 326 An Act To Transfer Ownership of the Monhegan Water Company ONTP

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

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

This bill proposes to transfer ownership of the Monhegan Water Company.

LD 339 An Act To Clarify That the Telephone Number 9-1-1 Is the Only PUBLIC 62
Number Advertised or Promoted for Emergency Response Services

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DION WOODSOME	OTP-AM	H-44

This bill clarifies that the telephone number 9-1-1 is the primary number advertised or promoted for emergency response services. The bill also eliminates certain outdated language regarding the publication of the 9-1-1 number in telephone directories.

Committee Amendment "A" (H-44)

This amendment provides that a person is prohibited from advertising or promoting for emergency response services any telephone number other than 9-1-1. The amendment also provides a process for the imposition of a penalty for a person that uses a number other than 9-1-1 to advertise or promote emergency response services.

Enacted Law Summary

Public Law 2015, chapter 62 specifies that a person may not advertise or promote for emergency response services any telephone number other than 9-1-1. It also creates a process for the imposition of a penalty for a person that uses a number other than 9-1-1 to advertise or promote emergency response services. Lastly, it eliminates certain outdated language regarding the publication of the 9-1-1 number in telephone directories.

LD 340 An Act To Extend the Statutory Sunset of the Green Power Offer PUBLIC 25

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DION WOODSOME	OTP-AM	H-22

This bill repeals the statutory sunset of the green power offer.

Committee Amendment "A" (H-22)

This amendment extends the statutory sunset of the green power offer to April 1, 2021, instead of repealing the

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statutory sunset as in the bill.

Enacted Law Summary

Public Law 2015, chapter 25 extends the statutory sunset of the green power offer to April 1, 2021.

LD 342 An Act To Reduce the E-9-1-1 Surcharge ONTP

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

This bill reduces the E-9-1-1 surcharge from 45 cents to 40 cents beginning January 1, 2016.

LD 357 Resolve, To Study Options for a State Demand Response Program RESOLVE 14

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNPHY L WHITTEMORE	OTP-AM	H-75

This resolve directs the Efficiency Maine Trust to conduct a study of options for a state demand response program that will produce electricity consumer and electric grid benefits and to report to the Joint Standing Committee on Energy, Utilities and Technology by February 1, 2016.

Committee Amendment "A" (H-75)

This amendment adds language to the preamble. The amendment also adds language that encourages participation of Maine electricity consumers in the state demand response program. The amendment includes the Office of the Public Advocate as a consultant to the Efficiency Maine Trust's study. The amendment requires that in the survey with other New England states the trust gauge interest in program rules that do not unduly burden or discourage consumer participation. The amendment requires that the trust solicit the involvement of transmission and distribution utilities. The amendment directs the trust to coordinate with other state agency participants to more effectively and efficiently solicit public comment. Lastly, the amendment authorizes the Joint Standing Committee on Energy, Utilities and Technology to report out a bill to the Second Regular Session of the 127th Legislature.

Enacted Law Summary

Resolve 2015, chapter 14 directs the Efficiency Maine Trust to conduct a study of options for a state demand response program that will produce electricity consumer and electric grid benefits and to report to the Joint Standing Committee on Energy, Utilities and Technology by February 1, 2016. It authorizes the Joint Standing Committee on Energy, Utilities and Technology to report out a bill to the Second Regular Session of the 127th Legislature.

LD 398 An Act To Allow Consumers of Cable Television To Purchase Channels Individually Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EVANGELOS MIRAMANT	ONTP OTP-AM	

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This bill requires that cable system operators offer subscribers the option of purchasing access to cable channels individually.

Committee Amendment "A" (H-64)

This amendment, which is the minority report of the committee, retains the provision of the bill that requires a cable system operator to offer subscribers the option of purchasing access to cable channels individually and adds an exception for those channels that are provided in the basic service tier.

LD 420 An Act To Amend the Law Regarding Filing Fees for Proposed Veto Sustained
Transmission Line Projects

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DION WOODSOME	OTP-AM	H-71

This bill proposes to amend the law in the following two ways.

1. It changes the fee for petitioning the Public Utilities Commission for approval to erect a transmission line capable of operating at 69 kilovolts or more from 4/100 of one percent of the estimated cost to erect, rebuild or relocate the transmission line to 4/100 of one percent or \$100,000, whichever is higher.
2. It amends the law to require a fee of 2/100 of one percent of the estimated cost of a transmission line and its associated infrastructure capable of operating at less than 69 kilovolts and projected to cost in excess of \$20,000,000 to be paid by a person petitioning the Public Utilities Commission to construct such a line and infrastructure.

Committee Amendment "A" (H-71)

This amendment incorporates a fiscal note.

LD 430 An Act To Assist Municipalities To Obtain Payment of Overdue Sewer ONTP
Bills

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

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

This bill proposes to assist municipalities in obtaining payment of overdue sewer bills by strengthening the enforcement tools that are available to municipalities to collect these debts.

LD 446 An Act To Change the Name of the Public Utilities Commission's PUBLIC 8
Consumer Assistance Division

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOODSOME DION	OTP	

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This bill adds "and safety" to references to the Public Utilities Commission's consumer assistance division to reflect that the division now also oversees the State's gas safety regulation and enforcement, and enforcement of the underground facility damage prevention law.

Enacted Law Summary

Public law 2015, chapter 8 adds "and safety" to references to the Public Utilities Commission's consumer assistance division to reflect that the division now also oversees the State's gas safety regulation and enforcement, and enforcement of the underground facility damage prevention law.

LD 465 An Act To Eliminate the Broadband Sustainability Fee

PUBLIC 151

Sponsor(s)

HIGGINS
DAVIS

Committee Report

OTP-AM

Amendments Adopted

H-219

This bill terminates the broadband sustainability fee and requires that all funds in the broadband sustainability fund be used to support municipal governments in developing plans to promote broadband service in unserved or underserved areas.

Committee Amendment "A" (H-219)

This amendment requires the ConnectME Authority to use any remaining funds from the broadband sustainability fund to support and promote broadband service in unserved or underserved areas. The bill directs the funds to municipal governments for the development of plans to promote broadband.

Enacted Law Summary

Public Law 2015, chapter 151 terminates the broadband sustainability fee and requires the ConnectME Authority to use any remaining funds from the broadband sustainability fund to support and promote broadband service in unserved or underserved areas.

LD 466 An Act To Increase Competition and Ensure a Robust Information and Telecommunications Market

CARRIED OVER

Sponsor(s)

DUNPHY L
WHITTEMORE

Committee Report

Amendments Adopted

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

This bill proposes to determine public policy for provider of last resort telecommunications service in the State.

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

LD 558 An Act To Amend the Community-based Renewable Energy Project Laws for Purposes of the Mayo Mill Project

ONTP

Sponsor(s)

HIGGINS
DAVIS

Committee Report

ONTP

Amendments Adopted

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This bill would increase the maximum generating capacity for all program participants under the community-based renewable energy pilot program from 50 megawatts to 60 megawatts. This would allow other projects, including the Mayo Mill project in Dover-Foxcroft to participate in the program.

LD 589 An Act To Increase the Beneficial Reuse of Waste Materials

PUBLIC 220

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO	OTP-AM	S-164

This bill would allow biomass generators that are fueled by any type of anaerobic digestion to be a renewable capacity resource under the renewable portfolio requirements. This is an expansion of the current law that limits biomass generators to be fueled by anaerobic digestion of agricultural products, by-products or wastes only.

This bill also amends the Community-based Renewable Energy Act in the following ways.

1. It adds the term “net generating capacity” to the definitions section of the Act.
2. It changes the limits on capacity for program participant from installed generating capacity to net generating capacity.
3. It provides that projects authorized and certified by the Public Utilities Commission before December 31, 2015, retain those approvals as long as the project continues to develop and operate.

Committee Amendment "A" (S-164)

This amendment replaces the bill. This amendment makes an electricity generator that relies on anaerobic digestion of by-products of waste from animals or agricultural crops, food or vegetative material, algae or organic refuse a renewable capacity resource under the renewable resource portfolio requirements.

Enacted Law Summary

Public Law 2015, chapter 220 allows a biomass generator that relies on anaerobic digestion of by-products of waste from animals or agricultural crops, food or vegetative material, algae or organic refuse to be a renewable capacity resource under the renewable resource portfolio requirements.

LD 593 An Act To Allow the Resale of Electricity by Electric Vehicle Charging Stations

PUBLIC 29

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MILLETT RYKERSON	OTP	

This bill exempts an electric vehicle charging station provider from being considered a competitive electricity provider. The bill defines what constitutes an electric vehicle charging station provider and allows a provider to install an electrical submeter and to charge a submeter user only for kilowatt hours used.

Enacted Law Summary

Public Law 2015, chapter 29 exempts an electric vehicle charging station provider from being considered a competitive electricity provider. It defines what constitutes an electric vehicle charging station provider and allows a provider to install an electrical submeter and to charge a submeter user only for kilowatt hours used.

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LD 650 An Act To Amend the Brunswick Sewer District Charter

P & S 5

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GERZOFSKY TUCKER	OTP	

This bill raises the debt limit of the Brunswick Sewer District from \$20,000,000 to \$25,000,000, pending a referendum held by November 7, 2017 approving the increase.

Enacted Law Summary

Private and Special Law 2015, chapter 5 raises the debt limit of the Brunswick Sewer District from \$20,000,000 to \$25,000,000, pending a referendum held by November 7, 2017 approving the increase.

**LD 660 An Act To Protect Homeowners from Damage in the Event of a Failure
of Public Water Systems**

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DECHANT	OTP-AM	H-189

This bill allows a consumer-owned water utility to establish a homeowner protection fund to reimburse a homeowner in the event of a water system failure that causes damage to the homeowner's property. The Public Utilities Commission is required to adopt rules governing the creation and use of such a fund.

Committee Amendment "A" (H-189)

This amendment replaces the bill, which establishes a homeowner protection fund, and enables contingency allowance funds to be used to reimburse a consumer in the event of a water system failure that causes damage to the consumer's property. This amendment clarifies that the use of contingency funds by a consumer-owned water utility does not waive a utility's immunities or limitations on damages that exist under the Maine Tort Claims Act, any other statute or the common law. This amendment also increases the annual contingency allowance from ten percent to 12 percent for a utility with annual revenues up to \$85,000, and from five percent to seven percent for a utility with total annual revenues in excess of \$85,000.

**LD 743 An Act To Protect the Environment and Assist Municipalities with the
Recycling, Reuse and Processing of Solid Waste**

ONTP

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

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

This bill proposes to enact measures to support the State's solid waste management hierarchy and provide for the effective and efficient management of solid waste throughout the State by encouraging the conversion of municipal solid waste to electrical energy as a means to minimize the amount of municipal solid waste that is disposed of and stored in landfills.

The bill encourages materials management and conversion of municipal solid waste into electrical energy through the establishment of a net electrical billing process that will have the effect of reducing energy costs to

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municipalities who are the primary disposers of the waste. The net electrical billing process will also serve to encourage the reduction, recycling and effective management of municipal solid waste; preserve many existing well-paying jobs; enhance the diversification of the State's energy resource mix; stabilize the State's energy supply infrastructure; and result in a net environmental benefit to the State and its citizens.

1. The bill would establish a waste management net electrical billing program in accordance with the following provisions.

A. An eligible participating waste-to-energy facility in the State would be authorized to develop and offer a contract for the conversion of municipal solid waste to electricity that provides net electrical billing credits based upon the number of metered kilowatt-hours produced by the incineration of the municipal solid waste that is originated with each eligible governmental entity customer that enters into a contract. No contract would be authorized unless it is certified by the Department of Environmental Protection.

B. There would be two types of metering in the program:

(1) Generation meters registering the flow of electricity produced through the incineration of municipal solid waste at each eligible participating waste-to-energy facility; and

(2) Consumption meters registering the consumption of electricity by the eligible governmental entity customer.

C. Each eligible participating waste-to-energy facility would annually calculate the annual electrical crediting ratio by taking the total metered electrical power generated and dividing it by the total number of tons of municipal solid waste processed during the reporting year. The annual electrical crediting calculation would be certified and provided by each eligible participating waste-to-energy facility to the Department of Environmental Protection and the Public Utilities Commission on or before a date determined by the Department of Environmental Protection.

D. Based on net electrical crediting calculations, the Department of Environmental Protection, in cooperation with the Public Utilities Commission, would set the annual ratio at which net electrical billing credits will be determined by each eligible participating waste-to-energy facility during the next program administrative year.

E. Each eligible participating waste-to-energy facility would provide monthly data on the number of electrical billing credits each participating eligible governmental entity customer has earned during the preceding 30-day period to the electrical utility that provides service to each participating eligible governmental entity customer. Copies of the report would be provided monthly to the participating eligible governmental entity customer. Contracts supporting the net electrical billing process would be developed between eligible participating waste-to-energy facilities and utilities, as well as the utilities and the eligible governmental entity customers participating in the program. A contract would not be used unless it is certified by the Department of Environmental Protection and the Public Utilities Commission.

F. Each electrical utility would apply the reported net electrical billing credits for each participating eligible governmental entity customer on its next electrical service billing. Any credits not used on a given monthly electrical billing for a participating eligible governmental entity customer would be carried over and applied to a future monthly electrical service bill for that customer.

G. The program would be administered by the Department of Environmental Protection in consultation with the Public Utilities Commission.

H. The Board of Environmental Protection would adopt routine technical rules necessary for the operation and administration of the program.

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2. The bill would establish definitions necessary to implement the waste management net electrical billing program, including:

A. Defining "eligible governmental entity customer" as a governmental entity organized and existing pursuant to the laws of the State that provides an annual written certification that it operates an established program of solid waste reduction, recycling and composting relative to the solid waste it collects before it sends that solid waste to an eligible participating waste-to-energy facility for processing and conversion into electricity;

B. Defining "eligible participating waste-to-energy facility" as a facility licensed pursuant to the provisions of the Maine Revised Statutes, Title 38 that converts municipal solid waste to electricity through an incineration process that is licensed by the Department of Environmental Protection, reduces the volume of the municipal solid waste it processes by at least 80 percent and the weight by at least 65 percent and is not a party to a power purchase agreement;

C. Defining "municipal solid waste" as solid waste that has been collected by a participating eligible governmental entity customer other than waste that the customer has diverted through reduction, recycling and composting before it is sent to an eligible participating waste-to-energy facility for processing and conversion into electricity; and

D. Defining "net electrical billing credits" as the monetary credits that are applied by an electrical utility to the monthly bill of an eligible governmental entity customer that has earned those credits by sending municipal solid waste that it has collected to an eligible participating waste-to-energy facility for conversion into electricity.

LD 796 An Act To Allow a Municipality To Choose Its Power Provider

ONTP

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

This bill provides a process to allow a municipality to choose a single transmission and distribution utility via a referendum when that municipality is served by more than one utility. The decision to hold a referendum must be made by a majority vote of the municipal officials. A referendum to choose a single utility must occur during a gubernatorial or presidential election in November and must be called, advertised and conducted according to the law relating to municipal elections.

The bill also requires that the Public Utilities Commission approve a petition by the municipal officials to have only one utility furnishing service in the municipality. The Public Utilities Commission must approve a petition if it finds the chosen utility is willing to furnish service to the entire municipality, the chosen utility has the financial ability to meet its obligations under the Maine Revised Statutes, Title 35-A and the chosen utility is willing and able to pay a fair and reasonable price, as determined by the commission, for the assets of the second utility needed to furnish service to the entire municipality. Upon approval, the Public Utilities Commission is directed to order the second utility to sell its assets used to serve the municipality to the chosen transmission and distribution utility. This bill also allows the Public Utilities Commission to adopt routine technical rules to implement these provisions.

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LD 797 An Act To Ensure Reliable Power Supply to Homes and Businesses

ONTP

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

This bill amends the current law to require specifically that a transmission and distribution utility, or other entity authorized to construct lines trim, cut or remove trees located within the public right-of-way, and trim or cut portions of trees encroaching upon the public right-of-way on either side of a line to a minimum of 20 feet from the line or to the edge of the right-of-way, whichever is less in order to ensure safe and reliable service. This bill directs the transmission and distribution utility or other entity authorized to construct lines to perform necessary cutting on a five-year cycle.

LD 825 An Act To Allow Consumer-owned Transmission and Distribution Utilities To Apply for Efficiency Maine Grants

ONTP

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

This bill allows a consumer-owned transmission and distribution utility to apply for funding from the Efficiency Maine Trust to support the development of a distributed generation facility or combined heat and power facility as long as the facility will reduce electricity consumption or reduce greenhouse gas emissions and lower energy costs; the facility will be owned and operated by an entity other than the consumer-owned transmission and distribution utility; the facility will meet certain electrical efficiency standards; and the owner of the facility provides performance guarantees to insulate ratepayers from any risks associated with the construction of the facility.

LD 826 An Act To Promote Maine's Economic Development and Critical Communications for Rural Family Farms, Businesses and Residences by Strategic Public Investments in High-speed Internet

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAUCIER EDGECOMB P		

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

This bill proposes to increase funding to the ConnectME Authority from \$1,000,000 to \$5,000,000 to expand universal broadband and high-speed Internet into rural areas identified as the six percent of the State unserved by high-speed Internet. This bill proposes to make expanding high-speed Internet into unserved rural areas a key emphasis in the economic development of and to multiply the return to the State by directing the ConnectME Authority to use the increased funding to increase the rate of strategic broadband investment and leverage additional federal funding to provide middle-mile and last-mile infrastructure in the unserved areas and to correct broadband deficiencies identified in the ConnectME Authority's baseline update of 2013.

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

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LD 827 An Act To Amend the Fluoridation Laws To Provide for Customer Choice ONTP

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

This bill provides an additional mechanism to vote on fluoridation of a water supply. The bill would allow customers of a public water system to petition to have the issue of fluoridation decided upon, and in that instance only the customers of the public water system would vote on the issue. An election under this mechanism would be conducted by the public water system according to procedures adopted by the public water system.

LD 879 An Act To Ensure High-quality Telecommunications Services for Maine Consumers and Businesses CARRIED OVER

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

This bill makes several changes in the regulation of telecommunications utilities.

1. It permits the Public Utilities Commission to eliminate alternative forms of regulation if the commission determines that service deficiencies are occurring.
2. It requires the Public Utilities Commission to adopt rules that provide for automatic penalties if service quality standards are not met.
3. It repeals a provision regarding the reporting of unscheduled outages to the Public Utilities Commission.
4. It reduces the number of exemptions a telephone utility has from customer service and regulatory requirements.
5. It removes the exemption from regulation for telecommunications services provided using interconnected voice over Internet protocol technology.

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

LD 880 An Act To Permit Rate-adjustment Mechanisms for Water Utilities PUBLIC 115

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HOBBINS	OTP-AM	H-103

This bill provides the Public Utilities Commission with the authority to create a mechanism for a water utility to request an adjustment to rates charged to ratepayers to reconcile actual revenues or costs with projected revenues or costs, either on a total or per customer basis. This bill also requires the Public Utilities Commission, as part of its annual report, to list all rate adjustments requested and all those that have been granted.

Committee Amendment "A" (H-103)

This amendment changes the method proposed in the bill by which the Public Utilities Commission may authorize a

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reasonable rate-adjustment mechanism to allow the commission of its own volition to establish or authorize a reasonable rate-adjustment mechanism to decouple water utility revenues from water utility sales through revenue reconciliation when there is a change in sales due to a change in the number of customers or a change in the volume of consumption.

Enacted Law Summary

Public Law 2015, chapter 115 allows the Public Utilities Commission to establish or authorize a reasonable rate-adjustment mechanism to decouple water utility revenues from water utility sales through revenue reconciliation when there is a change in sales due to a change in the number of customers or a change in the volume of consumption. It also requires the Public Utilities Commission, as part of its annual report, to list all rate adjustments requested and all those that have been granted.

LD 881 An Act To Allow the Public Utilities Commission To Contract for CARRIED OVER
Liquefied Natural Gas Storage and Distribution

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

This bill allows the Public Utilities Commission to contract for the storage and distribution of liquefied natural gas to provide a source of natural gas during peak winter months. This bill defines a "liquefied natural gas contract" and provides that, prior to entering into a contract, the Public Utilities Commission must ensure that a liquefied natural gas facility will be located in a rural, low-income community within the State, a study has been conducted by an independent third party showing the construction of the facility will result in a minimum of 200 direct and indirect jobs, exclusive of jobs directly linked to the actual construction of the facility and, if feasible, the facility will be constructed by a qualified construction firm based in the State.

This bill also requires that before the Public Utilities Commission executes or directs the execution of a liquefied natural gas contract, the Governor must approve in writing the contract.

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

LD 882 An Act To Ensure That Telephone Utility Reorganizations Advance the Accepted Majority
Economic Development and Information Access Goals of the State (ONTP) Report

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

This bill requires the Public Utilities Commission to consider additional requirements before approving a reorganization involving a telephone utility with gross annual state revenues greater than \$50,000,000. The commission may approve the reorganization only when it is satisfied that the proposal will advance the economic development and information access goals of the State; that the reorganization does not result in changes to the location and the accessibility of the telephone utility's management, and to employment levels in a manner that would adversely affect safety, reliability or quality of service; and that the reorganization provides an affirmative benefit to the public. The bill also removes the requirement that the Public Utilities Commission rule upon a request for the reorganization of a large telephone utility within 180 days.

Committee Amendment "A" (H-285)

This amendment, which is the minority report, removes the requirement that economic development goals must be

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advanced in order for the Public Utilities Commission to approve a reorganization involving a telephone utility with gross annual state revenues greater than \$50,000,000. This amendment also requires a broader finding by the commission that the reorganization does not result in changes that would adversely affect safety, reliability or quality of service, unlike in the bill, which requires a finding that the reorganization would not result in changes that would adversely affect safety, reliability or quality of service as it pertains to the location and the accessibility of the telephone utility's management and operations or to the proportion and number of the telephone utility's employees who reside in the State.

LD 883 An Act To Create the Cellular Telephone Labeling Act

**Accepted Majority
(ONTP) Report**

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

This bill requires cellular telephone manufacturers that include safety notifications in their owner's manuals to ensure that cellular telephone packaging includes those safety notifications or a label indicating where the safety notifications may be found in the owner's manual. It prohibits retailers from selling at retail in this State cellular telephones of manufacturers that include safety notifications in their owner's manuals but do not include on the product packaging the safety notifications or a label indicating where the safety notifications may be found. It requires manufacturers of cellular telephones to provide the safety notifications to retailers at no cost to the retailers. It also prohibits retailers from selling at retail in this State a cellular telephone that does not bear a label warning that the device emits radiofrequency electromagnetic fields. It also requires retailers to provide an information bulletin to the purchaser of a cellular telephone informing the purchaser of potential health risks associated with the use of cellular telephones. The bill provides that a violation of these provisions is a violation of the Maine Unfair Trade Practices Act.

Committee Amendment "A" (H-343)

This amendment is the minority report of the committee. This amendment requires disclosure labels for cellular telephones instead of warning labels. The amendment removes requirements for retailers from the bill regarding warning labels and information bulletins for cellular telephones and no longer prohibits a retailer from selling cellular telephones in the State that do not comply with the requirements of the bill. The amendment changes the information required on product packaging and creates a new disclosure requirement for those cellular telephone manufacturers that do not include safety notifications within their owner's manual.

**LD 912 An Act To Allow the Establishment of Regional Municipal Utility
Districts To Support Broadband Communications**

PUBLIC 222

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FOLEY COLLINS	OTP-AM	H-267

This bill amends the laws governing interlocal agreements to expressly allow an agreement that establishes a regional municipal utility district to provide or, through public-private partnerships, to support or promote the provision of telecommunications services; broadband services; Internet services; or energy generation, transmission or distribution services and to issue revenue bonds in support of any of these activities. A regional municipal utility district that seeks to provide services that are regulated by the Public Utilities Commission would be subject to the commission's regulations.

Committee Amendment "A" (H-267)

Joint Standing Committee on Energy, Utilities and Technology

This amendment removes from the bill telecommunications services and energy generation, transmission or distribution services from the services allowed to be provided through a regional municipal utility district.

Enacted Law Summary

Public Law 2015, chapter 222 amends the laws governing interlocal agreements to expressly allow an agreement that establishes a regional municipal utility district to provide or, through public-private partnerships, to support or promote the provision of broadband services and Internet services and to issue revenue bonds in support of any of these activities.

LD 945 An Act To Manage Electricity Rates To Lower Consumer Electricity ONTP
Bills and Increase Utilities' Cash Flow through 3rd-party Management
of Smart Meters

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

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

This bill proposes to manage electricity rates to lower consumer electricity bills and increase utilities' cash flow through third-party management of smart meters.

LD 946 Resolve, To Establish a Moratorium on the Assessment of Large Volume RESOLVE 39
Consumers by Gas Utilities and To Evaluate Cost-effective Natural Gas
Conservation and Efficiency Improvements for Large Volume
Consumers

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNPHY L MASON	OTP-AM	H-369

This bill changes laws amended by Public Law 2013, chapter 369, also known as the Omnibus Energy Act. It provides that only consumers whose rates reflect an assessment that is charged to a gas utility and deposited in the natural gas conservation fund are eligible to receive funding from the fund. It exempts large volume commercial or industrial customers from paying an assessment to be deposited in the fund except through a voluntary arrangement. It provides that the Public Utilities Commission may not approve a long-term contract to supply installed capacity and associated renewable energy and renewable energy credits from one or more deep-water offshore wind energy pilot projects or tidal energy demonstration projects that assesses any amount from transmission voltage level customers and subtransmission voltage level customers.

Committee Amendment "A" (H-369)

This amendment replaces the bill with a resolve. The amendment establishes a moratorium on assessments for large volume consumers by gas utilities until 90 days after the adjournment of the Second Regular Session of the 127th Legislature. This amendment specifies that the Public Utilities Commission may not allow a natural gas utility to collect an assessment under the Maine Revised Statutes, Title 35-A, section 10111 through its rates from large volume consumers and may not make a final decision regarding the appropriateness of or size of such collections from large volume consumers. The amendment specifies that the Public Utilities Commission may not order or authorize a natural gas utility to exempt from collection of an assessment through its rates any consumers other than large volume consumers. The amendment specifies that, during this same time period, large volume consumers are not eligible to participate in any Efficiency Maine Trust natural gas conservation programs. This amendment also

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ensures that, during this period, notwithstanding Title 35-A, section 10111, any assessment by the commission must be in an amount necessary to capture all cost-effective energy efficiency that is achievable and reliable only for consumers who are eligible to receive funds from the natural gas conservation fund. This amendment defines a large volume consumer as a consumer using 1,000,000 centum cubic feet or more of natural gas per year.

This amendment also directs the Efficiency Maine Trust to meet with large volume consumers of gas utilities and other interested stakeholders to examine alternatives for promoting and securing cost-effective natural gas conservation and efficiency improvements for large volume consumers of gas utilities. This amendment directs the trust to report the results of these meetings, along with recommendations, to the Joint Standing Committee on Energy, Utilities and Technology by December 31, 2015. The committee is authorized to report out a bill to the Second Regular Session of the 127th Legislature.

Enacted Law Summary

Resolve 2015, chapter 39 establishes a moratorium on assessments for large volume consumers by gas utilities until 90 days after the adjournment of the Second Regular Session of the 127th Legislature. It specifies that the Public Utilities Commission may not allow a natural gas utility to collect an assessment under the Maine Revised Statutes, Title 35-A, section 10111 through its rates from large volume consumers and may not make a final decision regarding the appropriateness of or size of such collections from large volume consumers. The law specifies that the Public Utilities Commission may not order or authorize a natural gas utility to exempt from collection of an assessment through its rates any consumers other than large volume consumers. It further specifies that, during this same time period, large volume consumers are not eligible to participate in any Efficiency Maine Trust natural gas conservation programs. It ensures that, during this period, notwithstanding Title 35-A, section 10111, any assessment by the commission must be in an amount necessary to capture all cost-effective energy efficiency that is achievable and reliable only for consumers who are eligible to receive funds from the natural gas conservation fund. The law defines a large volume consumer as a consumer using 1,000,000 centum cubic feet or more of natural gas per year.

The law directs the Efficiency Maine Trust to meet with large volume consumers of gas utilities and other interested stakeholders to examine alternatives for promoting and securing cost-effective natural gas conservation and efficiency improvements for large volume consumers of gas utilities. Lastly, the law directs the trust to report the results of these meetings, along with recommendations, to the Joint Standing Committee on Energy, Utilities and Technology by December 31, 2015. The committee is authorized to report out a bill to the Second Regular Session of the 127th Legislature.

LD 992 An Act To Regulate Standards of Service for Mobile ONTP
Telecommunications Services and Broadband Services

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

This bill defines the term "broadband service provider". This bill provides authority for the Public Utilities Commission to regulate service standards for providers of mobile telecommunications services and broadband services and to investigate consumer complaints. This bill also allows the Public Utilities Commission, through an adjudicatory proceeding, to assess an administrative penalty on a mobile telecommunications service provider or broadband service provider for violations of standards adopted by the Public Utilities Commission. The bill allows the Public Utilities Commission to establish a reasonable assessment on providers to implement these provisions. This bill creates a nonlapsing fund for assessments. This bill provides the authority for the Public Utilities Commission to enact major substantive rules to implement these provisions. Lastly, this bill requires that the Public Utilities Commission report to the Joint Standing Committee on Energy, Utilities and Technology on the progress made in the implementation of these provisions and include in the report legislation necessary to accomplish the purposes of this bill. The Joint Standing Committee on Energy, Utilities and Technology may report out a bill to the

Joint Standing Committee on Energy, Utilities and Technology

Second Regular Session of the 127th Legislature.

LD 1063 An Act To Promote Community Broadband Planning and Strengthen Economic Opportunity throughout Maine

PUBLIC 284

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GIDEON MASON	OTP-AM	H-336

This bill amends the Advanced Technology Infrastructure Act. It amends the definitions of "communications service" and "communications service provider." It makes changes to the State's goals and policies in the Act. It amends the membership of the ConnectME Authority and amends the duties of the authority. It requires the authority to provide funds for broadband planning grants. It abolishes the ConnectME Advisory Council. It requires the authority to establish a triennial strategic plan for broadband service and to report to the Legislature on progress toward meeting the plan's goals and objectives.

Committee Amendment "A" (H-336)

This amendment does the following.

1. It removes the expansion of the contribution base of entities paying into the ConnectME Fund by removing changes to the definitions of "communications service" and "communications service provider" and by retaining a provision of current law, proposed to be eliminated in the bill, that allows certain wireless voice or data retail service providers to agree to be assessed as communications service providers.
2. It removes the requirement that broadband investments funded by the ConnectME Authority must benefit multiple communities and specifies that infrastructure investments may be capable of being used either by a single provider or by multiple providers.
3. It directs the ConnectME Authority to give preference when supporting broadband infrastructure to investments that provide the greatest relative improvement to existing broadband service in an unserved or underserved area.
4. It removes the eligibility of private or public organizations for community broadband planning grants and makes nonprofit local or regional community organizations that are providing local or regional economic development programs eligible for those grants.
5. It requires that plans funded through grants include one or more potential network designs, cost estimates, operating models and potential business models based on input from broadband providers and any other parties that submit a design solution in the course of plan development.
6. It requires the ConnectME Authority to ensure that grants are equitably distributed throughout the unserved and underserved areas of the State and that the grants encourage collaboration between multiple communities, but removes the requirement in the bill that the authority adopt rules for these purposes.
7. It specifies that matching funds for broadband planning grants may not consist of in-kind contributions from the municipality or a party with a financial interest in a broadband infrastructure project that would be constructed pursuant to a planning grant.
8. It extends the date for the ConnectME Authority's triennial plan submission from December 31, 2015 to February 15, 2016.

Enacted Law Summary

Joint Standing Committee on Energy, Utilities and Technology

Public Law 2015, chapter 284 does the following:

1. Abolishes the ConnectME Advisory Council;
2. Repeals the existing State broadband policy and replaces it with amended goals and policies;
3. Amends the membership of the ConnectME authority to include two additional entities - the Commissioner of the Department of Economic and Community Development and an individual with significant knowledge of telemedicine appointed by the Governor;
4. Removes the ability of the ConnectME Authority to request staff resources from the Public Utilities Commission or other state agencies with expertise in communications services or advanced communications technology infrastructure;
5. Redefines the duties of the ConnectME Authority;
6. Amends the reporting requirement to the Legislature by requiring that a detailed description of the progress toward the goals and objectives established in the triennial strategic plan be included in the report;
7. Promotes community broadband planning, which directs the ConnectME Authority to fund broadband planning grants to municipalities, groups of municipalities or nonprofit local or regional community organizations to develop plans to expand the availability of broadband in unserved and underserved areas; and
8. Requires the ConnectME Authority to develop a triennial strategic plan by February 15, 2016 for broadband that includes quantifiable measures of performance and that allows for public input.

LD 1073 An Act To Lower Energy Costs and Increase Access to Solar Energy for Agricultural Businesses CARRIED OVER

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

This bill establishes the Solar Energy Agricultural Rebate Fund to be used by the Efficiency Maine Trust to provide rebates until December 31, 2017 for solar photovoltaic and solar thermal technologies to agricultural businesses. It provides that an agricultural business that is a customer of an investor-owned transmission and distribution utility must be compensated for accumulated unused kilowatt-hour credits every 12 months. It also authorizes customers of transmission and distribution utilities to elect to be billed using net energy billing.

Committee Amendment "A" (S-253)

The amendment adds an appropriations and allocations section. This amendment was adopted in the Senate and the House before the bill was committed to the committee again.

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

LD 1075 An Act To Amend the Charter of the Canton Water District CARRIED OVER

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

Joint Standing Committee on Energy, Utilities and Technology

This bill amends the Canton Water District charter. It adds language allowing the district to contract out work, changes provisions governing the scheduling of the annual meeting of the board of trustees in order to increase flexibility and changes the provisions regarding compensation of trustees to have the trustees recommend and the municipal officers of the Town of Canton approve compensation amounts. It removes language allowing the trustees to include their annual report in the town report. It changes a quorum at annual and special meetings of the board of trustees from five percent to a majority of those present and narrows voting at those meetings from residents of the district to customers residing in the district. It also establishes readiness-to-serve charges, allows the district to invest in mutual funds and establishes liens for unpaid rates.

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

LD 1107 An Act To Improve the Laws Governing the Purchasing of Power ONTP

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

This bill requires a competitive electricity provider to offer a 40 percent discount for electricity consumed during off-peak periods.

This bill requires the Public Utilities Commission to establish by rule, a discount rate for residential and small business customers who purchase electricity from resources that qualify as new renewable capacity resources. The discount rate must be at a level that encourages the purchase of new renewable capacity resources.

This bill also requires the Public Utilities Commission to establish a rate design, by rule, for standard-offer services that provides that off-peak pricing is 40 percent lower than pricing for on-peak periods.

Lastly, the bill creates a "Cost of Electricity Study Commission." The study commission would be comprised of 13 legislators and would be tasked with studying the following:

1. The sources and costs of electricity in the State;
2. How costs in the State compare to those in other states;
3. How the State can lower electricity prices;
4. The level of profits earned by investor-owned transmission and distribution utilities over the last 10 years; and
5. How those profits were used.

This study commission is required to submit a report that includes its findings and recommendations by December 2, 2015.

LD 1116 An Act To Authorize the Development of Thorium Energy ONTP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRAKEY O'CONNOR	ONTP	

Joint Standing Committee on Energy, Utilities and Technology

This bill authorizes the Public Utilities Commission to issue permits for the operation of a thorium refinery or a liquid fluoride thorium reactor in this State and provides that energy produced by a liquid thorium reactor qualifies as a renewable resource and as a renewable capacity resource under the renewable portfolio requirements.

**LD 1124 An Act To Manage Risks Associated with the Installation of Natural Gas
Pipelines**

PUBLIC 216

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNPHY L WOODSOME	OTP-AM	H-406

This bill enacts construction requirements in statute for the construction of natural gas pipelines and establishes these requirements for gas utilities. The requirements govern clearance between underground facilities, crossings of other facilities and consultation with owners of proximate underground facilities. The bill also requires that the application process include providing evidence of notice to owners of facilities in the applicable public way.

Committee Amendment "A" (H-406)

This amendment retains sections of the bill that address the application process and objection process relating to the regulation of facilities in the public way. This amendment defines "underground location standards" and specifies that a local licensing authority may adopt underground location standards for utility facilities within its jurisdiction, except along state or state-aid highways within compact areas of urban compact municipalities, in which case the location standards adopted by the Department of Transportation serve as the minimum standard. The amendment specifies that if a local licensing authority has not adopted underground location standards for utility facilities within its jurisdiction, the standards adopted by the Department of Transportation govern. This amendment allows a local licensing authority that has not adopted standards to grant an exception to the standards adopted by the Department of Transportation if it finds that applying the standards would present an exceptional hardship or unreasonable cost under the circumstances and alternative standards will adequately ensure public safety; all affected parties, as determined by the local licensing authority, have agreed to alternative underground location standards that will adequately ensure public safety; a unique situation exists that requires an adjustment of the standards in a manner that ensures public safety; or the underground location standards exceed the limits of the available space within the right-of-way. Lastly, this amendment requires coordination among underground utility facility owners.

Enacted Law Summary

Public Law 2015, chapter 216 requires that the application process for a location permit include providing evidence of notice to owners of facilities in the applicable public way and allows an owner of a facility in the public way to object to an application for a location permit.

The law defines "underground location standards" and specifies that a local licensing authority may adopt underground location standards for utility facilities within its jurisdiction, except along state or state-aid highways within compact areas of urban compact municipalities, in which case the location standards adopted by the Department of Transportation serve as the minimum standard. The law specifies that if a local licensing authority has not adopted underground location standards for utility facilities within its jurisdiction, the standards adopted by the Department of Transportation govern. The law allows a local licensing authority that has not adopted standards to grant an exception to the standards adopted by the Department of Transportation if it finds that applying the standards would present an exceptional hardship or unreasonable cost under the circumstances and alternative standards will adequately ensure public safety; all affected parties, as determined by the local licensing authority, have agreed to alternative underground location standards that will adequately ensure public safety; a unique situation exists that requires an adjustment of the standards in a manner that ensures public safety; or the underground location standards exceed the limits of the available space within the right-of-way. Lastly, the law requires coordination among underground utility facility owners to promote ease of access to and maintenance of

those facilities, while ensuring public safety.

LD 1167 An Act To Modernize Maine's Broadband Standards

ONTP

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

This bill requires the ConnectME Authority to review its definition of broadband service on an annual basis and consider how broadband service is defined by the Federal Communications Commission. This bill also requires the ConnectME Authority to consider other indicators of nationally competitive broadband performance expectations when defining broadband service. This bill requires that if the ConnectME Authority amends its definition of broadband service, it must strengthen the definition to ensure it contributes to the State's nationally competitive economic development status. This bill also requires that the ConnectME Authority enhance broadband service in Maine to achieve actual speeds for downloads and uploads that are at least equal to or greater than the average of all the New England states' actual speeds.

LD 1185 An Act To Establish the Municipal Gigabit Broadband Network Access Fund

PUBLIC 323

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HIGGINS	OTP-AM	H-288
WOODSOME	OTP-AM	S-257 WOODSOME

This bill establishes the Municipal Gigabit Broadband Network Access Fund within the Department of Economic and Community Development to increase access across the State to ultra high-speed broadband infrastructure that will enhance the State's competitiveness in national and international economies. The bill establishes funding for the department to award planning and implementation grants to communities and municipalities in order to support public-private partnerships that will establish a municipal gigabit fiber-optic broadband network in their regions.

Committee Amendment "A" (H-288)

This amendment is the majority report of the committee. This amendment does the following.

1. It changes the entity in charge of administering the Municipal Gigabit Broadband Network Access Fund from the Department of Economic and Community Development to the ConnectME Authority.
2. It reduces the minimum number of implementation grants to be awarded from 50 to 25.
3. It removes the provision requiring a minimum number of implementation grants to be awarded to economically disadvantaged communities.
4. It reduces the maximum number of planning grants to be awarded from 50 to 25.
5. It includes submission requirements for those awarded planning grants.
6. It removes those sections of the bill that require the ConnectME Authority to review laws, rules and regulations related to high-speed broadband access and that direct the Public Utilities Commission to eliminate barriers regarding ultra high-speed broadband infrastructure.
7. It reduces the overall amount to be allocated from the General Fund from approximately \$12,000,000 to

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approximately \$6,000,000 and makes corresponding reductions to initiatives to achieve the reduction in the overall amount to be allocated.

Committee Amendment "B" (H-289)

This amendment is the minority report of the committee. This amendment replaces the bill with a resolve that directs the Department of Economic and Community Development and the ConnectME Authority to work with broadband providers, communities and regional economic development groups throughout the State to determine where existing broadband access provides economic benefits and where additional broadband access may increase economic opportunities within a community or region. This amendment directs the department and authority to report to the Joint Standing Committee on Energy, Utilities and Technology by January 15, 2016. The amendment provides that the committee may report out a bill based on the report.

Senate Amendment "A" To Committee Amendment "A" (S-257)

This amendment:

1. Removes General Fund allocations that provide funds to support the Municipal Gigabit Broadband Network Access Fund;
2. Provides that the ConnectME Authority may receive and deposit in the Municipal Gigabit Broadband Network Access Fund federal funds, the proceeds from bonds and funds from any other public or private source;
3. Removes the minimum number of implementation and planning grants the ConnectME Authority is required to award;
4. Removes the requirement that the ConnectME Authority establish a timeline and standards for grants under the Municipal Gigabit Broadband Network Access Fund and perform an evaluation of the Municipal Gigabit Broadband Network Access Fund; and
5. Makes other changes to reflect the removal of the General Fund allocation to fund the Municipal Gigabit Broadband Network Access Fund.

This amendment also adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2015, chapter 323 establishes the Municipal Gigabit Broadband Network Access Fund within the ConnectME Authority to increase access across the State to ultra high-speed broadband infrastructure that will enhance the State's competitiveness in national and international economies. The law provides that to extent funds are available they must be used to provide planning and implementation grants to communities and municipalities in order to support public-private partnerships that will establish a municipal gigabit fiber-optic broadband network in their regions.

LD 1215 An Act To Provide Lower Energy Costs to Maine Businesses and Residences by Carrying Out the Legislature's Intent Regarding Funding of the Efficiency Maine Trust

PUBLIC 255

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GIDEON KATZ	OTP-AM ONTP	H-113

This bill corrects an error that was created when the word "and" was inadvertently omitted during the production of a bill reported out by the Joint Standing Committee on Energy, Utilities and Technology, "An Act To Reduce Energy

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Costs, Increase Energy Efficiency, Promote Electric System Reliability and Protect the Environment," which was enacted into law as Public Law 2013, chapter 369.

Committee Amendment "A" (H-113)

This amendment incorporates a fiscal note.

Enacted Law Summary

Public Law 2015, chapter 255 adds the word "and" between "total retail electricity" and "transmission and distribution sales" in Title, 35-A MRSA, section 10110, subsection 4-A. This law was enacted to correct an error that was created when the word "and" was inadvertently omitted during the production of a bill reported out by the Joint Standing Committee on Energy, Utilities and Technology, "An Act To Reduce Energy Costs, Increase Energy Efficiency, Promote Electric System Reliability and Protect the Environment," which was enacted into law as Public Law 2013, chapter 369.

LD 1221 An Act To Enhance Energy Cost Reduction and Facilitate Heating Alternatives in furtherance of the Omnibus Energy Act

Died Between Houses

Sponsor(s)

FREDETTE

Committee Report

OTP-AM

OTP-AM

Amendments Adopted

This bill does the following.

1. It provides that the Director of the Efficiency Maine Trust is to be appointed by the Governor, subject to review by the appropriate committee and confirmation by the Senate. However, the position would still serve at the pleasure of the Efficiency Maine Trust Board.
2. It removes the requirement that the Director of the Efficiency Maine Trust "have demonstrated experience in the planning, design or delivery of energy efficiency programs or the management of organizations that plan, design or deliver those programs."
3. It requires the Director of the Efficiency Maine Trust to "apprise the Commissioner of the Maine Energy Office regarding the execution of the director's responsibilities."
4. It corrects an error that was created when the word "and" was inadvertently omitted during the production of a bill reported out by the Joint Standing Committee on Energy, Utilities and Technology, "An Act To Reduce Energy Costs, Increase Energy Efficiency, Promote Electric System Reliability and Protect the Environment," which was enacted into law as Public Law 2013, chapter 369.
5. It renames the Governor's Energy Office the Maine Energy Office and places the office under the control and supervision of a commissioner rather than a director. The commissioner would be appointed by the Governor, subject to review by the appropriate committee and confirmation by the Senate.
6. It establishes a deputy commissioner position within the Maine Energy Office, also appointed by the Governor, subject to review by the appropriate committee and confirmation by the Senate.
7. It provides that \$300,000 from the Efficiency Maine Trust must be transferred annually to support the Maine Energy Office.

Committee Amendment "A" (H-386)

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This amendment is the majority report of the committee. This amendment removes section 2 of the bill, which changes the process for the appointment of the Director of the Efficiency Maine Trust. This amendment also removes section 4 of the bill, which clarifies that the procurement cap is to apply to the total retail electricity supply and transmission and distribution sales in the State. Lastly, it specifies that Efficiency Maine Trust funds provided to fund the Maine Energy Office may only be used for office activities that support or are reasonably related to programs or activities of the Efficiency Maine Trust.

This amendment adds an appropriations and allocations section.

Committee Amendment "B" (H-387)

This amendment is the minority report of the committee. This amendment specifies that the Director of the Efficiency Maine Trust is to be appointed to a six-year term. This amendment removes the requirement that the director is to serve at the pleasure of the board. This amendment also maintains existing statutory language concerning the experience a director must possess and adds "or relevant energy-related experience" to the required experience for the position.

This amendment also strikes section 4 of the bill, which clarifies that the procurement cap is to apply to the total retail electricity supply and transmission and distribution sales in the State.

This amendment also adds an appropriations and allocations section.

LD 1223 An Act To Revise the Charter of the Kennebunk Sewer District

**P & S 9
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNPHY L WOODSOME	OTP-AM	H-341

This bill revises the Kennebunk Sewer District charter to conform to the Maine Revised Statutes, Title 38, chapter 10 and make minor changes and updates.

Committee Amendment "A" (H-341)

This amendment makes the following changes to the bill.

1. It clarifies that the costs of locating and constructing sewer facilities outside the boundaries of the Kennebunk Sewer District for Maine Regional School Unit 21 or the Town of Kennebunk are not the responsibility of the district and removes language stating that those costs are borne entirely by the unit or the town.
2. It specifies that notice of unpaid rates prior to commencing a foreclosure proceeding may be delivered by giving the notice to the owner of the real estate served or by sending the notice by certified mail, return receipt requested, to the owner's last known address or, only upon exhausting these two options, by leaving the notice at the owner's last and usual place of abode.
3. It changes the number of days after which a debt may be incurred following a special district meeting from seven to 28.
4. It removes "but not fewer than 50" in reference to the number of signatures needed on a petition to call a special election regarding the district's incurring debt.
5. It changes the date by which a referendum must be called regarding the changes to the district's charter from January 1, 2016 to January 1, 2018.

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Enacted Law Summary

Private and Special Law 2015, chapter 9 revises the Kennebunk Sewer District charter to conform to the Maine Revised Statutes, Title 38, chapter 10 and make minor changes and updates. It also clarifies that the costs of locating and constructing sewer facilities outside the boundaries of the Kennebunk Sewer District for Maine Regional School Unit 21 or the Town of Kennebunk are not the responsibility of the district and removes language from the charter stating that those costs are borne entirely by the unit or the town. Lastly, the law also specifies that notice of unpaid rates prior to commencing a foreclosure proceeding may be delivered by giving the notice to the owner of the real estate served or by sending the notice by certified mail, return receipt requested, to the owner's last known address or, only upon exhausting these two options, by leaving the notice at the owner's last and usual place of abode.

Private and Special Law 2015, chapter 9 was enacted as an emergency measure effective June 15, 2015.

LD 1231 An Act To Create the Southwest Harbor Water and Sewer District

P & S 11

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LANGLEY	OTP-AM	S-185

This bill provides for the creation of the Southwest Harbor Water and Sewer District and the transfer of all water and sewer assets of the Town of Southwest Harbor to the new district.

Committee Amendment "A" (S-185)

This amendment makes minor changes to language in the bill. This amendment makes consent of the Board of Selectmen of the Town of Southwest Harbor required prior to the exercise by the Southwest Harbor Water and Sewer District of the rights of eminent domain. This amendment provides that one of the trustees of the district must be the town manager of the Town of Southwest Harbor. This amendment also provides a process if the town manager position becomes vacant, which allows either the acting town manager to serve as a trustee or, in the absence of an acting town manager, the Board of Selectmen of the Town of Southwest Harbor to appoint a resident of the Town of Southwest Harbor as a trustee until the town manager position is filled. This amendment also requires the board of selectmen to determine the terms of the two appointed trustees, for the first board only. This amendment requires that notice be filed with the Office of the Secretary of State, instead of a certificate of dissolution, stating that all sewer and water assets of the municipality and all debt and liabilities of the water and sewer departments of the Town of Southwest Harbor have been transferred to the district. This amendment strikes the provision of the bill regarding the debt responsibility of the Town of Southwest Harbor.

Enacted Law Summary

Private and Special Law 2015, chapter 11 provides for the creation of the Southwest Harbor Water and Sewer District and the transfers of all water and sewer assets of the Town of Southwest Harbor to the new district.

LD 1245 An Act To Preserve the Efficiency of Transportation Maintenance and Construction Activities

PUBLIC 177

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COLLINS MCLEAN	OTP-AM	S-122

This bill provides an exemption from the Overhead High-voltage Line Safety Act to an employee or independent contractor engaged on behalf of a municipality or state agency to maintain or install traffic signals, traffic beacons,

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dynamic signs or luminaires within 10 feet of overhead high-voltage lines.

Committee Amendment "A" (S-122)

This amendment provides that traffic lighting is considered covered equipment under the Overhead High-voltage Line Safety Act, and it defines "traffic lighting." This amendment provides that state agencies, quasi-independent state agencies and municipalities are exempt from the provisions of the Maine Revised Statutes, Title 35-A, sections 756 and 757 for the installation or maintenance of traffic lighting as long as the person performing the installation or maintenance has met applicable training certification or licensing requirements for performing the installation or maintenance and the installation or maintenance is performed in accordance with all applicable federal, state and local laws, regulations, safety codes and ordinances and any other applicable safety requirements. The amendment also requires a municipality or a contractor working for a municipality to maintain the minimum insurance requirements specified by the Department of Transportation.

Enacted Law Summary

Public Law 2015, chapter 177 provides that traffic lighting is considered covered equipment under the Overhead High-voltage Line Safety Act, and it defines "traffic lighting." It provides that state agencies, quasi-independent state agencies and municipalities are exempt from the provisions of the Maine Revised Statutes, Title 35-A, sections 756 and 757 for the installation or maintenance of traffic lighting as long as the person performing the installation or maintenance has met applicable training certification or licensing requirements for performing the installation or maintenance and the installation or maintenance is performed in accordance with all applicable federal, state and local laws, regulations, safety codes and ordinances and any other applicable safety requirements. It also requires a municipality or a contractor working for a municipality to maintain the minimum insurance requirements specified by the Department of Transportation.

LD 1255 An Act To Improve Rural Utility Service through the Use of Microgrids ONTP

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

This bill creates a new chapter in the laws concerning public utilities for microgrids and defines what constitutes a microgrid. It provides the Public Utilities Commission the authority to adopt major substantive rules to regulate the creation and operation of microgrids.

LD 1256 An Act To Improve the Safety and Survival of 9-1-1 Callers and First Responders PUBLIC 230

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAVERS WOODSOME	OTP-AM	H-268

This bill allows the Public Utilities Commission, Emergency Services Communication Bureau to provide selected public safety answering points with assistance in the voluntary adoption and implementation of standardized dispatch protocols, which includes dispatcher training and certification consistent with the protocols, necessary software and printed support materials and a continuous quality improvement program that measures compliance with the protocols through ongoing random case review of each police and fire dispatcher. Funding is provided by allowing up to five cents of each statewide E-9-1-1 surcharge collected to be used by the bureau.

The bill directs the bureau to adopt routine technical rules that contain criteria to determine how to allocate resources among public safety answering points if more public safety answering points seek to adopt and implement

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standardized dispatch protocols than available funding will cover. This bill directs the bureau to seek input from the statewide association of dispatchers when developing the criteria for rules.

Committee Amendment "A" (H-268)

This amendment changes the adoption and implementation of standardized dispatch protocols from voluntary to mandatory and limits those protocols to only fire calls, instead of police and fire as in the bill. This amendment phases in adoption and implementation over a three-year period and requires the Public Utilities Commission, Emergency Services Communication Bureau to adopt routine technical rules, with input from all public safety answering point managing entities, that identify the phase-in process and address program administration. Lastly, this amendment directs the Emergency Services Communication Bureau to submit a report to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters that includes cost estimates for the adoption and implementation of standardized dispatch protocols for answering police 9-1-1 calls, the time it would take to phase in these protocols based on available funding from the surcharge in the Maine Revised Statutes, Title 25, section 2927, subsections 1-E and 1-F, whether there should be a certification and licensing requirement for all standardized dispatch protocols and any other recommendations to ensure efficient and effective oversight of the standardized dispatch protocols. The joint standing committee of the Legislature having jurisdiction over utilities and energy matters may submit legislation during the First Regular Session of the 129th Legislature relating to the report.

The amendment also adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2015, chapter 230 directs the Public Utilities Commission, Emergency Services Communication Bureau to assist public safety answering points in the adoption and implementation of standardized dispatch protocols for fire 9-1-1 calls by using up to five cents of each E-9-1-1 surcharge and prepaid wireless telecommunications service E-9-1-1 surcharge collected to provide dispatcher training, necessary software and support materials, and quality assurance training and software. It requires the adoption and implementation of standardized dispatch protocols for fire 9-1-1 calls to be phased in over a three-year period. It requires the Public Utilities Commission, Emergency Services Communication Bureau to adopt routine technical rules, with input from all public safety answering point managing entities, that identify the phase-in process and address program administration. Lastly, it directs the Emergency Services Communication Bureau to submit a report to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters that includes cost estimates for the adoption and implementation of standardized dispatch protocols for answering police 9-1-1 calls, the time it would take to phase in these protocols based on available funding from the surcharge in the Maine Revised Statutes, Title 25, section 2927, subsections 1-E and 1-F, whether there should be a certification and licensing requirement for all standardized dispatch protocols and any other recommendations to ensure efficient and effective oversight of the standardized dispatch protocols. The joint standing committee of the Legislature having jurisdiction over utilities and energy matters may submit legislation during the First Regular Session of the 129th Legislature relating to the report.

LD 1257 Resolve, To Make Home Heat Pumps Affordable

ONTP

Sponsor(s)

FREDETTE

Committee Report

ONTP

Amendments Adopted

This resolve allows the Public Utilities Commission to authorize a transmission and distribution utility to purchase heat pumps for consumer use and offer special discounted electric rates or other assistance to make heat pumps more accessible to residents of the State.

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LD 1263 Resolve, To Create Sustainable Growth in Maine's Distributed Energy Sector That Uses Market Forces To Fairly Compensate Energy Producers

RESOLVE 37

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GIDEON SAVIELLO	OTP-AM	H-368

This bill allows customers of transmission and distribution utilities to engage in net energy billing, a method under which a customer is billed on the basis of net energy over the billing period taking into account accumulated unused kilowatt-hour credits from the previous billing period. It changes the law regarding renewable resources to increase the new renewable capacity resources percentages in the portfolio requirements of competitive electricity providers and requires those increases to be met by new renewable capacity resources that rely on solar energy, and it removes the Public Utilities Commission's power to suspend scheduled increases in portfolio requirements for new renewable capacity resources. It also establishes an alternative compliance payment mechanism and a system of solar renewable energy credits, including an auction for long-term contracts for these credits, in order to provide competitive electricity providers with alternative methods to satisfy the new portfolio requirements.

Committee Amendment "A" (H-368)

This amendment replaces the bill with a resolve. The resolve directs the Public Utilities Commission to convene a stakeholder group to develop an alternative to net energy billing. This amendment provides direction for the commission in the development of an alternative. This amendment requires the commission to submit a report by January 30, 2016 to the Joint Standing Committee on Energy, Utilities and Technology that includes an overview of the stakeholder discussions; an overview of the alternative; any areas in which stakeholders were unable to reach consensus; technical specifications, rules or policies needed to carry out the alternative; a proposed timeline for implementation of the alternative; technical or legal barriers to implementation of the alternative; and any other recommendations. The committee is authorized to report out a bill to the Second Regular Session of the 127th Legislature related to the report.

Enacted Law Summary

Resolve 2015, chapter 37 directs the Public Utilities Commission to convene a stakeholder group to develop an alternative to net energy billing. The law provides direction for the commission in the development of an alternative. The law requires the commission to submit a report by January 30, 2016 to the Joint Standing Committee on Energy, Utilities and Technology that includes an overview of the stakeholder discussions; an overview of the alternative; any areas in which stakeholders were unable to reach consensus; technical specifications, rules or policies needed to carry out the alternative; a proposed timeline for implementation of the alternative; technical or legal barriers to implementation of the alternative; and any other recommendations. The committee is authorized to report out a bill to the Second Regular Session of the 127th Legislature related to the report.

LD 1293 An Act To Allow a Local Distributed Energy Pilot Program

Accepted Majority (ONTP) Report

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

This bill establishes a pilot program to encourage municipal and private partnerships to develop solar array photovoltaic systems that provide public benefits. The total generating capacity of all solar array photovoltaic

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systems participating in the pilot program may not exceed 15 megawatts. Under the pilot program, up to 2.5 megawatts of energy produced by the solar array photovoltaic system may be supplied under a net energy billing arrangement to meet the energy requirements of the municipality and any public schools located in the municipality in which the solar array photovoltaic system is located. All costs to a transmission and distribution utility directly resulting from the pilot program are just and reasonable costs for ratemaking purposes.

LD 1302 An Act To Increase Competition and Ensure a Robust Information and Telecommunications Market

CARRIED OVER

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

This bill makes the following changes in the laws governing provider of last resort service:

1. Removes the requirement that a provider of provider of last resort service have the capacity to maintain uninterrupted voice service during a power failure, either through the incorporation into the network or network interface devices of suitable battery backup or through electric current;
2. Provides that after December 31, 2015 and until December 31, 2021:
 - A. No voice network service provider may be required to provide provider of last resort service without its express consent;
 - B. Provider of last resort service will not be provided in any United States census tract area in which there are, in addition to the incumbent local exchange carrier, at least one voice network service provider that provides telephone exchange service to at least 94 percent of the households in the census tract area and at least one mobile telecommunications services provider that provides mobile telecommunications services to at least 94 percent of the households in the census tract area;
 - C. For all other areas of the State, referred to as potential provider of last resort service, or POLR, areas, the Public Utilities Commission is required to develop rules establishing a process for designating willing providers of provider of last resort service. An incumbent local exchange carrier that voluntarily agrees to continue providing provider of last resort service in a potential POLR area remains the provider of provider of last resort service in that area until no longer willing to provide the service or until replaced by another provider or until December 31, 2021, whichever occurs first; and
 - D. In order to encourage voice network service providers to provide provider of last resort service in potential POLR areas, the commission is allowed to make available and provide state universal service fund money to providers of provider of last resort service;
3. Provides that after December 31, 2021:
 - A. Provider of last resort service is not available and the commission may not designate any voice network service provider to provide provider of last resort service in any area of the State; and
 - B. The commission is prohibited from requiring contributions to the state universal service fund and may not disburse or authorize disbursement of any money from the fund to any voice network service provider for the purpose of ensuring reasonably comparable consumer rates; and
4. Directs the commission to examine all laws and rules relating to provider of last resort service and determine any changes that may be needed to conform those rules and laws to the provisions of this bill. The commission is

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directed to submit a report, together with any necessary draft legislation to implement its recommendations, to the Joint Standing Committee on Energy, Utilities and Technology by December 15, 2015. The committee is authorized to report out a bill relating to provider of last resort service to the Second Regular Session of the 127th Legislature.

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

LD 1309 An Act To Create the Central Maine Water District

**Died On
Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WARREN MCCORMICK	OTP-AM	H-399

This bill consolidates the Gardiner Water District, a quasi-municipal corporation organized and existing pursuant to Private and Special Law 1903, chapter 82, as amended, and the Hallowell Water District, a quasi-municipal corporation organized and existing pursuant to Private and Special Law 1921, chapter 75, as amended, to create the Central Maine Water District. The Central Maine Water District includes within its service territory the towns of Chelsea, Farmingdale, Pittston and Randolph and the cities of Hallowell and Gardiner. The district is a standard water district with all of the powers in the Maine Revised Statutes, Title 35-A, chapter 64 except as otherwise provided in this bill; the additional powers are those provided by the Legislature to each current district in their Private and Special Law charters and amendments.

Consolidation is contingent upon its approval by a referendum vote in each of the service territory municipalities in which 25 percent or more of the households in that municipality are customers of the Hallowell Water District or the Gardiner Water District, as applicable. The municipalities in which 25 percent or more of the households in that municipality are customers of the district currently are the cities of Hallowell and Gardiner and the towns of Farmingdale and Randolph.

Committee Amendment "A" (H-399)

This amendment removes from the bill provisions restricting the decision to form the Central Maine Water District and have it acquire the assets and liabilities of the Hallowell Water District and the Gardiner Water District to the legal voters of municipalities in which 25 percent or more of the households would be customers of the proposed district and replaces them with provisions extending the decision to so vote to all the legal voters of the proposed district. It also provides for two additional referendum questions: one for the voters in the City of Hallowell to vote whether to permit the Hallowell Water District to turn over its assets and liabilities to the Central Maine Water District and eventually dissolve as a corporate entity and one for the voters in the City of Gardiner to vote whether to permit the Gardiner Water District to turn over its assets and liabilities to the Central Maine Water District and eventually dissolve as a corporate entity. It requires that all three questions must be voted affirmatively for the Central Maine Water District to be formed. It also changes the charter to require a districtwide referendum to increase the district's debt limit.

LD 1310 An Act To Amend the Community-based Renewable Energy Program

PUBLIC 232

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DECHANT	OTP-AM ONTP	H-269

This bill makes various changes to the community-based renewable energy pilot program. It makes the program permanent, broadens eligibility, adds provisions to ensure program participant viability, eliminates the program

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incentive of renewable energy credit multipliers and requires the Public Utilities Commission to use a periodic competitive bidding process to choose projects that will receive long-term contracts.

Committee Amendment "A" (H-269)

This amendment is the majority report of the committee and strikes and replaces the bill. The amendment provides a definition for the term "net generating capacity." The amendment changes the limits on generating capacity from installed generating capacity to net generating capacity. The amendment reduces the reserved amount of megawatts from 10 to two for program participants that have a net generating capacity of less than 100 kilowatts or are located in the service territory of a consumer-owned transmission and distribution utility. The amendment removes the scheduled repeal of the law regulating community-based renewable energy and clarifies that the Public Utilities Commission may not issue an order after December 31, 2015 directing an investor-owned transmission and distribution utility to enter into any long-term contract or allow a consumer-owned transmission and distribution utility to enter into any long-term contract. The amendment specifies that all community-based renewable energy projects that have been selected for a long-term contract must become operational and commence generating electricity by December 31, 2018.

The amendment requires the commission to review all certified program participant projects that have not yet reached commercial operations to determine whether projects are reasonably likely to achieve commercial operations within three-year time period. This amendment provides that those projects determined not viable remain certified, but any contract that had been issued is to be revoked. The amendment allows the commission to conduct an expedited request for proposals to select community-based renewable energy projects to become program participants and enter into long-term contracts, if there is capacity remaining after the removal of nonviable projects. The amendment specifies that only those projects that provide the most benefit to ratepayers and have contract pricing below 10 cents per kilowatt hour within each contract year may be chosen. Lastly, this amendment prohibits a project under this process from choosing the renewable energy credit multiplier incentive. Those projects that are operational and have elected the renewable energy credit multiplier do not count towards the 50-megawatt cap on net generating capacity.

Enacted Law Summary

Public Law 2015, chapter 232 provides a definition for the term "net generating capacity." It changes the limits on generating capacity from installed generating capacity to net generating capacity. It reduces the reserved amount of megawatts from 10 to two for program participants that have a net generating capacity of less than 100 kilowatts or are located in the service territory of a consumer-owned transmission and distribution utility. It removes the scheduled repeal of the law regulating community-based renewable energy and clarifies that the Public Utilities Commission may not issue an order after December 31, 2015 directing an investor-owned transmission and distribution utility to enter into any long-term contract or allow a consumer-owned transmission and distribution utility to enter into any long-term contract. It specifies that all community-based renewable energy projects that have been selected for a long-term contract must become operational and commence generating electricity by December 31, 2018.

It requires the commission to review all certified program participant projects that have not yet reached commercial operations to determine whether projects are reasonably likely to achieve commercial operations within three-year time period. It provides that those projects determined not viable remain certified, but any contract that had been issued is to be revoked. It allows the Public Utilities Commission to conduct an expedited request for proposals to select community-based renewable energy projects to become program participants and enter into long-term contracts, if there is capacity remaining after the removal of nonviable projects. It specifies that only those projects that provide the most benefit to ratepayers and have contract pricing below 10 cents per kilowatt hour within each contract year may be chosen. Lastly, it prohibits a project under this process from choosing the renewable energy credit multiplier incentive and those projects that are operational and have elected the renewable energy credit multiplier do not count towards the 50-megawatt cap on net generating capacity.

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LD 1313 An Act To Amend the Laws Regarding Nuclear Power Generating Facilities

PUBLIC 165

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'CONNOR BRAKEY	OTP-AM ONTP	H-182

This bill removes language stating that recent investments in nuclear power have caused severe financial strain on consumers. This bill also changes the requirement regarding a referendum for the siting of a nuclear power plant. Current law provides that prior to the construction of any nuclear power facility, a referendum must be held to vote on the acceptance or rejection of construction of such a facility. This bill limits when a referendum would be held to only those facilities with a capacity greater than 500 megawatts.

Committee Amendment "A" (H-182)

This amendment, which is the majority report, removes section 2 from the bill, which creates a threshold capacity of 500 megawatts for nuclear power plants for which a referendum is required as part of the siting process. The amendment maintains the current law, which requires a referendum for any nuclear power plant regardless of its generating capacity, but it leaves the provision in the bill that amends the findings section of the laws regarding nuclear power generating facilities.

Enacted Law Summary

Public Law 2015, chapter 165 amends the findings section of the laws regarding nuclear power generating facilities by striking language stating that recent investments in nuclear power have caused severe financial strain on consumers.

LD 1314 An Act To Establish Primary Energy Goals for the State

Died Between Houses

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

This bill changes the State's energy goals to establish that the primary objectives of the State's energy policy are to reduce electric rates and costs and to reduce air pollution.

LD 1315 An Act To Amend Maine's Restructuring Laws

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNPHY L MASON		

This bill allows an investor-owned transmission and distribution utility to own generation assets if the Public Utilities Commission determines that ownership is beneficial to the utility's ratepayers.

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

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LD 1323 An Act To Expand Rural Broadband

ONTP

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

This bill allows municipalities and counties to create corporate entities with bonding authority to issue bonds for the purpose of funding construction or providing loans for the construction of broadband infrastructure to serve the municipality or county and ensure comprehensive broadband coverage within the municipality or county. The bill further clarifies that the expansion of broadband using optical fiber is an authorized expense under the state universal service fund administered by the Public Utilities Commission. Finally, this bill amends the State's goals for broadband policy by requiring that the ConnectME Authority define "broadband" to have at least the same speed as the current Federal Communications Commission standard and to create a standard providing that upload and download speeds are the same.

LD 1329 An Act To Maximize the Benefits of Renewable Energy in Maine

**Died Between
Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'CONNOR WOODSOME	ONTP OTP-AM	

This bill makes a number of changes to the findings, scenic impact provisions and other provisions of law governing wind energy and renewable energy development. It:

1. Modifies legislative findings regarding wind energy to expand the scope of the findings to include other renewable energy resources and to identify various potential impacts of wind energy development;
2. Reduces state goals for new wind energy development;
3. Requires grid-scale wind energy developers to file decommissioning plans and to provide a performance bond to guarantee the funding for decommissioning;
4. Requires that a community benefits package supplied by an expedited wind energy development to host communities be memorialized as a written agreement and creates a lien on the real estate of the development to secure the receipt by the host community of those benefits; and
5. Modifies the authority of the Public Utilities Commission to require transmission and distribution utilities to enter into long-term contracts for renewable energy capacity resources, and it provides that the Public Utilities Commission may require contracts only for firm capacity or energy.

Committee Amendment "A" (H-347)

This amendment is the minority report of the committee. This amendment replaces the bill. Like the bill, this amendment modifies the legislative findings of the Maine Wind Energy Act to expand the scope to include other renewable energy sources, not just wind. Like the bill, this amendment provides in the legislative findings of the Maine Wind Energy Act that conversion or replacement energy fuel sources for powering motor vehicles and for heating well-insulated residential and commercial buildings may enhance energy independence, reduce energy costs and reduce greenhouse gas emissions. This amendment removes the provision of the legislative findings of the

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Maine Wind Energy Act that addresses the need for modification of regulatory process for siting wind energy developments.

This amendment, like the bill, requires grid-scale wind energy developers to file decommissioning plans and to provide a performance bond to guarantee the funding for decommissioning. This amendment requires the Department of Environmental Protection to adopt routine technical rules related to the decommissioning of grid-scale wind energy development. The amendment also adds an appropriations and allocations section.

LD 1339 An Act To Provide Relief to Maine Ratepayers

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THIBODEAU DUNPHY L		

This bill direct the Public Utilities Commission to reject all bids to provide standard offer service, suspend the renewable portfolio standard, and issue a new request for proposals, if the Commission does not receive a bid below 10 cents per kilowatt hour for a class of customers in a transmission and distribution utility’s service territory. If, following the new request for proposals, a bid is accepted by the Commission for less than 10 cents per kilowatt hour, the suspension of the renewable portfolio standards remains in effect for the duration of that standard offer period.

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

LD 1355 An Act To Improve Residential Renewable Energy Use

ONTP

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

This bill:

1. Allows a transmission and distribution utility to provide to residential or small commercial customers on-bill financing of customer costs of installing solar energy systems in accordance with rules adopted by the Public Utilities Commission; and
2. Directs the Efficiency Maine Trust to establish a program to provide technical and financial assistance to persons installing residential photovoltaic systems that can supply energy to operate heat pump systems in residences.

LD 1362 An Act Concerning Membership on the Board of Directors of the Lewiston-Auburn Water Pollution Control Authority

P & S 8

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRAKEY	OTP-AM	S-112

This bill changes the charter of the Lewiston-Auburn Water Pollution Control Authority in order to allow the Auburn Sewerage District Trustees to appoint a trustee or resident of Auburn to replace the president of the Auburn Sewerage District Trustees on the board of directors of the authority should the president decline to serve or resign as a member of the board. In current law, the president appoints a successor, who must be a trustee.

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Committee Amendment "A" (S-112)

This amendment provides that, if the president of the Auburn Sewerage District Trustees declines to serve or resigns as a member of the board of the Lewiston-Auburn Water Pollution Control Authority, the president must select, subject to confirmation by the Auburn Sewerage District Trustees, another trustee or resident of Auburn to serve the remainder of the term; the bill provides that the trustees select the president's replacement.

Enacted Law Summary

Private and Special Law 2015, chapter 8 changes the charter of the Lewiston-Auburn Water Pollution Control Authority to provide that if the president of the Auburn Sewerage District Trustees declines to serve or resigns as a member of the board of the Lewiston-Auburn Water Pollution Control Authority, the president must select, subject to confirmation by the Auburn Sewerage District Trustees, another trustee or resident of Auburn to serve the remainder of the term.

LD 1363 An Act To Secure the Maine Electrical Grid from Long-term Blackouts

Died Between
Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MIRAMANT BEAVERS	ONTP OTP-AM OTP-AM	

This bill gives the Public Utilities Commission the authority to require transmission and distribution utilities to take necessary actions to ensure that their systems are protected from or able to negate effects of geomagnetic disturbances and electromagnetic pulses. This bill provides that any costs incurred by a transmission and distribution utility as a result of a directive by the commission are just and reasonable for rate-making purposes; however, the costs of a failure of a transmission and distribution system resulting from geomagnetic disturbances or electromagnetic pulses are the responsibility of the transmission and distribution utility and may not be borne by ratepayers.

The bill also directs the Public Utilities Commission, by July 1, 2016, to direct transmission and distribution utilities to undertake mitigation measures, including but not limited to the installation of additional geomagnetically induced current monitoring sites, neutral current blocking devices and supervisory control and data acquisition system protectors and the holding of sufficient spare transformers on site to more quickly replace damaged transformers. Identified measures were included in the Public Utilities Commission report dated January 20, 2014, entitled Report to the Legislature Pursuant to Resolves 2013, Chapter 45, Regarding Geomagnetic Disturbances (GMD) and Electromagnetic Pulse (EMP).

Committee Amendment "A" (S-215)

This amendment is a minority report of the committee. It removes the directive to the Public Utilities Commission to order transmission and distribution utilities to undertake actions to ensure their systems are protected from or able to negate effects of electromagnetic pulses and limits the directive to severe geomagnetic disturbances only. The amendment specifies that any action directed by the commission must be cost-effective and at a minimum consistent with the Federal Energy Regulatory Commission's reliability standards. It removes language that prohibits a transmission and distribution utility from collecting from ratepayers costs to address the failure of the system due to geomagnetic disturbances or electromagnetic pulses.

The amendment changes the specific mitigation measures the bill requires the Public Utilities Commission to direct transmission and distribution utilities to undertake to protect their systems from geomagnetic disturbances and electromagnetic pulses and instead requires that the commission order transmission and distribution utilities to

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install and operate equipment to protect and monitor their 345-kilovolt transformers and other critical equipment against severe geomagnetic disturbances. This amendment requires the work to protect the 345-kilovolt transformers be completed no later than December 31, 2020, but the time frame for that work is to be determined from a collaboration between the commission and transmission and distribution utilities.

Committee Amendment "B" (S-216)

This amendment is a minority report of the committee. It removes the directive to the Public Utilities Commission to order transmission and distribution utilities to undertake actions to ensure their systems are protected from or able to negate effects of electromagnetic pulses and limits the directive to severe geomagnetic disturbances only. It also requires the commission to direct transmission and distribution utilities to monitor their 345-kilovolt transformers to ensure they are protected from severe geomagnetic disturbances. This amendment specifies that any action directed by the commission must be cost-effective and consistent with the Federal Energy Regulatory Commission's reliability standards. It removes language that specifies that all costs incurred by transmission and distribution utilities as a result of the requirements imposed under the Maine Revised Statutes, Title 35-A, section 3144 are just and reasonable for rate-making purposes. It also removes language that prohibits a transmission and distribution utility from collecting from ratepayers costs to address the failure of the system due to geomagnetic disturbances or electromagnetic pulses.

This amendment removes section 2 of the bill, which requires the commission by July 1, 2016 to direct transmission and distribution utilities to undertake specific mitigation measures to protect against geomagnetic disturbances and electromagnetic pulses.

LD 1382 An Act To Assist Low-income Electricity Consumers

CARRIED OVER

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

This bill amends the statutes regarding electric industry restructuring and Public Law 2013, chapter 369 to allocate Maine Yankee settlement funds to assist low-income electricity ratepayers in accordance with the Maine Revised Statutes, Title 35-A, section 3214, subsection 2 by directing that transmission and distribution utilities are to pay to the Public Utilities Commission all funds received and that certain remaining funds be used for investments in measures that reduce residential heating costs for low-income electricity customers.

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

LD 1397 An Act To Establish the Affordable Heating from Maine's Forests Fund

Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TIMBERLAKE EDGECOMB P	ONTP OTP-AM	

This bill establishes the Affordable Heating from Maine's Forests Fund, administered by the Efficiency Maine Trust. The fund receives revenue from the sale of timber and other things of value from Maine's public reserved lands. In 2015 a minimum of \$1,000,000 must be transferred from the Public Reserved Lands Management Fund to the Affordable Heating from Maine's Forests Fund. Subsequent transfers are based on revenue accrued over the 2012 revenue amounts of the Public Reserved Lands Management Fund, subject to some limitations. The Efficiency Maine Trust is required to use the funding for measures that reduce residential heating costs and must prioritize rural and low-income residences.

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and specifies that it is the policy of the State with respect to long-term contracts to reduce electricity rates and costs for the State's residential and business customers and reduce pollution.

Committee Amendment "A" (S-217)

This amendment is the minority report of the committee. This amendment changes the date of repeal of the renewable portfolio standard from January 1, 2016 to January 1, 2017. This amendment removes portions of the bill that direct the Public Utilities Commission to select a distributed generation aggregator. Lastly, this amendment authorizes the Public Utilities Commission to contract for energy efficiency capacity resources, either through a competitive solicitation or through a contract with the Efficiency Maine Trust.

LD 1444 An Act To Correct an Inconsistency in the So-called Dig Safe Law

PUBLIC 213

Sponsor(s)

Committee Report

Amendments Adopted

This bill aims to correct an inconsistency in the so-called Dig Safe Law. It requires that an excavation must commence within 30 days after notification by an excavator to the underground facility damage prevention system and requires that if work is not completed within 60 calendar days of notification, an excavator must again notify the system in accordance with the Maine Revised Statutes, Title 23, section 3360-A.

This bill is reported out by the Joint Standing Committee on Energy, Utilities and Technology pursuant to Public Law 2013, chapter 557, section 3. The law directed the Public Utilities Commission to review Public Utilities Commission Rule Chapter 895: Underground Facility Damage Prevention Requirements. The commission submitted a report to the committee and made recommendations based on this review and after receiving stakeholder input.

Enacted Law Summary

Public Law 2015, chapter 213 corrects an inconsistency in the so-called Dig Safe Law. It requires that an excavation must commence within 30 days after notification by an excavator to the underground facility damage prevention system and requires that if work is not completed within 60 calendar days of notification, an excavator must again notify the system in accordance with the Maine Revised Statutes, Title 23, section 3360-A.

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SUBJECT INDEX

Agency Matters -- PUC/OPA/GEO

Enacted

LD 446 An Act To Change the Name of the Public Utilities Commission's Consumer Assistance Division PUBLIC 8

Not Enacted

LD 237 An Act To Address Recommendations from the Report by the Office of Program Evaluation and Government Accountability Regarding the Public Utilities Commission Veto Sustained

LD 1221 An Act To Enhance Energy Cost Reduction and Facilitate Heating Alternatives in furtherance of the Omnibus Energy Act Died Between Houses

Cable Television

Not Enacted

LD 398 An Act To Allow Consumers of Cable Television To Purchase Channels Individually Majority (ONTP) Report

Dig Safe

Enacted

LD 200 Resolve, Regarding Legislative Review of Portions of Chapter 895: Underground Facility Damage Prevention Requirements, a Major Substantive Rule of the Public Utilities Commission RESOLVE 9 EMERGENCY

LD 1444 An Act To Correct an Inconsistency in the So-called Dig Safe Law PUBLIC 213

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Enacted

LD 339 An Act To Clarify That the Telephone Number 9-1-1 Is the Only Number Advertised or Promoted for Emergency Response Services PUBLIC 62

LD 1256 An Act To Improve the Safety and Survival of 9-1-1 Callers and First Responders PUBLIC 230

Not Enacted

LD 342 An Act To Reduce the E-9-1-1 Surcharge ONTP

Efficiency Maine Trust

Enacted

LD 1215 An Act To Provide Lower Energy Costs to Maine Businesses and Residences by Carrying Out the Legislature's Intent Regarding Funding of the Efficiency Maine Trust PUBLIC 255

Not Enacted

LD 1397 An Act To Establish the Affordable Heating from Maine's Forests Fund Majority (ONTP) Report

Electricity

Enacted

LD 340 An Act To Extend the Statutory Sunset of the Green Power Offer PUBLIC 25
LD 357 Resolve, To Study Options for a State Demand Response Program RESOLVE 14
LD 593 An Act To Allow the Resale of Electricity by Electric Vehicle Charging Stations PUBLIC 29

Not Enacted

LD 132 An Act To Remove the 100-megawatt Limit on Hydropower under the Renewable Resources Laws Died Between Houses
LD 420 An Act To Amend the Law Regarding Filing Fees for Proposed Transmission Line Projects Veto Sustained
LD 796 An Act To Allow a Municipality To Choose Its Power Provider ONTP
LD 825 An Act To Allow Consumer-owned Transmission and Distribution Utilities To Apply for Efficiency Maine Grants ONTP
LD 945 An Act To Manage Electricity Rates To Lower Consumer Electricity Bills and Increase Utilities' Cash Flow through 3rd-party Management of Smart Meters ONTP
LD 1107 An Act To Improve the Laws Governing the Purchasing of Power ONTP
LD 1255 An Act To Improve Rural Utility Service through the Use of Microgrids ONTP
LD 1315 An Act To Amend Maine's Restructuring Laws CARRIED OVER
LD 1339 An Act To Provide Relief to Maine Ratepayers CARRIED OVER
LD 1363 An Act To Secure the Maine Electrical Grid from Long-term Blackouts Died Between Houses

Energy

Enacted

LD 589 An Act To Increase the Beneficial Reuse of Waste Materials PUBLIC 220
LD 1310 An Act To Amend the Community-based Renewable Energy Program PUBLIC 232
LD 1313 An Act To Amend the Laws Regarding Nuclear Power Generating Facilities PUBLIC 165

LD 273	An Act To Encourage and Enhance the Future of Waste-to-energy Facilities by Establishing a Portfolio Requirement for Electricity from Waste Energy Resources	CARRIED OVER
LD 295	An Act To Promote Tidal Energy Projects	ONTP
LD 558	An Act To Amend the Community-based Renewable Energy Project Laws for Purposes of the Mayo Mill Project	ONTP
LD 743	An Act To Protect the Environment and Assist Municipalities with the Recycling, Reuse and Processing of Solid Waste	ONTP
LD 881	An Act To Allow the Public Utilities Commission To Contract for Liquefied Natural Gas Storage and Distribution	CARRIED OVER
LD 1116	An Act To Authorize the Development of Thorium Energy	ONTP
LD 1314	An Act To Establish Primary Energy Goals for the State	Died Between Houses
LD 1400	An Act To Focus Energy Laws on Energy Cost	Died Between Houses

Energy Conservation

Not Enacted

LD 1257	Resolve, To Make Home Heat Pumps Affordable	ONTP
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Energy Efficiency

Not Enacted

LD 103	An Act To Recruit New Businesses to Maine by Providing Energy Efficiency Assistance	ONTP
LD 1398	An Act To Reduce Electric Rates for Maine Businesses	CARRIED OVER

Miscellaneous

Enacted

LD 1245	An Act To Preserve the Efficiency of Transportation Maintenance and Construction Activities	PUBLIC 177
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Miscellaneous - Utilities and Energy

Enacted

LD 946	Resolve, To Establish a Moratorium on the Assessment of Large Volume Consumers by Gas Utilities and To Evaluate Cost-effective Natural Gas Conservation and Efficiency Improvements for Large Volume Consumers	RESOLVE 39
LD 1124	An Act To Manage Risks Associated with the Installation of Natural Gas Pipelines	PUBLIC 216

Not Enacted

LD 797	An Act To Ensure Reliable Power Supply to Homes and Businesses	ONTP
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LD 1382 An Act To Assist Low-income Electricity Consumers CARRIED OVER

Natural Gas

Not Enacted

LD 1399 An Act To Improve Natural Gas Price Competitiveness for Maine's Manufacturers ONTP

Solar Energy

Enacted

LD 1263 Resolve, To Create Sustainable Growth in Maine's Distributed Energy Sector That Uses Market Forces To Fairly Compensate Energy Producers RESOLVE 37

Not Enacted

LD 1073 An Act To Lower Energy Costs and Increase Access to Solar Energy for Agricultural Businesses CARRIED OVER

LD 1293 An Act To Allow a Local Distributed Energy Pilot Program Majority (ONTP) Report

LD 1355 An Act To Improve Residential Renewable Energy Use ONTP

Telecommunications

Not Enacted

LD 89 An Act To Improve Telecommunications in Maine ONTP

LD 466 An Act To Increase Competition and Ensure a Robust Information and Telecommunications Market CARRIED OVER

LD 879 An Act To Ensure High-quality Telecommunications Services for Maine Consumers and Businesses CARRIED OVER

LD 882 An Act To Ensure That Telephone Utility Reorganizations Advance the Economic Development and Information Access Goals of the State Majority (ONTP) Report

LD 883 An Act To Create the Cellular Telephone Labeling Act Majority (ONTP) Report

LD 992 An Act To Regulate Standards of Service for Mobile Telecommunications Services and Broadband Services ONTP

LD 1302 An Act To Increase Competition and Ensure a Robust Information and Telecommunications Market CARRIED OVER

Telecommunications - Broadband

Enacted

LD 465 An Act To Eliminate the Broadband Sustainability Fee PUBLIC 151

LD 912 An Act To Allow the Establishment of Regional Municipal Utility Districts To Support Broadband Communications PUBLIC 222

LD 1063	An Act To Promote Community Broadband Planning and Strengthen Economic Opportunity throughout Maine	PUBLIC 284
LD 1185	An Act To Establish the Municipal Gigabit Broadband Network Access Fund	PUBLIC 323
<u>Not Enacted</u>		
LD 826	An Act To Promote Maine's Economic Development and Critical Communications for Rural Family Farms, Businesses and Residences by Strategic Public Investments in High-speed Internet	CARRIED OVER
LD 1167	An Act To Modernize Maine's Broadband Standards	ONTP
LD 1323	An Act To Expand Rural Broadband	ONTP

Water/Sewer - Charters

Enacted

LD 216	An Act To Amend the Charter of the Hampden Water District	P & S 2 EMERGENCY
LD 650	An Act To Amend the Brunswick Sewer District Charter	P & S 5
LD 1223	An Act To Revise the Charter of the Kennebunk Sewer District	P & S 9 EMERGENCY
LD 1231	An Act To Create the Southwest Harbor Water and Sewer District	P & S 11
LD 1362	An Act Concerning Membership on the Board of Directors of the Lewiston-Auburn Water Pollution Control Authority	P & S 8

Not Enacted

LD 326	An Act To Transfer Ownership of the Monhegan Water Company	ONTP
LD 1075	An Act To Amend the Charter of the Canton Water District	CARRIED OVER
LD 1309	An Act To Create the Central Maine Water District	Died On Adjournment

Water/Sewer - General

Enacted

LD 192	An Act To Clarify the Law Governing the Collection of Unpaid Sanitary District Charges	PUBLIC 174
LD 880	An Act To Permit Rate-adjustment Mechanisms for Water Utilities	PUBLIC 115

Not Enacted

LD 430	An Act To Assist Municipalities To Obtain Payment of Overdue Sewer Bills	ONTP
LD 660	An Act To Protect Homeowners from Damage in the Event of a Failure of Public Water Systems	Veto Sustained
LD 827	An Act To Amend the Fluoridation Laws To Provide for Customer Choice	ONTP

Wind Energy

Not Enacted

LD 1329

An Act To Maximize the Benefits of Renewable Energy in Maine

Died Between
Houses

STATE OF MAINE
127TH LEGISLATURE
FIRST REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON HEALTH AND
HUMAN SERVICES**

August 2015

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LD 5 An Act To Increase the Limit on the Number of Patients a Primary Caregiver May Provide for under the Medical Marijuana Laws Died In Concurrence

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RUSSELL	OTP-AM ONTP	H-456

This bill repeals the provision in the Maine Medical Use of Marijuana Act that limits to five the number of qualifying patients a primary caregiver may assist.

Committee Amendment "A" (H-456)

This amendment replaces the bill and changes the title. The amendment increases the limit on the number of qualifying patients a primary caregiver may assist from five to 20, but caps a primary caregiver's plant cultivation at 30 mature marijuana plants for that primary caregiver's qualifying patients. The amendment also adds an appropriations and allocations section.

LD 7 Resolve, Regarding Legislative Review of Portions of Chapter 101, MaineCare Benefits Manual, Chapter III, Section 21: Allowances for Home and Community Benefits for Adults with Intellectual Disabilities or Autistic Disorder, a Major Substantive Rule of the Department of Health and Human Services RESOLVE 1 EMERGENCY

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

This resolve provides for legislative review of portions of Chapter 101, MaineCare Benefits Manual, Chapter III, Section 21: Allowances for Home and Community Benefits for Adults with Intellectual Disabilities or Autistic Disorder, a major substantive rule of the Department of Health and Human Services.

Enacted Law Summary

Resolve 2015, chapter 1 provides for legislative review of portions of Chapter 101, MaineCare Benefits Manual, Chapter III, Section 21: Allowances for Home and Community Benefits for Adults with Intellectual Disabilities or Autistic Disorder, a major substantive rule of the Department of Health and Human Services.

Resolve 2015, chapter 1 was finally passed as an emergency measure effective March 17, 2015.

LD 20 An Act To Improve Substance Abuse Treatment ONTP

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to improve the delivery of substance abuse treatment. The sponsor proposed an amendment that would establish a Drug Court in the Bangor District Court or the Penobscot County Superior Court.

Public Law 2015, chapter 267 included funding for increased district court judge positions to expand the availability

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of drug courts as well as complementary services provided by the Office of Substance Abuse and Mental Health Services within the Department of Health and Human Services.

LD 21 An Act To Amend the Medical Marijuana Laws ONTP

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

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

This bill proposes to amend the Maine Medical Use of Marijuana Act.

LD 23 An Act To Remove from the Maine Medical Use of Marijuana Act the Requirement That a Patient's Medical Condition Be Debilitating Died Between Houses

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

This bill removes from the Maine Medical Use of Marijuana Act any limitation on the type of medical conditions for which patients may be certified by their physicians to engage in the medical use of marijuana.

House Amendment "A" (H-484)

This amendment strikes from the bill the provisions that remove from the Maine Medical Use of Marijuana Act the requirement that a patient's medical condition be debilitating. The amendment provides that anxiety, insomnia, depression, Tourette's syndrome, autism and Parkinson's disease are debilitating medical conditions under the Maine Medical Use of Marijuana Act.

This amendment was not adopted.

LD 35 An Act To Provide Legal Protection to Hospitals where Admitted Qualifying Patients Use Smokeless Forms of Medical Marijuana Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRAKEY RUSSELL	OTP-AM	S-220

This bill adds hospitals to the list of eligible primary caregivers for qualifying patients, adds hospitals to the universe of medical facilities where qualifying patients may use and store forms of smokeless, prepared marijuana and eliminates the ability of these medical facilities to prohibit or restrict the use or storage of smokeless, prepared marijuana by a qualifying patient.

Committee Amendment "A" (S-220)

This amendment replaces the bill and changes the title. The amendment provides legal protection to hospitals and officers, board members, agents and employees of hospitals when the use of smokeless forms of medical marijuana occurs in the hospital by admitted patients who are certified to do so in accordance with the Maine Medical Use of Marijuana Act.

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**LD 45 An Act To Exempt Certain Capital Expenditures from the Maine
Certificate of Need Act of 2002**

**Died Between
Houses**

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

This bill provides that capital expenditures that result in no net increase in MaineCare costs do not require a certificate of need.

**LD 63 Resolve, To Require the Department of Health and Human Services To
Provide Supplemental Reimbursement to Adult Family Care Homes and
Residential Care Facilities in Remote Island Locations**

**RESOLVE 45
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KUMIEGA BREEN	OTP-AM ONTP	H-49

This resolve requires the Department of Health and Human Services to amend its rules governing MaineCare reimbursement for both adult family care services and private nonmedical institution services to provide supplemental MaineCare reimbursement of an additional 15 percent to adult family care homes and residential care facilities in remote island locations.

Committee Amendment "A" (H-49)

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

1. It adds an emergency preamble and emergency clause.
2. It requires the Department of Health and Human Services to amend its rules to provide supplemental reimbursement to adult family care homes and residential care facilities in remote island locations in the resolve by October 1, 2015.
3. It allows the Department of Health and Human Services to adopt the rules as an emergency without the necessity of demonstrating that immediate adoption is necessary to avoid a threat to public health, safety or general welfare.
4. It requires the Department of Health and Human Services to submit a state plan amendment to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to allow for the supplemental reimbursement.
5. It also adds an appropriations and allocations section to the resolve.

Enacted Law Summary

Resolve 2015, chapter 45 requires the Department of Health and Human Services to amend its rules governing MaineCare reimbursement for both adult family care services and private nonmedical institution services to provide supplemental MaineCare reimbursement of an additional 15 percent to adult family care homes and residential care facilities in remote island locations. The rules must be amended by October 1, 2015. The department may adopt the rules as an emergency without the necessity of demonstrating that immediate adoption is necessary to avoid a threat to public health, safety or general welfare. The department must submit a state plan amendment to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to allow for the

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supplemental reimbursement.

Resolve 2015, chapter 45 was finally passed as an emergency measure effective July 12, 2015.

LD 75 Resolve, To Strengthen Health Care Services for Maine Residents ONTP
Affected by Neurodegenerative Diseases

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

This resolve directs the Department of Health and Human Services to convene a stakeholder group to conduct a feasibility study assessing the need for and costs of developing a network of in-state health care services, including home care and care in long-term care facilities, for residents of the State affected by neurodegenerative diseases. The resolve requires the department to report to the Joint Standing Committee on Health and Human Services in the Second Regular Session of the 127th Legislature and authorizes the committee to report out a bill based on the group's report.

The substance of this resolve was included in Resolve 2015, chapter 44 (see LD 155).

LD 84 An Act Concerning Screening of Newborns for Lysosomal Storage ONTP
Disorders

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

This bill requires the Department of Health and Human Services to amend its rules in Chapter 283, Rules and Regulations Relating to Testing Newborn Infants for Detection of Causes of Cognitive Disabilities and Selected Genetic Conditions, by January 1, 2016 to add to the newborn screening program the lysosomal storage disorders known as Krabbe, Pompe, Gaucher, Fabry and Niemann-Pick diseases. The bill authorizes the department to explore options to enter into contracts with other states to test samples collected for lysosomal storage disorders.

LD 87 Resolve, To Implement the Recommendations of the Commission To RESOLVE 34
Continue the Study of Long-term Care Facilities EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STUCKEY BURNS	OTP-AM OTP-AM	H-77 S-173 BURNS

This resolve directs the Department of Health and Human Services to amend Rule Chapter 101, MaineCare Benefits Manual, Chapter III, Section 67, Principles of Reimbursement for Nursing Facilities to:

1. Decrease the occupancy percentage threshold required for a nursing facility with more than 60 beds from 90 percent to 80 percent and for a nursing facility with 60 beds or fewer from 85 percent to 75 percent;
2. Provide that the cost of continuing education for direct care staff is included as a direct care cost component rather than a routine cost component;
3. Restore crossover payments to nursing facilities related to the nonqual Medicare Beneficiary program

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population of the Medicare Savings Program for whom coverage was eliminated in Public Law 2013, chapter 368; and

- 4. Create a critical access nursing facility designation using criteria that are sensitive to the unique access challenges in remote areas of the State and provide that a critical access nursing facility designation qualifies as an allowable exception to MaineCare budget neutrality.

Committee Amendment "A" (H-77)

This amendment, which is the majority report of the committee, strikes the emergency preamble and emergency clause. It requires the Department of Health and Human Services to amend the rules on principles of reimbursement for nursing facilities in the MaineCare Benefits Manual by January 1, 2016. The amendment removes the provision of the resolve that requires the rules to be amended to restore the crossover payments to nursing facilities related to nondual qualified Medicare beneficiaries because the crossover payments are not part of the principles of reimbursement. The amendment also adds an appropriations and allocations section. The appropriations and allocations section includes an appropriation and an allocation to restore the crossover payments.

Committee Amendment "B" (H-78)

This amendment, which is the minority report of the committee, replaces the resolve and changes the title. It requires the Department of Health and Human Services to explore the use of Medicare Part C plans for the nondual qualified Medicare beneficiaries population served by the Medicare Savings Program to determine if the plans could provide a financial advantage with respect to crossover payments and copayments to nursing facilities as well as to the individuals compared to the current situation. The department is required to report its findings to the Joint Standing Committee on Health and Human Services no later than January 1, 2016.

Senate Amendment "A" To Committee Amendment "A" (S-173)

This amendment amends Committee Amendment "A" to remove the requirement that the Department of Health and Human Services amend the rules as proposed in the resolve, except for the requirement to amend the rules so that the cost of continuing education for direct care staff is included as a direct care cost component. This amendment also removes the appropriations and allocations and restores the emergency preamble and emergency clause as in the resolve.

Enacted Law Summary

Resolve 2015, chapter 34 requires the Department of Health and Human Services to amend its Rule Chapter 101, MaineCare Benefits Manual, Chapter III, Section 67, Principles of Reimbursement for Nursing Facilities so that the cost of continuing education for direct care staff is included as a direct care cost component.

Resolve 2015, chapter 34 was finally passed as an emergency measure effective June 23, 2015.

LD 90 Resolve, To Ensure Appropriate Personal Needs Allowances for Persons Residing in Long-term Care Facilities CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STUCKEY BURNS	ONTP OTP-AM	H-65

This resolve directs the Department of Health and Human Services to amend its rules to provide for increases in the personal needs allowances of residents in nursing facilities and residential care facilities. The rules are designated as routine technical rules.

Committee Amendment "A" (H-65)

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This amendment, which is the minority report of the committee, strikes out the emergency preamble and emergency clause. It changes the date the Department of Health and Human Services must adopt rules implementing the increased personal needs allowance from October 1, 2015 to January 1, 2016. It also adds an appropriations and allocations section to the bill.

This bill was carried over on the Special Appropriations Table to any special or regular session of the 127th Legislature by joint order, S.P. 555.

LD 101 An Act To Strengthen and Reform Maine's Welfare System ONTP

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to strengthen and reform the State's welfare system.

LD 123 An Act To Reduce Youth Cancer Risk Died Between Houses

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

This bill prohibits tanning facilities and operators from allowing individuals who have not attained 18 years of age to use tanning devices.

LD 133 Resolve, To Establish the Task Force on Independence from Public Assistance ONTP

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

This resolve establishes the Task Force on Independence from Public Assistance. The task force is directed to review and make evidence-based recommendations on initiatives needed to help families receiving public assistance to move out of poverty to independence through employment. The task force must meet up to eight times, consists of 13 members and must report by December 2, 2015 with its findings and recommendations and suggested legislation to the Joint Standing Committee on Health and Human Services.

LD 139 An Act To Allow the Electronic Transfer of Marriage Certificates PUBLIC 104

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

This bill allows both the municipal clerk that issued a marriage license and the clerk from the municipality where the marriage occurred to issue a certified copy of the marriage certificate electronically using the State's registration

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system.

Enacted Law Summary

Public Law 2015, chapter 104 allows both the municipal clerk that issued a marriage license and the clerk from the municipality where the marriage occurred to issue a certified copy of the marriage certificate electronically using the State's registration system.

LD 140 An Act To Expand Access To Lifesaving Opioid Overdose Medication

PUBLIC 351

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BECK GRATWICK	OTP-AM ONTP	H-248 H-278 BECK

This bill allows for the prescription of naloxone hydrochloride by standing order. It allows for the prescription of naloxone hydrochloride to friends of and other persons in a position to assist an individual at risk of experiencing an opioid-related drug overdose in addition to immediate family members. It provides for immunity from civil and criminal liability for the prescription and administration of naloxone hydrochloride for prescribers and those who administer the drug. It creates a limited immunity from criminal prosecution for those who seek medical assistance when a person is experiencing an opioid-related drug overdose.

Committee Amendment "A" (H-248)

This amendment, which is the majority report of the committee, retains the provisions from the bill that allow for the prescription of naloxone hydrochloride by standing order and allow for the prescription of naloxone hydrochloride to friends of and other persons in a position to assist an individual at risk of experiencing an opioid-related drug overdose, in addition to immediate family members as currently permitted in law. Like the bill, it creates a limited immunity from criminal prosecution for those who seek medical assistance when a person is experiencing an opioid-related drug overdose. The amendment also allows for the prescription of naloxone hydrochloride by standing order to a public health agency operating an overdose prevention program in accordance with rules adopted by the Department of Health and Human Services. The amendment provides immunity from civil or criminal prosecution to persons acting on behalf of an overdose prevention program for providing education on opioid-related drug overdose prevention or for purchasing, acquiring, distributing or possessing naloxone hydrochloride unless the person's actions constitute recklessness, gross negligence or intentional misconduct.

House Amendment "A" To Committee Amendment "A" (H-278)

This amendment removes the provisions of Committee Amendment "A" that provide limited immunity from criminal prosecution for those who seek medical assistance when a person is experiencing an opioid-related drug overdose and the immunity from civil or criminal prosecution for providing education on opioid-related drug overdose prevention or for purchasing, acquiring, distributing or possessing naloxone hydrochloride unless the person's actions constitute recklessness, gross negligence or intentional misconduct.

Enacted Law Summary

Public Law 2015, chapter 351 allows for the prescription of naloxone hydrochloride by standing order. It allows for the prescription of naloxone hydrochloride to friends of and other persons in a position to assist an individual at risk of experiencing an opioid-related drug overdose in addition to immediate family members. It also allows for the prescription of naloxone hydrochloride by standing order to a public health agency operating an overdose prevention program in accordance with rules adopted by the Department of Health and Human Services.

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LD 154 An Act To Promote Greater Flexibility in the Provision of Long-term Care Services ONTP

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

Current law precludes facilities licensed pursuant to the Maine Revised Statutes, Title 22, chapter 405 from providing certain services under one license to residents living in a facility under a lower level license on the same campus. The purpose of this bill is to allow facilities licensed under Title 22, chapter 405 to provide a continuum of care and services to clients residing in those facilities without requiring the clients to leave the facility, without requiring the creation of a licensed home health agency and without having to seek approval of area licensed home health agencies.

LD 155 Resolve, To Establish the Commission To Study Difficult-to-place Patients RESOLVE 44 EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MALABY	OTP-AM	H-249

This bill is a concept draft pursuant to Joint Rule 208. The purpose of this bill is to help ensure that patients with complex medical conditions who are in hospitals are placed in more appropriate nonhospital settings.

The bill proposes to fund the ongoing costs associated with beds in nonhospital settings for:

1. Patients with severe brain injuries;
2. Bariatric patients;
3. Patients who are dependent on a ventilator for the long-term;
4. Young adult patients with substance abuse issues who receive extended intravenous therapy due to infections;
5. Young adult patients with spinal cord injuries;
6. Young adult patients who have had strokes;
7. Homeless patients who need preoperative care such as feeding tubes; and
8. Patients who are violent and have been previously discharged from a health care facility due to violence.

Committee Amendment "A" (H-249)

This amendment replaces the bill, changes it into a resolve and adds an emergency preamble and emergency clause. The amendment establishes the Commission To Study Difficult-to-place Patients in order to study certain issues related to difficult-to-place patients with complex medical conditions and the feasibility of making policy changes to the long-term care system for those patients. The commission comprises 13 members, including five legislators; the Commissioner of Health and Human Services; the director of the long-term care ombudsman program; representatives of organizations representing people with disabilities, people with mental illness, the promotion of independent living for individuals with disabilities, long-term care facilities and hospitals; and a patient or family member of a patient with complex medical needs. The amendment requires the commission to report to the Joint

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Standing Committee on Health and Human Services by December 2, 2015.

Enacted Law Summary

Resolve 2015, chapter 44 establishes the Commission to Study Difficult-to-place Patients in order to study certain issues related to difficult-to-place patients with complex medical conditions and the feasibility of making policy changes to the long-term care system for those patients. The commission comprises 13 members, including five legislators; the Commissioner of Health and Human Services; the director of the long-term care ombudsman program; representatives of organizations representing people with disabilities, people with mental illness, the promotion of independent living for individuals with disabilities, long-term care facilities and hospitals; and a patient or family member of a patient with complex medical needs. The commission is required to report to the Joint Standing Committee on Health and Human Services by December 2, 2015.

Resolve 2015, chapter 44 was finally passed as an emergency measure effective July 12, 2015.

LD 179 Resolve, Directing the Department of Health and Human Services To ONTP
Provide Coverage under the MaineCare Program for Routine Male
Newborn Circumcisions

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

This resolve directs the Department of Health and Human Services to amend its MaineCare rules to provide for coverage for routine male newborn circumcisions rather than only for those considered medically necessary under existing rules.

LD 180 An Act To Allow Terminally Ill Patients To Choose To Use Experimental CARRIED OVER
Treatments

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

This bill authorizes manufacturers of drugs, biological products and devices that have completed Phase I of a United States Food and Drug Administration-approved clinical trial but have not yet been approved for general use and remain under clinical investigation to make them available to eligible terminally ill patients. It does not require health insurers to provide coverage for the cost of such a drug, biological product or device but authorizes insurers to provide such coverage.

The bill prohibits licensing boards from revoking, refusing to renew or suspending the license of or taking any other action against a health care practitioner based solely on the practitioner's recommendation to an eligible patient regarding access to or treatment with such a drug, biological product or device. It also prohibits any official, employee or agent of the State from blocking or attempting to block access by an eligible patient to such a drug, biological product or device.

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

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LD 205 An Act To Facilitate the Development and Operation of a Group Home ONTP
for Post-High School Adults with Developmental Disabilities

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to provide necessary statutory support for a proposal for the development and operation of a group assisted living facility in Bar Harbor for post-high school adults with developmental disabilities operated by Local Solutions, a Maine corporation, referred to in this legislation as "the project." The project's goal is to assist the facility residents in building independent lives in the local community, supported by funds provided by the Department of Health and Human Services through a MaineCare waiver program or other possible sources of funding. The project has partnered with Community Housing of Maine, Inc., a corporation registered in the State, to develop a model to create innovative and accessible housing for young adults with intellectual, physical and cognitive disabilities to be replicated in other communities throughout the State. The site of the project is the donated former parish hall of St. Saviour's Episcopal Church in Bar Harbor, which will be renovated to provide housing to allow the residents to live as independently as possible while supported by paid staff and volunteers providing meals, taking residents to appointments and helping the residents with health and cleanliness practices and general cleaning and maintenance of the group home. The residents will be provided assistance with finding employment and recreation and with volunteering in the local community. The project has sought out other funding sources, including private fund-raising and housing choice vouchers from the Federal Government.

LD 213 An Act To Ensure the Comprehensive Medical, Dental, Educational and CARRIED OVER
Behavioral Assessment of Children Entering State Custody

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

Current law regarding the physical examination and psychological assessment of children entering state custody requires the physical examination of a child within 10 working days after the child enters into the custody of the Department of Health and Human Services and a psychological assessment within 30 days of the examination if an assessment is determined appropriate by the doctor or nurse practitioner performing the physical examination. This bill shortens the time requirement for the physical examination to three working days and replaces the language regarding the psychological examination with language requiring a comprehensive medical, dental, behavioral and educational assessment meeting the standards of a national academy of pediatrics within 30 days after the department's custody of the child commences.

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

LD 219 An Act To Protect a Child from Misuse of Identity ONTP

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

This bill directs the Department of Health and Human Services to adopt rules to protect a child from the misuse of the identity of the child for household, business or commercial purposes. The rules must provide for releases to

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make an inquiry, to review information and to refer a matter to the Attorney General if the department finds that a person has misused a child's identity for household, business or commercial purposes. The bill requires the department to report by April 1st each year to the joint standing committee of the Legislature having jurisdiction over health and human services matters on the results of child identity inquiries, reviews of information and referrals.

LD 266 An Act To Allow Access for Law Enforcement Officers to the List of ONTP
Registered Primary Caregivers for Medical Marijuana Patients

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

This bill permits disclosure of the Department of Health and Human Services' list of registered caregivers for medical marijuana patients to a law enforcement official in order to allow the law enforcement official to rule out a registered primary caregiver when verifying reports of criminal activity.

LD 274 Resolve, To Direct the Department of Health and Human Services To Died Between
Address the Growing Deficit in Room and Board Allowances Paid to Houses
Agencies Providing Residential Services to Adults with Intellectual
Disabilities or Autism

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FARNSWORTH HASKELL	OTP-AM ONTP	

This bill requires the Office of Aging and Disability Services within the Department of Health and Human Services to identify the cost to the General Fund to ensure full funding of room and board costs incurred by agencies providing residential support to individuals with intellectual disabilities or autistic disorder served under MaineCare.

Committee Amendment "A" (H-131)

This amendment, which is the majority report of the committee, adds an appropriations and allocations section.

LD 292 An Act To Require Hospitals To Allow Patients To Provide Their Own ONTP
Medications

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

This bill provides a process by which a patient admitted to a hospital or on observation status in a hospital may request and obtain approval to provide the patient's own medication while in the hospital.

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LD 319 An Act To Strengthen the Economic Stability of Qualified Maine Citizens by Expanding Coverage of Reproductive Health Care and Family Services

PUBLIC 356

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCREIGHT GRATWICK	OTP-AM OTP-AM ONTP	H-243

This bill expands Medicaid coverage for reproductive health care and family planning services to adults and adolescents who have individual incomes less than or equal to 209 percent of the nonfarm income official poverty line as defined in accordance with federal law, which is the same Medicaid coverage level as for pregnant women.

Committee Amendment "A" (H-243)

This amendment, which is the majority report of the committee, adds an appropriations and allocations section.

Committee Amendment "B" (H-244)

This amendment, which is a minority report of the committee, replaces the bill with a resolve that directs the Department of Health and Human Services, in consultation with the Maine Board of Pharmacy, to develop a plan to ensure the safety of consumers if the United States Food and Drug Administration adopts the recommendations of the American College of Obstetricians and Gynecologists regarding the sale of over-the-counter oral contraceptives. The department is required to convey support to the United States Food and Drug Administration for the sale of over-the-counter oral contraceptives.

Enacted Law Summary

Public Law 2015, chapter 356 expands Medicaid coverage for reproductive health care and family planning services to adults and adolescents who have individual incomes less than or equal to 209 percent of the nonfarm income official poverty line as defined in accordance with federal law, which is the same Medicaid coverage level as for pregnant women.

LD 327 An Act To Require Prescribers of Controlled Substances To Use the Controlled Substances Prescription Monitoring Program Software

ONTP

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

This bill requires, beginning January 1, 2016, prescribers of controlled substances to obtain any available prescription monitoring information from the Controlled Substances Prescription Monitoring Program established by the Department of Health and Human Services related to a patient before prescribing or authorizing a refill of a prescription of a controlled substance to the patient.

LD 343 An Act To Align the Federal Affordable Care Act's Health Care Coverage Opportunities and Hospital Charity Care

Died Between Houses

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

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This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to align mandatory charity care laws governing hospitals and subsidized health insurance coverage under the federal Patient Protection and Affordable Care Act, Public Law 111-148, 124 Stat. 119 (2010).

Committee Amendment "A" (H-260)

This amendment, which is the minority report of the committee, replaces the concept draft and amends the laws regarding hospital charity care guidelines as follows.

1. It changes the term "charity care" to "financial assistance" in a number of statutory sections to better align state statute with the federal Patient Protection and Affordable Care Act.
2. It requires the Department of Health and Human Services to adopt rules rather than guidelines to regulate hospital financial assistance policies.
3. It provides for hospital financial assistance to patients without insurance coverage whose income is equal to or less than 138 percent of the federal poverty level.

The amendment also repeals Resolve 2005, chapter 148, which required the establishment of hospital free care guidelines for patients below 150 percent of the federal poverty level. The amendment provides an effective date of January 1, 2016.

LD 358	An Act To Provide Additional Oversight over the Management of the Department of Health and Human Services	Died Between Houses
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FARNSWORTH	OTP ONTP	

This bill requires the Director of the Maine Center for Disease Control and Prevention, the Superintendent of the Dorothea Dix Psychiatric Center and the Superintendent of Riverview Psychiatric Center to be appointed by the Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over health and human services matters and confirmation by the Senate.

LD 368	An Act To Integrate the State's General Assistance and Temporary Assistance for Needy Families Programs	Died Between Houses
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRAKEY	ONTP OTP-AM	

This bill provides that a person who has exhausted the 60-month lifetime limit on Temporary Assistance for Needy Families program benefits is ineligible to receive municipal general assistance program benefits.

Committee Amendment "A" (S-200)

This amendment is the minority report of the committee. The amendment adds language to clarify that the provisions in the bill do not apply to a person who is in the process of seeking an extension of benefits under the Temporary Assistance for Needy Families program. The amendment also adds an appropriations and allocations section.

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**LD 369 An Act To Clarify the Immigration Status of Noncitizens Eligible for
General Assistance**

PUBLIC 324

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRAKEY	OTP-AM OTP-AM	S-271 S-292 VOLK

This bill provides that a person who has been determined ineligible to receive benefits administered by the Department of Health and Human Services on the basis of a law, rule or regulation related to that person's immigration status is ineligible to receive municipal general assistance program benefits.

Committee Amendment "A" (S-271)

This amendment, which is the majority report of the committee, allows a noncitizen who is lawfully present in the United States or pursuing a lawful process to apply for immigration relief to be eligible for general assistance.

Committee Amendment "B" (S-272)

This amendment, which is the minority report of the committee, replaces the language of the bill with more specific language identifying which noncitizens are not eligible for general assistance. This amendment adds an appropriations and allocations section.

Senate Amendment "A" To Committee Amendment "A" (S-292)

This amendment allows a person, beginning July 1, 2015, who is lawfully present in the United States or who is pursuing a lawful process to apply for immigration relief to qualify for general assistance, but only for 24 months.

Enacted Law Summary

Public Law 2015, chapter 324 allows a person, beginning July 1, 2015, who is lawfully present in the United States or who is pursuing a lawful process to apply for immigration relief to qualify for general assistance, but only for 24 months.

**LD 421 An Act To Improve Program Integrity Activities within the Department
of Health and Human Services**

**Died Between
Houses**

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

This bill requires the Department of Health and Human Services to report annually by February 15th to the joint standing committee of the Legislature having jurisdiction over health and human services matters and the joint standing committee of the Legislature having jurisdiction over financial affairs regarding actions taken by the department to investigate program integrity under the MaineCare, Temporary Assistance for Needy Families and food supplement programs, including the amount recovered, the cost of those investigations and prosecutions, the number of personnel working on the investigations, the status of cases referred to the Attorney General's office, a description of the performance and activities of a vendor, contractor or other program integrity unit used by the department to help recover overpayments, a description of the department's participation in federally mandated program integrity efforts, the results of federal audits, a description of defects, deficiencies or weaknesses in department systems, a description of planned investments in technology and a description of policy changes or improvements implemented.

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The bill specifies that information disclosed by the Office of the Attorney General for the purposes of the annual report from the Department of Health and Human Services on investigations and prosecutions of false claims made under the MaineCare, Temporary Assistance for Needy Families and food supplement programs on the status of cases must conform to the law on intelligence and investigative record information and may not compromise the investigation or prosecution of a case.

The bill also specifies that the requirements of the bill must be accomplished within the existing resources of the department.

LD 423 An Act To Require Child-resistant Packaging for Nicotine Liquid Containers

PUBLIC 288

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANDERSON JOHNSON	OTP-AM	H-405

This bill prohibits selling, furnishing or giving away a container used to hold any liquid containing nicotine if the container is not child-resistant packaging and prohibits selling, furnishing or giving away a liquid or gel product that contains nicotine unless the product is contained in child-resistant packaging.

Committee Amendment "A" (H-405)

This amendment provides a definition for "electronic nicotine delivery device." It provides that the prohibition in the bill applies only to a nicotine liquid container unless the container is child-resistant packaging. In addition, it directs the Commissioner of Health and Human Services to monitor the status of any effective date of final regulations issued by the United States Food and Drug Administration or by any other federal agency that mandate child-resistant packaging standards for nicotine liquid containers. The commissioner is required to notify the joint standing committee of the Legislature having jurisdiction over health and human services matters when the final regulations have been adopted. Upon receiving this notification, the committee may report out a bill repealing the provisions in this legislation.

Enacted Law Summary

Public Law 2015, chapter 288 prohibits selling, furnishing or giving away a container used to hold any liquid containing nicotine if the container is not child-resistant packaging and prohibits selling, furnishing or giving away a liquid or gel product that contains nicotine unless the product is contained in child-resistant packaging. It creates definitions for "electronic nicotine delivery device" and "nicotine liquid container."

Public Law 2015, chapter 288 directs the Commissioner of Health and Human Services to monitor the status of any effective date of final regulations issued by the United States Food and Drug Administration or by any other federal agency that mandate child-resistant packaging standards for nicotine liquid containers. The commissioner is required to notify the joint standing committee of the Legislature having jurisdiction over health and human services matters when the final regulations have been adopted. Upon receiving this notification, the committee may report out a bill repealing the provisions in this legislation.

LD 433 An Act To Clarify the Liability of Funeral Practitioners

PUBLIC 188

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUSHING BLACK	OTP-AM	S-187

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This bill provides immunity from disciplinary action and civil and criminal liability to a funeral director or a practitioner of funeral service who, with respect to the remains of a deceased person, acts in good faith upon the instructions of an individual who misrepresents that individual's custody and control of that deceased person.

Committee Amendment "A" (S-187)

This amendment reallocates the bill's proposed immunity provision to the existing immunity provision for the chapter of law governing deaths and burials in order to provide clarity that a funeral director or practitioner of funeral service is entitled to the immunity provided under the chapter of law governing deaths and burials.

Enacted Law Summary

Public Law 2015, chapter 188 clarifies that a funeral director or a practitioner of funeral service is entitled to the immunity provided under the chapter of law governing deaths and burials.

LD 436 An Act To Require Providers of Short-term Lodging To Be Licensed by the State ONTP

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

This bill defines "overnight occupancy" in the laws governing lodging places and requires renters who provide overnight occupancy to the public to be licensed by the State. It also provides that a property rented as a vacation rental must be rented for a minimum of seven days.

LD 452 An Act To Require a Work Search for Job-ready Applicants for Benefits under the Temporary Assistance for Needy Families Program ONTP

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

This bill creates a work search requirement for job-ready applicants to the Temporary Assistance for Needy Families program.

LD 469 An Act To Promote the Disposal of Unused Medications ONTP

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

This bill allows the return of a prescription drug to the issuing pharmacy by the person for whom the drug was dispensed, by the person's guardian or by the staff of a residential facility providing services to the person. The bill requires the pharmacy to dispose of the prescription drug in a manner that complies with local, state and federal environmental requirements. It further establishes that the cost of disposal is borne by the issuing pharmacy.

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**LD 470 An Act To Allow Children's Residential Care Facilities To Ensure the
Safety of Their Residents**

PUBLIC 240

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WHITE WILLETTE	OTP-AM	H-329

This bill allows an administrator of a children's home or children's residential care facility to search a resident's backpack or travel bag and confiscate any items that pose a health or safety risk whenever that resident returns to the facility after an absence.

Committee Amendment "A" (H-329)

This amendment replaces the bill. The amendment allows an administrator or other designated staff of a children's home or children's residential care facility to search a resident's backpack or travel bag if there are reasonable grounds for suspecting that the backpack or travel bag contains misappropriated articles or items that would endanger the health or safety of the resident or other residents. The amended language mirrors current Department of Health and Human Services rules and United States Supreme Court precedent.

Enacted Law Summary

Public Law 2015, chapter 240 allows an administrator or other designated staff of a children's home or children's residential care facility to search a resident's backpack or travel bag if there are reasonable grounds for suspecting that the backpack or travel bag contains misappropriated articles or items that would endanger the health or safety of the resident or other residents.

LD 471 An Act To Improve Childhood Vaccination Rates in Maine

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANBORN KATZ	OTP-AM ONTP	H-426

This bill requires a parent or guardian who is seeking a philosophical exemption to routine childhood vaccination when enrolling a child in school or a licensed day care facility to present written documentation signed by a health care practitioner stating that the health care practitioner has reviewed with the parent information about the risks and benefits of immunization that is consistent with information published by the federal Department of Health and Human Services, Centers for Disease Control and Prevention.

Committee Amendment "A" (H-426)

This amendment specifies that a health care practitioner who signs the written documentation verifying that the health care practitioner has reviewed with the parent the risks and benefits of immunization must be authorized to prescribe and administer immunizations.

**LD 472 An Act To Establish Meals on Wheels as a Service Covered under the
MaineCare Program**

ONTP

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

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This bill allows Meals on Wheels to be reimbursed under the MaineCare program. It requires the Department of Health and Human Services to apply for the necessary waivers or state plan amendments from the federal Department of Health and Human Services, Centers for Medicare and Medicaid Services. It allows those persons who are currently eligible to receive home-delivered meals from Meals on Wheels under department rule but would not otherwise be eligible for the MaineCare program to continue to receive meals.

LD 473 Resolve, Directing the Department of Education and the Department of Health and Human Services To Jointly Adopt Rules To Protect Children's Health **Leave to Withdraw Pursuant to Joint Rule**

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

This resolve directs the Department of Education and the Department of Health and Human Services to jointly amend their rules on immunization requirements for schoolchildren to establish requirements for what are commonly known as Tdap and meningitis vaccinations before the start of school year 2016-2017.

LD 474 An Act To Improve Access to Dental Care in Maine **ONTP**

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

This bill provides MaineCare coverage for dental services including diagnostic and preventive services to pregnant and postpartum women and dental services necessary to avoid more costly medical or dental care as identified by a stakeholder group. It requires the Department of Health and Human Services to provide information concerning adult dental benefits to adult MaineCare members and providers. It requires the department to adopt rules relating to the dental coverage by October 1, 2015.

The substance of this bill was incorporated into the majority amendment for LD 860.

LD 475 Resolve, To Increase MaineCare Services for Certain Recipients To Allow Them To Remain at Home **CARRIED OVER**

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

This resolve requires the Department of Health and Human Services to amend its rules in the MaineCare Benefits Manual, Chapter 101, Chapter II, Section 29: Support Services for Adults with Intellectual Disabilities or Autistic Disorder, by April 1, 2015, to increase the combined annual limit for service reimbursement to \$47,550 from the current limit of \$23,771.

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

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LD 476 An Act To Require Pharmacies To Provide Disposal Receptacles for Used Hypodermic Apparatuses Accepted Majority (ONTP) Report

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

This bill requires the Maine Center for Disease Control and Prevention to adopt rules to add a requirement that hypodermic apparatus exchange programs require a pharmacy that dispenses hypodermic apparatuses to provide a container for the on-site disposal of used hypodermic apparatuses.

LD 477 Resolve, To Increase Funding To Support Peer Centers Died On Adjournment

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STUCKEY GRATWICK	OTP-AM	H-160

This resolve requires an increase in funding to peer centers, also referred to as social clubs or drop-in centers, of 10 percent on the fiscal year 2014-15 contract budget amount for each of the 12 peer centers. A one-time payment must be made by October 1, 2015 and then be included in the baseline in the future.

Committee Amendment "A" (H-160)

This amendment adds an appropriations and allocations section.

A one-time appropriation of funding for both years of the biennium was included in Public Law 2015, chapter 267.

LD 478 An Act To Require That Death Certificates Be Signed Using an Electronic Signature System ONTP

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

This bill requires death certificates to be signed using an electronic signature. "Electronic signature" has the same meaning as in the Uniform Electronic Transactions Act, an electronic sound, symbol or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

LD 483 An Act Regarding the Reporting Standards for Child Abuse PUBLIC 178

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BATES KATZ	OTP-AM	H-193

The bill creates an exception to the law mandating a report to the Department of Health and Human Services of suspected abuse or neglect of a child under six months of age for injuries occurring during birth when the delivery is

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attended by a licensed medical practitioner.

Committee Amendment "A" (H-193)

This amendment provides an additional exception, beyond the exception established in the bill, to the law mandating a report to the Department of Health and Human Services of suspected abuse or neglect of a child under six months of age for burns or other injuries occurring as a result of medical treatment following the delivery of the child while the child remains hospitalized.

Enacted Law Summary

Public Law 2015, chapter 178 creates exceptions to the law mandating a report to the Department of Health and Human Services of suspected abuse or neglect of a child under six months of age for injuries occurring during birth when the delivery is attended by a licensed medical practitioner and for burns or other injuries occurring as a result of medical treatment following the delivery of the child while the child remains hospitalized.

LD 517 Resolve, To Reconcile Conflicts between the Home and Community-based Waiver Program for the Elderly and Adults with Disabilities and the Requirements of the Department of Health and Human Services and the Department of Public Safety ONTP

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

This resolve directs the Commissioner of Health and Human Services and the Commissioner of Public Safety to convene a stakeholder group to resolve ongoing issues between the home and community-based waiver program for the elderly and adults with disabilities and the requirements of the Department of Health and Human Services and the Department of Public Safety. The stakeholder group is directed to report with a plan to resolve the issues to the commissioners by May 1, 2015. The commissioners are directed to submit by May 15, 2015 the report and any legislation necessary to implement the plan to the Joint Standing Committee on Health and Human Services, which is authorized to submit a bill to the First Regular Session of the 127th Legislature.

LD 524 Resolve, To Develop a Pilot Program for Medication-assisted Recovery in a Rural Community at least 30 Miles from Bangor Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRATWICK GOODE	OTP-AM ONTP	S-203

This bill proposes to decrease the cost of and increase access to substance abuse treatment services by requiring the Department of Health and Human Services to increase the number of federally qualified health centers that provide methadone treatment services, to establish a pilot clinic location in a rural area at least 30 miles from any currently licensed methadone treatment clinic and to work to facilitate access to services and distribution of services across the State. The bill requires the department to amend the methadone clinic rules to eliminate the requirement that the centers be open for administration of methadone treatment on Sundays. The bill designates the rules as routine technical rules. The department is required to work with stakeholders to address current rules and policies that act as barriers to achieve the intent of this legislation.

Committee Amendment "A" (S-203)

This amendment, which is the majority report of the committee, replaces the bill with a resolve. It requires the Department of Health and Human Services to convene a stakeholder group to develop a plan for a pilot program for

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medication-assisted recovery for individuals working to recover from addiction to opioid substances that is located in a rural community at least 30 miles from Bangor. The Department of Health and Human Services must report the findings of the stakeholder group to the Joint Standing Committee on Health and Human Services no later than January 1, 2016, and the joint standing committee is authorized to report out legislation to the Second Regular Session of the 127th Legislature.

LD 525 Resolve, To Direct the Department of Health and Human Services To RESOLVE 18
Report on Efforts To Reach in Rural Areas Persons Who Are Elderly,
Disabled or Mentally Ill

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

This resolve requires the Department of Health and Human Services to report on department efforts to reach in rural areas persons who are elderly, disabled or mentally ill. This resolve requires the department, in developing its report, to have at least one public meeting in Piscataquis County and to particularly focus on elderly, disabled and mentally ill persons who are not able to use or who have no access to the Internet and other electronic forms of communication technology or who have limited contact with the department.

Enacted Law Summary

Resolve 2015, chapter 18 requires the Department of Health and Human Services to report on department efforts to reach in rural areas persons who are elderly, disabled or mentally ill. It requires the department, in developing its report, to have at least one public meeting in Piscataquis County and to particularly focus on elderly, disabled and mentally ill persons who are not able to use or who have no access to the Internet and other electronic forms of communication technology or who have limited contact with the department.

LD 526 Resolve, To Require the Department of Health and Human Services To Died Between
Request a Waiver To Prohibit the Use of Food Supplement Benefits for Houses
the Purchase of Taxable Food Items

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KATZ HICKMAN	OTP-AM OTP-AM	

This resolve requires the Department of Health and Human Services to request a waiver from the United States Department of Agriculture to allow Maine to prohibit the use of federal Supplemental Nutrition Assistance Program benefits for the purchase of taxable food items.

Committee Amendment "A" (S-298)

This amendment, which is the majority report of the committee, removes the emergency preamble and emergency clause from the resolve. It changes the date by which the Department of Health and Human Services must request a waiver from October 1, 2015 to January 1, 2016.

Committee Amendment "B" (S-299)

This amendment, which is the minority report of the committee, removes the emergency preamble and emergency clause from the resolve. It changes the date by which the Department of Health and Human Services must request a waiver from October 1, 2015 to January 1, 2016. It requires the Department of Health and Human Services to establish the Healthy Local Foods Initiative Pilot Program to engage in efforts to seek out and support, sustain or assist eligible applicants in submitting proposals for federal grants or funding for pilot projects to improve the diets

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of low-income persons enrolled in a statewide food supplement program administered as part of the federal Supplemental Nutrition Assistance Program. The department is required to create a working group to make recommendations concerning best practices and criteria for evaluating proposals for federal grants or funding to conduct pilot projects designed to provide incentives to participants of the federal Supplemental Nutrition Assistance Program to improve their diets, reduce obesity and support farmers and businesses in the State. The amendment directs the department to provide the matching funds required of eligible applicants. The amendment establishes within the department the Healthy Local Foods Incentive Fund, which may include funds received from hospital organizations fulfilling United States Internal Revenue Service requirements to meet community health needs.

LD 539 An Act To Increase Utilization of the Dorothea Dix Psychiatric Center ONTP

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to enact measures designed to provide greater utilization of the Dorothea Dix Psychiatric Center and to provide funding to maximize the center's ability to fulfill the needs of the State.

The substance of this bill was included in Resolve 2015, chapter 44 (see LD 155).

LD 552 An Act To Provide Funding for Home Visiting Services CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MAKER MILLETT	OTP-AM	H-161

This bill appropriates funds to the Department of Health and Human Services for home visiting services to provide essential child development education and skill development for new parents, which have been shown to reduce child abuse and neglect and to identify and address domestic violence.

Committee Amendment "A" (H-161)

This amendment removes the appropriation for the 2015-16 fiscal year from the bill.

This bill was carried over on the Special Appropriations Table to any special or regular session of the 127th Legislature by joint order, S.P. 555.

LD 559 An Act To Notify Parents of a Complaint against a Child Care Facility or a Family Child Care Provider ONTP

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

This bill requires the Department of Health and Human Services to notify in writing the parents and legal guardians of children receiving care at a licensed child care facility or from a certified family child care provider of a complaint's being lodged against the facility or provider, of the department's investigation and of the nature of the complaint. Notification must be sent within five days of the department's commencement of the investigation.

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**LD 560 An Act Regarding Patient Information Under the Maine Medical Use of
Marijuana Act**

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RUSSELL BRAKEY	OTP-AM	H-330

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

The bill proposes to amend the registration process for patients under the Maine Medical Use of Marijuana Act by:

1. Requiring medical providers to send only the date of birth of a qualifying patient and the zip code of that patient's residence to the Department of Health and Human Services;
2. Requiring the department to assign a unique identifying number for that qualifying patient and notify the medical provider of that number; and
3. Requiring the medical provider to issue the qualifying patient a card with the qualifying patient's unique identifying number.

The bill requires qualifying patient to provide the card to a registered dispensary or primary caregiver in order to obtain prepared marijuana.

The bill also proposes to require registered dispensaries and primary caregivers to submit monthly reports to the department showing transfers of prepared marijuana to qualifying patients, using only the unique identifying number assigned by the department to identify the qualifying patient. Other information about the qualifying patient is only released in compliance with the federal Health Insurance Portability and Accountability Act of 1996, as amended.

Committee Amendment "A" (H-330)

This amendment replaces the concept draft with a statutory provision that prohibits the Department of Health and Human Services from storing or retaining in electronic format or requiring health care providers to transmit over the Internet personally identifying patient information related to the Maine Medical Use of Marijuana Act, including the name, address and date of birth.

LD 582 An Act To Establish a State Educational Medicaid Officer

PUBLIC 359

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STEARNS GRATWICK	OTP-AM	H-227

This bill provides that the Commissioner of Health and Human Services must designate a state educational Medicaid officer within the Department of Health and Human Services to work with the Department of Education and school administrative units in order to maximize reimbursement for Medicaid services provided by school administrative units.

Committee Amendment "A" (H-227)

This amendment adds an appropriations and allocations section.

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Enacted Law Summary

Public Law 2015, chapter 359 provides that the Commissioner of Health and Human Services must designate a state educational Medicaid officer within the Department of Health and Human Services to work with the Department of Education and school administrative units in order to maximize reimbursement for Medicaid services provided by school administrative units.

**LD 597 Resolve, Regarding Legislative Review of Portions of Chapter 101:
MaineCare Benefits Manual, Chapter III, Section 29: Allowances for
Support Services for Adults with Intellectual Disabilities or Autistic
Disorder, a Major Substantive Rule of the Department of Health and
Human Services**

**RESOLVE 13
EMERGENCY**

Sponsor(s)

Committee Report

Amendments Adopted

OTP

This resolve provides for legislative review of portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 29: Allowances for Support Services for Adults with Intellectual Disabilities or Autistic Disorder, a major substantive rule of the Department of Health and Human Services.

Enacted Law Summary

Resolve 2015, chapter 13 provides for legislative review of portions of Chapter 101: MaineCare Benefits Manual, Chapter III, Section 29: Allowances for Support Services for Adults with Intellectual Disabilities or Autistic Disorder, a major substantive rule of the Department of Health and Human Services.

Resolve 2015, chapter 13 was finally passed as an emergency measure effective May 10, 2015.

**LD 604 An Act To Encourage Communication Regarding Persons with Mental
Illness**

ONTP

Sponsor(s)

Committee Report

Amendments Adopted

MALABY
BURNS

ONTP

This bill allows a health care practitioner to disclose health care information to the parent or guardian of an individual with a mental health diagnosis who withholds consent because of the individual's compromised view of that individual's mental health. A health care practitioner is not liable for failing to make a disclosure if the practitioner determines in good faith that there is no serious or imminent threat and the disclosure would interfere with providing effective care.

**LD 605 Resolve, To Provide Certain Dental Services to Pregnant Women
Enrolled in the MaineCare Program**

ONTP

Sponsor(s)

Committee Report

Amendments Adopted

MARTIN J
KATZ

ONTP

This resolve requires the Department of Health and Human Services to amend Rule Chapter 101, MaineCare Benefits Manual, Chapter II, Section 25 to cover diagnostic, preventive, restorative and periodontic dental services

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for pregnant women 21 years of age and older.

LD 606 An Act To Remove the Philosophical Exemption from the Immunization Requirements for School Students and Employees of Nursery Schools and Health Care Facilities ONTP

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

This bill eliminates the philosophical exemption from immunization requirements for students in elementary and secondary schools and postsecondary schools and employees of nursery schools and health care facilities. The bill also directs the Department of Health and Human Services to remove any immunization exemptions because of philosophical beliefs from its rules.

LD 607 An Act To Stop the Abuse of Electronic Benefits Transfer Cards Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PARRY COLLINS	OTP-AM OTP-AM ONTP	

This bill amends the provisions regarding electronic benefits transfer cards by providing that:

1. For a violation of trafficking an electronic benefits transfer card, the benefits are suspended one year for a first offense and at least five years for a second or subsequent offense, with the penalties doubled if the benefits recipient trafficked the card in exchange for illegal drugs;
2. If an electronic benefits transfer card is found in the possession of a person other than the recipient and the person is arrested and charged for a drug offense, it creates a rebuttable presumption that the recipient trafficked the card for drugs;
3. A replacement electronic benefits transfer card must have a photograph of the recipient on the card; and
4. The Department of Health and Human Services is directed to send a letter to all recipients of benefits under the statewide food supplement program of the amended penalty provision. The recipient is required to sign and return the letter acknowledging the recipient understood the letter.

Committee Amendment "A" (H-245)

This amendment, which is the majority report of the committee, strikes out the sections of the bill relating to rebuttable presumption and penalties for trafficking. It retains the requirement for a replacement electronic benefits transfer card to have a photograph of the recipient on the card. The amendment also changes the title.

Committee Amendment "B" (H-246)

This amendment, which is a minority report of the committee, replaces the bill. It requires that the Department of Health and Human Services adopt rules if it requires the photograph of a recipient of an electronic benefits transfer card be added to the card either at issuance or replacement. Rules to add a photograph to the card are major substantive rules.

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House Amendment "A" To Committee Amendment "B" (H-402)

This amendment prohibits final adoption of rules requiring a photograph of a recipient to be included on an electronic benefits transfer card unless legislation authorizing adoption of these rules becomes law.

LD 622 An Act To Require Training of Mandated Reporters under the Child Abuse Laws CARRIED OVER

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

This bill requires that a person in the professional categories required to report suspected child abuse or neglect must have completed mandated reporter training within the previous year before a professional license or certification for that person may be issued or renewed.

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

LD 632 An Act To Require the State To Administer and Fund the General Assistance Program ONTP

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

This bill shifts responsibility for the full funding and administration of the general assistance program from municipalities to the Department of Health and Human Services. The bill directs the department to adopt by December 31, 2015 major substantive rules necessary to implement the transfer of responsibilities. The transfer of responsibilities under the bill is effective January 1, 2016.

LD 633 An Act To Improve the Health of Maine Citizens and the Economy of Maine by Providing Affordable Market-based Coverage Options to Low-income Uninsured Citizens CARRIED OVER

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to establish an affordable market-based program to provide health insurance coverage to low-income uninsured Maine citizens who earn less than 133 percent of the federal poverty level. The program would be modeled after the Insure Tennessee program and the SHARE Plan program in Wyoming.

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

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LD 647 An Act To Require the Department of Health and Human Services To Veto Sustained
Update Its Rules Governing Services for Children with Cognitive
Impairments and Functional Limitations

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LIBBY	OTP-AM ONTP	S-193

This bill requires the Department of Health and Human Services to annually update MaineCare coverage for rehabilitative and community support services for children with cognitive impairments and functional limitations. The bill also requires the department to amend MaineCare rules for those services, specifically amending the definitions of and coverage for specialized services and specialized services for children with cognitive impairments and functional limitations.

Committee Amendment "A" (S-193)

This amendment, which is the majority report of the committee, establishes an ongoing working group to evaluate research on treatments for children with cognitive impairments and functional limitations to determine treatments that are evidence-based and that may be eligible for MaineCare and to submit recommendations to the Commissioner of Health and Human Services. The working group shall submit a report on findings, current level of evidence and actions taken by the Department of Health and Human Services to the joint standing committee of the Legislature having jurisdiction over health and human services matters by January 15th of each odd-numbered year. It adds a requirement for the Department of Health and Human Services to publish a list of evidence-based treatments for children with cognitive impairments and functional limitations that are reimbursed by MaineCare. The amendment retains the rule-making requirement in the bill.

LD 649 Resolve, To Ensure That MaineCare-eligible Children Have Equal RESOLVE 30
Access to Providers of Dental, Hearing and Vision Services

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LIBBY STUCKEY	OTP-AM	S-127

This resolve requires the Department of Health and Human Services to amend its Rule Chapter 101, MaineCare Benefits Manual, Chapter II, Section 75 to increase the reimbursement rate for eyeglasses for children by 50 percent by January 1, 2016. This resolve also directs the department to convene a task force to review the reimbursement rates for certain services to MaineCare recipients and to report the findings to the Joint Standing Committee on Health and Human Services.

Committee Amendment "A" (S-127)

This amendment replaces the resolve. The amendment requires the Department of Health and Human Services, with input from stakeholders, to develop a comprehensive strategy to ensure that MaineCare-eligible children have the same access to providers of dental, hearing and vision services as have children with private health insurance. The amendment requires the department to submit the strategy and related recommendations to the Joint Standing Committee on Health and Human Services by January 15, 2016.

Enacted Law Summary

Resolve 2015, chapter 30 requires the Department of Health and Human Services, with input from stakeholders, to develop a comprehensive strategy to ensure that MaineCare-eligible children have the same access to providers of dental, hearing and vision services as have children with private health insurance. It requires the department to

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submit the strategy and related recommendations to the Joint Standing Committee on Health and Human Services by January 15, 2016.

LD 661 An Act To Fund HIV, Sexually Transmitted Diseases and Viral Hepatitis CARRIED OVER
Screening, Prevention, Diagnostic and Treatment Services

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BURSTEIN GRATWICK	OTP-AM ONTP	H-174

This bill provides ongoing General Fund appropriations of \$391,800 per year beginning in fiscal year 2014-15 to provide screening and prevention services and diagnostic and treatment services for individuals throughout the State who are uninsured and without covered access to such services and who are at risk in accordance with criteria established by the program.

Committee Amendment "A" (H-174)

This amendment strikes the fiscal year 2014-15 appropriation from the bill and adds an appropriation of \$391,800 in fiscal year 2016-17.

This bill was carried over on the Special Appropriations Table to any special or regular session of the 127th Legislature by joint order, S.P. 555.

LD 662 An Act To Increase Access to Health Care through Telemedicine PUBLIC 137

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FOLEY GRATWICK	OTP-AM	H-194

This bill authorizes the Board of Licensure in Medicine to register a physician not licensed to practice medicine in this State to provide medical services through interstate telemedicine to patients in this State if certain requirements are met.

Committee Amendment "A" (H-194)

This amendment retains most provisions of the bill and does the following.

1. It allows the Board of Licensure in Medicine to register a physician not licensed to practice in the State to provide consultative services through interstate telemedicine.
2. As in the bill, it requires that the physician to be registered must be fully licensed without restriction to practice medicine in the state from which the physician provides telemedicine services.
3. It specifies that the physician to be registered may provide only consultative services and that a physician, advanced practice registered nurse or physician assistant in this State must retain ultimate authority over the diagnosis, care and treatment of the patient.
4. It requires that the physician to be registered register with the board every two years, instead of annually as in the bill, and pay a registration fee not to exceed \$500.
5. It removes the provision in the bill exempting certain physicians from the registration requirement.

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Enacted Law Summary

Public Law 2015, chapter 137 makes the following changes to the practice of interstate telemedicine.

1. The Board of Licensure in Medicine may register a physician not licensed to practice in the State to provide consultative services through interstate telemedicine.
2. The physician to be registered must be fully licensed without restriction to practice medicine in the state from which the physician provides telemedicine services.
3. The physician to be registered may provide only consultative services and a physician, advanced practice registered nurse or physician assistant in this State must retain ultimate authority over the diagnosis, care and treatment of the patient.
4. The physician to be registered registers with the board every two years and pay a registration fee no more than \$500.

LD 663	Resolve, To Require That the Department of Health and Human Services Determine Whether Testing for Krabbe Disease Should Be Required for Newborns	Leave to Withdraw Pursuant to Joint Rule
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WARD BRAKEY		

This resolve requires the Department of Health and Human Services to conduct a study to determine whether newborn infants should be tested for Krabbe disease as part of the screening process for detection of causes of cognitive disabilities and congenital, genetic and metabolic disorders. The department is required to submit its findings and a recommendation to the Joint Standing Committee on Health and Human Services, which is authorized to submit legislation to the Second Regular Session of the 127th Legislature regarding the findings and recommendation.

LD 664	Resolve, To Direct the Department of Health and Human Services To Submit a State Plan Amendment To Allow Community-based and Other Health Care Providers To Be Reimbursed by MaineCare	ONTP
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<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANBORN VALENTINO	ONTP	

This resolve requires the Department of Health and Human Services to submit a state plan amendment to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to seek approval to reimburse for preventive tests and services that are currently reimbursed by MaineCare when administered by a licensed enrolled physician or other licensed practitioner when those preventive tests and services are administered by other practitioners acting within their scope of practice, including, but not limited to, community-based health care providers. Upon approval of the state plan amendment, the Department of Health and Human Services is directed to amend its rules to reflect the state plan amendment.

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**LD 665 Resolve, Establishing the Commission To Study Services Available on
the Long-term Care Continuum**

**Died On
Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
POULIOT MILLETT	OTP-AM	H-162

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to create well-paying jobs and to reduce the State's costs for avoidable, preventable, high-cost emergency room, hospital and nursing home care by investing \$1,000,000 in a pilot block grant program for nonprofit home health care providers to provide light housekeeping, shopping, cooking, budget and medication management and referral services and assistance with other activities of daily living under the supervision of a primary care physician. Providers would apply via a competitive grant application process.

Committee Amendment "A" (H-162)

This resolve replaces the bill. It establishes the Commission To Study Services Available on the Long-term Care Continuum. The commission is required to examine issues on the long-term care continuum from homemaker services and home-based care to residential and nursing facility care to determine whether these services are being provided efficiently and whether the provision of services allows for individuals to move through the long-term care continuum from one program to another as needs change; review recent recommendations, legislation and policy initiatives; determine future needs in the long-term care continuum; examine direct care workforce issues; and develop strategies to support family members providing free care. The commission must submit its report, including suggested legislation, to the Joint Standing Committee on Health and Human Services no later than December 2, 2015. The committee may report out legislation to the Second Regular Session of the 127th Legislature.

**LD 666 An Act To Allow a Patient To Designate a Caregiver in the Patient's
Medical Record**

PUBLIC 370

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GATTINE BRAKEY	OTP-AM OTP-AM	H-432

This bill allows a patient admitted to a hospital to designate a caregiver, who may provide aftercare for the patient and whose identifying information must be entered into the patient's medical records at the hospital. If the patient or patient's legal guardian provides written consent to release medical information to the designated caregiver, the hospital is required to notify the caregiver prior to the patient's being discharged or transferred, consult with the caregiver as to the patient's discharge plan and provide the caregiver any necessary instruction in providing aftercare to the patient if the patient is discharged to the patient's residence.

Committee Amendment "A" (H-432)

This amendment makes the following changes to section 6 of the bill.

1. It eliminates the definition of "entry."
2. It eliminates the requirement that the designation of a caregiver needs to be made within the first 24 hours.
3. It changes the notice requirements to caregivers from a requirement to notify to a requirement to make reasonable efforts to notify.

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- 4. It eliminates what a discharge plan must include and defers to the hospital's established policy.
- 5. It eliminates the instruction requirements.

Committee Amendment "B" (H-433)

This amendment, which is the minority report, makes the following changes to section 6 of the bill.

- 1. It adds a definition of "hospital" establishing that the provisions apply only to hospitals that receive money under the Maine Revised Statutes, Title 22, chapter 855 provided to Medicaid recipients under the provisions of the United States Social Security Act, Title XIX and successors to it and related rules of the State's Department of Health and Human Services.
- 2. It eliminates the definition of "entry."
- 3. It eliminates the requirement that the designation of a caregiver needs to be made within the first 24 hours.
- 4. It changes the notice requirements to caregivers from a requirement to notify to a requirement to make reasonable efforts to notify.
- 5. It eliminates what a discharge plan must include and defers to the hospital's established policy.
- 6. It eliminates the instruction requirements.

Enacted Law Summary

Public Law 2015, chapter 370 allows a patient admitted to a hospital to designate a lay caregiver, who may provide aftercare for the patient and whose identifying information must be entered into the patient's medical records at the hospital. If the patient or patient's legal guardian provides written consent to release medical information to the designated lay caregiver, the hospital is required to make reasonable efforts to notify the lay caregiver prior to the patient's being discharged or transferred and consult with the lay caregiver as to the patient's discharge plan.

LD 667 Resolve, Directing the Department of Health and Human Services To ONTP
Educate the Public and Department Clients about How To Protect One's
Family from Bisphenol A

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

This resolve directs the Department of Health and Human Services to update the information it provides on the page on its publicly accessible website entitled "How to Protect Your Family from BPA (Bisphenol A)" to reflect the latest scientific findings and to develop educational outreach materials and a plan to educate members of the public at greatest risk from bisphenol A, including participants in the Special Supplemental Nutrition Program for Women, Infants and Children of the federal Child Nutrition Act of 1966.

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LD 714 Resolve, Directing the Department of Health and Human Services To ONTP
Study Providing Medical Assistance to Maine's Inhabited Islands

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

This resolve requires the Department of Health and Human Services to study the feasibility of, need for and cost of providing telemedicine medical assistance for residents and visitors on all the year-round inhabited islands in the State and to report to the Joint Standing Committee on Health and Human Services no later than January 15, 2016.

LD 715 Resolve, Directing the Department of Health and Human Services To Died Between
Hire Health Inspectors Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COOPER HASKELL	OTP-AM ONTP	

This resolve directs the Department of Health and Human Services to hire a sufficient number of state-certified health inspectors to inspect each restaurant in this State at least once a year. The Department of Health and Human Services is required to report to the Joint Standing Committee on Health and Human Services on the number of health inspectors hired by the department pursuant to this resolve and the cost of those health inspectors no later than December 2, 2015. The Joint Standing Committee on Health and Human Services is authorized to report out a bill to the Second Regular Session of the 127th Legislature related to health inspections for restaurants.

Committee Amendment "A" (H-199)

This amendment is the majority report of the committee. It specifies that the Department of Health and Human Services must hire five new state-certified health inspectors, instead of a sufficient number of inspectors as proposed in the resolve, and clarifies that the additional inspectors are to be hired for the purpose of inspecting each licensed establishment in this State pursuant to the Maine Revised Statutes, Title 22, section 2497. The amendment keeps the requirement that directs the department to report to the Joint Standing Committee on Health and Human Services regarding the cost of the new health inspectors and adds a requirement that the department report on whether it is meeting the inspection requirements of Title 22, section 2497. The amendment also adds an appropriations and allocations section.

LD 722 An Act To Strengthen Penalties for Abuse of General Assistance PUBLIC 312

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRAKEY	OTP-AM	S-204

This bill provides that a person who makes a false representation of a material fact to obtain municipal general assistance is ineligible to receive further assistance for a period of the longer of 120 days and until that reimbursement is made. Current law provides for a period of ineligibility of 120 days.

Committee Amendment "A" (S-204)

This amendment replaces the bill. The amendment provides that a person who makes a false representation of a material fact to obtain municipal general assistance is ineligible to receive further assistance either for a period of

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120 days or until reimbursement is made or that person enters into a written agreement, which must be reasonable, to reimburse the municipality, whichever period is longer. The amendment also provides that the overseer of municipal general assistance may make a determination that a person has made a false representation of a material fact to obtain general assistance.

Enacted Law Summary

Public Law 2015, chapter 312 provides that a person who makes a false representation of a material fact to obtain municipal general assistance is ineligible to receive further assistance either for a period of 120 days or until reimbursement is made or that person enters into a written agreement, which must be reasonable, to reimburse the municipality, whichever period is longer. The overseer of municipal general assistance may make a determination that a person has made a false representation of a material fact to obtain general assistance.

LD 726 An Act To Increase Patient Safety in Maine's Medical Marijuana Program CARRIED OVER

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

This bill amends the Maine Medical Use of Marijuana Act by:

1. Increasing the amount of excess prepared marijuana a registered primary caregiver may transfer for reasonable compensation in a calendar year from two pounds to five pounds;
2. Specifying that, like registered dispensaries, a primary caregiver's cultivation facility is subject to reasonable inspection by the Department of Health and Human Services at any time, without prior notice;
3. Requiring the Department of Health and Human Services to adopt routine technical rules governing the manner in which the department considers an application for and a renewal of a registry identification card for a primary caregiver;
4. Clarifying that the information provided by the Department of Health and Human Services to the Department of Administrative and Financial Services, Bureau of Revenue Services may be used by the bureau to determine whether an applicant for a license or renewal of a license as a registered dispensary has complied with the tax laws; and
5. Specifying that the Medical Use of Marijuana Fund may be used by the Department of Health and Human Services for enforcement purposes that are primarily for the protection of public health and safety and for investigations.

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

LD 734 An Act To Repeal the Certificate of Need Requirement for Hospitals Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRAKEY SIROCKI	ONTP OTP-AM	

Under current law, before introducing additional health care services and procedures in a market area, a person must

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apply for and receive a certificate of need from the Department of Health and Human Services. This bill eliminates that requirement.

Committee Amendment "A" (S-167)

This amendment, which is the minority report of the committee, changes the bill title to reflect that it eliminates the entire certificate of need process rather than only the certificate of need process for hospitals. The amendment also adds an appropriations and allocations section.

LD 736 An Act To Allow Access to Certain Death Records

PUBLIC 189

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK ESPLING	OTP-AM	S-199

This bill requires that when a physician or clinical psychologist has evaluated a person for the purpose of providing a second opinion on whether the person meets the criteria for emergency admission to a psychiatric hospital and determines that the person does not meet the criteria, the physician or clinical psychologist must destroy the written application for emergency admission and accompanying certificate.

The bill also authorizes the names and dates of death of individuals who died while patients at the Pineland Hospital and Training Center to be made available to the public in accordance with rules adopted by the Department of Health and Human Services.

Committee Amendment "A" (S-199)

This amendment strikes section 2 of the bill, which requires that when a physician or clinical psychologist has evaluated a person for the purpose of providing a second opinion on whether the person meets the criteria for emergency admission to a psychiatric hospital and determines that the person does not meet the criteria, the physician or clinical psychologist must destroy the written application for emergency admission and accompanying certificate.

Enacted Law Summary

Public Law 2015, chapter 189 authorizes the names and dates of death of individuals who died while patients at the Pineland Hospital and Training Center to be made available to the public in accordance with rules adopted by the Department of Health and Human Services.

LD 751 An Act To Provide Consideration of the Need for Nursing Facility Beds in the Area Where They Are Located before Those Beds Are Lost

ONTP

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

This bill requires the certificate of need process to take into account the effect of the loss of nursing facility beds on the community's health and economy and on family members and the individuals occupying the beds. The existing process examines only the need for new beds in an area where beds have been proposed.

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LD 752 An Act To Permit Medical Marijuana Cultivation by Incapacitated Adults Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUNPHY L BRAKEY	OTP-AM	H-331

This bill allows a qualifying patient under the Maine Medical Use of Marijuana Act who is an incapacitated adult to possess marijuana and cultivate marijuana for that incapacitated adult's own use.

Committee Amendment "A" (H-331)

This amendment specifies that a qualifying patient who is an incapacitated adult may not cultivate marijuana for that patient's use unless the patient's legal guardian or person to whom the patient has granted power of attorney for health care decisions is designated as the patient's primary caregiver. Additionally, that primary caregiver may assist the qualifying patient with cultivation of the patient's own marijuana if the marijuana plants that are dedicated to the patient are segregated from any other marijuana plants.

The amendment prohibits a public guardian or conservator described under the Maine Revised Statutes, Title 18-A, section 5-601 from cultivating marijuana for a qualifying patient who is an incapacitated adult, but that guardian or conservator may designate a second primary caregiver to assist that patient with cultivation if the marijuana plants that are dedicated to the patient are segregated from any other marijuana plants.

LD 766 An Act To Require a Medical Marijuana Primary Caregiver Cultivating in a Residential Building To Obtain an Electrical Permit ONTP

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

This bill amends the Maine Medical Use of Marijuana Act to require, beginning January 2, 2016, a primary caregiver to obtain an electrical permit from an electrical inspector prior to cultivating in a residential building.

LD 771 An Act To Promote Dental Services for Prenatal and Postpartum Women ONTP

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

This bill provides MaineCare coverage for dental services including diagnostic, preventive and restorative services to pregnant women and postpartum women 21 years of age and older.

LD 772 An Act To Amend the Membership of the Child Care Advisory Council ONTP

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

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This bill:

1. Amends the membership of the Child Care Advisory Council to include an employee of the Department of Health and Human Services, Division of Licensing and Regulatory Services; and
2. Further amends the statute relating to membership of the Child Care Advisory Council to reflect the Maine Afterschool Network's new partnership with the University of Southern Maine.

LD 782 An Act To Improve the Quality of Life of Persons with Serious Illnesses

PUBLIC 203

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LANGLEY MAKER	OTP	

This bill establishes the Palliative Care and Quality of Life Interdisciplinary Advisory Council to advise the Department of Health and Human Services, Maine Center for Disease Control and Prevention and report to three legislative committees. The bill requires the Maine Hospice Council, if resources permit, to establish an information and education program to maximize the effectiveness of palliative care initiatives by ensuring that comprehensive and accurate information and education are available and allows the council to seek outside funding for the advisory council. The bill requires the executive director of the Maine Hospice Council to convene the first meeting of the advisory council by October 1, 2015.

Enacted Law Summary

Public Law 2015, chapter 203 establishes the Palliative Care and Quality of Life Interdisciplinary Advisory Council to advise the Department of Health and Human Services, Maine Center for Disease Control and Prevention and report to three legislative committees. It further establishes the membership, procedures and duties of the advisory council.

Public Law 2015, chapter 203 requires the Maine Hospice Council, if resources permit, to establish an information and education program to maximize the effectiveness of palliative care initiatives by ensuring that comprehensive and accurate information and education are available and allows the council to seek outside funding for the advisory council. It further requires the executive director of the Maine Hospice Council to convene the first meeting of the advisory council by October 1, 2015.

LD 798 An Act To Strengthen Maine's Hospitals and Increase Access to Health Care

ONTP

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

This bill, which is contingent on approval by the voters of the State at referendum, does the following.

1. It expands medical coverage under the MaineCare program to adults who qualify under federal law with incomes up to 133 percent of the nonfarm income official poverty line, with the five percent federal income adjustment for family size. It repeals the expansion of medical coverage under the MaineCare program December 31, 2020, and it provides for repeal of the expansion prior to 2020 under certain circumstances.
2. It requires the Commissioner of Health and Human Services to provide certain information to the Secretary of the United States Department of Health and Human Services to enable the secretary to make the determination as to

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the eligibility of the State to obtain an enhanced Federal Medical Assistance Percentage for services for MaineCare members eligible as childless adults. It provides that until the secretary confirms that the State will get the enhanced reimbursement rate as set forth in the federal Patient Protection and Affordable Care Act, for the childless adult population in MaineCare, including persons who were members under that eligibility grouping on December 1, 2009, the expansion of medical coverage under the MaineCare program will not take effect. It requires the commissioner, upon receiving confirmation from the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services, to notify the President of the Senate, the Speaker of the House of Representatives and the Revisor of Statutes and to provide them with a copy of the written confirmation.

3. It requires the Office of Fiscal and Program Review to contract with a private, nonpartisan research organization to evaluate the impact of the MaineCare expansion. It requires a report to the Legislature on the amount of General Fund savings resulting from the MaineCare expansion.

4. It amends current law on copayments in the MaineCare program. It directs the Department of Health and Human Services to increase copayments for adults with income above 100 percent of the nonfarm income official poverty line to the maximum allowable under federal law and to increase nominal copayments by the annual percentage increase in the medical care component of the Consumer Price Index for All Urban Consumers. It directs the department to increase MaineCare copayments for services provided in a hospital emergency room when the services are not emergency services. It requires the department to track aggregate copayments in compliance with federal law.

LD 808 An Act To Decrease Uncompensated Care, Reduce Medical Debt and Improve Health Outcomes ONTP

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to enact measures, tailored to the unique conditions in Maine, designed to:

1. Reduce the burden of uncompensated medical care in Maine experienced by health care providers in hospitals, health centers and health care provider offices, including care provided through charity care programs;
2. Lower the number of uninsured in Maine by providing a strategy for uninsured, low-income persons with income up to 133 percent of the federal poverty level to have access to health coverage using available, cost-effective health care coverage options for Medicaid;
3. Address inefficiencies within our current health care systems, use federal funds available to Maine and offer more options for insurance coverage to the uninsured; and
4. Allow Maine to remain competitive with neighboring states, bring savings to the General Fund and protect the fiscal sustainability of rural and safety net hospitals and health centers.

LD 812 An Act To Prevent Drug Overdose Deaths by Enhancing Access to Opioid Antagonists ONTP

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

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This bill authorizes the prescription, possession and administration of opioid antagonists under certain circumstances and provides criminal and civil immunities for such prescription, possession and administration.

LD 816 An Act To Reform Welfare and Eliminate the Welfare Cliff ONTP

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to enact measures designed to reform welfare and eliminate the so-called welfare cliff. This bill would establish a system of gradual reduction, rather than an abrupt cessation, of welfare benefits to an individual as the individual's income rises.

LD 821 An Act To Promote Equity in Business Opportunity for Tobacco Specialty Stores Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HAMPER GINZLER	OTP-AM ONTP	

This bill allows certain tobacco specialty stores to be licensed as a cigar lounge, which may serve nonalcoholic and alcoholic beverages. A cigar lounge may not sell cigarettes or prepare food on premises for sale. A tobacco specialty store that is a cigar lounge must provide notice about the dangers of environmental tobacco smoke to applicants for employment and employees. The cigar lounge license fee is \$100.

Committee Amendment "A" (S-262)

This amendment, which is the majority report of the committee, amends the bill by prohibiting the use of electronic nicotine delivery devices in cigar lounges and prohibiting a person under 21 years of age from being on the premises or employed by the cigar lounge. It clarifies that a cigar lounge license under the Maine Revised Statutes, Title 28-A is required for a cigar lounge to operate.

LD 831 Resolve, To Reduce MaineCare Spending through Targeted Prevention Services RESOLVE 54

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANBORN VALENTINO	OTP-AM	H-281 S-326 HAMPER

This resolve requires the Department of Health and Human Services to file an application with the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to request that home-delivered meals be a reimbursable covered service under the State's home-based and community-based services waivers. The purpose of this resolve is to improve health and delay entry into facility-based care.

Committee Amendment "A" (H-281)

This amendment limits the proposal for home-delivered meals in the resolve to individuals qualified for services under Rule Chapter 101, MaineCare Benefits Manual, Chapter II, Section 19 who also are experiencing transitions of care, have debilitating or acute illnesses or are primarily homebound and unable to prepare nutritious meals. The amendment also adds an appropriations and allocations section.

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Senate Amendment "A" To Committee Amendment "A" (S-326)

This amendment removes the appropriations and allocations section.

Enacted Law Summary

Resolve 2015, chapter 54 requires the Department of Health and Human Services to file an application with the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to request that home-delivered meals be a reimbursable covered service for individuals qualified for services under Rule Chapter 101, MaineCare Benefits Manual, Chapter II, Section 19 who are also experiencing transitions of care, have debilitating or acute illnesses or are primarily homebound and unable to prepare nutritious meals. Funding for this service was included in Public Law 2015, chapter 267.

LD 832 An Act To Improve Public Health in Maine ONTP

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to consolidate the infrastructure for various public health services, such as emergency medical technician services, on a countywide basis.

LD 841 Resolve, Directing the Department of Health and Human Services To ONTP
Develop a Bus Pass Program

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

This resolve requires the Department of Health and Human Services to develop and implement a bus pass program by January 1, 2016 to serve individuals who live in areas served by public bus systems and who use those transport systems to attend medical appointments reimbursed by MaineCare under the nonemergency transportation program within the MaineCare program and participate in other programs that are aimed at fostering independence and economic security such as the ASPIRE-TANF program. The department must identify funding sources that could be leveraged, including funding currently used for the nonemergency transportation program within the MaineCare program and possible Department of Labor and Department of Education resources targeted toward employment. The department must report to the Joint Standing Committee on Health and Human Services by March 1, 2016 on the status of the bus pass program including the number of passes issued and individuals being served and sources of funding.

LD 842 An Act To Establish Peer Center Reimbursement CARRIED OVER

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

This bill directs the Department of Health and Human Services to establish reimbursement rates for peer centers.

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

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LD 854 An Act To Increase Access to Health Security by Expanding Federally Funded Health Care for Maine People

Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANBORN GRATWICK	OTP-AM ONTP	

This bill expands medical coverage under the MaineCare program to adults who qualify under federal law with incomes up to 133 percent of the nonfarm income official poverty line, with the five percent federal income adjustment for family size, and qualifies Maine to receive federal funding for 100 percent of the cost of coverage for members who enroll under the expansion. Adults who will be eligible are those 21 to 64 years of age beginning January 1, 2016 and adults 19 and 20 years of age beginning October 1, 2019.

Committee Amendment "A" (H-470)

This amendment replaces the substantive provisions of the bill, designating as Part A the provision of the bill that expands medical coverage under the Medicaid program to adults under 65 years of age who qualify under federal law with incomes up to 133 percent of the nonfarm income official poverty line, with the five percent federal income adjustment for family size, and qualifies the State to receive enhanced federal funding for the cost of coverage of newly eligible members. It further provides for an annual expenditure cap for services, requiring quarterly expenditure reporting and a mechanism for terminating coverage if it is determined that expenditures will not remain within the cap. It also terminates coverage if the enhanced federal share drops below the amount specified in the federal Patient Protection and Affordable Care Act, 42 United States Code, Section 18001, et seq., as enacted in 2010.

Part B requires the Office of Fiscal and Program Review to study the impact of the MaineCare expansion on programs and services that do not currently receive federal medical assistance percentage matching funds or do not qualify for enhanced federal medical assistance percentage matching funds under the federal Patient Protection and Affordable Care Act with the goal of identifying and maximizing General Fund savings. The fiscal office shall report twice, no later than February 15, 2016 and February 15, 2017, respectively, to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs, the joint standing committee of the Legislature having jurisdiction over health and human services matters and the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters on the amount of General Fund savings resulting from the MaineCare expansion. It requires the State Budget Officer to calculate the amount of savings that applies against each General Fund account for all departments and agencies from savings associated with the MaineCare expansion and to transfer the amounts by financial order upon the approval of the Governor. Any remaining savings must be transferred to the MaineCare Stabilization Fund. It adds an appropriations and allocations section.

LD 860 Resolve, To Adjust Reimbursement Rates for Dental Services and Improve Access to Dental Care under the MaineCare Program

CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCORMICK	OTP-AM OTP-AM	S-235

This resolve directs the Department of Health and Human Services to incrementally adjust the MaineCare reimbursement rates for certain dental services annually over the next five years until the rates reach the 10th percentile of the fees for the New England region in the most recent "Survey of Dental Fees" published by the American Dental Association. The resolve provides that the rates must then be adjusted annually for inflation.

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Committee Amendment "A" (S-235)

This amendment is the majority report of the committee. It clarifies that increases to reimbursement rates of the dental codes in the resolve are to be made in five equal increases. The amendment requires the Department of Health and Human Services to amend the rules under Chapter 101: MaineCare Benefits Manual, Chapter II, Section 25 to cover diagnostic and preventive services to pregnant women and postpartum women and dental services necessary to avoid more costly medical or dental care as identified by a stakeholder group. It requires the Department of Health and Human Services to provide information concerning adult dental benefits to adult MaineCare members and providers. It requires the department to adopt rules by January 1, 2016 relating to dental coverage for pregnant women and postpartum women and for services provided to avoid more costly medical or dental care. The amendment also adds an appropriations and allocations section. The amendment also changes the title and adds a fiscal note.

Committee Amendment "B" (S-236)

This amendment, which is the minority report of the committee, replaces the resolve. It requires the Department of Health and Human Services to conduct a review of the reimbursement rates under the MaineCare program for the dental codes in the resolve to determine if the current reimbursement levels are appropriate for recruiting and retaining sufficient numbers and geographic coverage of dentists providing services to MaineCare members. The department shall report its findings no later than January 1, 2016 to the Joint Standing Committee on Health and Human Services. The joint standing committee may report out legislation related to the report to the Second Regular Session of the 127th Legislature.

This resolve was carried over on the Special Appropriations Table to any special or regular session of the 127th Legislature by joint order, S.P. 555.

LD 885 An Act To Promote Enhanced Eligibility Verification in Maine's Welfare System CARRIED OVER

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

This bill requires the Department of Health and Human Services to determine the eligibility for benefits of recipients of State assistance on an annual basis.

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

LD 886 Resolve, Directing the Department of Health and Human Services To Increase Reimbursement Rates for Home-based and Community-based Services CARRIED OVER

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

This resolve directs the Department of Health and Human Services to increase the reimbursement rates for home-based and community-based services by January 15, 2016.

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

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LD 905 Resolve, To Study Allocations of the Fund for a Healthy Maine

**RESOLVE 47
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAVERS DUTREMBLE	OTP-AM	H-204 S-334 MASON

This bill establishes an ongoing commission to review whether allocations of the Fund for a Healthy Maine are properly aligned with the State's public and preventive health priorities and goals and recommend adjustments to allocations as necessary. Under the bill, the commission is authorized to meet up to six times every three years when the Legislature is not in session and the commission's first report must be submitted by December 7, 2015 to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee having jurisdiction over health and human services matters. Money in the Fund for a Healthy Maine may be used to fund the activities of the commission.

Committee Amendment "A" (H-204)

This amendment replaces the bill and turns it into a resolve. The amendment directs the Joint Standing Committee on Health and Human Services to review whether allocations of the Fund for a Healthy Maine are properly aligned with the State's public and preventive health priorities and goals and recommend adjustments to allocations as necessary instead of creating an ongoing commission to study the allocations as in the bill. Under the amendment, the committee is authorized to meet up to six times when the Legislature is not in session and the committee's report must be submitted by December 2, 2015.

Senate Amendment "A" To Committee Amendment "A" (S-334)

This amendment reduces the number of times the Joint Standing Committee on Health and Human Services is authorized to meet to review allocations from the Fund for a Healthy Maine from six to four.

Enacted Law Summary

Resolve 2015, chapter 47 directs the Joint Standing Committee on Health and Human Services to review whether allocations of the Fund for a Healthy Maine are properly aligned with the State's public and preventive health priorities and goals and recommend adjustments to allocations as necessary. The committee is authorized to meet up to four times when the Legislature is not in session and the committee's report must be submitted by December 2, 2015.

Resolve 2015, chapter 47 was finally passed as an emergency measure effective July 12, 2015.

LD 917 Resolve, To Improve Access to Dental Care through a Pediatric Medical Benefit

ONTP

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

This resolve directs the Department of Health and Human Services to amend its rules in order to provide for equity between payment for preventive pediatric dental services, including fluoride varnish applications and oral evaluations, provided by medical providers at federally qualified health centers, which must be set at a rate greater than the ambulatory encounter rate used for medical providers, and payment for such services by medical providers in other settings.

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LD 928 Resolve, To Enhance Consumer Awareness of Expenditures and Gifts by ONTP
Manufacturers of Prescribed Products

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

This resolve requires the Department of Health and Human Services to develop a fact sheet that provides information to the public regarding the publicly searchable database of payments and gifts to physicians by medical product manufacturers developed by the federal Department of Health and Human Services, Centers for Medicare and Medicaid Services under Section 6002 of the federal Patient Protection and Affordable Care Act, Public law 111-148.

LD 940 Resolve, To Require Hospitals To Provide Information to Parents of Leave to Withdraw
Infants Regarding Testing for Krabbe Disease Pursuant to Joint
Rule

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

This resolve requires the Department of Health and Human Services, Maine Center for Disease Control and Prevention to develop an information pamphlet on testing for Krabbe disease for dissemination by a hospital to all parents of newborn infants born at the hospital or to the parents of any child up to six months of age being treated at the hospital. The Maine Center for Disease Control and Prevention is required to develop the pamphlet by December 1, 2015.

LD 949 An Act To Enact the Recommendations of the Commission on CARRIED OVER
Independent Living and Disability

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

This bill includes the final recommendations of the Commission on Independent Living and Disability and does the following.

1. Part A replaces the requirement in current law for biennial plans for regional transit with a requirement for quinquennial plans, which is consistent with federal requirements. It eliminates the Interagency Transportation Coordinating Committee and replaces it with a new public transit advisory council. It also specifies the role of the council and requires reporting every two years. It requires the Department of Health and Human Services to convene a work group to develop a statewide transportation voucher program for persons with disabilities.
2. Part B adds new transition planning requirements for students with disabilities to include team meetings that must begin at 14 years of age with community partners, community service providers, the students and their families, the division of vocational rehabilitation within the Department of Labor, Bureau of Rehabilitation Services and the agency that is designated by the Governor to serve as the protection and advocacy agency for persons with disabilities. It requires that the transition planning include independent living assessments for the students. For students who receive services from the Department of Health and Human Services, Office of Child and Family

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Services, it requires the school administrative unit to work in consultation with the division of vocational rehabilitation within the Department of Labor, Bureau of Rehabilitation Services to include postsecondary preparation strategies for the students during transition planning.

3. Part C requires the Statewide Independent Living Council to provide an annual report to the Legislature on the State's strategic planning efforts to increase opportunities for persons with disabilities to live independently within the community. It also requires the Commissioner of Labor to provide an annual report to the Legislature on the State's efforts to improve vocational rehabilitation outcomes and reduce the length of time it takes the department to enter into an individualized plan of employment with individuals eligible to receive rehabilitation services.

4. Part D amends the Maine Human Rights Act to require an on-site inspection by a representative of the Office of the State Fire Marshal to ensure that new public buildings and certain buildings to which the public has access are constructed in compliance with the Maine Human Rights Act. It also requires the Technical Building Codes and Standards Board to adopt the most recent federal Americans with Disabilities Act of 1990 accessibility guidelines as published by the International Code Council. It also authorizes the agency that is designated by the Governor to serve as the protection and advocacy agency for persons with disabilities in Maine to bring a civil action in Superior Court for violations of the Maine Human Rights Act regarding public accommodations and allows the agency to receive reasonable attorney's fees and costs.

5. Part E requires a housing authority to post all rental housing vacancies that are readily accessible to and usable by persons with disabilities on the Maine State Housing Authority's publicly accessible rental housing listing service website.

6. Part F requires the Department of Health and Human Services to amend the federally approved Medicaid state plan to include and broaden coverage for assistive technology without the restrictions currently applied to telehealth; cover assistive technology within all Department of Health and Human Services waivers; include telemedicine; broaden telehealth use; and broaden telehealth home-based care.

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

LD 966 An Act To Assist Patients in Need of Psychiatric Services

CARRIED OVER

Sponsor(s)

MALABY

Committee Report

Amendments Adopted

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to take steps to help provide acute psychiatric care in an inpatient setting by increasing the availability of inpatient beds. The bill will seek to do the following:

1. Create and fund additional psychiatric beds for geriatric patients;
2. Review and make changes to the bed hold regulations for nursing homes and group homes to create incentives to take difficult mental health patients back after a hospital stay;
3. Review and make changes to the bed hold regulations for nursing homes and group homes to create penalties for facilities that refuse to take difficult mental health patients back after a hospital stay;
4. Provide psychiatric urgent care centers with accompanying medically supervised crisis beds;
5. Create and fund additional psychiatric observation units;

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- 6. Create an effective and professional mental health placement rapid response team or ombudsman in the Department of Health and Human Services; and
- 7. Provide additional MaineCare reimbursement for long-stay mental health emergency department patients and patients awaiting placement in psychiatric units.

The substance of this bill was included in Resolve 2015, chapter 44 (see LD 155).

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

LD 969 An Act To Preserve Jobs and Primary Care Services in Rural and Underserved Areas of Maine **Died On Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
KATZ MARTIN J	OTP-AM ONTP	S-68

This bill provides for the allocation of funding among Maine's federally qualified health centers to support access to primary medical, behavioral health and dental services for residents in rural and underserved communities. This funding is targeted to support the provision of primary care services for the uninsured and underinsured, as well as to assist with provider recruitment and retention.

Committee Amendment "A" (S-68)

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

Funding for federally qualified health centers was included in Public Law 2015, chapter 267.

LD 977 An Act To Improve Child Care in the State **Died Between Houses**

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

This bill provides funds to fully match federal funds for child care development.

Committee Amendment "A" (H-287)

This amendment, which is the majority report of the committee, adds a fiscal note.

LD 989 An Act To Limit the Use of Extended-release Hydrocodone Bitartrate **Accepted Majority (ONTP) Report**

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

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This bill establishes requirements that a prescriber must follow prior to prescribing extended-release hydrocodone bitartrate. The bill requires prescribers of extended-release hydrocodone bitartrate to:

1. Obtain prescription monitoring information related to the patient;
2. Schedule a follow-up visit with the patient; and
3. Assess the patient's pain to evaluate whether the patient's pain can be managed with a medication other than extended-release hydrocodone bitartrate.

LD 1006 An Act To Prevent Beneficiaries under the Statewide Food Supplement Program from Carrying Forward Unused Benefit Amounts ONTP

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

This bill requires that any unused balance in excess of \$1,000 representing statewide food supplement program benefits that were not used in the previous calendar year in a recipient's electronic benefits transfer account on January 1st must be transferred from the account to the General Fund.

LD 1030 An Act To Better Coordinate the Work of Mental Health Crisis Agencies with Law Enforcement Agencies CARRIED OVER

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

This bill requires the Department of Health and Human Services to provide assistance to crisis intervention teams and agencies that provide mental health crisis services and to law enforcement agencies to enable them to coordinate mental health crisis services. The bill sets July 1, 2016 as the date by which a crisis intervention team or agency must enter into and sign a memorandum of understanding with each law enforcement agency that provides law enforcement services in the area of the State served by the crisis intervention team or agency. The bill requires the memorandum of understanding to be effective for three years and to be renewed for a three-year period upon expiration. The memorandum of understanding must include descriptions of the following: the internal processes that the law enforcement agency uses to identify a person in need of mental health crisis services; the protocol that the law enforcement agency uses to share a contact report with a crisis intervention team or agency; the process the crisis intervention team or agency uses to receive the report; the protocol that the crisis intervention team or agency uses to communicate with a person in need of mental health services or the guardian or family members of that person; and the procedures to be used to convene on a quarterly basis multidisciplinary team meetings to review experiences and discuss opportunities for improvement.

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

LD 1034 An Act To Prohibit the Use of EBT Cards for Cash Withdrawals ONTP

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

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This bill provides that benefits received through the electronic benefits transfer system may only be redeemed through purchase by electronic transfer and may not be redeemed for cash.

LD 1035 An Act To Create a 9-month Time Limit on General Assistance Benefits

Died Between Houses

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

This bill limits to a maximum of 275 days every five years the general assistance benefits a person who does not have any dependents and who is capable of working may receive.

Committee Amendment "A" (S-85)

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

LD 1036 An Act To Prioritize Use of Available Resources in General Assistance Programs

Died Between Houses

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

This bill makes an applicant for general assistance who voluntarily abandons or refuses to use an available resource without just cause ineligible to receive general assistance to replace the abandoned resource for a period of 120 days from the date the applicant abandons the resource. The bill defines "available resource" as a resource that is immediately available or can be secured without delay. The bill also makes an applicant who forfeits an available resource due to fraud, misrepresentation or intentional violation or refusal to comply with rules without just cause ineligible to receive general assistance to replace the forfeited resource for the duration of the sanction imposed on the applicant for violation of a rule or 120 days, whichever is greater. The bill identifies circumstances relating to use of an available resource under which just cause must be found.

Committee Amendment "A" (S-194)

This amendment, which is the minority report of the committee, retains from the bill a definition for "available resource" but moves it to the general definition section for the chapter of law relating to municipal general assistance. The amendment also removes the provision in the bill that identifies circumstances relating to the use of an available resource under which just cause must be found, relying instead on the definition of "just cause" in the general definition section.

LD 1037 An Act To Establish a 180-day Residency Requirement for Welfare Benefits

Accepted Majority (ONTP) Report

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

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This bill establishes a 180-day residency requirement for applicants for the MaineCare program, the statewide food supplement program, the Temporary Assistance for Needy Families program and municipal general assistance.

Committee Amendment "A" (S-263)

This amendment is the minority report of the committee. The amendment establishes a 180-day residency requirement for state-funded Temporary Assistance for Needy Families, Supplemental Nutrition Assistance Program and supplemental security income and the general assistance program. It does not apply to benefits that include federal funding. A victim of domestic violence is not subject to the 180-day residency requirement.

LD 1049 An Act To Further Define Duties for Persons Who Hold Powers of Attorney or Act as Agents for Residents of Long-term Care Facilities

PUBLIC 247

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN J ROSEN	OTP-AM	H-319

This bill defines duties on the part of persons who hold powers of attorney or act as agents for residents of long-term care facilities or for persons applying to become residents of long-term care facilities and requires them to promptly apply for coverage of services under the MaineCare and other applicable payment programs and comply with all requirements governing these programs. It also provides remedies for breach of those duties. The bill further requires the Department of Health and Human Services to amend the terms and requirements of the standardized nursing facilities admissions contract set forth in the Maine Revised Statutes, Title 22, section 1826 and the standard contract for licensed assisted living programs set forth in applicable rules to incorporate these several duties and requirements. The bill also permits collection of attorney's fees and costs from persons who breach the duties established by this bill.

Committee Amendment "A" (H-319)

This amendment replaces the statutory requirements in the bill with a provision that directs the Department of Health and Human Services to amend rules relating to the terms and requirements and defining the duties, obligations and legal remedies of the parties to the standard admission contract for residents of nursing homes and assisted housing programs. The amendment retains the provision in the bill permitting the collection of attorney's fees and costs from an agent who breaches the agent's duties.

Enacted Law Summary

Public Law 2015, chapter 247 directs the Department of Health and Human Services to amend rules relating to the terms and requirements and defining the duties, obligations and legal remedies of the parties to the standard admission contract for residents of nursing homes and assisted housing programs. It permits the collection of attorney's fees and costs from an agent who breaches the agent's duties.

LD 1050 An Act To Reimburse Nursing Homes for the Loss of Coinsurance and Deductibles for Skilled Nursing Beds under Rules Adopted by the Department of Health and Human Services

ONTP

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

This bill reimburses nursing homes for the losses of coinsurance and deductibles for skilled nursing beds under rules adopted by the Department of Health and Human Services as required in Public Law 2013, chapter 368.

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LD 1052 An Act To Feed Rural Citizens of the State

**Died Between
Houses**

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

This bill directs the Department of Health and Human Services to seek a waiver beginning with federal fiscal year 2016, which begins October 1, 2015, and for each federal fiscal year thereafter to allow individuals otherwise subject to a three-month limit on federal food supplement program benefits to continue to receive benefits if those individuals reside in counties, labor market areas or other areas that qualify for a waiver because of high unemployment or a lack of a sufficient number of jobs to provide employment for those individuals.

LD 1054 An Act To Provide Funding for Head Start Services

**Died Between
Houses**

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

This bill provides funding to the Head Start program within the Department of Health and Human Services to address the significant unmet need for Head Start services, allowing eligible parents to remain in or enter the workforce.

Committee Amendment "A" (H-403)

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

Committee Amendment "B" (H-404)

This amendment, which is a minority report of the committee, provides funding to the Head Start program within the Department of Health and Human Services, but instead of the General Fund appropriations proposed in the bill, this amendment provides \$575,000 per fiscal year to the Head Start program from the Fund for a Healthy Maine.

LD 1058 An Act Regarding Medical Marijuana Registered Testing Laboratories

ONTP

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

This bill establishes registered testing laboratories that perform testing on marijuana samples for the cannabinoid profile and for possible contaminants within the Maine Medical Use of Marijuana Act. It further establishes the standards for registered testing laboratories and provides that they must be located in the State.

The bill provides that the laboratories and their principal officers, board members, agents and employees are given the same immunity from prosecution, search, seizure and penalty currently granted to registered dispensaries. The bill requires the Department of Health and Human Services to establish an application form and fees for registered

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testing laboratories by December 15, 2015.

LD 1059 An Act Relating to Marijuana Testing Facilities

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FARNSWORTH	OTP-AM ONTP	H-345

This bill allows for the operation of marijuana testing facilities. These facilities may possess marijuana regulated under the Maine Medical Use of Marijuana Act. Dispensaries and registered primary caregivers may own and operate marijuana testing facilities for research and development purposes. The bill provides that if a label for medical marijuana refers to potency or cannabinoid profile, the label must be verified by a marijuana testing facility.

Committee Amendment "A" (H-345)

This amendment:

1. Amends the definition of "cardholder" in the Maine Medical Use of Marijuana Act to include a marijuana testing facility;
2. Eliminates the educational requirement for the director of a marijuana testing facility;
3. Adds requirements for the housing, storing, transporting and labeling of marijuana within marijuana testing facilities;
4. Creates an immunity provision within the Maine Medical Use of Marijuana Act for marijuana testing facilities; and
5. Directs the Department of Health and Human Services to issue registry identification cards to certain individuals at marijuana testing facilities.

LD 1061 Resolve, To Create the Commission To Study a Stable Continuum of Care for Persons with Intellectual and Developmental Disabilities and Autism

Died On Adjournment

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCLELLAN LANGLEY	OTP-AM	H-259

This resolve establishes the Commission to Study a Stable Continuum of Care for Persons with Intellectual and Developmental Disabilities and Autism. The commission is required to examine the best way for different state systems involved in the lifelong care of persons with intellectual and developmental disabilities and autism in the Department of Health and Human Services, the Department of Education and the Department of Labor to provide a stable continuum of care without duplication of efforts and programs and to ensure seamless transitions between departments. It is required to also examine the status of the federal Intermediate Care Facilities for Individuals with Intellectual Disabilities. The commission is required to report its findings to the Second Regular Session of the 127th Legislature.

Committee Amendment "A" (H-259)

This amendment changes the composition of the Commission to Study a Stable Continuum of Care for Persons with Intellectual and Developmental Disabilities and Autism, and it adds an emergency preamble and emergency clause.

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**LD 1076 Resolve, Directing the Department of Health and Human Services To
Increase Public Awareness about and Access to Federal Resources
Related to Vaccine Injuries**

RESOLVE 35

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
O'CONNOR MASON	OTP-AM	H-305

This bill establishes the Vaccine Consumer Protection Program within the Department of Health and Human Services and describes the services provided under the new program.

Committee Amendment "A" (H-305)

This amendment replaces the bill with a resolve directing the Department of Health and Human Services to create a link on the department's publicly accessible website to existing federal resources related to vaccine injuries, including, but not limited to, information about the National Vaccine Injury Compensation Program of the United States Department of Health and Human Services, Health Resources and Services Administration and the Vaccine Adverse Event Reporting System cosponsored by the United States Centers for Disease Control and Prevention and the United States Food and Drug Administration, agencies of the United States Department of Health and Human Services.

Enacted Law Summary

Resolve 2015, chapter 35 directs the Department of Health and Human Services to create a link on the department's publicly accessible website to existing federal resources related to vaccine injuries, including, but not limited to, information about the National Vaccine Injury Compensation Program of the United States Department of Health and Human Services, Health Resources and Services Administration and the Vaccine Adverse Event Reporting System cosponsored by the United States Centers for Disease Control and Prevention and the United States Food and Drug Administration, agencies of the United States Department of Health and Human Services.

**LD 1077 An Act To Ensure Access to Public Health Nursing Care and Child and
Maternal Health Nursing Care in Washington County**

ONTP

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

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to reallocate funds to support increasing public health nursing and child and maternal health nursing capacity in rural underserved areas in Washington County in order to address health disparities rather than continuing to offer the majority of services in more urban and populated counties.

**LD 1078 An Act To Preserve MaineCare Assisted Living by Providing a 4% Rate
Increase to Private Nonmedical Institutions and Adult Family Care
Homes**

**Died On
Adjournment**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BURNS SANDERSON	OTP-AM	S-168

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This bill provides funds to give adult family care homes and Appendix C private nonmedical institutions a four percent cost-of-living rate increase in funding in each of the next two fiscal years. Annual cost-of-living adjustments are provided by rule for each fiscal year thereafter in accordance with the United States Department of Labor, Bureau of Labor Statistics Consumer Price Index medical care services index.

Committee Amendment "A" (S-168)

This amendment makes the following changes to the bill.

1. It provides that adult family care homes and Appendix C private nonmedical institutions receive a four percent rate increase in funding in each of the next two fiscal years, rather than a cost-of-living rate increase.
2. It strikes the requirement that an inflation adjustment be set for fiscal years beginning 2017-18.

A four percent increase in reimbursement to adult family care homes and PNMI assisted living facilities beginning on July 1, 2015 was included in Public Law 2015, chapter 267.

LD 1079 Resolve, To Support and Encourage the Development of an Adult Family Care Demonstration Project in Washington County

RESOLVE 31

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BURNS TUELL	OTP-AM	S-166

This resolve increases by up to 40 the number of available residential care beds in Maine. This resolve also directs the Department of Health and Human Services to review the reimbursement levels at residential care facilities to identify if an increase in MaineCare funding is necessary to account for higher levels of care at these facilities and directs the department to develop a demonstration program in Washington County for suite-type settings that allow couples to remain living together. The department is also required to submit a report to the Joint Standing Committee on Health and Human Services no later than January 15, 2016.

Committee Amendment "A" (S-166)

This amendment removes the section increasing the number of residential care facility beds from the resolve. It retains the requirement for the Department of Health and Human Services to review reimbursement levels at residential care facilities but allows current reviews of continuum of care to be included. Like the resolve, it requires the department to develop a demonstration project in Washington County with suite-type settings but clarifies that the project does not apply only to couples. It authorizes the Joint Standing Committee on Health and Human Services to report out legislation related to the demonstration project and the review to the Second Regular Session of the 127th Legislature. The amendment also changes the title.

Enacted Law Summary

Resolve 2015, chapter 31 requires the Department of Health and Human Services to review reimbursement levels at residential care facilities and develop a demonstration project in Washington County with suite-type settings. It authorizes the Joint Standing Committee on Health and Human Services to report out legislation related to the demonstration project and the review to the Second Regular Session of the 127th Legislature.

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LD 1090 Resolve, To Establish a Pilot Project for Medicaid Reimbursement for Acupuncture Treatment of Substance Abuse Disorders Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANDERSON	OTP-AM ONTP	H-438

This resolve requires the Department of Health and Human Services and the department's Office of Substance Abuse and Mental Health Services to apply for a community-based waiver from the federal United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to develop a pilot project to treat alcohol abuse disorders, substance abuse disorders and co-occurring disorders using the National Acupuncture Detoxification Association auricular acupuncture protocol. The project may last no longer than two years and must be reimbursable as allowed under the United States Social Security Act and be cost-neutral or result in savings to the MaineCare program. The department and the office must report their findings to the joint standing committee of the Legislature having jurisdiction over health and human services matters at the end of the project.

Committee Amendment "A" (H-438)

This amendment is the majority report. The amendment requires the Department of Health and Human Services and the department's Office of Substance Abuse and Mental Health Services to apply by January 1, 2016 for authorization from the federal United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to develop a pilot project to treat alcohol abuse disorders, substance abuse disorders and co-occurring disorders using the National Acupuncture Detoxification Association auricular acupuncture protocol. The amendment requires the department to consult with the statewide association representing licensed acupuncturists in the establishment of treatment standards. The amendment requires that the treatment be provided by a person who is licensed to practice acupuncture in the State and whose license is in good standing.

LD 1097 An Act To Improve the Integrity of Maine's Welfare Programs CARRIED OVER

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

This bill restricts the use of benefits for recipients of temporary assistance for needy families under the electronic benefits transfer system by prohibiting use of the electronic benefits transfer system outside of the State, except for in New Hampshire, withdrawals of cash per month in an amount over 25 percent of a recipient's monthly benefits and expenditures on items such as tobacco products, liquor and lottery tickets and several other similar items. This bill also directs the Department of Health and Human Services to hire five additional fraud investigators.

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

LD 1108 An Act To Protect Children and the Public from Vapor from Electronic Smoking Devices PUBLIC 318

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCCABE	OTP-AM OTP-AM	H-428

This bill includes in the definition of "smoking" an electronic cigarette giving off vapor for the purpose of restricting smoking in public places.

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Committee Amendment "A" (H-428)

This amendment, which is the majority report, changes the bill's title, replaces the defined term "electronic cigarette" with a new defined term, "electronic smoking device" and amends the definition of "smoking" to include use of an electronic smoking device.

Committee Amendment "B" (H-429)

This amendment, which is the minority report, changes the bill's title and replaces the bill. The amendment enacts a definition of "electronic nicotine delivery device" and restricts the use of an electronic nicotine delivery device in hospitals, schools and day cares.

Enacted Law Summary

Public Law 2015, chapter 318 defines a new term, "electronic smoking device," and amends the definition of "smoking" to include use of an electronic smoking device for the purpose of prohibiting the use of an electronic smoking device in public places.

LD 1115 An Act To Make the State's Standard for Lead Exposure in Children INDEF PP
Consistent with the Federal Standard

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK STUCKEY	OTP-AM ONTP	

This bill amends the definition of "lead poisoning," making the State's standard for lead exposure in children consistent with the federal standard.

Committee Amendment "A" (S-270)

This amendment, which is the majority report of the committee, grants the Department of Health and Human Services authority to impose penalties for violations of the Lead Poisoning Control Act and the rules adopted pursuant to that Act. The amendment also adds an appropriations and allocations section.

Public Law 2015, chapter 267 provides funding to hire eight limited-period Environmental Specialist III positions through June 10, 2017 to review inspections, issue orders to abate hazards, track to make sure abatements occur and work with families on interim controls to reduce hazards until the abatement is complete.

LD 1125 An Act To Expand Public Access to Epinephrine Autoinjectors PUBLIC 231

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PETERSON HASKELL	OTP-AM	H-250

This bill allows entities, organizations and places of employment at which allergens capable of causing anaphylaxis may be present, other than schools, to stock prescribed epinephrine autoinjectors and administer them to persons believed in good faith to be experiencing anaphylaxis and provides that those entities, organizations and places of employment may not be held liable for any injuries or related damages that may result. It requires training for employees or agents of such entities, organizations or places of employment. It also provides for the establishment of emergency public access stations to contain stocks of epinephrine autoinjectors, allows health care practitioners to stock them with epinephrine autoinjectors and to provide individuals accessing the stations with consultation services in real time by audio, video or other similar means of electronic communication and provides that persons

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involved with the stations and acting in good faith may not be held liable for any injuries or related damages that may result.

Committee Amendment "A" (H-250)

This amendment makes the following changes to the bill.

1. It eliminates the provisions of the bill relating to emergency public access stations for the storage of epinephrine autoinjectors.
2. It eliminates the provision of the bill that requires an authorized entity that possesses and makes available epinephrine autoinjectors to submit to the Department of Health and Human Services a report of each incident on the authorized entity's premises that involves the administration of an epinephrine autoinjector.
3. It revises the immunity provision of the bill to make it consistent with the actions that are authorized under the bill and to make it clear that the immunity does not apply if injuries or related damages are caused willfully, wantonly or recklessly or by gross negligence.

Enacted Law Summary

Public Law 2015, chapter 231 allows entities, organizations and places of employment at which allergens capable of causing anaphylaxis may be present, other than schools, to stock prescribed epinephrine autoinjectors and administer them to persons believed in good faith to be experiencing anaphylaxis and provides that those entities, organizations and places of employment may not be held liable for any injuries or related damages that may result. It requires training for employees or agents of such entities, organizations or places of employment.

LD 1129 Resolve, To Change the Requirements for Nursing Services in Home Health Care

RESOLVE 33

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LIBBY ESPLING	OTP-AM	S-158

The resolve directs the Department of Health and Human Services to increase the rates in Section 40 of the MaineCare Benefits Manual, Home Health Services by 30 percent.

Committee Amendment "A" (S-158)

The amendment strikes and replaces the resolve. It requires the Department of Health and Human Services to amend the rules governing the licensing and functioning of home health care services to allow nursing services to be provided by new graduates who have successfully completed a home health care orientation program approved by the department prior to commencing independent home health care nursing practice. Current rules require at least one year of professional nursing experience. The agency employing the nursing graduate would be required to provide the orientation.

Enacted Law Summary

Resolve 2015, chapter 33 requires the Department of Health and Human Services to amend the rules governing the licensing and functioning of home health care services to allow nursing services to be provided by new graduates who have successfully completed a home health care orientation program approved by the department prior to commencing independent home health care nursing practice. The agency employing the nursing graduate would be required to provide the orientation.

LD 1134 An Act To Require the Department of Health and Human Services To Distribute Information Regarding Down Syndrome to Providers of Prenatal and Postnatal Care and to Genetic Counselors

PUBLIC 269

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VOLK LAJOIE	OTP ONTP	H-480 GATTINE

This bill requires that hospitals, physicians and other health professionals provide information about Down syndrome to expectant or new parents who have received a prenatal or postnatal diagnosis of Down syndrome. The bill directs the Department of Health and Human Services to distribute appropriate information to health care providers for distribution.

House Amendment "A" (H-445)

This amendment:

1. Requires that hospitals, physicians and health professionals offer, rather than provide as required by the bill, information to expectant or new parents; and
2. Specifies that the information must have been reviewed by medical experts who are established in the field and by a state-based medical organization.

This amendment was not adopted.

House Amendment "B" (H-480)

This amendment requires that hospitals, physicians and health professionals offer information to expectant or new parents, unlike the bill, which required the provision of that information.

Enacted Law Summary

Public Law 2015, chapter 269 requires that hospitals, physicians and other health professionals offer information about Down syndrome to expectant or new parents who have received a prenatal or postnatal diagnosis of Down syndrome. It directs the Department of Health and Human Services to distribute appropriate information to health care providers for distribution.

LD 1144 An Act To Ensure the Integrity of the Temporary Assistance for Needy Families Program

Died Between Houses

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

This bill prohibits the use of the electronic benefits transfer system at tobacco specialty stores. It requires the Department of Health and Human Services to develop an education program for recipients of benefits under the Temporary Assistance for Needy Families program that emphasizes that those benefits are to be used for supporting dependent children and are not to be used to pay for tobacco products, liquor products, gambling activities or lotteries. It establishes penalties for benefit recipients who knowingly make a purchase prohibited by statute. In addition, the Department of Health and Human Services must collect information on the use of Temporary Assistance for Needy Families program benefits for tobacco and liquor products, gambling activities and lotteries.

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The department is required to report its findings, including recommendations and suggested legislation, to the joint standing committee of the Legislature having jurisdiction over health and human services matters no later than March 15, 2017.

Committee Amendment "A" (H-320)

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

Senate Amendment "A" (S-312)

This amendment removes the penalties established in the bill. The amendment also removes the requirements for the Department of Health and Human Services to develop an education program for the recipients of Temporary Assistance for Needy Families program benefits and to collect information on the costs and impact of implementing and enforcing the prohibitions in the bill.

This amendment was not adopted.

**LD 1149 Resolve, Directing the Maine Center for Disease Control and Prevention CARRIED OVER
To Report on Progress toward Meeting Healthy Maine 2020 Goals
Pertaining to Reproductive Health**

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

This resolve directs the Department of Health and Human Services, Maine Center for Disease Control and Prevention to report by October 1, 2015 to the Joint Standing Committee on Health and Human Services on state-led efforts to achieve goals identified in its document "Healthy Maine 2020" pertaining to reproductive health. The report must include an explanation of failed or failing efforts to meet a goal and evidence-based strategies or recommendations on how state programs can meet the goal and a description of the State's efforts to improve the health and welfare of its citizens, including efforts to increase high school graduation rates. The joint standing committee is authorized to report out a bill based on the report to the Second Regular Session of the 127th Legislature.

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

LD 1162 An Act To Ensure Safe Drinking Water for Maine Families Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GATTINE HASKELL	OTP-AM ONTP	H-333

This bill improves testing for and treatment of contaminants in residential private drinking water wells that are otherwise exempt from state and federal safe drinking water laws. It requires the Department of Health and Human Services to develop a uniform testing recommendation for testing of residential private drinking water wells. It requires testing when residential private drinking water wells are constructed. The bill also establishes the Private Well Safe Drinking Water Fund to support educational outreach and to improve testing rates of residential private drinking water wells. The fund is funded by fees on the testing of residential private drinking water wells. The bill establishes a fund within the Maine State Housing Authority funded by fees on the installation of water treatment equipment for the purpose of providing persons of low income with affordable water treatment. It also requires the department to conduct educational outreach regarding the potential health effects of contaminants and the need for testing and treatment of residential private drinking water wells.

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Committee Amendment "A" (H-333)

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

1. It makes the addresses on copies of residential private drinking water well test results that are forwarded from laboratories to the Department of Health and Human Services confidential.
2. It removes the requirement for water testing when residential private drinking water wells are constructed. Instead the Maine Water Well Commission is required to develop educational materials to be distributed when a private residential well is drilled or deepened to inform the owners of the importance of testing for arsenic and other contaminants.
3. It funds the Private Well Safe Drinking Water Fund from fees on the testing of residential private drinking water wells conducted by the Health and Environmental Testing Laboratory.
4. It removes the fund for providing low-income persons with affordable water treatment held within the Maine State Housing Authority and funded by fees on the installation of water treatment equipment.
5. It removes the requirement for property disclosure statements to include the results of water tests conducted in the last three years.
6. It adds an appropriations and allocations section.

LD 1170 Resolve, Regarding Legislative Review of Portions of Chapter 11: Rules Governing the Controlled Substances Prescription Monitoring Program, a Late-filed Major Substantive Rule of the Department of Health and Human Services

**RESOLVE 16
EMERGENCY**

Sponsor(s)

Committee Report

Amendments Adopted

OTP

This resolve provides for legislative review of portions of Chapter 11: Rules Governing the Controlled Substances Prescription Monitoring Program, a major substantive rule of the Department of Health and Human Services that was filed outside the legislative rule acceptance period.

Enacted Law Summary

Resolve 2015, chapter 16 provides for legislative review of portions of Chapter 11: Rules Governing the Controlled Substances Prescription Monitoring Program, a major substantive rule of the Department of Health and Human Services that was filed outside the legislative rule acceptance period. It changes the time period that dispensers must provide information to the Prescription Monitoring Program from seven days to the close of business on the next business day of the controlled substance being dispensed. It also clarifies that the required information includes the prescription being dispensed and delivered.

Resolve 2015, chapter 16 was finally passed as an emergency measure effective May 26, 2015.

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LD 1193 An Act To Encourage Good Nutrition and Healthy Choices in the Supplemental Nutrition Assistance Program

**Died In
Concurrence**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
JOHNSON GATTINE	OTP-AM ONTP	

This bill creates the Healthy Local Foods Initiative Program to engage in efforts to seek out and support, sustain or assist eligible applicants in submitting proposals for federal grants or funding for pilot projects to improve the diets of low-income persons enrolled in a statewide food supplement program administered as part of the federal supplemental nutrition assistance program. The bill directs the Department of Health and Human Services to create a working group of various interested parties to make recommendations concerning best practices and criteria for evaluation of proposals for federal grants or funding to conduct pilot projects designed to provide incentives to participants of the federal supplemental nutrition assistance program to improve their diets, reduce obesity and support farmers and businesses in the State. The bill directs the department to provide the matching funds required of a chosen applicant in order to receive a federal grant to the extent funds are available in the Healthy Local Foods Incentive Fund. Contributions to the fund are derived from a portion of bonus payments received from the United States Department of Agriculture for the performance of the Department of Health and Human Services in administering the statewide food supplement program under the federal supplemental nutrition assistance program, from the State's portion of funds recouped from the collection of overpayment claims from program recipients and from other sources. Contributions to the fund may also be received from hospital organizations fulfilling United States Internal Revenue Service requirements to meet community health needs.

Committee Amendment "A" (S-230)

This amendment, which is the majority report of the committee, removes the funding sources for the bill's Healthy Local Foods Incentive Fund that come from bonus payments for the Department of Health and Human Services for the department's administration of the federal Supplemental Nutrition Assistance Program and from the collection of the program's overpayment claims.

LD 1209 An Act To Increase the Effectiveness of Peer Supports in the State

CARRIED OVER

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

This bill establishes a peer support services program in the office of substance abuse and mental health services within the Department of Health and Human Services. The bill requires each assertive community treatment team to include at least one full-time intentional peer support specialist certified by the department. "Intentional peer support specialist" is defined. The bill requires the department to appoint and convene the Intentional Peer Support Advisory Committee. The bill requires the department to adopt necessary rules and designates the rules as routine technical rules. The bill requires the costs of intentional peer support services and the advisory committee to be met through the transfer of funding from the Mental Health - Community account and the Mental Health - Community Medicaid account and through the discontinuance of two full-time positions within the office of substance abuse and mental health services.

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

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LD 1236 An Act To Change the Type of Rulemaking Required Regarding Persons with Intellectual Disabilities or Autism

Accepted Majority (ONTP) Report

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

This bill changes from major substantive to routine technical the type of rulemaking the Commissioner of Health and Human Services is required to do regarding the provision of support services for persons with intellectual disabilities or autism.

LD 1237 An Act Regarding the Filing of Death and Marriage Records

PUBLIC 193

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRAKEY SANDERSON	OTP-AM	S-205

This bill makes the following changes to the laws governing the filing of death and marriage records.

1. It authorizes the parties to a marriage, or the legal representatives of the parties to a marriage, that occurred more than one year previously to apply for a delayed certificate of marriage.
2. It establishes a procedure for registering an official record of death when a death is presumed to have occurred in the State but the body has not been located.

Committee Amendment "A" (S-205)

This amendment clarifies language of a provision of the bill allowing parties to a marriage that occurred more than one year previously to apply for a certificate of marriage.

Enacted Law Summary

Public Law 2015, chapter 193 makes the following changes to the laws governing the filing of death and marriage records.

1. It authorizes the parties to a marriage, or the legal representatives of the parties to a marriage, that occurred more than one year previously to apply for a certificate of marriage.
2. It establishes a procedure for registering an official record of death when a death is presumed to have occurred in the State but the body has not been located.

LD 1258 An Act To Amend the Maine Medical Use of Marijuana Act with Regard to Good Business Practices

ONTP

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

Joint Standing Committee on Health and Human Services

This bill amends the Maine Medical Use of Marijuana Act in the following ways.

1. It clarifies that a primary caregiver may cultivate up to six marijuana plants for each of up to five qualifying patients.
2. It allows a primary caregiver to employ or contract with more than one person to assist with the duties required of that primary caregiver. The Department of Health and Human Services is required to adopt rules regarding the licensing of these assistants.
3. It allows the Department of Health and Human Services to make onsite assessments of registered primary caregivers who cultivate marijuana for three or more registered patients at a time to ensure compliance.
4. It allows a registered primary caregiver to transfer excess prepared marijuana to a qualifying patient for reasonable compensation.
5. It provides that a primary caregiver or registered dispensary that receives compensation from a qualifying patient for the costs associated with cultivating marijuana for that qualifying patient or assisting that qualifying patient is required to register as a seller with the State Tax Assessor and collect and remit sales tax. Under the current law, marijuana is specifically excluded from the sales tax exemption for medicines.

LD 1267 An Act To Assist Working Families with Young Children

CARRIED OVER

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

This bill provides funding to the Department of Health and Human Services to leverage all available federal child care development funds.

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

LD 1268 An Act To Reform Welfare by Establishing Bridges to Sustainable Employment

CARRIED OVER

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

This bill makes the following changes to the laws governing public assistance, which are intended to provide bridges to employment:

1. Child care assistance begins on the date of application if the applicant is eligible;
2. The Department of Health and Human Services is directed to establish rules to provide uninterrupted access to subsidized child care for eligible persons with irregular hours of employment;
3. It provides Temporary Assistance for Needy Families, or TANF, benefits and alternative aid benefits to two parent families based on the same eligibility requirements as single-parent families have;
4. It changes the income amounts for TANF recipients who have employment earnings that are disregarded in

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calculating TANF benefits;

5. It directs the Department of Health and Human Services to set up specialized navigator services related to employment in the Additional Support for People in Retraining and Employment - Temporary Assistance for Needy Families program so that families receiving TANF benefits understand how earned income affects benefit levels and work supports;

6. It requires the Department of Health and Human Services, Department of Labor, Maine employers, the Maine Community College System and the University of Maine System to establish structured pathways leading to education, training and employment opportunities for persons eligible for TANF; and

7. It requires the Commissioner of Health and Human Services to convene a working group to review and make recommendations to establish a program to provide access to reliable transportation for families that qualify for assistance under TANF. The commissioner must report the findings of the working group to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Health and Human Services by January 1, 2016. The Department of Health and Human Services must amend its TANF rules to incorporate the findings of the working group.

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

LD 1270 An Act Regarding Patient-directed Care at the End of Life

Died Between Houses

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

This bill enacts a process for patient-directed care at the end of life for Maine residents who are adults who are terminally ill and who have been determined to have a limited life expectancy.

Specifically, the bill:

1. Provides that such a patient has a right to information and includes requirements for patient and physician action and documentation in the patient's medical records of the steps taken;
2. Authorizes a physician to prescribe a medication that the patient may self-administer for the purpose of hastening the patient's death;
3. Provides protections for the physician, the patient's health care facility and health care providers;
4. Protects the patient's life insurance and the health care providers' medical professional liability insurance;
5. Protects the patient's right to palliative care;
6. Requires rulemaking by the Department of Health and Human Services to provide for safe disposal of medications that are prescribed for end-of-life care and that are not used by the patient;
7. States that nothing in the provisions of the bill may be construed to authorize a physician or other person to end a patient's life by lethal injection, mercy killing or active euthanasia; and
8. States that the provisions of the bill may not be construed to conflict with Section 1553 of the federal Patient

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Protection and Affordable Care Act, as amended by the federal Health Care and Education Reconciliation Act of 2010.

LD 1294 An Act To Improve the Health of Maine Residents through Education and Health Care **INDEF PP**

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

This bill allocates funds on a one-time basis to the Department of Health and Human Services, Fund for a Healthy Maine to improve the health of Maine residents through education and health care for the fiscal year 2015-16.

Committee Amendment "A" (H-195)

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

LD 1295 An Act To Streamline Regulation of Farms, Food Producers and Food Establishments **Leave to Withdraw Pursuant to Joint Rule**

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

This bill moves the licensing and regulatory responsibility for the sale of prepared food from the Department of Health and Human Services to the Department of Agriculture, Conservation and Forestry. The bill also amends cross-references and other provisions of law to reflect this change.

LD 1307 An Act To Fund the Maine Diversion Alert Program **PUBLIC 304 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WILLETTE FOWLE	OTP-AM ONTP	S-106

This bill directs the Department of Health and Human Services to determine the amount of funding required to maintain the Maine Diversion Alert Program statewide, to seek ongoing funding sources for the program and to report its findings and recommendations to the Joint Standing Committee on Health and Human Services no later than January 1, 2016. It also provides one-time General Fund appropriations of \$95,000 in fiscal year 2014-15, fiscal year 2015-16 and fiscal year 2016-17 for the Department of the Attorney General to maintain funding for the program.

Committee Amendment "A" (S-106)

This amendment, which is the majority report of the committee, strikes out the requirement for the Department of Health and Human Services to seek ongoing funding for the Maine Diversion Alert Program. It also strikes the appropriations for the 2014-15 fiscal year and the 2016-17 fiscal year.

Enacted Law Summary

Public Law 2015, chapter 304 provides a one-time General Fund appropriation of \$95,000 in fiscal year 2015-16 for

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the Department of the Attorney General to maintain funding for the Maine Diversion Alert Program.

Public Law 2015, chapter 304 was enacted as an emergency measure effective July 1, 2015.

LD 1316 An Act Regarding the Employment of Certified Nursing Assistants and ONTP
Direct Care Workers

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

This bill implements the recommendations of the working group created under Resolve 2009, chapter 68, which reviewed employment bans based on criminal convictions, the rational basis for the employment ban and the length of the employment ban prohibiting an individual from working as a certified nursing assistant or unlicensed assistive person. It prohibits the employment of a certified nursing assistant who, while working as a certified nursing assistant, was the subject of a complaint investigation by the division of licensing and regulatory services within the Department of Health and Human Services, which is the designated state survey agency pursuant to federal law, that resulted in a substantiated complaint that was placed as a notation on the Maine Registry of Certified Nursing Assistants and Direct Care Workers or received a disqualifying criminal conviction that was placed as a notation on the registry or has any disqualifying criminal conviction. It prohibits the employment of an unlicensed assistive person who, while working as an unlicensed assistive person, was the subject of a complaint investigation by the Department of Health and Human Services that resulted in a substantiated finding that was placed as a notation on the registry. It requires the department to categorize criminal convictions as either disqualifying or nondisqualifying convictions and to set 10-year bans and 30-year bans on employment for disqualifying convictions. It sets a lifetime ban on employment for substantiated complaints involving abuse, neglect or misappropriation of property. It provides for petitions for the removal of employment bans. It grandfatheres in certain currently employed certified nursing assistants and unlicensed assistive persons, but provides that if they change their employers or employment at a specific facility or program, they become subject to the law. It provides for the department to establish an advisory board to recommend changes to the list of named crimes in the registry. It requires the department to obtain criminal history record information for certified nursing assistants every two years and employers to obtain criminal history record information prior to hiring an individual.

See LD 1426.

LD 1324 An Act To Create Transparency with Regard to Large Employers in the Died Between
State with Workforce Members Who Receive Public Benefits Houses

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

This bill requires the Department of Health and Human Services to submit a quarterly report to the Governor and the Legislature that includes the information for each employer in the State that has 50 or more employees who are either MaineCare beneficiaries or who are the spouses or custodial parents of MaineCare beneficiaries. For each such employer, the report must include information on the numbers of employees who are MaineCare beneficiaries, spouses of MaineCare beneficiaries, custodial parents of MaineCare beneficiaries, full-time employees and part-time employees. The report must also include information on whether the employer offers health insurance benefits to full-time employees, part-time employees, employees' spouses or employees' dependents, and the cost to the State of providing MaineCare benefits for the employer's employees and enrolled dependents listed as total cost and per capita cost.

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Committee Amendment "A" (H-282)

This amendment, which is the majority report of the committee, adds an appropriations and allocations section.

LD 1337 An Act To Fund the Family Caregiver Support Program

PUBLIC 348

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MALABY	OTP-AM	H-173 S-319 HAMPER

This bill provides additional General Fund appropriations of \$182,000 in fiscal year 2015-16 and \$243,000 in fiscal year 2016-17 for the Department of Health and Human Services to fully fund the family caregiver support program within the department's office of aging and disability services. This appropriation is intended to eliminate the waiting list for the family caregiver support program in fiscal year 2015-16 and meet the growing demand for the program in fiscal year 2016-17.

Committee Amendment "A" (H-173)

This amendment provides the correct account number for the appropriation to the family caregiver support program.

Senate Amendment "A" To Committee Amendment "A" (S-319)

This amendment reduces funding provided in Committee Amendment "A" for the family caregiver support program in the Department of Health and Human Services' office of aging and disability services.

Enacted Law Summary

Public Law 2015, chapter 348 provides additional General Fund appropriations of \$120,500 in fiscal year 2015-16 and \$126,772 in fiscal year 2016-17 for the Department of Health and Human Services to fund the family caregiver support program within the department's office of aging and disability services.

LD 1348 An Act To Protect Older Adults from Financial Exploitation

**PUBLIC 332
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GATTINE HASKELL	OTP-AM	H-196 S-318 HAMPER

This bill provides ongoing funding to the Office of Aging and Disability Services program within the Department of Health and Human Services for the operation of personal financial management assistance programs for senior citizens.

Committee Amendment "A" (H-196)

This amendment incorporates a fiscal note.

Senate Amendment "A" (S-318)

This amendment reduces funding to the Department of Health and Human Services to support personal financial management assistance programs for senior citizens.

Enacted Law Summary

Public Law 2015, chapter 332 provides ongoing funding of \$75,000 in each fiscal year to the Office of Aging and

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Disability Services program within the Department of Health and Human Services for the operation of personal financial management assistance programs for senior citizens.

Public Law 2015, chapter 332 was enacted as an emergency measure effective July 12, 2015.

**LD 1349 An Act To Establish the Office of the Inspector General in the
Department of Health and Human Services**

**Accepted Majority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DION LIBBY	ONTP OTP-AM	

This bill creates the Office of the Inspector General within the Department of Health and Human Services to be operated and funded independently of the department. The purpose of the Office of the Inspector General is to oversee the functions of the Department of Health and Human Services with four main duties:

1. Investigate instances of fraud, attempted fraud and commingling or misapplication of department funds;
2. Conduct quality assurance audits and program reviews of department programs, agencies and facilities;
3. Investigate instances of abuse, financial exploitation or death of mentally ill, autistic or intellectually disabled recipients of department assistance or services; and
4. Establish and maintain a process by which an employee, recipient of department assistance or services or a member of the public may report or complain about fraud, attempted fraud, commingling or misapplication of department funds or abuse, neglect, financial exploitation or death of a mentally ill, autistic or intellectually disabled recipient of department assistance or services.

This bill requires the Inspector General to perform its duties through conducting investigations, audits and site visits and issuing findings, reports and recommendations that are reviewed by the Commissioner of Health and Human Services. The bill moves the existing Human Services Fraud Investigation Unit from the jurisdiction of the Department of Health and Human Services to the Office of the Inspector General and directs the Inspector General to refer matters to the Attorney General or a law enforcement agency or enlist the assistance of the State Auditor when appropriate. This bill also requires the Inspector General to submit an annual report to the Governor, the Commissioner of Health and Human Services and the joint standing committees of the Legislature having jurisdiction over health and human services matters and financial affairs summarizing its activities for the prior calendar year. This bill provides for oversight of the Inspector General by the Office of Program Evaluation and Government Accountability on an as-needed basis.

Committee Amendment "A" (H-283)

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

**LD 1350 Resolve, To Increase the Reimbursement Rate for Direct-care Workers
Serving Adults with Long-term Care Needs**

RESOLVE 50

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
EVES BURNS	OTP-AM	H-371 S-317 HAMPER

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This resolve directs the Department of Health and Human Services to increase reimbursement to providers of in-home and community support direct-care services to \$25 per hour of service. Of the increase in the rate to providers, at least 85 percent must be used for wages and employee benefits including health care, mileage reimbursement, training costs and other benefits.

Committee Amendment "A" (H-371)

This amendment replaces the resolve. It requires a 66 percent increase in the reimbursement rate for certain services, which is roughly equivalent to the increased reimbursement rate of \$25 in the resolve, and specifies the services for which the increased reimbursement would apply. The amendment adds an appropriations and allocations section.

Senate Amendment "A" To Committee Amendment "A" (S-317)

This amendment removes the fixed percentage by which the Department of Health and Human Services must raise the hourly reimbursement for home-based and community-based services. It also restricts the raise to Attendant Care Services provided under Chapter 101: MaineCare Benefits Manual, Chapter III, Section 12, Consumer Directed Attendant Services.

Enacted Law Summary

Resolve 2015, chapter 50 requires the Department of Health and Human Services to raise the hourly reimbursement for services provided for Attendant Care Services under Chapter 101: MaineCare Benefits Manual, Chapter III, Section 12, Consumer Directed Attendant Services.

Public Law 2015, chapter 267 increased reimbursement for personal support services provided under the following programs: Chapter 101 of the MaineCare Benefits Manual, Chapter III, Section 19, Home and Community Benefits for the Elderly and for Adults with Disabilities; Chapter 101 of the MaineCare Benefits Manual, Chapter III, Section 96, Private Duty Nursing and Personal Care Services; and Chapter 10-149, Office of Elder Services Manual, Chapter 5, Section 63, In-Home and Community Support Services for Elderly and Other Adults.

**LD 1352 An Act To Facilitate the Delivery of Health Care Services through
Telemedicine and Telehealth**

ONTP

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

This bill:

1. Requires a hospital that is part of a health care system that includes at least one other hospital to include in its strategic plan as an integral part of its mission the provision of telemedicine and telehealth;
2. Requires that services under MaineCare that are provided through telemedicine or telehealth be reimbursed at the same rates as those services that are not provided through telemedicine or telehealth;
3. Requires that a telemedicine facility fee must be shared between the site at which the patient is physically located and the site at which the health care provider providing service is located;
4. Expands the duties of the ConnectME Authority to include facilitation of the availability of communications technology infrastructure necessary to support the delivery of health care services through telemedicine and telehealth;
5. Removes restrictions on the ability of the ConnectME Authority to undertake a project or make an investment

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Public Law 2015, chapter 278 requires licensed child care facilities, certified family child care providers and licensed nursery schools to report incidents that result or could result in serious harm to the physical or mental health, safety or well-being of a child being served by these entities. Incidents must be reported to the Department of Health and Human Services, Division of Licensing and Regulatory Services. Written notification is required by the next business day after the incident occurred.

LD 1368 An Act To Require the Documentation of the Use of Seclusion and Restraint at Mental Health Institutions in the State

PUBLIC 266

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SIROCKI	OTP-AM	H-372 S-264 BRAKEY

This bill provides for the notice, reporting and documentation of the use of restraint or seclusion of a client of a public or private institution that provides services that fall under the jurisdiction of the Department of Health and Human Services. This bill requires the staff responsible for a client subject to restraint or seclusion to attend a debriefing after an incident of restraint or seclusion and to conduct a meeting after three incidents involving a client in a one-year period to determine how to reduce the use of restraint or seclusion with that client. This bill requires the chief administrative officer of each institution under the jurisdiction of the Department of Health and Human Services annually to report the aggregate number of incidents of restraint and seclusion for that institution to the Commissioner of Health and Human Services and for the commissioner to report the aggregate number of incidents of restraint and seclusion for all those institutions to the joint standing committee of the Legislature having jurisdiction over health and human services matters and authorizes the joint standing committee to report out legislation based on the report. This bill provides for a complaint process for a client or parent or guardian of a client subject to restraint or seclusion at the institution level and at the department level if the complainant is dissatisfied with the institution's response.

Committee Amendment "A" (H-372)

This amendment replaces the bill. It requires public and private psychiatric institutions licensed under the Maine Revised Statutes, Title 22, chapters 404 and 405 to submit quarterly and annual reports to the Commissioner of Health and Human Services that include data regarding the hours and number of uses of restraint and seclusion as well as the maximum and mean duration of the uses of restraint and seclusion as those terms are defined in federal regulations. The commissioner is required to submit a report by January 1st of each year to the joint standing committee of the Legislature having jurisdiction over health and human services matters; the report must contain the data collected by the public and private psychiatric institutions for the previous fiscal year. The committee may report out legislation regarding the report. The first annual report, due January 1, 2016, may be partial and incomplete. By May 1, 2016, each public and private psychiatric institution must develop a policy for debriefing a client after the use of restraint or seclusion. The policy may not prevent a parent, guardian or designated representative from attending the debriefing.

Senate Amendment "A" To Committee Amendment "A" (S-264)

This amendment adds language to require that quarterly reports from psychiatric institutions be organized by unit, consistent with the requirements for annual reports. This language was inadvertently left out of Committee Amendment "A."

Enacted Law Summary

Public Law 2015, chapter 266 requires public and private psychiatric institutions licensed under the Maine Revised Statutes, Title 22, chapters 404 and 405 to submit quarterly and annual reports to the Commissioner of Health and Human Services that include data regarding the hours and number of uses of restraint and seclusion as well as the maximum and mean duration of the uses of restraint and seclusion as those terms are defined in federal regulations. The commissioner is required to submit a report by January 1st of each year to the joint standing committee of the

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Legislature having jurisdiction over health and human services matters; the report must contain the data collected by the public and private psychiatric institutions for the previous fiscal year. The committee may report out legislation regarding the report. The first annual report, due January 1, 2016, may be partial and incomplete. By May 1, 2016, each public and private psychiatric institution must develop a policy for debriefing a client after the use of restraint or seclusion. The policy may not prevent a parent, guardian or designated representative from attending the debriefing.

LD 1375 An Act To Increase Accountability in Maine's Welfare Programs

**Died Between
Houses**

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

This bill makes the following changes to the laws governing the Temporary Assistance for Needy Families, or TANF, program.

1. It creates a work search requirement for job-ready applicants to the TANF program.
2. It prohibits a recipient of benefits under the TANF program from using an electronic benefits transfer system card to access those benefits outside of Maine.
3. It prohibits a recipient of benefits under the TANF program from withdrawing in a monthly benefit period cash in an amount over 15 percent of the monthly TANF benefits received in the recipient's electronic benefits transfer system account.
4. It prohibits benefits provided under the TANF program from being expended on tobacco, imitation liquor, liquor, gambling, lotteries, tattoos and bail.
5. It prohibits the use of the electronic benefits transfer system at tobacco specialty stores.
6. It removes all the good cause exceptions that prevent a person from being sanctioned under the Additional Support for People in Retraining and Employment - Temporary Assistance for Needy Families, or ASPIRE-TANF, program or the TANF program for failure to participate in the ASPIRE-TANF program, with the exception of domestic violence.
7. It removes the 24-month limit on education, training and treatment for participants in the ASPIRE-TANF program.
8. It imposes a six-month termination of TANF benefits upon the imposition of a third sanction and removes the prenotification requirement prior to imposing a sanction.
9. It amends the time period in which applicants may receive alternative aid and eliminates alternative aid to applicants who are not eligible for TANF benefits due to the 60-month time limit on benefits.
10. It amends the Parents as Scholars Program.

Committee Amendment "A" (S-237)

This amendment, which is the minority report of the committee, removes from the bill the changes to the Parents as Scholars Program. The amendment also adds an appropriations and allocations section.

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**LD 1385 An Act To Enable a Foster Child To Remain in a Daycare Facility
Selected by a Foster Parent**

ONTP

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

This bill requires the Department of Health and Human Services to pay 100 percent of the child care expenses incurred by a foster parent for child care provided at a licensed child care provider selected by the foster parent, subject to certain determinations of the department. The bill is in response to a proposal by the department to cap daycare payments.

LD 1392 An Act To Amend the Maine Medical Use of Marijuana Act

**Accepted Minority
(ONTP) Report**

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

This bill makes the following changes to the Maine Medical Use of Marijuana Act. The bill provides that:

1. The Department of Health and Human Services is permitted to obtain intelligence and investigative record information if it is used in the operation and oversight of the Act;
2. The term "person" means an individual, corporation, facility, institution or public or private agency;
3. The term "primary caregiver" means an individual, employee of that individual or an employee of a hospice provider licensed under the Maine Revised Statutes, Title 22, chapter 1681 or a nursing facility licensed under chapter 405 that provides care for a qualifying patient. A corporation, facility, institution or public or private agency may not be a primary caregiver;
4. The definition of "registered patient" is repealed and all references to the concept of registering a patient have been removed from the Act;
5. The definition of "registry identification card" is amended to include a medical provider-issued medical certification card, department-issued caregiver certification card and department-issued dispensary certification card;
6. A business entity that is a hospice or nursing facility is not allowed to be a primary caregiver, but staff of such an entity may be designated as a primary caregiver if the entity elects to honor a patient's request for this service;
7. A primary caregiver may only dispense 2.5 ounces of medical marijuana to each qualifying patient in a 15-day period;
8. A municipal official who is furthering the business of a municipality may enter a cultivation facility;
9. Exceptions to the requirement that a primary caregiver designated to cultivate marijuana for a qualifying patient register with the department are removed;

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10. A visiting qualifying patient must be in this State not less than 24 consecutive hours;
11. A visiting qualifying patient must designate a primary caregiver in this State or registered dispensary in this State. A visiting qualifying patient receives protections under this Act only while in this State. A visiting qualifying patient is included in the maximum of five qualifying patients a primary caregiver may assist;
12. The department may not establish a sliding scale of application and renewal fees based on a registered patient's family income and status as a veteran of the Armed Forces of the United States. The language establishing these provisions is removed;
13. Language regarding registered patients has been removed or changed to reflect the medical provider certification process;
14. Failure of an applicant to comply with the Act or rules adopted pursuant to the Act or a determination by the Department of Health and Human Services that an applicant has acted in bad faith with respect to the laws and rules governing medical use of marijuana is grounds for denial of an application or renewal of a registry identification card;
15. The name of a complainant who reports a violation of the Act is confidential;
16. Information to be included in the annual report to the Legislature has been changed to reflect changes in the medical provider certification process and new caregiver certification card terminology;
17. Fees are nonrefundable except that an unsuccessful applicant for a dispensary certificate of registration must be refunded all but \$1,000 of the application fee;
18. When a registry identification card is denied or revoked on one occasion the individual may not reapply for one year; when a registry identification card is denied or revoked on two occasions the individual may not reapply for two years; and when a registry identification card is denied or revoked on three occasions the individual may not receive another registry identification card;
19. The effective date for the revocation of a caregiver certification card is 10 days after the notice date or 10 days after the right to appeal is exhausted, whichever is later. The caregiver must notify the caregiver's qualifying patients and dispose of the caregiver's medical marijuana;
20. A primary caregiver and a registered dispensary are subject to fines for violations of the provisions of the Act or for failing to register as a primary caregiver or dispensary;
21. Fines prescribed for violations of the Act are mandatory;
22. The Office of the Attorney General may seek an injunction to require a registered primary caregiver, a registered dispensary, a person who fails to register as a primary caregiver and who engages in conduct that is only authorized for a registered primary caregiver or a person or entity that fails to register as a dispensary and that engages in conduct that is only authorized for a registered dispensary to comply with the Act. The District Court may order the registered primary caregiver, the registered dispensary or the person or entity to pay the costs of the investigation and the costs of suit, including attorney's fees;
23. The Office of the Attorney General may seek court action against a registered primary caregiver, a registered dispensary or a person or entity for violation of an injunction, including but not limited to imposition of a fine; and
24. The department's burden of proof for a violation of the Act is a preponderance of the evidence.

Committee Amendment "A" (H-454)

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This amendment, which is the majority report:

1. Reallocates the provisions of the bill that govern the dissemination of intelligence and investigative record information from the Maine Revised Statutes, Title 16, section 806 to Title 16, section 805;
2. Removes changes to the provision that governs from whom a qualifying patient may accept excess prepared marijuana;
3. Provides that primary caregivers and registered dispensaries may request a waiver from the Department of Health and Human Services to obtain permission to provide more than 2.5 ounces of prepared marijuana during a 15-day period to accommodate a qualifying patient's medical needs and directs the department to adopt rules governing the waiver process;
4. Changes the condition for the right of access to a cultivation facility by a municipal official from "to further the business of the municipality" to "to enforce municipal code";
5. Includes an exception to the registration requirement for a primary caregiver designated to cultivate marijuana for a qualifying patient who cultivates for up to two qualifying patients if the qualifying patients are members of the family of that primary caregiver and residents of this State;
6. Includes employees of a registered primary caregiver in the list of individuals required to obtain registry identification cards;
7. Changes the standard for denial of an application from a requirement that the applicant acted in bad faith with respect to the laws and rules governing the medical use of marijuana to a requirement that the applicant violated these laws and rules;
8. Eliminates the exception for expiration of registry identification cards;
9. Repeals the requirement that the department track the number of qualifying patients who designate a dispensary to cultivate marijuana for them and report this number to the dispensary;
10. Provides that a person who was a primary caregiver until that person's caregiver registration card for qualifying patients was revoked may continue to cultivate marijuana for that person's personal use if that person is a qualifying patient and not otherwise prohibited under the law; and
11. Makes the imposition of fines discretionary; amends the penalty provisions for registered primary caregivers and dispensaries so that each day of a violation does not constitute a separate offense and so that a Class D crime may not be imposed for repeat violations; eliminates the provision establishing the burden of proof for alleged violations of the Maine Medical Use of Marijuana Act; and directs the Department of Health and Human Services to adopt routine technical rules to carry out the objectives of the compliance provisions.

House Amendment "A" (H-465)

This amendment amends the penalty for failure to register as a primary caregiver for a second and subsequent violation from a Class D crime to a Class E crime. This amendment was not adopted.

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LD 1402 An Act To Reward Work Performed by Welfare Recipients

Died Between
Houses

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

This bill revises the earnings from employment the Department of Health and Human Services disregards when determining benefit levels for recipients under the Temporary Assistance for Needy Families program in order to provide recipients who are working with a greater earnings disregard depending on the amount of hours they work per week and whether or not they are meeting federal work participation requirements. The bill also increases the number of months eligible individuals may receive transitional transportation benefits from 12 months to 18 months. The bill also authorizes the Department of Health and Human Services, beginning in fiscal year 2016-17, to use \$500,000 from the Temporary Assistance for Needy Families block grant to promote financial literacy and healthy saving habits of families with income less than 200 percent of the federal poverty guidelines by placing funds in family development accounts.

Committee Amendment "A" (H-420)

This amendment, which is the majority report of the committee, modifies the section of the bill relating to determination of benefit levels and eligibility for the Temporary Assistance for Needy Families program, or TANF. It provides that a gross income test may only be applied to applicants and not recipients of assistance. It also directs the Department of Health and Human Services, in determining benefit levels, to disregard the following amounts of earnings:

1. For a recipient employed 40 or more hours per week and who meets work participation requirements as defined in federal TANF rules, 100 percent of the gross earned income for the first full month of employment and the next consecutive month of employment, 75 percent of the gross earned income for the next six consecutive months of employment and \$108 and 50 percent of the remaining gross earned income for each additional consecutive month of employment thereafter;
2. For a recipient employed less than 40 hours per week and who meets work participation requirements as defined in federal TANF rules, 100 percent of the gross earned income for the first full month of employment, 75 percent of the gross earned income for the next six consecutive months of employment and \$108 and 50 percent of the remaining gross earned income for each additional consecutive month of employment thereafter;
3. For all other recipients with earnings from employment, \$108 and 50 percent of the remaining earnings; and
4. All actual child care costs necessary for work, except that the department may limit the amount disregarded for actual child care costs to \$175 per month per child or \$200 per month per child under two years of age or with special needs.

This amendment also provides that if an applicant for child care programs is determined eligible, child care assistance must be provided retroactively to the date of application. The amendment adds an appropriations and allocations section.

Committee Amendment "B" (H-421)

This amendment, which is the minority report of the committee, provides that if an applicant for child care programs is determined eligible, child care assistance must be provided retroactively to the date of application. The amendment adds an appropriations and allocations section.

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LD 1407 An Act To Require Screening and Testing for Illegal Substances of Beneficiaries under the Temporary Assistance for Needy Families Program

Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANDERSON MCCORMICK	OTP-AM ONTP OTP-AM	

This bill requires an adult applicant for or an adult recipient of benefits under the Temporary Assistance for Needy Families, or TANF, program to be screened and possibly physically tested for the unlawful use of drugs. The outcome of testing may result in that person's being denied or losing TANF benefits if subsequent substance use disorder treatment is not successfully completed. The bill also repeals provisions that prohibit the State's denying food assistance and TANF assistance to a person who has been convicted of a drug-related felony.

Committee Amendment "A" (H-460)

This amendment, which is Report A of the committee, removes the sections of the bill that repeal provisions that prohibit the State's denying food assistance and Temporary Assistance for Needy Families, TANF, benefits to a person who has been convicted of a drug-related felony. It specifies that a person receiving TANF benefits who has been convicted of a drug-related felony and is within 20 years of that person's date of conviction is not able to reapply for cash assistance if the person fails a drug test, declines to enter a treatment plan or fails to meet the requirements of the treatment plan. It requires the Department of Health and Human Services to apply the same process to a person receiving food benefits who was convicted of a drug-related felony and is within 20 years of that person's date of conviction.

Committee Amendment "B" (H-461)

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

1. It removes the sections of the bill that repeal provisions that prohibit the State's denying food assistance and Temporary Assistance for Needy Families, or TANF, benefits to a person who has been convicted of a drug-related felony. It specifies that a person receiving TANF benefits who has been convicted of a drug-related felony and is within 20 years of that person's date of conviction is not able to reapply for cash assistance if the person fails a drug test and declines to enter a treatment plan or fails to meet the requirements of the treatment plan. It requires the Department of Health and Human Services to apply the same process to a person receiving food benefits who was convicted of a drug-related felony within 20 years of that person's date of conviction.

2. It requires the Legislative Council to conduct screening and testing of Legislators for illegal substances. If a Legislator is required to submit to drug testing and refuses, or if the Legislator tests positive for the unlawful use of a drug and refuses to enter into a substance use disorder treatment plan or enters into a substance use disorder treatment plan and fails to meet a requirement of the plan, the Legislator is ineligible for annual legislative salary payments and must reimburse the State for any salary payments made to the Legislator since the convening of the Legislature.

3. It requires the Governor's Office of Policy and Management to conduct yearly screening and testing of certain appointed state employees for illegal substances. If an appointed state employee is required to submit to drug testing and refuses, or if the employee tests positive for the unlawful use of a drug and refuses to enter into a substance use disorder treatment plan or enters into a substance use disorder treatment plan and fails to meet a requirement of the plan, the office is required to make a formal recommendation to the Governor that the employee be terminated or otherwise reprimanded.

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7. It establishes statutory background check requirements and employment restrictions based on disqualifying offenses, including criminal convictions.
8. It replaces current ambiguous statutory language that bases employment bans on the length of the sentence that may be imposed with a requirement that the department adopt by rule a table of named crimes that form the rational basis for employment bans based on convictions.
9. It requires the department to adopt rules that list nondisqualifying criminal convictions that do not ban employment leaving hiring decisions to employer discretion.
10. It provides that disqualifying criminal convictions result in 10-year or 30-year employment bans and that the length of an employment ban may be shortened by filing a petition with the department to lift an employment ban prior to its expiration.
11. It consolidates complaint investigation requirements.

Committee Amendment "A" (H-342)

This amendment clarifies the definition of "direct care worker" in the bill in provisions relating to registration of personal care agencies and placement agencies as well as the Maine Registry of Certified Nursing Assistants and Direct Care Workers. It removes from the bill the section repealed relating to unlicensed assistive personnel. It allows for a training program to pay for or secure a background check.

Enacted Law Summary

Public Law 2015, chapter 196 amends the Maine Registry of Certified Nursing Assistants and Direct Care Workers in the following ways.

1. It clarifies the circumstances under which a person employed as a direct care worker is listed on the registry.
2. It amends the requirements for listing certified nursing assistants and direct care workers.
3. It requires employers to verify that an individual listed on the registry is eligible for employment as a certified nursing assistant or direct care worker.
4. It consolidates information and aligns language used across programs based on federal and state laws related to background checks, disqualifying offenses, prohibited employment, criminal convictions and substantiated findings related to complaints of abuse, neglect or misappropriation of property.
5. It describes the process of identifying the disqualifying offenses that adversely affect an individual's eligibility for employment as a certified nursing assistant or direct care worker.
6. It establishes the department's authority to adopt eligibility for listing on the registry and other requirements by rule.
7. It establishes statutory background check requirements and employment restrictions based on disqualifying offenses, including criminal convictions.
8. It replaces current ambiguous statutory language that bases employment bans on the length of the sentence that may be imposed with a requirement that the department adopt by rule a table of named crimes that form the rational basis for employment bans based on convictions.
9. It requires the department to adopt rules that list nondisqualifying criminal convictions that do not ban

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employment leaving hiring decisions to employer discretion.

10. It provides that disqualifying criminal convictions result in 10-year or 30-year employment bans and that the length of an employment ban may be shortened by filing a petition with the department to lift an employment ban prior to its expiration.

11. It consolidates complaint investigation requirements.

LD 1428 An Act To Establish the Forensic Treatment Fund To Establish a Behavioral Assessment and Safety Evaluation Unit

Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN J	ONTP OTP-AM	

This bill establishes and appropriates funds to the Forensic Treatment Fund in the Department of Health and Human Services. It funds the establishment and operation by the Commissioner of Health and Human Services of a behavioral assessment and safety evaluation unit.

Committee Amendment "A" (H-334)

This amendment, which is the minority report, clarifies that the appropriation in fiscal year 2016-17 is for one month of a contract for establishing and operating a behavioral assessment and safety evaluation unit. The appropriation is for the final month of fiscal year 2016-17.

LD 1432 An Act To Consolidate the Investigation of Out-of-home Child Abuse and Neglect

PUBLIC 283

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANDERSON	OTP-AM	H-453

This bill does the following.

1. It clarifies the Department of Health and Human Services' investigation of out-of-home child abuse or neglect. It enacts new laws and integrates relevant provisions of existing child abuse and neglect laws into these new laws.
2. It consolidates and clarifies the role of the team that investigates out-of-home child abuse or neglect.
3. It eliminates duplication of department investigations of the same or related allegations of out-of-home child abuse or neglect.
4. It authorizes the investigation team to assist other departments that are charged with the responsibility to investigate out-of-home child abuse or neglect, including the Department of Education and Department of Corrections.
5. It clarifies the requirement that the investigation team's findings of abuse or neglect be supported by identified factors as set out in the team's written decision. Factors that support indicated and substantiated findings are established in rules adopted by the department.
6. It clarifies the right of a person to have a hearing on and to appeal an indicated or substantiated finding of

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out-of-home child abuse or neglect.

7. It requires the investigation team to provide notification of a report of abuse or neglect to the parent, guardian or custodian of a child who is the alleged victim and information regarding the conclusions reached upon closure of the investigation.

8. It authorizes the investigation team to notify the parents, guardians or custodians of children who attend a licensed children's facility or program when there is a report that alleges the occurrence of abuse or neglect in the licensed children's facility or program upon conclusion of the investigation whether the investigation team determined that a violation of law or rules has occurred.

Committee Amendment "A" (H-453)

This amendment allows the Department of Health and Human Services' investigation team to notify a child's parent, guardian or custodian that the child has been allegedly abused or neglected, rather than requiring the notification, to reflect that there are situations when the parent, guardian or custodian should not be notified. It also clarifies that the department, rather than the investigation team, may publish information on the department's publicly accessible website regarding an investigation, but only upon the conclusion of the investigation.

Enacted Law Summary

Public Law 2015, chapter 283 updates the Department of Health and Human Services' investigation of out-of-home child abuse or neglect. It consolidates and clarifies the role of the team that investigates out-of-home child abuse or neglect and authorizes the investigation team to assist other departments that are charged with the responsibility to investigate out-of-home child abuse or neglect, including the Department of Education and Department of Corrections. It allows the department's investigation team to notify a child's parent, guardian or custodian that the child has been allegedly abused or neglected. The department may publish information on the department's publicly accessible website regarding an investigation but only upon the conclusion of the investigation.

LD 1439 An Act To Establish a Secure Internet-based Background Check Center for Providers of Long-term Care, Child Care and In-home and Community-based Services

PUBLIC 299

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BURNS	OTP-AM	S-274

This bill establishes an interagency comprehensive background check program to protect Maine citizens vulnerable to abuse, neglect or exploitation by individuals in positions of trust who are charged with the physical and financial care of these individuals. Providers are required to perform background checks prior to hiring new direct care workers as well as current on direct access personnel. The bill creates the Background Check Center, which allows direct access care providers to secure background information from abuse and neglect databases, sex offender registries, the registry of certified nursing assistants and direct care workers, professional licensing authorities, Medicare and Medicaid exclusion databases and criminal history record repositories. The bill enables the Background Check Center to provide a report that identifies offenses that disqualify an individual from employment as a direct access worker. It also authorizes a system of continued criminal record monitoring through a rap back program to ensure that employers are informed of any new disqualifying criminal offense that may occur after a direct access worker's initial background check. It provides for a conditional employment process that allows direct access workers to correct inaccurate background check report records and procedures to gradually implement background checks for current employees. The bill outlines compliance requirements including penalties and the impact of violations on provider licensing for noncompliance with the requirements. It amends existing background check and prohibited employment laws to use consistent language across all areas affected by the laws.

Committee Amendment "A" (S-274)

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This amendment makes the following changes to the bill.

1. It amends and standardizes the definition of "direct care worker."
2. It clarifies that facilities or providers licensed under Title 22, chapter 419 are required to conduct a background check for individuals employed in positions that have direct access to a consumer's property, personally identifiable information, financial information or resources in accordance with federal and state laws.
3. It requires a training program for certified nursing assistants or direct care workers either to pay for or secure a background check.
4. It adds a process for an individual who has a disqualifying offense to secure a waiver from the employment ban.
5. It clarifies that information provided through the Maine Sex Offender Registry is available to the Background Check Center.
6. It adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2015, chapter 299 establishes an interagency comprehensive background check program to protect Maine citizens vulnerable to abuse, neglect or exploitation by individuals in positions of trust who are charged with the physical and financial care of these individuals. Providers are required to perform background checks prior to hiring new direct care workers as well as current on direct access personnel. It creates the Background Check Center, which allows direct access care providers to secure background information from abuse and neglect databases, sex offender registries, the registry of certified nursing assistants and direct care workers, professional licensing authorities, Medicare and Medicaid exclusion databases and criminal history record repositories. The Background Check Center provides a report that identifies offenses that disqualify an individual from employment as a direct access worker. It also authorizes a system of continued criminal record monitoring through a rap back program to ensure that employers are informed of any new disqualifying criminal offense that may occur after a direct access worker's initial background check. It provides for a conditional employment process that allows direct access workers to correct inaccurate background check report records and procedures to gradually implement background checks for current employees. It establishes a process for an individual who has a disqualifying offense to secure a waiver from the employment ban. It establishes compliance requirements including penalties and the impact of violations on provider licensing for noncompliance with the requirements.

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Aging and Long-term Care

Enacted

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LD 87	Resolve, To Implement the Recommendations of the Commission To Continue the Study of Long-term Care Facilities	RESOLVE 34 EMERGENCY
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LD 1348	An Act To Protect Older Adults from Financial Exploitation	PUBLIC 332 EMERGENCY
LD 1350	Resolve, To Increase the Reimbursement Rate for Direct-care Workers Serving Adults with Long-term Care Needs	RESOLVE 50

Not Enacted

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LD 90	Resolve, To Ensure Appropriate Personal Needs Allowances for Persons Residing in Long-term Care Facilities	CARRIED OVER
LD 154	An Act To Promote Greater Flexibility in the Provision of Long-term Care Services	ONTP
LD 665	Resolve, Establishing the Commission To Study Services Available on the Long-term Care Continuum	Died On Adjournment
LD 886	Resolve, Directing the Department of Health and Human Services To Increase Reimbursement Rates for Home-based and Community-based Services	CARRIED OVER
LD 1050	An Act To Reimburse Nursing Homes for the Loss of Coinsurance and Deductibles for Skilled Nursing Beds under Rules Adopted by the Department of Health and Human Services	ONTP

LD 1078	An Act To Preserve MaineCare Assisted Living by Providing a 4% Rate Increase to Private Nonmedical Institutions and Adult Family Care Homes	Died On Adjournment
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Certificate of Need

Not Enacted

LD 45	An Act To Exempt Certain Capital Expenditures from the Maine Certificate of Need Act of 2002	Died Between Houses
LD 734	An Act To Repeal the Certificate of Need Requirement for Hospitals	Died Between Houses
LD 751	An Act To Provide Consideration of the Need for Nursing Facility Beds in the Area Where They Are Located before Those Beds Are Lost	ONTP

Child Care

Enacted

LD 1432	An Act To Consolidate the Investigation of Out-of-home Child Abuse and Neglect	PUBLIC 283
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Not Enacted

LD 559	An Act To Notify Parents of a Complaint against a Child Care Facility or a Family Child Care Provider	ONTP
LD 772	An Act To Amend the Membership of the Child Care Advisory Council	ONTP
LD 977	An Act To Improve Child Care in the State	Died Between Houses
LD 1054	An Act To Provide Funding for Head Start Services	Died Between Houses
LD 1267	An Act To Assist Working Families with Young Children	CARRIED OVER
LD 1385	An Act To Enable a Foster Child To Remain in a Daycare Facility Selected by a Foster Parent	ONTP

Children's Services

Enacted

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LD 1365	An Act Regarding Licensed Children's Programs	PUBLIC 278

Not Enacted

LD 213	An Act To Ensure the Comprehensive Medical, Dental, Educational and Behavioral Assessment of Children Entering State Custody	CARRIED OVER
LD 622	An Act To Require Training of Mandated Reporters under the Child Abuse Laws	CARRIED OVER

Departmental Organization and Administration

Enacted

LD 139	An Act To Allow the Electronic Transfer of Marriage Certificates	PUBLIC 104
LD 525	Resolve, To Direct the Department of Health and Human Services To Report on Efforts To Reach in Rural Areas Persons Who Are Elderly, Disabled or Mentally Ill	RESOLVE 18
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Not Enacted

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LD 421	An Act To Improve Program Integrity Activities within the Department of Health and Human Services	Died Between Houses
LD 478	An Act To Require That Death Certificates Be Signed Using an Electronic Signature System	ONTP
LD 1349	An Act To Establish the Office of the Inspector General in the Department of Health and Human Services	Majority (ONTP) Report

Developmental Disabilities

Enacted

LD 7	Resolve, Regarding Legislative Review of Portions of Chapter 101, MaineCare Benefits Manual, Chapter III, Section 21: Allowances for Home and Community Benefits for Adults with Intellectual Disabilities or Autistic Disorder, a Major Substantive Rule of the Department of Health and Human Services	RESOLVE 1 EMERGENCY
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LD 1134	An Act To Require the Department of Health and Human Services To Distribute Information Regarding Down Syndrome to Providers of Prenatal and Postnatal Care and to Genetic Counselors	PUBLIC 269

Not Enacted

LD 205	An Act To Facilitate the Development and Operation of a Group Home for Post-High School Adults with Developmental Disabilities	ONTP
LD 274	Resolve, To Direct the Department of Health and Human Services To Address the Growing Deficit in Room and Board Allowances Paid to Agencies Providing Residential Services to Adults with Intellectual Disabilities or Autism	Died Between Houses

LD 517	Resolve, To Reconcile Conflicts between the Home and Community-based Waiver Program for the Elderly and Adults with Disabilities and the Requirements of the Department of Health and Human Services and the Department of Public Safety	ONTP
LD 647	An Act To Require the Department of Health and Human Services To Update Its Rules Governing Services for Children with Cognitive Impairments and Functional Limitations	Veto Sustained
LD 1061	Resolve, To Create the Commission To Study a Stable Continuum of Care for Persons with Intellectual and Developmental Disabilities and Autism	Died On Adjournment
LD 1236	An Act To Change the Type of Rulemaking Required Regarding Persons with Intellectual Disabilities or Autism	Majority (ONTP) Report
LD 1356	Resolve, To Create a Working Group To Ensure a Stable Continuum of Care for Individuals with Intellectual Disabilities and Autism	ONTP

Disabilities

Not Enacted

LD 949	An Act To Enact the Recommendations of the Commission on Independent Living and Disability	CARRIED OVER
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End of Life

Not Enacted

LD 1270	An Act Regarding Patient-directed Care at the End of Life	Died Between Houses
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Fund for a Healthy Maine

Enacted

LD 905	Resolve, To Study Allocations of the Fund for a Healthy Maine	RESOLVE 47 EMERGENCY
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Not Enacted

LD 1294	An Act To Improve the Health of Maine Residents through Education and Health Care	INDEF PP
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Health Care

Not Enacted

LD 969	An Act To Preserve Jobs and Primary Care Services in Rural and Underserved Areas of Maine	Died On Adjournment
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Health Care Workforce

Enacted

LD 1426	An Act Regarding the Maine Registry of Certified Nursing Assistants and Direct Care Workers	PUBLIC 196
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LD 1439 An Act To Establish a Secure Internet-based Background Check Center for Providers of Long-term Care, Child Care and In-home and Community-based Services PUBLIC 299

Not Enacted

LD 1316 An Act Regarding the Employment of Certified Nursing Assistants and Direct Care Workers ONTP

Hospitals

Enacted

LD 155 Resolve, To Establish the Commission To Study Difficult-to-place Patients RESOLVE 44 EMERGENCY

LD 666 An Act To Allow a Patient To Designate a Caregiver in the Patient's Medical Record PUBLIC 370

Not Enacted

LD 292 An Act To Require Hospitals To Allow Patients To Provide Their Own Medications ONTP

LD 343 An Act To Align the Federal Affordable Care Act's Health Care Coverage Opportunities and Hospital Charity Care Died Between Houses

Immunizations

Enacted

LD 1076 Resolve, Directing the Department of Health and Human Services To Increase Public Awareness about and Access to Federal Resources Related to Vaccine Injuries RESOLVE 35

Not Enacted

LD 471 An Act To Improve Childhood Vaccination Rates in Maine Veto Sustained

LD 473 Resolve, Directing the Department of Education and the Department of Health and Human Services To Jointly Adopt Rules To Protect Children's Health Leave to Withdraw

LD 606 An Act To Remove the Philosophical Exemption from the Immunization Requirements for School Students and Employees of Nursery Schools and Health Care Facilities ONTP

Lead Poisoning

Not Enacted

LD 1115 An Act To Make the State's Standard for Lead Exposure in Children Consistent with the Federal Standard INDEF PP

Licensing

Not Enacted

LD 436 An Act To Require Providers of Short-term Lodging To Be Licensed by the State ONTP

LD 715	Resolve, Directing the Department of Health and Human Services To Hire Health Inspectors	Died Between Houses
LD 1295	An Act To Streamline Regulation of Farms, Food Producers and Food Establishments	Leave to Withdraw

Maternal/Infant

Not Enacted

LD 84	An Act Concerning Screening of Newborns for Lysosomal Storage Disorders	ONTP
LD 552	An Act To Provide Funding for Home Visiting Services	CARRIED OVER
LD 663	Resolve, To Require That the Department of Health and Human Services Determine Whether Testing for Krabbe Disease Should Be Required for Newborns	Leave to Withdraw
LD 940	Resolve, To Require Hospitals To Provide Information to Parents of Infants Regarding Testing for Krabbe Disease	Leave to Withdraw
LD 1149	Resolve, Directing the Maine Center for Disease Control and Prevention To Report on Progress toward Meeting Healthy Maine 2020 Goals Pertaining to Reproductive Health	CARRIED OVER

Medicaid/MaineCare

Enacted

LD 319	An Act To Strengthen the Economic Stability of Qualified Maine Citizens by Expanding Coverage of Reproductive Health Care and Family Services	PUBLIC 356
LD 582	An Act To Establish a State Educational Medicaid Officer	PUBLIC 359
LD 649	Resolve, To Ensure That MaineCare-eligible Children Have Equal Access to Providers of Dental, Hearing and Vision Services	RESOLVE 30
LD 831	Resolve, To Reduce MaineCare Spending through Targeted Prevention Services	RESOLVE 54

Not Enacted

LD 179	Resolve, Directing the Department of Health and Human Services To Provide Coverage under the MaineCare Program for Routine Male Newborn Circumcisions	ONTP
LD 472	An Act To Establish Meals on Wheels as a Service Covered under the MaineCare Program	ONTP
LD 475	Resolve, To Increase MaineCare Services for Certain Recipients To Allow Them To Remain at Home	CARRIED OVER
LD 633	An Act To Improve the Health of Maine Citizens and the Economy of Maine by Providing Affordable Market-based Coverage Options to Low-income Uninsured Citizens	CARRIED OVER

LD 664	Resolve, To Direct the Department of Health and Human Services To Submit a State Plan Amendment To Allow Community-based and Other Health Care Providers To Be Reimbursed by MaineCare	ONTP
LD 798	An Act To Strengthen Maine's Hospitals and Increase Access to Health Care	ONTP
LD 808	An Act To Decrease Uncompensated Care, Reduce Medical Debt and Improve Health Outcomes	ONTP
LD 841	Resolve, Directing the Department of Health and Human Services To Develop a Bus Pass Program	ONTP
LD 854	An Act To Increase Access to Health Security by Expanding Federally Funded Health Care for Maine People	Died Between Houses

Medical Use of Marijuana

Not Enacted

LD 5	An Act To Increase the Limit on the Number of Patients a Primary Caregiver May Provide for under the Medical Marijuana Laws	Died In Concurrence
LD 21	An Act To Amend the Medical Marijuana Laws	ONTP
LD 23	An Act To Remove from the Maine Medical Use of Marijuana Act the Requirement That a Patient's Medical Condition Be Debilitating	Died Between Houses
LD 35	An Act To Provide Legal Protection to Hospitals where Admitted Qualifying Patients Use Smokeless Forms of Medical Marijuana	Veto Sustained
LD 266	An Act To Allow Access for Law Enforcement Officers to the List of Registered Primary Caregivers for Medical Marijuana Patients	ONTP
LD 560	An Act Regarding Patient Information Under the Maine Medical Use of Marijuana Act	Veto Sustained
LD 726	An Act To Increase Patient Safety in Maine's Medical Marijuana Program	CARRIED OVER
LD 752	An Act To Permit Medical Marijuana Cultivation by Incapacitated Adults	Veto Sustained
LD 766	An Act To Require a Medical Marijuana Primary Caregiver Cultivating in a Residential Building To Obtain an Electrical Permit	ONTP
LD 1058	An Act Regarding Medical Marijuana Registered Testing Laboratories	ONTP
LD 1059	An Act Relating to Marijuana Testing Facilities	Veto Sustained
LD 1258	An Act To Amend the Maine Medical Use of Marijuana Act with Regard to Good Business Practices	ONTP
LD 1392	An Act To Amend the Maine Medical Use of Marijuana Act	Minority (ONTP) Report

Mental Health

Enacted

LD 736	An Act To Allow Access to Certain Death Records	PUBLIC 189
LD 1368	An Act To Require the Documentation of the Use of Seclusion and Restraint at Mental Health Institutions in the State	PUBLIC 266

Not Enacted

LD 477	Resolve, To Increase Funding To Support Peer Centers	Died On Adjournment
LD 539	An Act To Increase Utilization of the Dorothea Dix Psychiatric Center	ONTP
LD 604	An Act To Encourage Communication Regarding Persons with Mental Illness	ONTP
LD 842	An Act To Establish Peer Center Reimbursement	CARRIED OVER
LD 966	An Act To Assist Patients in Need of Psychiatric Services	CARRIED OVER
LD 1030	An Act To Better Coordinate the Work of Mental Health Crisis Agencies with Law Enforcement Agencies	CARRIED OVER
LD 1209	An Act To Increase the Effectiveness of Peer Supports in the State	CARRIED OVER
LD 1412	An Act To Fund a Training Partnership between Riverview Psychiatric Center and the University of Maine at Augusta	CARRIED OVER
LD 1428	An Act To Establish the Forensic Treatment Fund To Establish a Behavioral Assessment and Safety Evaluation Unit	Died Between Houses

Miscellaneous

Enacted

LD 433	An Act To Clarify the Liability of Funeral Practitioners	PUBLIC 188
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Not Enacted

LD 928	Resolve, To Enhance Consumer Awareness of Expenditures and Gifts by Manufacturers of Prescribed Products	ONTP
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Oral Health/Dental Care

Not Enacted

LD 474	An Act To Improve Access to Dental Care in Maine	ONTP
LD 605	Resolve, To Provide Certain Dental Services to Pregnant Women Enrolled in the MaineCare Program	ONTP
LD 771	An Act To Promote Dental Services for Prenatal and Postpartum Women	ONTP
LD 860	Resolve, To Adjust Reimbursement Rates for Dental Services and Improve Access to Dental Care under the MaineCare Program	CARRIED OVER
LD 917	Resolve, To Improve Access to Dental Care through a Pediatric Medical Benefit	ONTP

Palliative Care

Enacted

LD 782	An Act To Improve the Quality of Life of Persons with Serious Illnesses	PUBLIC 203
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Prescription Drugs

Enacted

LD 1170	Resolve, Regarding Legislative Review of Portions of Chapter 11: Rules Governing the Controlled Substances Prescription Monitoring Program, a Late-filed Major Substantive Rule of the Department of Health and Human Services	RESOLVE 16 EMERGENCY
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Not Enacted

LD 180	An Act To Allow Terminally Ill Patients To Choose To Use Experimental Treatments	CARRIED OVER
LD 327	An Act To Require Prescribers of Controlled Substances To Use the Controlled Substances Prescription Monitoring Program Software	ONTP
LD 469	An Act To Promote the Disposal of Unused Medications	ONTP
LD 989	An Act To Limit the Use of Extended-release Hydrocodone Bitartrate	Majority (ONTP) Report

Public Assistance

Enacted

LD 369	An Act To Clarify the Immigration Status of Noncitizens Eligible for General Assistance	PUBLIC 324
LD 722	An Act To Strengthen Penalties for Abuse of General Assistance	PUBLIC 312

Not Enacted

LD 101	An Act To Strengthen and Reform Maine's Welfare System	ONTP
LD 133	Resolve, To Establish the Task Force on Independence from Public Assistance	ONTP
LD 368	An Act To Integrate the State's General Assistance and Temporary Assistance for Needy Families Programs	Died Between Houses
LD 452	An Act To Require a Work Search for Job-ready Applicants for Benefits under the Temporary Assistance for Needy Families Program	ONTP
LD 526	Resolve, To Require the Department of Health and Human Services To Request a Waiver To Prohibit the Use of Food Supplement Benefits for the Purchase of Taxable Food Items	Died Between Houses
LD 607	An Act To Stop the Abuse of Electronic Benefits Transfer Cards	Died Between Houses
LD 632	An Act To Require the State To Administer and Fund the General Assistance Program	ONTP
LD 816	An Act To Reform Welfare and Eliminate the Welfare Cliff	ONTP
LD 885	An Act To Promote Enhanced Eligibility Verification in Maine's Welfare System	CARRIED OVER
LD 1006	An Act To Prevent Beneficiaries under the Statewide Food Supplement Program from Carrying Forward Unused Benefit Amounts	ONTP

LD 1034	An Act To Prohibit the Use of EBT Cards for Cash Withdrawals	ONTP
LD 1035	An Act To Create a 9-month Time Limit on General Assistance Benefits	Died Between Houses
LD 1036	An Act To Prioritize Use of Available Resources in General Assistance Programs	Died Between Houses
LD 1037	An Act To Establish a 180-day Residency Requirement for Welfare Benefits	Majority (ONTP) Report
LD 1052	An Act To Feed Rural Citizens of the State	Died Between Houses
LD 1097	An Act To Improve the Integrity of Maine's Welfare Programs	CARRIED OVER
LD 1144	An Act To Ensure the Integrity of the Temporary Assistance for Needy Families Program	Died Between Houses
LD 1193	An Act To Encourage Good Nutrition and Healthy Choices in the Supplemental Nutrition Assistance Program	Died In Concurrence
LD 1268	An Act To Reform Welfare by Establishing Bridges to Sustainable Employment	CARRIED OVER
LD 1324	An Act To Create Transparency with Regard to Large Employers in the State with Workforce Members Who Receive Public Benefits	Died Between Houses
LD 1375	An Act To Increase Accountability in Maine's Welfare Programs	Died Between Houses
LD 1402	An Act To Reward Work Performed by Welfare Recipients	Died Between Houses
LD 1407	An Act To Require Screening and Testing for Illegal Substances of Beneficiaries under the Temporary Assistance for Needy Families Program	Died Between Houses

Public Health

Enacted

LD 423	An Act To Require Child-resistant Packaging for Nicotine Liquid Containers	PUBLIC 288
LD 1108	An Act To Protect Children and the Public from Vapor from Electronic Smoking Devices	PUBLIC 318
LD 1125	An Act To Expand Public Access to Epinephrine Autoinjectors	PUBLIC 231

Not Enacted

LD 123	An Act To Reduce Youth Cancer Risk	Died Between Houses
LD 476	An Act To Require Pharmacies To Provide Disposal Receptacles for Used Hypodermic Apparatuses	Majority (ONTP) Report
LD 661	An Act To Fund HIV, Sexually Transmitted Diseases and Viral Hepatitis Screening, Prevention, Diagnostic and Treatment Services	CARRIED OVER

LD 667	Resolve, Directing the Department of Health and Human Services To Educate the Public and Department Clients about How To Protect One's Family from Bisphenol A	ONTP
LD 832	An Act To Improve Public Health in Maine	ONTP
LD 1077	An Act To Ensure Access to Public Health Nursing Care and Child and Maternal Health Nursing Care in Washington County	ONTP
LD 1162	An Act To Ensure Safe Drinking Water for Maine Families	Veto Sustained

Substance Abuse

Enacted

LD 140	An Act To Expand Access To Lifesaving Opioid Overdose Medication	PUBLIC 351
LD 1307	An Act To Fund the Maine Diversion Alert Program	PUBLIC 304 EMERGENCY

Not Enacted

LD 20	An Act To Improve Substance Abuse Treatment	ONTP
LD 524	Resolve, To Develop a Pilot Program for Medication-assisted Recovery in a Rural Community at least 30 Miles from Bangor	Veto Sustained
LD 812	An Act To Prevent Drug Overdose Deaths by Enhancing Access to Opioid Antagonists	ONTP
LD 1090	Resolve, To Establish a Pilot Project for Medicaid Reimbursement for Acupuncture Treatment of Substance Abuse Disorders	Veto Sustained

Telemedicine

Enacted

LD 662	An Act To Increase Access to Health Care through Telemedicine	PUBLIC 137
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Not Enacted

LD 714	Resolve, Directing the Department of Health and Human Services To Study Providing Medical Assistance to Maine's Inhabited Islands	ONTP
LD 1352	An Act To Facilitate the Delivery of Health Care Services through Telemedicine and Telehealth	ONTP

Tobacco Sale and Use

Not Enacted

LD 821	An Act To Promote Equity in Business Opportunity for Tobacco Specialty Stores	Died Between Houses
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STATE OF MAINE
127TH LEGISLATURE
FIRST REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON INSURANCE AND
FINANCIAL SERVICES**

August 2015

MEMBERS:

SEN. RODNEY L. WHITTEMORE, CHAIR
SEN. LINDA L. BAKER
SEN. GEOFFREY M. GRATWICK

REP. HENRY E. M. BECK, CHAIR
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REP. ROBERT A. FOLEY
REP. DWAYNE W. PRESCOTT

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Joint Standing Committee on Insurance and Financial Services

LD 24 An Act To Create a Public State Bank

**Accepted Majority
(ONTP) Report**

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

This bill establishes the Maine Street Bank effective July 1, 2017 except that the bank may not make, purchase, guarantee, modify or hold loans until the bank has capital of at least \$20,000,000. It specifies the purposes of the bank, establishes a board of directors and creates an advisory committee. It allows the bank to accept deposits of public funds, to make, purchase, guarantee, modify or hold certain loans and to serve as a custodian bank. It directs the Treasurer of State to deposit money into the bank. Excess income of the bank is deposited in the Maine Budget Stabilization Fund.

The bill provides for a quarterly examination of the bank by the Department of Professional and Financial Regulation, Bureau of Financial Institutions and an audit by the State Auditor every two years.

The bill allows counties and municipalities to establish public banks.

The bill directs the Treasurer of State, the Commissioner of Administrative and Financial Services and the Chief Executive Officer of the Finance Authority of Maine to consult with the Attorney General and report to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs by January 15, 2016 with recommendations to fully implement the bank, including recommendations regarding the merger of the Finance Authority of Maine into the bank. It authorizes the joint standing committee to report out a bill to the Second Regular Session of the 127th Legislature.

Committee Amendment "A" (H-35)

This amendment is the minority report of the committee. The amendment appropriates one-time funds to the Finance Authority of Maine to research and prepare the report related to the merger of the Finance Authority of Maine with the Maine Street Bank established in the bill.

**LD 124 An Act To Require Payment by a Carrier for Health Care Services
 Provided to Enrollees of the Carrier**

PUBLIC 84

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRATWICK SANBORN	OTP-AM	S-47

Providers who treat enrollees of a carrier are not compensated for care provided during the pendency of credentialing. This bill requires retroactive payment to a provider for services rendered from the date a credentialing application is submitted for up to 60 days prior to credentials being granted.

Committee Amendment "A" (S-47)

This amendment replaces the bill. The amendment requires carriers to pay providers for services rendered prior to credentials being granted, retroactive to when a complete application for credentialing is submitted, as long as credentials are granted to that provider by the carrier. The bill required retroactive payment to a provider for services rendered up to 60 days prior to credentials being granted. The amendment clarifies that a claim may not be submitted until the provider has been notified of the credentialing decision and the effective date of any credentials.

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The amendment also makes a spelling change to match the preferred spelling of the relevant national accrediting organization.

Enacted Law Summary

Public Law 2015, chapter 84 requires carriers to pay providers for services rendered prior to credentials being granted, retroactive to when a complete application for credentialing is submitted, as long as credentials are granted to that provider by the carrier.

LD 135 An Act To Reduce Tobacco Use Surcharges in Small Group and Individual Health Insurance Products Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SANBORN GRATWICK	OTP-AM	H-26

This bill prohibits carriers providing individual health plans or small group health plans from adding a surcharge for tobacco use.

Committee Amendment "A" (H-26)

The amendment replaces the bill, which proposed to prohibit carriers providing individual health plans or small group health plans from adding a surcharge for tobacco use. The amendment reduces the maximum rate differential that may be applied by a carrier for tobacco use in individual and small group health insurance policies from 1.5 to 1.2 to 1 and makes the changed rate differential apply to all policies, contracts and certificates issued or renewed on or after January 1, 2017.

LD 144 Resolve, To Study State and Federal Laws Regarding Online Privacy and Data Security To Develop Ways To Further Protect Consumers from Identity Theft and Fraud Died On Adjournment

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RUSSELL	OTP-AM ONTP	H-101

This bill authorizes a person, firm, partnership, association or corporation that offers for purchase an electronic downloadable product to require, as a condition of accepting a credit card for payment, that a consumer provide personal identification information only if that person, firm, partnership, association or corporation requires that information solely for the detection, investigation or prevention of fraud, theft, identity theft or criminal activity or for enforcement of the terms of sale. The bill requires any personal identification information collected for these purposes to be destroyed after it is no longer needed and also prohibits the further sharing of that information.

The bill authorizes a person, firm, partnership, association or corporation that offers for purchase an electronic downloadable product to require that a consumer establish an account as a condition for the purchase of a downloadable product and to require that a consumer provide personal identification information, as long as the consumer is provided an opportunity to opt out of the collection of personal identification information before completing the online transaction.

Committee Amendment "A" (H-101)

This amendment is the majority report of the committee. This amendment replaces the bill and changes it into a resolve. The amendment establishes a task force to study state and federal laws regarding online privacy and data

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security. The task force is composed of 13 members, including seven Legislators and six representatives of privacy and data security associations, consumer protection advocates, financial institutions, online retailers, technology companies and an organization whose mission is to protect the United States Constitution and the privacy of citizens. The amendment requires the task force to identify policy options for the State to consider to protect consumers from identity theft and fraud when making purchases online. The amendment requires the task force to report back to the Legislature before the Second Regular Session of the 127th Legislature.

LD 220 An Act To Require Proper Notification of Life Insurance Cancellation

**PUBLIC 61
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DOORE	OTP-AM	H-39
KATZ	OTP-AM	

This bill requires insurers to provide notice of the lapse or termination of a life insurance policy by registered mail.

Committee Amendment "A" (H-39)

This amendment is the majority report of the committee. The amendment replaces the bill, which proposes to require individual life insurers to provide notice of termination of a life insurance policy by registered mail. The amendment requires the Maine Public Employees Retirement System to provide notice of cancellation of life insurance coverage administered by the Maine Public Employees Retirement System to an employee and any designated third party. The notice must be by mail. The amendment also allows an employee covered by the Maine Public Employees Retirement System to designate a third party to receive the cancellation notice. The amendment also adds an emergency preamble and clause.

Committee Amendment "B" (H-40)

This amendment is the minority report of the committee. The amendment replaces the bill, which proposes to require individual life insurers to provide notice of termination of a life insurance policy by registered mail. The amendment requires the Maine Public Employees Retirement System to provide notice of cancellation of life insurance coverage administered by the Maine Public Employees Retirement System to an employee and any designated third party. The notice must be by certified mail. The amendment also allows an employee covered by the Maine Public Employees Retirement System to designate a third party to receive the cancellation notice. The amendment also adds an emergency preamble and clause.

Enacted Law Summary

Public Law 2015, chapter 61 requires the Maine Public Employees Retirement System to provide notice of cancellation of life insurance coverage administered by the Maine Public Employees Retirement System to an employee and any designated third party by mail.

Public Law 2015, chapter 61 was enacted as an emergency measure effective May 10, 2015.

LD 243 An Act To Restore Consumer Rate Review for Health Insurance Plans in the Individual Market

**Died Between
Houses**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MELARAGNO	OTP-AM	
GRATWICK	ONTP	

This bill amends the rate review process for individual health insurance. It requires advance review and prior

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approval of individual health insurance rates. It requires the Superintendent of Insurance to hold a hearing if a filing proposes an increase in rates in individual health insurance plans. It requires the Superintendent of Insurance to disapprove premium rates unless the minimum medical loss ratio satisfies the statutory requirements for individual health plans. The changes apply to individual health plan rate filings submitted to the Department of Professional and Financial Regulation, Bureau of Insurance beginning with the 2016 plan or policy year. The bill also requires meetings of the Board of Directors of the Maine Guaranteed Access Reinsurance Association to be open to the public.

Committee Amendment "A" (H-104)

This amendment is the majority report of the committee. The amendment requires the Superintendent of Insurance to hold meetings in at least three locations throughout the State to allow public comment on a rate filing if the rate filing proposes an increase in rates in individual health insurance plans that exceeds the rate of medical inflation by two percent or more. The bill requires a hearing to be held pursuant to the Maine Administrative Procedure Act for every rate filing proposing an increase in rates in individual health plans. The changes in the amendment apply to rate filings beginning with the 2017 plan or policy year, instead of the 2016 plan or policy year as proposed in the bill.

The amendment also removes the section of the bill related to meetings of the Board of Directors of the Maine Guaranteed Access Reinsurance Association.

Committee Amendment "A" was adopted in the House, but was not adopted in the Senate.

LD 251 An Act To Limit Allowable Health Care Charges in Certain Specified Situations Accepted Minority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRATWICK MORRISON	OTP-AM ONTP	

This bill limits a health plan enrollee's responsibility for the cost of covered health care when an enrollee receives health care services from an out-of-network provider at a participating hospital or other health care facility to the cost-sharing provisions for participating providers.

Committee Amendment "A" (S-35)

This amendment is the majority report of the committee. The amendment replaces the bill and changes the title. The amendment requires hospital and ambulatory surgical centers to disclose to patients when a health care provider rendering nonemergency surgical or other medical services is not employed by the hospital or ambulatory surgical center and may not be a participating provider in the patient's health insurance carrier network. The amendment also clarifies that the provision does not limit or change the application of the rules of the Department of Professional and Financial Regulation, Bureau of Insurance governing health plan accountability.

Committee Amendment "A" was not adopted.

LD 289 An Act To Amend the Health Plan Improvement Law Regarding Prescription Drug Step Therapy Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ROSEN	OTP-AM ONTP	S-104

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This bill provides that the clinical review criteria used by a carrier in approving prescription drug step therapy must adhere to federal Food and Drug Administration prescription drug labeling and may not require failure on the same medication on more than one occasion for enrollees continuously enrolled in a health plan offered by the carrier. The bill also provides that the provisions may not be construed to prevent a health care practitioner from prescribing a medication for an off-label use or from prescribing a medication on more than one occasion when the health care practitioner determines it is medically appropriate.

If a carrier requires the failure on one or more drugs as a condition of prior authorization for a nonpreferred drug, the bill prohibits a carrier from collecting a copayment greater than the lowest cost preferred drug copayment in the same drug class from an enrollee that has satisfied the carrier's prior authorization requirements.

Committee Amendment "A" (S-104)

This amendment, which is the majority report of the committee, replaces the bill. The amendment provides that the clinical review criteria used by a carrier in approving prescription drugs may not prevent a health care practitioner from prescribing a medication for an off-label use, may not require failure on the same medication on more than one occasion for enrollees continuously enrolled in a health plan offered by the carrier and may not prevent a health care practitioner from prescribing a medication on more than one occasion when the health care practitioner determines it is medically appropriate.

The amendment also prohibits a carrier from requiring the failure on one or more drugs as a condition of prior authorization for a nonpreferred drug unless an enrollee has affirmatively agreed to the condition each time a carrier seeks to impose such a condition. The amendment does not restrict the cost-sharing imposed by a carrier.

LD 329 An Act To Allow Equipment Rental Companies To Sell Insurance

PUBLIC 77

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PICCHIOTTI WHITTEMORE	OTP-AM ONTP	H-80

This bill allows a rental company to offer for sale an insurance policy insuring against the loss of or damage to equipment rented for personal or household purposes.

Committee Amendment "A" (H-80)

This amendment replaces the bill and is the majority report of the committee. The amendment reallocates section 1 of the bill, which allows a rental company to offer for sale an insurance policy insuring against the loss of or damage to equipment rented for personal or household purposes, to the appropriate subchapter of the Maine Insurance Code. The amendment establishes a licensing structure for equipment rental insurance that is the same as the licensing structure for insurance sold in connection with renting a motor vehicle. The amendment requires rental companies to obtain a business entity license to sell insurance in connection with renting equipment and requires at least one employee at each office of the rental company located in the State to obtain a limited lines insurance producer license. The amendment also adds provisions to clarify that the insurance sold in connection with rental equipment is a limited lines insurance product and applicants for a license to sell that insurance product are exempt from examination.

Enacted Law Summary

Public Law 2015, chapter 77 allows a rental company to offer for sale an insurance policy insuring against the loss of or damage to equipment rented for personal or household purposes. The law establishes a licensing structure for equipment rental insurance that is the same as the licensing structure for insurance sold in connection with renting a

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motor vehicle. The law requires rental companies to obtain a business entity license to sell insurance in connection with renting equipment and requires at least one employee at each office of the rental company located in the State to obtain a limited lines insurance producer license. The law also clarifies that the insurance sold in connection with rental equipment is a limited lines insurance product and applicants for a license to sell that insurance product are exempt from examination.

LD 336 Resolve, Directing the Finance Authority of Maine To Convene a Stakeholder Group To Develop Solutions To Reduce the Negative Effect of Student Loan Debt on Home Ownership Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PECTEAU DUTREMBLE	OTP-AM	H-30

This bill establishes the Homes for Student Loans Program within the Finance Authority of Maine. The bill directs the authority to develop a loan product that combines outstanding federal and state student loan debt with a home mortgage.

Committee Amendment "A" (H-30)

This amendment replaces the bill with a resolve that directs the Finance Authority of Maine to convene a stakeholder group to study the issues surrounding outstanding student loan debt and its negative effect on the ability of Maine residents to purchase homes. The amendment requires that the authority report the findings and recommendations of the stakeholder group, including suggested legislation, to the Joint Standing Committee on Insurance and Financial Services no later than January 1, 2016.

LD 337 An Act To Require Lienholders To Remove Liens Once Satisfied PUBLIC 210

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CAMPBELL R BURNS	OTP-AM ONTP	H-136 S-242 WHITTEMORE

This bill requires a lienholder to remove a lien no later than 30 days after a lien has been satisfied and to provide written notice of the lien's discharge to any person provided notice at the time the lien was originally filed.

Committee Amendment "A" (H-136)

This amendment is the majority report of the committee and replaces the bill. Unless a specific time period is otherwise provided, the amendment requires a lienholder to remove a lien issued pursuant to the laws of this State no later than 60 days after a lien has been satisfied. The amendment also clarifies that the requirement does not apply to financing statements filed pursuant to the Uniform Commercial Code. The bill requires removal of a lien within 30 days and applies to all liens filed under state law. The amendment requires a lienholder to provide written notice by first-class mail of the lien's removal to any person provided notice at the time the lien was originally filed. The amendment also provides that a lienholder other than a municipality that fails to remove a lien is liable to a debtor or owner of the property for damages.

Senate Amendment "A" To Committee Amendment "A" (S-242)

This amendment removes the language in Committee Amendment "A" requiring a holder of a lien to provide written notice to any person who was provided notice of the lien at the time the lien was originally filed that the lien has been removed. In addition to exempting municipalities as provided in Committee Amendment "A", the amendment adds language exempting the State and other governmental entities from potential liability to a debtor for the failure

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to remove a lien. The amendment also provides that the liability of a holder of a lien to a debtor is for reasonable attorney's fees and costs incurred to cure a lien as a result of the failure to remove a lien and removes language in Committee Amendment "A" authorizing liability for actual damages.

Enacted Law Summary

Public Law 2015, chapter 210 requires a lienholder to remove a lien issued pursuant to the laws of this State no later than 60 days after a lien has been satisfied unless a specific time period is otherwise provided. The law also provides that a lienholder, other than the State, a municipality and other government entity, that fails to remove a lien is liable to a debtor or owner of the property for reasonable attorney's fees and costs incurred to cure a lien as a result of the failure to remove a lien.

Public Law 2015, chapter 210 does not apply to financing statements filed pursuant to the Uniform Commercial Code.

LD 347 An Act Concerning Billing between Emergency Medical Services Providers and Insurance Companies

Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DUTREMBLE LAJOIE	ONTP OTP-AM	

This bill requires health insurance carriers to reimburse for the costs of emergency medical services, including calls for emergency medical assistance when a person is not transported to a hospital. The requirements of the bill apply to all health insurance policies issued or renewed on or after January 1, 2016.

Committee Amendment "A" (S-70)

This amendment is the minority report of the committee and replaces the bill with a resolve that requires the Department of Professional and Financial Regulation, Bureau of Insurance to conduct a review and evaluation of the mandated health benefit proposed by the bill in accordance with the requirements of the Maine Revised Statutes, Title 24-A, section 2752. The amendment requires that the review and evaluation must be submitted to the Joint Standing Committee on Insurance and Financial Services on or before January 1, 2016 and authorizes the committee to report out a bill based on the review and evaluation to the Second Regular Session of the 127th Legislature.

LD 359 An Act To Assist Persons with Breast Cancer

PUBLIC 227

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
LONGSTAFF BREEN	OTP ONTP	S-144 WHITEMORE

This bill provides that individual and group health insurance policies must ensure that inpatient coverage with respect to breast cancer treatment is provided for a hospital stay of no less than 48 hours insofar as the attending physician, in consultation with the patient, determines it to be medically appropriate following a mastectomy or lumpectomy or of no less than 24 hours following a lymph node dissection. Under current law, the minimum hospital stay is not prescribed but must be provided for a period of time determined to be medically appropriate by the attending physician in consultation with the patient.

Senate Amendment "B" (S-144)

This amendment strikes the bill. The amendment requires carriers to provide written notice regarding the requirements for inpatient coverage following treatment of breast cancer to physicians participating in the carrier's

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provider network and requires attending physicians to provide a similar notice to patients when consulting with patients about breast cancer treatment. The amendment strikes the provisions in the bill requiring that inpatient coverage be provided for a hospital stay of no less than 48 hours following a mastectomy or lumpectomy or no less than 24 hours following a lymph node dissection.

Enacted Law Summary

Public Law 2015, chapter 227 requires carriers to provide written notice regarding the requirements for inpatient coverage following treatment of breast cancer to physicians participating in the carrier's provider network and requires attending physicians to provide a similar notice to patients when consulting with patients about breast cancer treatment.

The requirements of Public Law 2015, chapter 227 apply to all individual and group health insurance policies and contracts issued or renewed on or after January 1, 2016.

LD 382 An Act To Eliminate Certain Fees for Security Freezes and Allow Security Freezes for Minors

PUBLIC 139

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WHITTEMORE BECK	OTP-AM	S-38 S-83 WHITTEMORE

This bill reduces by \$4 the maximum fees that may be charged by a consumer reporting agency for placing, suspending or removing a security freeze on a consumer report.

Committee Amendment "A" (S-38)

This amendment replaces the bill and changes the title. Beginning October 1, 2015, the amendment eliminates the fees that may be charged by a consumer reporting agency when a consumer requests a security freeze and permits the parent or guardian of a minor under 16 years of age to place a security freeze on the consumer report of that minor.

Senate Amendment "A" To Committee Amendment "A" (S-83)

This amendment amends Committee Amendment "A." It replaces the language on security freezes involving minors under 16 years of age in Committee Amendment "A" with language that is consistent with the laws of other states that permit security freezes for minors under 16 years of age. The amendment permits a consumer reporting agency to charge a fee of up to \$10 for each placement of or removal of a security freeze for a minor under 16 years of age. Committee Amendment "A" eliminates fees related to security freezes for a consumer who is not a minor under 16 years of age.

Enacted Law Summary

Beginning October 1, 2015, Public Law 2015, chapter 139 eliminates the fees that may be charged by a consumer reporting agency when a consumer who is not a minor under 16 years of age requests a security freeze. The law also permits the parent or guardian of a minor under 16 years of age to place a security freeze on the consumer report of that minor and allows a consumer reporting agency to charge a fee of up to \$10 for each placement of or removal of a security freeze for that minor.

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**LD 384 Resolve, To Study the Design and Implementation of Options for a
Universal Health Care Plan in the State That Is in Compliance with the
Federal Patient Protection and Affordable Care Act**

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRATWICK TUCKER	OTP-AM ONTP	S-89

This resolve expresses the Legislature's intent that all Maine residents have access to and coverage for affordable, quality health care. The resolve requires the joint standing committee of the Legislature having jurisdiction over insurance and financial services matters to solicit the services of one or more consultants to propose design options for creating a universal system of health care in the State. The resolve requires the consultant or consultants to submit a report by December 2, 2016 containing at least three design options that comply with the federal Patient Protection and Affordable Care Act.

The resolve includes a provision requiring the State Controller to transfer \$100,000 from the state innovation model grant received by the Department of Health and Human Services pursuant to the federal Patient Protection and Affordable Care Act on or before June 30, 2016 to fund the study required by the resolve. If funds exceeding \$100,000 are received from other public and private sources before December 1, 2016, the resolve requires that the money be transferred back to the Department of Health and Human Services.

Committee Amendment "A" (S-89)

This amendment is the majority report of the committee and replaces the resolve. As in the resolve, the amendment expresses the Legislature's intent that all Maine residents have access to and coverage for affordable, quality health care.

The amendment establishes the Independent Advisory Committee with 11 members to solicit and oversee the services of one or more consultants to propose design options for creating a universal system of health care in the State. The amendment requires the consultant or consultants to draft design options by August 1, 2018. Following a public comment period, the amendment requires the advisory committee to submit a final report proposing adoption of one of the design options to the joint standing committee of the Legislature having jurisdiction over insurance and financial services matters by December 5, 2018. The joint standing committee of the Legislature having jurisdiction over insurance and financial services matters may report out a bill based on the advisory committee's report to the First Regular Session of the 129th Legislature. Preliminary progress reports must be filed by the advisory committee by January 1, 2016 and January 1, 2017.

The amendment requires the Independent Advisory Committee to apply for and receive funds from public and private sources to support its activities up to a maximum amount of \$300,000.

The amendment also adds an appropriations and allocations section.

**LD 449 An Act Regarding the Payment of Commissions by Car Rental
Companies**

ONTP

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

This bill allows motor vehicle rental companies to pay commissions to employees selling insurance.

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**LD 455 An Act To Prohibit Deceptive Practices Regarding Negotiable
Instruments**

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
VALENTINO JORGENSEN	OTP-AM	S-17

This bill prohibits financial institutions and creditors from mailing unsolicited loan offers in the form of checks that when cashed by the recipient constitute acceptance of a loan.

Committee Amendment "A" (S-17)

This amendment replaces the bill. The amendment enacts a new provision in the Uniform Deceptive Trade Practices Act prohibiting the use of an advertisement or a solicitation designed to resemble a negotiable instrument, including a check, unless the document clearly states on its face that it is not negotiable.

**LD 481 An Act To Amend the Eligibility Requirements for the Rural Medical
Access Program**

ONTP

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

This bill amends the eligibility requirements for the Rural Medical Access Program to include physicians employed by a for-profit organization.

**LD 521 An Act To Amend the Health Care Practitioner Transparency
Requirements**

PUBLIC 35

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRATWICK	OTP-AM OTP-AM	S-19

This bill removes from the Maine Health Security Act the requirement that a health care practitioner display a copy of the practitioner's license so the license is visible to patients.

Committee Amendment "A" (S-19)

This amendment is the majority report of the committee. The amendment does the following.

1. It retains the provision in the bill removing the requirement that a health care practitioner display a copy of the practitioner's license so the license is visible to patients.
2. It amends the requirement that a health care practitioner wear a name badge to clarify that either the practitioner's first name or first and last name may be disclosed, except for a physician, whose name badge must include the physician's first and last name.
3. It removes the requirement that a health care practitioner's name badge include the practitioner's medical staff position.

Committee Amendment "B" (S-20)

Joint Standing Committee on Insurance and Financial Services

This amendment is the minority report of the committee. The amendment does the following.

1. It provides that only a health care practitioner that sees patients in a setting outside of a licensed health care facility is subject to the requirement that the health care practitioner display a copy of the practitioner's license so the license is visible to patients. The majority report removes the requirement for all health care practitioners.
2. It amends the requirement that a health care practitioner wear a name badge to clarify that either the practitioner's first name or first and last name may be disclosed, except for a physician, whose name badge must include the physician's first and last name.
3. It removes the requirement that a health care practitioner's name badge include the practitioner's medical staff position.

Enacted Law Summary

Public Law 2015, chapter 35 amends the law requiring health care practitioners to provide identification to the public by removing the requirement that a health care practitioner display a copy of the practitioner's license in an office area visible to current and prospective patients. The law also amends the requirement that a health care practitioner wear an identification badge to eliminate the requirement that the badge include the practitioner's medical staff position and to clarify that either the practitioner's first name or first and last name may be disclosed, except for a physician, whose identification badge must include the physician's first and last name.

LD 569 An Act To Reduce Municipal Liability outside Federally Declared Flood Zones ONTP

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

This bill prohibits an insurance company from excluding coverage under a homeowner's property insurance policy for flood damages caused by the failure of municipal or government infrastructure whether or not the home is located in a flood zone designated by the Federal Government.

LD 572 An Act To Ensure Appropriate Health Insurance Coverage for Prescription Eye Drops PUBLIC 91

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MORRISON GRATWICK	OTP-AM	H-81

This bill requires all health insurance carriers offering health plans to provide coverage for early refills of prescription eye drop medication in certain circumstances. The bill applies to all policies and contracts issued or renewed on or after January 1, 2016.

Committee Amendment "A" (H-81)

This amendment replaces the bill. Like the bill, the amendment requires all health insurance carriers offering health plans to provide coverage for early refills of prescription eye drop medication under certain circumstances. Unlike the bill, under the amendment the enrollee must request the refill no earlier than the date on which 70 percent of the days of use authorized by the prescribing health care provider have elapsed. Like the bill, the amendment applies to all policies and contracts issued or renewed on or after January 1, 2016.

Enacted Law Summary

Joint Standing Committee on Insurance and Financial Services

Public Law 2015, chapter 91 requires all health insurance carriers offering health plans to provide coverage for early refills of prescription eye drop medication under certain circumstances. An enrollee must request the refill from a carrier no earlier than the date on which 70 percent of the days of use authorized by the prescribing health care provider have elapsed.

Public Law 2015, chapter 91 applies to all policies and contracts issued or renewed on or after January 1, 2016.

LD 621 An Act To Improve Access to Insurance Coverage for Persons for Whom English Is a Second Language ONTP

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

This bill permits insurance companies and producers to provide insurance policies and any explanatory or advertising material in a language other than English. This bill provides that, in the event of a dispute or complaint regarding the policy or explanatory or advertising material, the English language version of the policy or explanatory or advertising material controls the resolution of the dispute or complaint.

LD 630 An Act To Clarify the Requirements for Notice of the Right To Cure a Mortgage Default PUBLIC 36

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WHITTEMORE STETKIS	OTP-AM	S-18

This bill requires that the notice of a consumer's right to cure a mortgage default include a statement that the amount due stated in the notice does not include any amounts that become due after the date of the notice. It also provides an alternative to the date by which a mortgagee must provide information to the Department of Professional and Financial Regulation, Bureau of Consumer Credit Protection of three days after the expiration of the right-to-cure period.

Committee Amendment "A" (S-18)

This amendment removes the section of the bill that proposes to provide an alternative to the date by which a mortgagee must provide information to the Department of Professional and Financial Regulation, Bureau of Consumer Credit Protection of three days after the expiration of the right-to-cure period.

Enacted Law Summary

Public Law 2015, chapter 36 requires that the notice of a consumer's right to cure a mortgage default include a statement that the amount due stated in the notice does not include any amounts that become due after the date of the notice.

LD 636 An Act To Provide Consumers of Health Care with Information Regarding Health Care Costs PUBLIC 260

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DILL SANBORN	OTP-AM	S-74

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LD 705 An Act Relating to Insurance Licensing

PUBLIC 49

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BECK WHITTEMORE	OTP	

This bill proposes several changes to Maine law relating to the licensing of insurance producers, consultants and adjusters. The bill requires that biennial resident insurance consultant fees be due at the same time as the biennial continuing education requirement is due. It adds a provision for insurance adjusters that allows those individuals who live in a state that does not license adjusters to obtain reciprocal licensing based on their qualifications in another state. This bill requires producers to keep both their contact information up to date, including their e-mail address, in the records of the Department of Professional and Financial Regulation, Bureau of Insurance.

Enacted Law Summary

Public Law 2015, chapter 49 makes several changes to Maine law relating to the licensing of insurance producers, consultants and adjusters.

1. The law requires that biennial resident insurance consultant fees be due at the same time as the biennial continuing education requirement is due.
2. The law adds a provision for insurance adjusters that allows those individuals who live in a state that does not license adjusters to obtain reciprocal licensing based on their qualifications in another state.
3. The law requires producers to keep both their contact information up to date, including their e-mail address, in the records of the Department of Professional and Financial Regulation, Bureau of Insurance.

LD 738 An Act To Increase Minimum Motor Vehicle Insurance Coverage

ONTP

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

This bill increases the required minimum motor vehicle insurance coverage to \$100,000 for damage to property and for injury to or death of any one person and to \$300,000 for an accident resulting in injury to or death of more than one person.

LD 810 An Act To Allow the Synchronization of Prescriptions

PUBLIC 93

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CUSHING CHACE	OTP-AM	S-57

This bill requires health insurance carriers that provide prescription drug coverage as part of a health plan to allow prescriptions to be dispensed by a pharmacist for less than a 30-day supply if it is in the best interest of the patient.

Committee Amendment "A" (S-57)

This amendment retains the provision of the bill that requires health insurance carriers that provide prescription

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drug coverage as part of a health plan to allow prescriptions to be dispensed by a pharmacist for less than a 30-day supply if it is in the best interest of the patient, but excludes prescriptions for solid oral doses of antibiotics and solid oral doses dispensed in their original container.

The amendment makes the change apply to all policies and contracts issued or renewed on or after January 1, 2016.

Enacted Law Summary

Public Law 2015, chapter 93 requires that, if a health plan provides coverage for prescription drugs, a carrier must allow prescriptions to be dispensed by a pharmacist for less than a 30-day supply if it is in the best interest of the patient. The law excludes prescriptions for solid oral doses of antibiotics and solid oral doses dispensed in their original container from the requirement.

The law makes the change apply to all policies and contracts issued or renewed on or after January 1, 2016.

LD 813 An Act To Ensure That Hospitals Comply with the Laws Governing ONTP
Transparency of Medical Billing

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

This bill establishes penalties for hospitals, ambulatory surgical centers and other health care entities that fail to comply with the laws related to disclosure of charges for health care services.

LD 815 An Act To Establish a Unified-payor, Universal Health Care System Accepted Majority
(ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRATWICK SANBORN	ONTP OTP-AM	

Part A of the bill establishes the Maine Health Benefit Marketplace as the State's health benefit exchange as authorized by the federal Patient Protection and Affordable Care Act to facilitate the purchase of health care coverage by individuals and small businesses. The Maine Health Benefit Marketplace is established within the Department of Professional and Financial Regulation. The bill requires coverage to be available through the state-based marketplace no later than January 1, 2017 and requires the Executive Director of the Maine Health Benefit Marketplace to submit a declaration of intent to establish a state-based exchange under federal law to the federal Department of Health and Human Services no later than November 18, 2015. The bill also requires the executive director to submit applications for any available federal grant funding to support planning and implementation of the exchange as soon as practicable.

Part B of the bill establishes the Maine Health Care Plan to provide security through high-quality, affordable health care for the people of the State. The plan will become effective and binding on the State upon the approval of a waiver from the United States Department of Health and Human Services. All residents and nonresidents who maintain significant contact with the State are eligible for covered health care services through the Maine Health Care Plan. The Maine Health Care Plan must conform to the minimum essential benefits required under federal law, but may require additional benefits within existing resources. Health care services under the Maine Health Care Plan are provided by participating providers in organized delivery systems and through the open plan, which is available to all providers. It establishes the Maine Health Care

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Agency to administer and oversee the Maine Health Care Plan, to act under the direction of the Maine Health Care Council and to administer and oversee the Maine Health Care Trust Fund. The Maine Health Care Council is the decision-making and directing council for the agency and is composed of five full-time appointees.

Part B also directs the Maine Health Care Agency to establish programs to ensure quality, affordability, efficiency of care and health care planning. The agency health care planning program includes the establishment of global budgets for health care expenditures for the State and for institutions and hospitals. The health care planning program also encompasses the certificate of need responsibilities of the agency pursuant to the Maine Revised Statutes, Title 22, chapter 103-A. Part B contains a directive to the State Controller to advance \$600,000 to the Maine Health Care Trust Fund. This amount must be repaid by the Maine Health Care Agency by June 30, 2020.

Part C of the bill establishes the Maine Health Care Plan Transition Advisory Committee. Composed of 20 members, appointed by the Governor, President of the Senate and Speaker of the House of Representatives and subject to confirmation by the Legislature, the committee is charged with holding public hearings, soliciting public comments and advising the Maine Health Care Council on the transition from the current health care system to the Maine Health Care Plan. Members of the committee serve without compensation but may be reimbursed for their expenses. The committee is directed to report to the Governor and to the Legislature every six months beginning July 1, 2019. The committee completes its work when the Maine Health Care Plan becomes effective.

Part D of the bill establishes the salaries of the members of the Maine Health Care Council and the executive director of the Maine Health Care Agency.

Part E of the bill prohibits the sale on the commercial market of health insurance policies and contracts that duplicate the coverage provided by the Maine Health Care Plan. It allows the sale of health care policies and contracts that do not duplicate and are supplemental to the coverage of the Maine Health Care Plan.

Part F of the bill directs the Maine Health Care Agency to submit two financing plans to the Legislature by January 15, 2018. Part F also directs the Maine Health Care Agency to ensure employment retraining for administrative workers employed by insurers and providers who are displaced by the transition to the Maine Health Care Plan. It directs the Maine Health Care Agency to study the delivery and financing of long-term care services to plan members. Consultation is required with the Maine Health Care Plan Transition Advisory Committee, representatives of consumers and potential consumers of long-term care services and representatives of providers of long-term care services, employers, employees and the public. A report by the agency to the Legislature is due January 1, 2020.

Part G clarifies that throughout the Maine Revised Statutes, the words "payer" and "payor" have the same meaning.

Committee Amendment "A" (S-69)

This amendment is the minority report of the committee. The amendment adds language to require that the Maine Health Care Plan established in the bill reflect human rights principles in its development.

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LD 863 An Act To Update Professional Liability Insurance Reporting to the Bureau of Insurance

ONTP

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

This bill makes changes to the laws governing liability claims reports under the Maine Health Security Act. The bill continues the requirement that reports of disposition of claims against a health care provider must be forwarded by the Bureau of Insurance to the department or board that regulates the health care provider, but removes the requirement that reports of claims against a health care provider must be forwarded to the department or board that regulates the health care provider.

LD 865 An Act To Protect Vision Care Patients and Providers

PUBLIC 171

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WHITTEMORE FREDETTE	OTP-AM	S-114

This bill establishes standards relating to agreements between an insurer and a vision care provider related to insurance coverage for vision care.

Committee Amendment "A" (S-114)

This amendment replaces the bill. The amendment prohibits a carrier, as defined in the Maine Revised Statutes, Title 24-A, section 4301-A, subsection 3, or a subsidiary or subcontractor of a carrier from engaging in the following practices with regard to agreements with eye care providers:

1. Requiring that the eye care provider provide services or materials to an enrollee in a health plan that provides coverage for vision care or eye care services or a limited benefit vision insurance plan at a specified or limited fee unless the services or materials are a covered service or a covered material under the health plan or limited benefit vision insurance plan;
2. Restricting or limiting the eye care provider's choice of sources and suppliers of services or materials provided by the eye care provider to an enrollee or the optical laboratories used by the eye care provider;
3. Changing any term, contractual discount or reimbursement rate without notice to the eye care provider at least 60 days before the change is implemented;
4. Requiring that the eye care provider participate in other vision insurance as a condition of joining an insurer's provider network for a health plan that provides coverage for vision care or eye care services or a limited benefit vision insurance plan; or
5. Entering into any agreement that is longer than two years.

The amendment stipulates that the provisions apply to contracts between an eye care provider and a carrier or a subsidiary or subcontractor of a carrier executed or renewed on or after January 1, 2016.

Enacted Law Summary

Public Law 2015, chapter 171 prohibits a carrier, as defined in the Maine Revised Statutes, Title 24-A, section

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4301-A, subsection 3, or a subsidiary or subcontractor of a carrier from engaging in the following practices with regard to agreements with eye care providers:

1. Requiring that the eye care provider provide services or materials to an enrollee in a health plan that provides coverage for vision care or eye care services or a limited benefit vision insurance plan at a specified or limited fee unless the services or materials are a covered service or a covered material under the health plan or limited benefit vision insurance plan;
2. Restricting or limiting the eye care provider's choice of sources and suppliers of services or materials provided by the eye care provider to an enrollee or the optical laboratories used by the eye care provider;
3. Changing any term, contractual discount or reimbursement rate without notice to the eye care provider at least 60 days before the change is implemented;
4. Requiring that the eye care provider participate in other vision insurance as a condition of joining an insurer's provider network for a health plan that provides coverage for vision care or eye care services or a limited benefit vision insurance plan; or
5. Entering into any agreement that is longer than two years.

Public Law 2015, chapter 171 stipulates that the provisions apply to contracts between an eye care provider and a carrier or a subsidiary or subcontractor of a carrier executed or renewed on or after January 1, 2016.

LD 889 An Act To Protect Maine's Small Businesses from High Interest Rates on Commercial and Business Loans CARRIED OVER

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

This bill caps the interest rate for commercial or business loans at 25 percent per year. The bill provides that violations are subject to criminal penalties of up to \$5,000 or imprisonment for not more than one year or both. The bill also allows a court to void a loan issued in violation of the interest rate caps upon the petition of the person to whom the loan was issued.

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

LD 919 An Act To Provide Access to Opioid Analgesics with Abuse-deterrent Properties PUBLIC 371

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HOBBINS	OTP-AM	H-159

This bill requires all health insurance carriers offering individual and group health plans to provide coverage for abuse-deterrent opioid analgesic drug products as preferred drugs on any formulary, preferred drug list or other list of drugs used by the carrier. The bill applies to all policies and contracts issued or renewed on or after January 1, 2016.

Committee Amendment "A" (H-159)

This amendment requires all health insurance carriers offering individual and group health plans to provide

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coverage for abuse-deterrent opioid analgesic drug products on a basis not less favorable than that for other opioid analgesic drug products, instead of other prescription drugs as specified in the bill, on any formulary, preferred drug list or other list of drugs used by the carrier. The amendment removes the prior authorization requirements specified in the bill.

Enacted Law Summary

Public Law 2015, chapter 371 requires health insurance carriers offering individual and group health plans to provide coverage for abuse-deterrent opioid analgesic drug products on a basis not less favorable than that for other opioid analgesic drug products on any formulary, preferred drug list or other list of drugs used by the carrier.

Public Law 2015, chapter 371 applies to all policies and contracts issued or renewed on or after January 1, 2016.

LD 943 An Act To Provide Access to Infertility Treatment

ONTP

Sponsor(s)

MASON

Committee Report

ONTP

Amendments Adopted

This bill requires that health insurance policies include coverage for the treatment of infertility if:

1. The covered individual is married;
2. The covered individual's infertility is not the result of a sexually transmitted disease; and
3. The number of embryos implanted does not exceed the number set forth in rules adopted by the Department of Professional and Financial Regulation, Bureau of Insurance.

Under this bill, a policy that provides such coverage may require a 50 percent or lower copayment by the insured.

This bill applies to all policies in effect on or after January 1, 2016.

LD 944 An Act Regarding Recovery of Emergency Response Costs Related to an OUI Offense

CARRIED OVER

Sponsor(s)

THIBODEAU
WALLACE

Committee Report

Amendments Adopted

This bill makes a person who, while criminally operating a motor vehicle while intoxicated, proximately causes an incident requiring an emergency response liable for the costs of that response up to an amount of \$2,500.

This bill was re-referred from the Joint Standing Committee on Criminal Justice and Public Safety and was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

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**LD 954 An Act To Amend the Maine Property Insurance Cancellation Control
Laws**

PUBLIC 69

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

This bill amends the Maine Insurance Code to provide that an insurer may cancel a property insurance policy for violation of terms or conditions of the policy.

Enacted Law Summary

Public Law 2015, chapter 69 amends the Maine Insurance Code to provide that an insurer may cancel a property insurance policy for violation of terms or conditions of the policy.

**LD 958 An Act To Amend the Laws Relating to Group Trusts Established by
Self-insurers of Workers' Compensation Benefits**

PUBLIC 59

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WHITTEMORE BECK	OTP	

This bill modifies the acceptable investments and diversification requirements for workers' compensation self-insurance trusts, providing for the portfolio to contain up to 40 percent in bonds issued or generated by United States government agencies, while decreasing the permissible percentage of corporate or municipal bonds.

Enacted Law Summary

Public Law 2015, chapter 59 modifies the acceptable investments and diversification requirements for workers' compensation self-insurance trusts, providing for the portfolio to contain up to 40 percent in bonds issued or generated by United States government agencies, while decreasing the permissible percentage of corporate or municipal bonds.

LD 975 An Act Regarding Travel Insurance in the Maine Insurance Code

PUBLIC 133

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BECK BAKER	OTP-AM ONTP	H-119

This bill establishes a limited lines travel insurance license under the Maine Insurance Code. The bill regulates the practice of providing travel insurance to consumers in the State and sets out the requirements for allowing a travel retailer to offer and disseminate travel insurance.

Committee Amendment "A" (H-119)

This amendment replaces the bill. The amendment establishes a supervising travel insurance producer license under the Maine Insurance Code. Like the bill, the amendment regulates the practice of providing travel insurance to consumers in the State and sets out the requirements for allowing a travel retailer to offer and disseminate travel insurance.

Enacted Law Summary

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Public Law 2015, chapter 133 establishes a supervising travel insurance producer license under the Maine Insurance Code. The law regulates the practice of providing travel insurance to consumers in the State and sets out the requirements for allowing a travel retailer to offer and disseminate travel insurance.

LD 978 An Act To Promote Patient Choice and Access to Health Care

PUBLIC 111

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DOORE	OTP-AM	H-118

This bill prohibits a health insurance carrier from refusing to reimburse a provider for providing a health care service or procedure covered under a health plan as long as the provider is acting within the lawful scope of that provider's license, registration or certification in the delivery of the covered service or procedure. The bill also prohibits a carrier from creating or using a provider-specific billing code or policy not listed in a nationally recognized coding system or from discriminating in its benefit design to circumvent the requirement.

Committee Amendment "A" (H-118)

This amendment replaces the bill. The amendment prohibits health insurance carriers offering individual and group health plans from refusing to reimburse for services provided by a chiropractor acting within the scope of the chiropractor's license if the services are covered by the carrier and the chiropractor participates in the carrier's provider network. The amendment applies to all policies and contracts issued or renewed on or after January 1, 2016.

Enacted Law Summary

Public Law 2015, chapter 111 prohibits health insurance carriers offering individual and group health plans from refusing to reimburse for services provided by a chiropractor acting within the scope of the chiropractor's license if the services are covered by the carrier and the chiropractor participates in the carrier's provider network.

The law applies to all policies and contracts issued or renewed on or after January 1, 2016.

LD 1092 An Act To Prevent Abusive Debt Collection Practices

PUBLIC 272

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
COOPER LIBBY	OTP-AM	H-378

This bill amends the Maine Fair Debt Collection Practices Act to provide protection to debtors with regard to collection actions by debt buyers. The bill provides that a debt may not be collected if a debt buyer violates the Act. A debt buyer may not collect on a debt without providing specified information that includes the name of the original creditor and all intervening creditors, as well as the sources of added fees and interest. The information must be included in the complaint to initiate the cause of action to collect the debt.

The bill establishes a three year statute of limitations that replaces all other limitations unless the existing limitations is a shorter period.

Committee Amendment "A" (H-378)

This amendment replaces the bill. This amendment requires any payment agreement entered into with a debt collector to be documented in open court, approved by the court and included in a court order or otherwise reduced to writing. The amendment prohibits a debt collector from suing on a debt if the statute of limitations period has

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expired and provides that a consumer's payment or other activity on a debt that is made after the expiration of the statute of limitations period does not reset the statute of limitations period.

Enacted Law Summary

Public Law 2015, chapter 272 requires any payment agreement entered into with a debt collector to be documented in open court, approved by the court and included in a court order or otherwise reduced to writing. The law also prohibits a debt collector from suing on a debt if the statute of limitations period has expired and provides that a consumer's payment or other activity on a debt that is made after the expiration of the statute of limitations period does not reset the statute of limitations period.

LD 1150 An Act Regarding Maximum Allowable Cost Pricing Lists Used by Pharmacy Benefit Managers CARRIED OVER

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BROOKS WHITTEMORE	OTP-AM ONTP	

This bill establishes requirements for maximum allowable cost pricing lists used by pharmacy benefits managers and requires pharmacy benefits managers to make disclosures regarding that pricing and the methods used to establish that pricing to plan sponsors. It establishes an appeal process for pharmacies for disputes relating to maximum allowable cost pricing. The bill also provides for financial penalties for violations.

Committee Amendment "A" (H-183)

This amendment is the majority report of the committee. The amendment provides that a pharmacy benefits manager may set a maximum allowable cost for a prescription drug only if that drug is nationally available and has two or more nationally available therapeutically equivalent drug substitutes with a significant cost difference rather than three or more as provided in the bill. The amendment also replaces the provision in the bill authorizing the Superintendent of Insurance to enforce violations with a provision granting a pharmacy the right to request mediation by a private mediator to resolve disagreements related to maximum allowable cost pricing.

The amendment specifies that the provisions apply to contracts between a pharmacy and a pharmacy benefits manager executed or renewed on or after January 1, 2016.

This bill was reported out of committee, then committed back to the Joint Standing Committee on Insurance and Financial Services and was carried over to any special or regular session of the 127th Legislature by joint order, H.P. 992.

LD 1242 An Act To Protect Maine Consumers from Medical Identity Theft Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
GRATWICK COOPER	ONTP OTP-AM	

This bill directs an insurance carrier that provides insurance in the State to take certain measures to protect the data and identity of a person insured by the carrier on or after January 1, 2004, including encrypting all medical and personal data of the insured, providing medical identify theft protection and a guarantee of recompense for 10 years following the breach, aligning all policies with a national medical fraud alliance approved by the Department of Professional and Financial Regulation, Bureau of Insurance and requiring all carriers to develop and implement a policy approved by the bureau that ensures strict adherence to the compliance rules under the federal Health

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Insurance Portability and Accountability Act of 1996.

Committee Amendment "A" (S-88)

This amendment is the minority report of the committee and replaces the bill with a resolve. This amendment directs the Department of Professional and Financial Regulation, Bureau of Insurance to monitor the development of cybersecurity standards for insurance companies by the National Association of Insurance Commissioners and consult with the Joint Standing Committee on Insurance and Financial Services about the legislative and regulatory activities in other states related to cybersecurity for insurance companies to protect against security breaches involving personal information and health care information collected by or in the possession of insurance companies. The amendment also authorizes the committee to report out a bill to the Second Regular Session of the 127th Legislature.

LD 1264 An Act To Transfer Oversight of the Maine Quality Forum to the Maine Health Data Organization ONTP

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

This bill transfers responsibility for the Maine Quality Forum from Dirigo Health to the Maine Health Data Organization effective July 1, 2015. The bill also transfers two positions authorized for staffing the Maine Quality Forum to the Maine Health Data Organization.

This bill is proposed by the Joint Standing Committee on Insurance and Financial Services pursuant to Joint Order 2015, H.P. 585. The Joint Standing Committee on Insurance and Financial Services has not taken a position on the substance of the bill, and by reporting out this bill the committee is not suggesting and does not intend to suggest that it agrees or disagrees with any aspect of this bill. The Joint Standing Committee on Insurance and Financial Services is reporting the bill out for the sole purpose of turning the proposal into a printed bill that can be referred to the Joint Standing Committee on Insurance and Financial Services for an appropriate public hearing and subsequent processing in the normal course. The Joint Standing Committee on Insurance and Financial Services is taking this action to ensure clarity and transparency in the legislative review of this proposal.

LD 1265 An Act To Implement the Recommendations of the Maine Health Exchange Advisory Committee ONTP

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

This bill proposes to implement the recommendations of the Maine Health Exchange Advisory Committee pursuant to Joint Order 2013, House Paper 1136. The bill establishes the Maine Health Exchange Advisory Committee on a permanent basis.

The Joint Standing Committee on Insurance and Financial Services has not taken a position on the substance of the recommendations or the bill, and by reporting out this bill the committee is not suggesting and does not intend to suggest that it agrees or disagrees with any aspect of the advisory committee's recommendations or this bill. The Joint Standing Committee on Insurance and Financial Services is reporting out the bill for the sole purpose of turning the advisory committee's proposal into a printed bill that can be referred to the Joint Standing Committee on Insurance and Financial Services for an appropriate public hearing and subsequent processing in the normal course. The Joint Standing Committee on Insurance and Financial Services is taking this action to ensure clarity and transparency in the legislative review of the advisory committee's proposal.

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While LD 1265 was voted "Ought Not to Pass," the Maine Health Exchange Advisory Committee was re-established for the duration of the 127th Legislature by joint order, S.P. 533.

LD 1304 An Act To Permit Funds for Prearranged Funerals To Be Invested under a Wider Range of Options **Accepted Majority (ONTP) Report**

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

Current law permits funds held in prearranged funeral and burial plans to be invested in certain listed permissible investment categories. This bill expands those options by permitting these funds to be invested in the same categories of investments that are authorized under the Maine Revised Statutes, Title 39-A, section 403, subsection 9 as permissible investments for trust funds for self-insurers under the laws governing workers' compensation.

Committee Amendment "A" (S-108)

This amendment is the minority report of the committee. This amendment replaces the bill and changes it into a resolve. The amendment establishes a task force to study expanding the permissible investments for prearranged funeral funds. The task force comprises 11 members, including six Legislators, representatives of independently owned and corporate-owned funeral homes, financial institutions and credit unions and a financial advisor. The amendment requires the task force to report back to the Legislature before the Second Regular Session of the 127th Legislature. The Joint Standing Committee on Insurance and Financial Services may report out a bill based on the task force's recommendations.

LD 1305 An Act To Encourage Health Insurance Consumers To Comparison Shop for Health Care Procedures and Treatment **CARRIED OVER**

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

This bill requires a health care entity to provide an estimate of the allowed amount if the entity is within a patient's carrier network or the amount that will be charged if the entity does not participate in a patient's carrier network for a proposed admission, procedure or service within two business days of a patient's request and to assist a patient in using a carrier's toll-free telephone number and publicly accessible website to obtain information about the out-of-pocket costs for which a patient will be responsible.

The bill requires health insurance carriers to establish a toll-free telephone number and publicly accessible website to provide information to enrollees about health care costs. A carrier is required to provide information on the average price paid in the past 12 months to a network health care provider for a proposed admission, procedure or service in each geographic rating area established by the carrier and to provide a binding estimate for the maximum allowed amount or charge for a proposed admission, procedure or service and the estimated amount the enrollee will be responsible to pay for a proposed admission, procedure or service that is a medically necessary covered benefit.

The bill also requires a carrier to pay an enrollee 50 percent of the saved cost to a maximum of \$7,500 if an enrollee elects to receive health care services from a provider that cost less than the average cost for a particular admission, procedure or service unless the savings is \$50 or less. If an enrollee elects to receive health care services from an out-of-network provider that cost less than the average amount for a particular admission, procedure or service, a carrier shall apply the enrollee's share of the cost toward the enrollee's member cost sharing as if the health care services were provided by a network provider.

Joint Standing Committee on Insurance and Financial Services

This amendment directs the Governor or the Governor's designee to interact with and cooperate with the Federal Government with respect to the State's health benefit exchange and authorizes the Governor or the Governor's designee to enter into any agreements for the performance of the technical functions of the exchange by the Federal Government.

The amendment clarifies that the State may not appropriate or allocate any funds other than federal funds for the costs of providing subsidies to individuals purchasing health insurance coverage through the exchange.

The amendment adds a repeal provision that would repeal authorization for the state-based exchange if the Federal Government notifies the State that advanced premium tax credits will become available to individuals purchasing health insurance coverage through a federally facilitated marketplace established pursuant to the federal Patient Protection and Affordable Care Act.

The amendment also adds an emergency preamble and emergency clause.

This bill was indefinitely postponed following the recent United States Supreme Court decision in *King v. Burwell* upholding the availability of advanced premium tax credits to individuals purchasing health insurance coverage through a federally facilitated market place.

LD 1379 An Act To Establish Transportation Network Company Insurance

**PUBLIC 279
EMERGENCY**

Sponsor(s)

BECK

Committee Report

OTP-AM

Amendments Adopted

H-397

This bill establishes requirements for insurance coverage relating to the operation of transportation network companies in the State, which are companies that provide prearranged transportation services for compensation using a digital network to connect a passenger with a driver using a personal vehicle.

Committee Amendment "A" (H-397)

This amendment creates a permitting process for transportation network companies to provide transportation services, establishes requirements for drivers providing transportation services on behalf of transportation network companies, establishes minimum motor vehicle liability insurance requirements for transportation network companies and drivers and prohibits municipalities from regulating transportation network companies and drivers.

The amendment also adds an emergency preamble and emergency clause to the bill.

Enacted Law Summary

Public Law 2015, chapter 279 establishes requirements relating to the operation of transportation network companies in the State, which are companies that provide prearranged transportation services for compensation using a digital network to connect a passenger with a driver using a personal vehicle. The law creates a permitting process for transportation network companies to provide transportation services, establishes requirements for drivers providing transportation services on behalf of transportation network companies, establishes minimum motor vehicle liability insurance requirements for transportation network companies and drivers and prohibits municipalities from regulating transportation network companies and drivers.

Public Law 2015, chapter 279 was enacted as an emergency measure effective June 30, 2015.

Joint Standing Committee on Insurance and Financial Services

SUBJECT INDEX

Banking and Credit Unions

Not Enacted

LD 24	An Act To Create a Public State Bank	Majority (ONTP) Report
LD 889	An Act To Protect Maine's Small Businesses from High Interest Rates on Commercial and Business Loans	CARRIED OVER

Consumer Credit

Enacted

LD 382	An Act To Eliminate Certain Fees for Security Freezes and Allow Security Freezes for Minors	PUBLIC 139
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Dirigo Health

Not Enacted

LD 1264	An Act To Transfer Oversight of the Maine Quality Forum to the Maine Health Data Organization	ONTP
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Insurance, Health

Enacted

LD 124	An Act To Require Payment by a Carrier for Health Care Services Provided to Enrollees of the Carrier	PUBLIC 84
LD 359	An Act To Assist Persons with Breast Cancer	PUBLIC 227
LD 572	An Act To Ensure Appropriate Health Insurance Coverage for Prescription Eye Drops	PUBLIC 91
LD 636	An Act To Provide Consumers of Health Care with Information Regarding Health Care Costs	PUBLIC 260
LD 810	An Act To Allow the Synchronization of Prescriptions	PUBLIC 93
LD 865	An Act To Protect Vision Care Patients and Providers	PUBLIC 171
LD 919	An Act To Provide Access to Opioid Analgesics with Abuse-deterrent Properties	PUBLIC 371
LD 978	An Act To Promote Patient Choice and Access to Health Care	PUBLIC 111

Not Enacted

LD 135	An Act To Reduce Tobacco Use Surcharges in Small Group and Individual Health Insurance Products	Veto Sustained
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LD 243	An Act To Restore Consumer Rate Review for Health Insurance Plans in the Individual Market	Died Between Houses
LD 251	An Act To Limit Allowable Health Care Charges in Certain Specified Situations	Minority (ONTP) Report
LD 289	An Act To Amend the Health Plan Improvement Law Regarding Prescription Drug Step Therapy	Veto Sustained
LD 347	An Act Concerning Billing between Emergency Medical Services Providers and Insurance Companies	Majority (ONTP) Report
LD 384	Resolve, To Study the Design and Implementation of Options for a Universal Health Care Plan in the State That Is in Compliance with the Federal Patient Protection and Affordable Care Act	Veto Sustained
LD 704	An Act Regarding Notice Provided by Insurance Carriers to Health Care Providers	CARRIED OVER
LD 815	An Act To Establish a Unified-payor, Universal Health Care System	Majority (ONTP) Report
LD 943	An Act To Provide Access to Infertility Treatment	ONTP
LD 1150	An Act Regarding Maximum Allowable Cost Pricing Lists Used by Pharmacy Benefit Managers	CARRIED OVER
LD 1242	An Act To Protect Maine Consumers from Medical Identity Theft	Majority (ONTP) Report
LD 1265	An Act To Implement the Recommendations of the Maine Health Exchange Advisory Committee	ONTP
LD 1305	An Act To Encourage Health Insurance Consumers To Comparison Shop for Health Care Procedures and Treatment	CARRIED OVER
LD 1344	An Act To Protect Maine Consumers in the Individual Health Insurance Market and Support Maine's Economy	INDEF PP

Insurance, Motor Vehicle

Not Enacted

LD 738	An Act To Increase Minimum Motor Vehicle Insurance Coverage	ONTP
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Insurance, Regulation and Practices

Enacted

LD 220	An Act To Require Proper Notification of Life Insurance Cancellation	PUBLIC 61 EMERGENCY
LD 329	An Act To Allow Equipment Rental Companies To Sell Insurance	PUBLIC 77
LD 705	An Act Relating to Insurance Licensing	PUBLIC 49
LD 954	An Act To Amend the Maine Property Insurance Cancellation Control Laws	PUBLIC 69
LD 975	An Act Regarding Travel Insurance in the Maine Insurance Code	PUBLIC 133

LD 1379	An Act To Establish Transportation Network Company Insurance	PUBLIC 279 EMERGENCY
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Not Enacted

LD 449	An Act Regarding the Payment of Commissions by Car Rental Companies	ONTP
LD 481	An Act To Amend the Eligibility Requirements for the Rural Medical Access Program	ONTP
LD 569	An Act To Reduce Municipal Liability outside Federally Declared Flood Zones	ONTP
LD 621	An Act To Improve Access to Insurance Coverage for Persons for Whom English Is a Second Language	ONTP
LD 863	An Act To Update Professional Liability Insurance Reporting to the Bureau of Insurance	ONTP
LD 944	An Act Regarding Recovery of Emergency Response Costs Related to an OUI Offense	CARRIED OVER

Insurance, Workers' Compensation

Enacted

LD 958	An Act To Amend the Laws Relating to Group Trusts Established by Self-insurers of Workers' Compensation Benefits	PUBLIC 59
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Miscellaneous

Enacted

LD 337	An Act To Require Lienholders To Remove Liens Once Satisfied	PUBLIC 210
LD 521	An Act To Amend the Health Care Practitioner Transparency Requirements	PUBLIC 35
LD 1092	An Act To Prevent Abusive Debt Collection Practices	PUBLIC 272

Not Enacted

LD 144	Resolve, To Study State and Federal Laws Regarding Online Privacy and Data Security To Develop Ways To Further Protect Consumers from Identity Theft and Fraud	Died On Adjournment
LD 455	An Act To Prohibit Deceptive Practices Regarding Negotiable Instruments	Veto Sustained
LD 813	An Act To Ensure That Hospitals Comply with the Laws Governing Transparency of Medical Billing	ONTP
LD 1304	An Act To Permit Funds for Prearranged Funerals To Be Invested under a Wider Range of Options	Majority (ONTP) Report
LD 1318	An Act To Promote Individual Private Savings Accounts through a Public-private Partnership	CARRIED OVER

Mortgage Lending

Enacted

LD 630	An Act To Clarify the Requirements for Notice of the Right To Cure a Mortgage Default	PUBLIC 36
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Not Enacted

LD 336	Resolve, Directing the Finance Authority of Maine To Convene a Stakeholder Group To Develop Solutions To Reduce the Negative Effect of Student Loan Debt on Home Ownership	Died Between Houses
LD 643	An Act To Protect Veterans Returning from Active Duty from Losing Their Homes	ONTP

STATE OF MAINE
127TH LEGISLATURE
FIRST REGULAR SESSION



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

**JOINT STANDING COMMITTEE ON INLAND FISHERIES
AND WILDLIFE**

August 2015

MEMBERS:

SEN. PAUL T. DAVIS, SR., CHAIR
SEN. SCOTT W. CYRWAY
SEN. DAVID E. DUTREMBLE

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REP. PETER A. LYFORD
REP. MATTHEW DANA II

STAFF:

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OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

Joint Standing Committee on Inland Fisheries and Wildlife

**LD 22 An Act Regarding the Removal of Moorings and Floating Docks in
Great Ponds During Ice-in Conditions**

PUBLIC 105

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHAW GERZOFSKY	OTP-AM	H-34 H-137 SHAW

This bill requires the removal of mooring equipment protruding above the surface of great ponds on or before December 1st of each year.

Committee Amendment "A" (H-34)

This amendment replaces the bill and authorizes a harbor master, a code enforcement officer or a board of county commissioners to direct the owner of a boat to remove that person's mooring or floating dock from a great pond if the harbor master, code enforcement officer or board of county commissioners determines that leaving the mooring or floating dock in during ice-in conditions would create a public safety hazard. It also states that a harbor master, code enforcement officer or board of county commissioners does not have the authority to direct the removal of a federally owned or state-owned mooring or floating dock.

House Amendment "A" To Committee Amendment "A" (H-137)

This amendment removes the provision in Committee Amendment "A" regarding the authority of a harbor master, code enforcement officer or board of county commissioners to direct the removal of a federally owned or state-owned mooring or floating dock.

Enacted Law Summary

Public Law 2015, chapter 105 authorizes a harbor master, a code enforcement officer or a board of county commissioners to direct the owner of a boat to remove that person's mooring or floating dock from a great pond if the harbor master, code enforcement officer or board of county commissioners determines that leaving the mooring or floating dock in during ice-in conditions would create a public safety hazard.

**LD 88 An Act To Authorize Snowmobile Registration Reciprocity with the
Provinces of New Brunswick and Quebec**

PUBLIC 130

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN R PATRICK	OTP	

This bill extends the reciprocity provision in current law allowing for operation in the State of snowmobiles registered in other states to the Canadian provinces of New Brunswick and Quebec.

Enacted Law Summary

Public Law 2015, chapter 130 extends the reciprocity provision in current law allowing for operation in the State of snowmobiles registered in other states to the Canadian provinces of New Brunswick and Quebec.

Joint Standing Committee on Inland Fisheries and Wildlife

LD 126 An Act To Restrict Swim Areas

INDEF PP

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

This bill provides that the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry may not issue a permit for a swim area the length of which, measured parallel to the shore, is more than 50 percent of the length of the shore frontage of the property from which the swim area extends or 200 feet, whichever is greater.

This bill was not referred to a committee.

LD 134 Resolve, To Study the Impact of Winter Ticks on the State's Moose Population

Veto Sustained

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN R EDGECOMB P	OTP ONTP	

This resolve directs the Department of Inland Fisheries and Wildlife to conduct a study of the impact of winter ticks on the State's moose population, including identifying any problems for the moose population created by the ticks and recommending possible courses of action, if any, to address those problems.

LD 142 An Act To Expand Deer Hunting Opportunities for Junior Hunters

PUBLIC 219

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HILLIARD	OTP-AM ONTP	H-273

This bill allows an adult holder of an antlerless deer permit to transfer that permit to a holder of a junior hunting license if the holder of the junior hunting license takes an antlerless deer while in the presence or under the supervision of the antlerless deer permit holder. Once the permit is transferred, the adult antlerless deer permit holder loses the right to take an antlerless deer under that permit.

Committee Amendment "A" (H-273)

This amendment, which is the majority report of the committee, replaces the bill. It provides that an antlerless deer permit holder who is 18 years of age or older may transfer the antlerless deer permit to a person who holds a junior hunting license at least 48 hours prior to the time the person holding the junior hunting license hunts for antlerless deer. Once the antlerless deer permit is transferred, the transferor loses the right to take an antlerless deer under that permit but remains eligible, unless otherwise prohibited, to take an antlered deer in accordance with the Maine Revised Statutes, Title 12, Part 13.

Enacted Law Summary

Public Law 2015, chapter 219 allows an antlerless deer permit holder who is 18 years of age or older to transfer the antlerless deer permit to a person who holds a junior hunting license at least 48 hours prior to the time the person holding the junior hunting license hunts for antlerless deer. It provides that once the antlerless deer permit is

Joint Standing Committee on Inland Fisheries and Wildlife

transferred, the transferor loses the right to take an antlerless deer under that permit but remains eligible, unless otherwise prohibited, to take an antlered deer in accordance with the Maine Revised Statutes, Title 12, Part 13.

LD 156 An Act To Eliminate the Minimum Age Requirement for a Junior Hunting License and Increase the Number of Times a Person May Hold an Apprentice Hunter License

PUBLIC 136

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HILLIARD	OTP-AM	H-105
SAVIELLO	ONTP	S-123 DAVIS

This bill lowers the eligibility age for a junior hunting license from ten years of age to eight years of age.

Committee Amendment "A" (H-105)

This amendment is the majority report of the committee and removes the minimum age requirement for a junior hunting license. This amendment also provides that the adult supervisor of the junior hunter must hold or have held a Maine hunting license or have successfully completed a hunter safety course. It also increases the number of times a person may hold an apprentice hunter license from twice to five times before becoming ineligible to purchase the license. This amendment provides an effective date of January 1, 2016.

Senate Amendment "B" To Committee Amendment "A" (S-123)

This amendment requires that hunters under 10 years of age must hold a junior hunting license and be in the presence of and under the effective control of an adult supervisor who remains at all times within 20 feet of the hunter.

Enacted Law Summary

Public Law 2015, chapter 136 removes the minimum age requirement for a person to hold a junior hunting license. It provides that hunters under 10 years of age must hold a junior hunting license and be in the presence of and under the effective control of an adult supervisor who remains at all times within 20 feet of the hunter. Chapter 136 also provides that the adult supervisor of the junior hunter must hold or have held a Maine hunting license or have successfully completed a hunter safety course.

Public Law 2015, chapter 136 increases the number of times a person may hold an apprentice hunter license from twice to five times before becoming ineligible to purchase the license.

Public Law 2015, chapter 136 has an effective date of January 1, 2016.

LD 157 An Act To Create an Advisory Committee To Review and Make Recommendations Regarding Hunting and Fishing Laws

ONTP

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

This bill creates the Hunting and Fishing Law Review Advisory Committee under the Department of Inland Fisheries and Wildlife to review inland fisheries and wildlife laws and rules and make recommendations to the Commissioner of Inland Fisheries and Wildlife regarding any necessary changes. It also directs the Hunting and Fishing Law Review Advisory Committee to conduct an annual survey of holders of fishing and hunting licenses on various inland fisheries and wildlife issues in the State.

Joint Standing Committee on Inland Fisheries and Wildlife

LD 158 Resolve, To Direct the Department of Inland Fisheries and Wildlife To ONTP
Modify Fishing Rules for Webster Stream in Piscataquis County

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

This resolve directs the Commissioner of Inland Fisheries and Wildlife to amend Department of Inland Fisheries and Wildlife Rule Chapter 1: Open Water and Ice Fishing Regulations to establish for Webster Stream in Piscataquis County from the Telos Lake dam downstream to Webster Lake a daily bag limit of one trout, one landlocked salmon and one togue effective between August 16th and September 30th annually.

LD 242 An Act To Allow Hunters To Wear Hunter Pink Instead of Hunter Accepted Majority
Orange in October in Recognition of Breast Cancer Awareness Month (ONTP) Report

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

This bill provides that during the month of October a hunter may wear pink hunter safety clothing in lieu of hunter orange clothing in recognition of Breast Cancer Awareness Month.

LD 256 An Act To Allow Nonresident College Students To Obtain Hunting, PUBLIC 226
Fishing and Trapping Licenses at the Resident Fee and with Resident
Privileges

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS	OTP-AM	S-170

This bill provides that a nonresident enrolled as a full-time student in an institution of higher education in this State is eligible for any trapping, fishing, hunting or combination fishing and hunting license or permit at the resident fee and has the same privileges as a resident of this State in regard to trapping, hunting and fishing.

Committee Amendment "A" (S-170)

This amendment replaces the bill. It provides that a nonresident student 18 years of age or older and under 24 years of age enrolled as a full-time student in an institution of higher education in this State is eligible for any hunting, fishing, trapping or combination hunting and fishing license or permit at the resident fee and has the same privileges as a resident holder of the license or permit. It also provides that the Commissioner of Inland Fisheries and Wildlife and not the commissioner's agent may issue these licenses and that each license must be stamped or otherwise identified as being issued to a nonresident student.

Enacted Law Summary

Public Law 2015, chapter 226 provides that a nonresident student 18 years of age or older and under 24 years of age enrolled as a full-time student in an institution of higher education in this State is eligible for any hunting, fishing, trapping or combination hunting and fishing license or permit at the resident fee and has the same privileges as a resident holder of the license or permit. It also provides that the Commissioner of Inland Fisheries and Wildlife and not the commissioner's agent may issue these licenses and that each license must be stamped or otherwise identified

Joint Standing Committee on Inland Fisheries and Wildlife

as being issued to a nonresident student.

LD 257 An Act To Allow a Person To Take a 20-minute Break from Monitoring Ice Fishing Lines ONTP

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

This bill allows a person to leave that person's ice fishing lines unattended for up to 20 minutes every 2 hours.

LD 275 An Act To Allow the Use of a Crossbow for Recreational Target Practice within 100 Yards of a Building without the Owner's Permission PUBLIC 71

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOOD DAVIS	OTP-AM ONTP	H-61

Current law prohibits discharging a crossbow within 100 yards of a building or a residential dwelling without the permission of the owner or an authorized person. This bill removes that restriction.

Committee Amendment "A" (H-61)

This amendment, which is the majority report of the committee, replaces the bill. It allows a landowner or the landowner's invitee to discharge a crossbow for recreational target practice purposes on the landowner's property within 100 yards of a building or residential dwelling owned by another without the permission of the owner.

Enacted Law Summary

Public Law 2015, chapter 71 allows a landowner or the landowner's invitee to discharge a crossbow for recreational target practice purposes on the landowner's property within 100 yards of a building or residential dwelling owned by another without the permission of the owner.

LD 291 An Act To Allow the Hunting of Small Game Animals with a Slingshot ONTP

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

This bill allows the use of a slingshot to hunt certain small game species designated by the Commissioner of Inland Fisheries and Wildlife.

LD 296 An Act To Increase Economic Development in Rural Communities by Expanding Hunting Opportunities Accepted Majority (ONTP) Report

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

Joint Standing Committee on Inland Fisheries and Wildlife

This bill allows a person with a hunting license to hunt on Sundays during the month of November on public lands greater than 10 acres in size that are open to hunting or on private property greater than 10 acres in size with the consent of the property owner.

LD 320 An Act Regarding the Tracking of Wounded Animals with a Leashed Dog

PUBLIC 90

Sponsor(s)

BLACK
DAVIS

Committee Report

OTP-AM
ONTP

Amendments Adopted

H-76

This bill allows a person licensed to guide hunters to use one leashed dog outside of legal hunting hours to track and dispatch a bear wounded by the guide's client.

Committee Amendment "A" (H-76)

Current law provides for a license to use leashed dogs to track wounded animals and allows a person who holds such a license to provide dog tracking services to others for a fee without being licensed as a guide. This amendment, which is the majority report of the committee, replaces the bill and consolidates those provisions and makes the following changes.

1. It converts the license to use leashed dogs to track wounded animals from an annual license for \$27 to a 3-year permit for \$81.
2. It provides that a person must hold a big game hunting license to be eligible to obtain the permit to use a leashed dog to track a wounded animal and specifies that the permit only allows the tracking of a lawfully wounded animal.
3. It allows the permit holder to track a wounded animal outside of legal hunting hours.
4. It expressly gives the Commissioner of Inland Fisheries and Wildlife rule-making authority to regulate activities conducted pursuant to the permit.

Current law allows a licensed hunting guide to track and dispatch a client's wounded bear, deer or moose after legal hunting hours without a license to use leashed dogs to track wounded bear, deer or moose. This amendment relocates and changes that provision of law to provide that the hunting guide must obtain authorization from the Commissioner of Inland Fisheries and Wildlife to track and dispatch a client's wounded bear, deer or moose after legal hunting hours. It also specifies that a guide authorized to track a wounded bear, deer or moose may use one leashed dog for tracking purposes.

Enacted Law Summary

Public Law 2015, chapter 90 consolidates the existing laws regarding the use of leashed dogs to track wounded animals and makes the following changes.

1. It converts the license to use leashed dogs to track wounded animals from an annual license for \$27 to a 3-year permit for \$81.
2. It provides that a person must hold a big game hunting license to be eligible to obtain the permit to use a leashed dog to track a wounded animal and specifies that the permit only allows the tracking of a lawfully wounded animal.
3. It allows the permit holder to track a wounded animal outside of legal hunting hours.
4. It expressly gives the Commissioner of Inland Fisheries and Wildlife rule-making authority to regulate activities

Joint Standing Committee on Inland Fisheries and Wildlife

conducted pursuant to the permit.

Public Law 2015, chapter 90 also provides that a hunting guide must obtain authorization from the Commissioner of Inland Fisheries and Wildlife to track and dispatch a client's wounded bear, deer or moose after legal hunting hours. It specifies that a guide authorized to track a wounded bear, deer or moose may use only one leashed dog for tracking purposes. Chapter 90 relocates within the Maine Revised Statutes, Title 12, Part 13 the provisions of law regarding a licensed hunting guide's ability to use a leashed dog to track and then dispatch a client's wounded bear, deer or moose after legal hunting hours without a license to use leashed dogs to track wounded bear, deer or moose.

LD 373 An Act To Allow a Moose Permit To Be Transferred to a Family Member

PUBLIC 95

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MIRAMANT EVANGELOS	OTP-AM	S-42

This bill authorizes a person who holds a moose permit to transfer that permit to a family member and defines "family member" to mean the transferor's spouse, child, parent, grandparent, stepparent, brother, sister, half-sister, half-brother or adopted child. It also authorizes the Commissioner of Inland Fisheries and Wildlife to adopt rules to establish an administrative fee to cover costs associated with transferring moose permits.

Committee Amendment "A" (S-42)

This amendment replaces the bill. It limits the allowed transfer of a moose permit to a family member to cases determined by the Commissioner of Inland Fisheries and Wildlife to involve exceptional extenuating circumstances. It adds to the definition of "family member" in the bill the transferor's stepchild and grandchild.

Enacted Law Summary

Public Law 2015, chapter 95 authorizes a person who holds a moose permit to transfer that permit to a family member in cases determined by the Commissioner of Inland Fisheries and Wildlife to involve exceptional extenuating circumstances. It defines "family member" to mean the transferor's spouse, child, stepchild, grandchild, parent, grandparent, stepparent, brother, sister, half-sister, half-brother and adopted child.

LD 399 An Act To Establish a Youth Bear Hunting Day

**PUBLIC 79
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOOD DAVIS	OTP-AM	H-99

This bill requires the Commissioner of Inland Fisheries and Wildlife to establish by rule a youth bear hunting day on the Saturday prior to the opening of bear hunting season.

Committee Amendment "A" (H-99)

This amendment replaces the bill and adds an emergency preamble and emergency clause. It establishes a youth bear hunting day on the Saturday prior to the opening of the regular bear hunting season.

Enacted Law Summary

Public Law 2015, chapter 79 establishes a youth bear hunting day on the Saturday prior to the opening of the regular bear hunting season.

Joint Standing Committee on Inland Fisheries and Wildlife

Public Law 2015, chapter 79 was enacted as an emergency measure effective May 15, 2015.

LD 400 An Act To Continue To Permit Persons 70 Years of Age and Older To Hunt with a Crossbow

**PUBLIC 42
EMERGENCY**

Sponsor(s)

CRAFTS
DAVIS

Committee Report

OTP

Amendments Adopted

This bill allows a person 70 years of age or older to hunt with a crossbow during any open season. Until January 1, 2015, a provision of law allowed this, but included language that repealed the provision on that date. The bill enacts the substance of that provision but without the repeal language.

Enacted Law Summary

Public Law 2015, chapter 42 allows a person 70 years of age or older to hunt with a crossbow during any open season. Until January 1, 2015, a provision of law allowed this, but included language that repealed the provision on that date. Chapter 42 enacts the substance of that provision but without the repeal language.

Public Law 2015, chapter 42 was enacted as an emergency measure effective April 30, 2015.

LD 424 An Act To Allow the Use of Suppressors for Hunting Nuisance Wildlife

ONTP

Sponsor(s)

WOOD
DAVIS

Committee Report

ONTP

Amendments Adopted

This bill allows a person to use a firearm fitted or contrived with a device for deadening the sound of explosion to kill wild animals or wild turkeys that are damaging crops, orchards or property or harming domestic animals.

LD 479 An Act To Allow Hunting on Sunday with the Landowner's Written Consent

**Accepted Majority
(ONTP) Report**

Sponsor(s)

GREENWOOD
WILLETTE

Committee Report

ONTP
OTP

Amendments Adopted

This bill allows a person to possess hunting equipment on Sunday on a landowner's property if the person possessing the equipment has the landowner's written consent to hunt on that property. The bill also allows hunting on a landowner's property on Sunday with the landowner's written consent.

LD 480 An Act To Allow Condominium and Homeowners Associations To Establish Swim Areas

**Died Between
Houses**

Sponsor(s)

POWERS

Committee Report

Amendments Adopted

Joint Standing Committee on Inland Fisheries and Wildlife

This bill allows homeowners associations, unit owners associations and condominium owners associations to be issued a permit by the Director of the Bureau of Parks and Lands within the Department of Agriculture, Conservation and Forestry to establish developed swim areas.

This bill was not referred to a committee.

LD 561 An Act To Recognize the Registrations of Snowmobiles and All-terrain Vehicles Owned by Residents of a State That Borders Maine ONTP

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

This bill allows for reciprocity of snowmobiles and all-terrain vehicle registrations with New Hampshire.

LD 570 An Act To Authorize the Commissioner of Inland Fisheries and Wildlife To Postpone or Cancel an Open Hunting Season PUBLIC 57

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOOD DAVIS	OTP	H-89 SHAW

This bill authorizes the Commissioner of Inland Fisheries and Wildlife to postpone or cancel an open hunting season if, based on principles of sound scientific wildlife management, it is necessary for wildlife conservation purposes.

House Amendment "A" (H-89)

This amendment clarifies the reasons for which the Commissioner of Inland Fisheries and Wildlife may postpone or cancel an open hunting season. Unlike the bill, which authorized the commissioner to postpone the season if "necessary for wildlife conservation purposes," this amendment specifies that the commissioner may postpone the season if the commissioner has concerns regarding disease, weather conditions, reduction in population or other unforeseen factors that may prevent publicly derived management goals from being met.

Enacted Law Summary

Public Law 2015, chapter 57 authorizes the Commissioner of Inland Fisheries and Wildlife to postpone or cancel an open hunting season if, based on principles of sound scientific wildlife management, the commissioner has concerns regarding disease, weather conditions, reduction in population or other unforeseen factors that may prevent publicly derived management goals from being met.

LD 571 Resolve, To Study the Need for a Standard Formula for the Horsepower of Motors Used on the Lakes and Ponds of the State Accepted Majority (ONTP) Report

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

This resolve directs the Department of Inland Fisheries and Wildlife to create a working group to study and recommend legislation regarding the need for a standard formula for determining maximum horsepower for motorized watercraft on lakes and ponds in the State. It also directs the department to submit the report and any

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recommended legislation to the Joint Standing Committee on Inland Fisheries and Wildlife by December 2, 2015.

LD 608 An Act To Allow Junior, Senior and Veteran Hunters To Shoot ONTP
Antlerless Deer on the Opening Day of Hunting Season

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

This bill allows a licensed junior hunter, veteran or person who is 65 years of age or older to take an antlerless deer with a firearm on the first day of the regular deer hunting season and imposes a \$10 deer registration fee.

LD 609 An Act To Provide an Incentive to Nonresident Landowners Who Own CARRIED OVER
More than 250 Acres To Keep That Land Open for Hunting

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MARTIN J DAVIS		

This bill authorizes the Commissioner of Inland Fisheries and Wildlife to issue any hunting or fishing license at a reduced rate to a nonresident who owns more than 250 acres of land in this State and keeps that land open for hunting.

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

LD 610 An Act To Provide That Inland Waters Stocked with Fish by the State ONTP
May Not Open for Ice Fishing until the Next January 1st

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

This bill requires inland waters stocked with fish by the State to be closed to ice fishing until the January 1st of the calendar year following the year in which stocking occurred.

LD 639 An Act To Allow Certain Youths To Take a Deer of Either Sex ONTP

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

This bill allows a person who is at least 10 years of age and under 15 years of age who holds a junior hunting license to take multiple antlered or antlerless deer without a permit during the years of the junior hunter's eligibility.

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LD 640 Resolve, To Establish a Working Group To Review the Incidental Take Permitting Process under the Endangered Species Laws CARRIED OVER

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

This resolve requires the Department of Inland Fisheries and Wildlife to convene a working group of representatives of related industries to develop recommended statutory amendments or agency rules to implement the statute governing the incidental take permitting process governing the taking of an endangered or threatened species while engaged in a lawful activity.

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

LD 668 An Act To Market Maine's Hunting and Fishing Opportunities CARRIED OVER

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

This bill directs the Commissioner of Inland Fisheries and Wildlife to establish a comprehensive marketing program for the Department of Inland Fisheries and Wildlife that is led and coordinated by a dedicated marketing specialist, whose position is required to be created within the department's Division of Public Information and Education.

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

LD 691 An Act To Allow Sunday Hunting for Coyotes in Northern Maine Accepted Report A (ONTP)

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

This bill permits the hunting of coyotes on Sunday in the northern part of the State and sets the fee for a Sunday coyote hunting permit at \$10. It requires the Commissioner of Inland Fisheries and Wildlife to adopt rules to establish areas in northern Maine open to hunting coyotes on Sunday.

Committee Amendment "A" (S-117)

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

Committee Amendment "B" (S-118)

The amendment, which is a minority report of the committee, allows a person who holds a permit to hunt big game to hunt coyotes from 12:01 a.m. to sunrise on Sunday statewide. The amendment removes the bill's provision authorizing coyote hunting on Sunday only in the northern part of the State.

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LD 703 **RESOLUTION, Proposing an Amendment to the Constitution of Maine
To Protect the People's Right To Hunt, Fish and Harvest Wildlife** INDEF PP

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WARD DAVIS	ONTP OTP-AM	

This resolution proposes to amend the Constitution of Maine to provide that the citizens of Maine have the personal right to hunt, fish and harvest wildlife, subject to laws and rules that promote wildlife conservation and preserve the future of hunting and fishing, and to provide that public hunting, fishing and harvesting wildlife are a preferred means of managing and controlling wildlife.

Committee Amendment "A" (H-344)

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

LD 716 **An Act To Amend the Fees for Snowmobile Registrations and To Create
the Snowmobile Trail Fund Donation Sticker** PUBLIC 237
EMERGENCY

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
STANLEY	OTP-AM	H-338

This bill makes the following changes related to snowmobile registration and sales tax on diesel fuel used in snowmobile trail-grooming machinery.

1. It increases the resident snowmobile registration fee from \$40 to \$50 and allocates the additional \$10 to the Snowmobile Trail Fund of the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands.
2. It increases the three-day nonresident snowmobile registration fee from \$43 to \$49 and increases the seasonal nonresident registration from \$88 to \$99 and allocates the additional revenue to the Snowmobile Trail Fund of the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands.
3. It creates a seven-day nonresident snowmobile registration with a fee of \$75.
4. It amends the law governing the special fuel tax to make it clear that fuel qualifying for a refund under that law does not lose the sales tax exemption created in the bill for diesel fuel used in snowmobile trail-grooming machinery.

Committee Amendment "A" (H-338)

This amendment replaces the bill and changes the title. It does the following.

1. It increases the resident snowmobile registration fee from \$40 to \$45 and dedicates the \$5 increase to the Snowmobile Trail Fund.
2. It increases the three-day nonresident snowmobile registration fee from \$43 to \$49 and dedicates the \$6 increase to the Snowmobile Trail Fund.
3. It increases the nonresident seasonal snowmobile registration fee from \$88 to \$99 and dedicates the \$11 increase to the Snowmobile Trail Fund.

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4. It creates a 10-day nonresident snowmobile registration fee and sets the fee at \$75, of which \$6 is dedicated to the Snowmobile Trail Fund.
5. It directs the Commissioner of Inland Fisheries and Wildlife to create the Snowmobile Trail Fund Donation Sticker Program and to create donation stickers to reflect a donor's donation of \$25, \$50 and \$100, respectively, of which \$2 is retained by the department and the remainder is transferred to the Snowmobile Trail Fund. The donation stickers are not a part of or associated with the State's snowmobile registration requirements.
6. It directs the Commissioner of Agriculture, Conservation and Forestry to develop written policies specifying the criteria the department will use to distribute additional revenues raised pursuant to this amendment to snowmobile clubs and to submit those policies for review to the Joint Standing Committee on Inland Fisheries and Wildlife no later than January 15, 2016.

Enacted Law Summary

Public Law 2015, chapter 237 does the following.

1. It increases the resident snowmobile registration fee from \$40 to \$45 and dedicates the \$5 increase to the Snowmobile Trail Fund.
2. It increases the three-day nonresident snowmobile registration fee from \$43 to \$49 and dedicates the \$6 increase to the Snowmobile Trail Fund.
3. It increases the nonresident seasonal snowmobile registration fee from \$88 to \$99 and dedicates the \$11 increase to the Snowmobile Trail Fund.
4. It creates a 10-day nonresident snowmobile registration fee and sets the fee at \$75, of which \$6 is dedicated to the Snowmobile Trail Fund.
5. It directs the Commissioner of Inland Fisheries and Wildlife to create the Snowmobile Trail Fund Donation Sticker Program and to create donation stickers to reflect a donor's donation of \$25, \$50 and \$100, respectively, of which \$2 is retained by the department and the remainder is transferred to the Snowmobile Trail Fund. The donation stickers are not a part of or associated with the State's snowmobile registration requirements.
6. It directs the Commissioner of Agriculture, Conservation and Forestry to develop written policies specifying the criteria the department will use to distribute additional revenues raised pursuant to this amendment to snowmobile clubs and to submit those policies for review to the Joint Standing Committee on Inland Fisheries and Wildlife no later than January 15, 2016.

Public Law 2015, chapter 237 was enacted as an emergency measure effective June 23, 2015.

LD 723 An Act To Allow Reciprocal Recognition of New Hampshire and Maine ONTP
Snowmobile Registrations

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

This bill allows a person from November 15th to May 1st to operate in this State a snowmobile registered in the State of New Hampshire if the State of New Hampshire allows a person to operate in the State of New Hampshire a snowmobile registered in this State.

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LD 746 An Act Regarding Captive Amphibian and Reptile Permits ONTP

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

This bill generally exempts nonnative amphibians and nonnative reptiles from the law that requires a permit for the possession of wildlife in captivity and the importation of wildlife from outside of the State but provides a list of nonnative amphibian and nonnative reptile species that are still subject to the permitting requirement. It also specifies that all native amphibians and native reptiles are subject to the permitting requirement.

LD 753 RESOLUTION, Proposing an Amendment to the Constitution of Maine INDEF PP
To Establish the Right To Hunt and Fish

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

This resolution proposes to amend the Constitution of Maine to provide that the right of the people of this State to hunt, fish and harvest game and fish, including by the use of traditional methods, may not be infringed, subject to reasonable laws and rules to promote wildlife conservation and management, to maintain natural resources in trust for public use and to preserve the future of hunting and fishing. It also provides that public hunting and fishing are a preferred means of managing and controlling wildlife.

Committee Amendment "A" (H-394)

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

LD 755 An Act Concerning Antler Restrictions ONTP

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

This bill prohibits a person from taking a buck with fewer than three antler points on one side in any wildlife management district where antlerless deer permits are issued.

**LD 773 An Act To Allow Anadromous Fish Passage through Beaver Dams Accepted Majority
(ONTP) Report**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
PIERCE J MIRAMANT	ONTP OTP-AM	

This bill gives the Commissioner of Inland Fisheries and Wildlife and the Commissioner of Marine Resources the authority to issue a permit to a person to construct a fishway or a passageway through a beaver dam for the passage of anadromous fish.

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Committee Amendment "A" (H-178)

This amendment, which is the minority report of the committee, replaces the bill. Currently, a person may remove a beaver dam with the authorization of a game warden and as long as certain conditions are met. This amendment provides that a person may also alter a beaver dam to allow the passage of anadromous fish with the authorization of a game warden.

LD 781 An Act To Expand Turkey Hunting Opportunities

PUBLIC 127

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO	OTP-AM	S-103

This bill expands turkey hunting opportunities by:

1. Eliminating the turkey permit requirements;
2. Allowing the hunting of turkey with a big game or small game hunting license;
3. Requiring deer registration stations to also register turkeys; and
4. Providing for electronic or telephonic registration of turkeys.

Committee Amendment "A" (S-103)

This amendment replaces the bill, which eliminates wild turkey permit requirements. Current law requires that a person hold a big game license to be eligible to purchase a wild turkey permit. This amendment makes the holder of a small game license also eligible to hold a wild turkey permit. It also directs the Commissioner of Inland Fisheries and Wildlife to establish a November wild turkey hunting season that is in addition to the current fall wild turkey hunting season in October. The amendment eliminates the bill's provisions regarding registration of wild turkeys. The amendment provides an effective date of January 1, 2016.

Enacted Law Summary

Public Law 2015, chapter 127 makes the holder of a small game license also eligible to hold a wild turkey permit and directs the Commissioner of Inland Fisheries and Wildlife to establish a November wild turkey hunting season that is in addition to the current fall wild turkey hunting season in October.

Public Law 2015, chapter 127 has an effective date of January 1, 2016.

LD 799 An Act To Stimulate the Economy and Invigorate the Hunting Industry by Establishing a Pilot Project To Allow Hunting on Sundays in Limited Areas

Accepted Majority (ONTP) Report

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

This bill allows as a pilot project until January 1, 2018 hunting on Sundays in wildlife management districts 1 to 14, 17, 19 and 28 for any species during the open season on that species. It requires the Department of Inland Fisheries and Wildlife to submit by January 1, 2017 a report to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters regarding the status of the pilot project and recommendations

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as to whether the project should be expanded, modified, reduced or terminated.

LD 801 An Act To Ensure Safe and Humane Bear Hunting Practices ONTP

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

This bill prohibits a person from hunting bear with the use of dogs. It also makes a violation of that prohibition a Class D crime and a Class C crime for a 3rd or subsequent offense. This bill provides an exemption for the Commissioner of Inland Fisheries and Wildlife to hunt bear with the use of dogs for public safety or research purposes.

LD 802 An Act To Allow the Breach or Removal of Beaver Dams That Obstruct Passage of Anadromous or Migratory Fish ONTP

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

This bill gives the Commissioner of Inland Fisheries and Wildlife and the Commissioner of Marine Resources explicit authority to require fishways to be installed and maintained through beaver dams by the owners, lessees or other persons in control of the property on which a beaver dam exists or by which a beaver dam may be accessed or to require a beaver dam to be removed in order to conserve, develop or restore anadromous or migratory fish resources.

LD 807 An Act To Amend Maine's Threatened and Endangered Species List PUBLIC 121

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SAVIELLO WELSH	OTP-AM	S-90

This bill changes the status of certain species on the list of state endangered and state threatened species, adds species to the list and removes entries from the list.

Committee Amendment "A" (S-90)

This amendment removes the provision of the bill that would have removed two species from Maine's list of threatened species. This change corrects an error in the bill.

Enacted Law Summary

Public Law 2015, chapter 121 amends the list of state endangered and state threatened species as follows.

1. It changes the status of the Roaring Brook mayfly and Clayton's copper from endangered to threatened.
2. It adds the eastern small-footed bat to the list of state threatened species.
3. It adds to the state list of endangered species the cobblestone tiger beetle, frigga fritillary, northern long-eared bat, little brown bat and the six-whorled vertigo.

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LD 811 An Act To Benefit Senior Hunters ONTP

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

This bill allows a resident of the State who is 70 years of age or older and possesses a hunting license to lawfully take an antlerless deer without a permit during the open season on deer. It also requires the Department of Inland Fisheries and Wildlife to designate which hunting zones are open to the taking of antlerless deer by such residents.

LD 833 Resolve, To Direct the Department of Inland Fisheries and Wildlife To ONTP
Add Koi to the List of Fish Approved for Aquariums

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

This resolve directs the Department of Inland Fisheries and Wildlife to amend its rules to add koi, *Cyprinus carpio haematopterus*, to the list of unrestricted fish that do not require an importation permit or possession permit and to allow koi to be kept only in a closed aquarium or pond system.

LD 848 An Act To Increase the Safety of Hunting ONTP

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

This bill:

1. Imposes a mandatory \$500 penalty for a violation of discharging a firearm or crossbow within 100 yards of a building or residential dwelling;
2. Increases the minimum distance for discharging a firearm to 100 feet from the center of a paved road and sets a penalty of \$500 for a violation; and
3. Requires that a firearm with a rifled barrel in or on a motor vehicle during deer hunting season be enclosed in a case.

LD 849 Resolve, Directing the Department of Inland Fisheries and Wildlife To Veto Sustained
Examine the Use of an Antler Point Restriction System To Increase the
Age, Size and Number of Antlered Deer in Maine

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BURNS ALLEY	OTP-AM ONTP	S-110

This bill requires the Commissioner of Inland Fisheries and Wildlife to adopt an antler point restriction system to

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increase the population of older antlered deer in the State. It also directs the commissioner to adopt rules to implement and enforce the system.

Committee Amendment "A" (S-110)

This amendment, which is the majority report of the committee, replaces the bill with a resolve that directs the Department of Inland Fisheries and Wildlife to study issues relating to increasing the number, size and age of antlered deer in this State, collect and examine relevant information from other states regarding the use of an antler point restriction system and submit a report of its findings and recommendations to the Joint Standing Committee on Inland Fisheries and Wildlife by January 15, 2016. The committee is authorized to report out a bill relating to the department's report to the Second Regular Session of the 127th Legislature.

LD 887 An Act To Prohibit Hunting Bear Using Dogs and Trapping Bear ONTP

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

This bill prohibits the use of dogs while hunting bear and it prohibits trapping bear, unless necessary for the trapping of nuisance bears as permitted by the Commissioner of Inland Fisheries and Wildlife.

LD 888 An Act To Recognize and Provide for the Right To Hunt for Sustenance in Aroostook County for Maliseet and Micmac Tribal Members and Disabled Veterans Accepted Majority (ONTP) Report

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BEAR WILLETTE	ONTP OTP-AM	

This bill provides that members of the Houlton Band of Maliseet Indians and the Aroostook Band of Micmacs may hunt for any wild animal or bird at any time in Aroostook County for sustenance use. Tribal members engaging in this sustenance hunting are largely exempt from general wild game laws, except that moose and bear hunting must be done by special permits issued by the Commissioner of Inland Fisheries and Wildlife. The commissioner is required to annually issue 33 moose permits and 33 bear permits to members of each respective tribe. The commissioner is also directed to annually issue 33 moose permits and 33 bear permits for sustenance hunting in Aroostook County to 100% disabled United States veterans residing in Aroostook County, who are bound by the general wild game laws except that they may hunt from a motor vehicle.

Committee Amendment "A" (H-106)

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

Senate Amendment "A" (S-73)

This amendment replaces the bill and directs the Commissioner of Inland Fisheries and Wildlife to issue annually 33 moose permits to enrolled members of the Houlton Band of Maliseet Indians and 33 moose permits to enrolled members of the Aroostook Band of Micmacs valid only in wildlife management districts located in Aroostook County. The commissioner may limit the number of moose permits and all permits are subject to the provisions pertaining to moose hunting. The permits are free of charge.

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LD 906 Resolve, To Review Maine's Fish Stocking Rules

ONTP

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

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

This resolve proposes to have the fish stocking rules of the Department of Inland Fisheries and Wildlife reviewed for consideration and amending and the results of the review reported to the Joint Standing Committee on Inland Fisheries and Wildlife by January 30, 2016 with suggested changes, and the committee may submit a bill to the Second Regular Session of the 127th Legislature on the subject matter of the report.

LD 907 An Act To Reduce Milfoil Infestations

ONTP

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

This bill provides that a permit from the Commissioner of Inland Fisheries and Wildlife is required to install, maintain or operate a water-ski jump or slalom course on the internal waters of the State and requires that if there is an invasive plant within the area of a regatta, race, boat exhibition, water-ski exhibition or water-ski jump or slalom course, the invasive plant may not be disturbed and must be properly removed or the event, jump or course must be relocated.

**LD 913 An Act To Expand Public Opportunities for Wildlife Management
Education**

PUBLIC 245

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHAW SAVIELLO	OTP-AM	H-339

This bill increases hunting license fees by one dollar and directs the Department of Inland Fisheries and Wildlife to use that revenue on an annual basis to educate the public on the management of game species. It also directs the Commissioner of Inland Fisheries and Wildlife to convene a stakeholders group to develop a five-year public outreach campaign on the efforts of the department to manage game species, including a plan on how to use the increased revenue. The commissioner must report by February 1, 2016 to the Joint Standing Committee on Inland Fisheries and Wildlife, which may report out a bill to the Second Regular Session of the 127th Legislature.

Committee Amendment "A" (H-339)

This amendment increases the trapping license fees by one dollar and directs that the revenue be used to educate the public on the management of game species.

Enacted Law Summary

Public Law 2015, chapter 245 increases hunting license fees and trapping license fees by one dollar and directs the Department of Inland Fisheries and Wildlife to use that revenue to educate the public on the management of game species. It also directs the Commissioner of Inland Fisheries and Wildlife to convene a stakeholders group to develop a five-year public outreach campaign on the efforts of the department to manage game species, including a

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plan on how to use the increased revenue. The commissioner must report by February 1, 2016 to the Joint Standing Committee on Inland Fisheries and Wildlife, which may report out a bill to the Second Regular Session of the 127th Legislature.

LD 926 Resolve, To Increase the Number of Days a Junior Hunter May Hunt ONTP
Deer

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

This resolve directs the Department of Inland Fisheries and Wildlife to amend its rules to allow a youth 10 years of age or older and under 16 years of age who possesses a junior hunting license to hunt deer on the days between Youth Deer Hunting Day and the residents-only Saturday of the regular deer hunting season, excluding Sunday.

LD 942 An Act To Permit the Use of Firearm Noise Suppression Devices in PUBLIC 262
Hunting and To Provide for a Chief Law Enforcement Officer's
Certification for Certain Firearms

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MASON SHAW	OTP-AM	S-218

This bill removes the prohibition on the use of firearm noise suppression devices when hunting and provides that a person who is otherwise lawfully hunting may use such devices.

It also establishes a procedure for a person to obtain a chief law enforcement officer's certification under federal law for the approval of an application to transfer or make a firearm, requires that the certification be provided in a timely fashion unless the applicant is ineligible, limits the personal information required from the applicant, establishes a right to an appeal in the case of a denial and clarifies that under the Maine Tort Claims Act the chief law enforcement officer or an employee of the chief law enforcement officer making the certification is immune from liability.

Committee Amendment "A" (S-218)

This amendment replaces the bill but addresses both of the matters addressed in the bill: the use of noise suppression devices while hunting and requirements governing a chief law enforcement officer's certification of a federal application to transfer or make a firearm.

The portion of this amendment relating to the use of noise suppression devices:

1. Until August 1, 2018, allows a person to use a noise suppression device while hunting, as long as the person has lawful possession of the device and has not had a hunting license revoked as a result of a serious hunting violation;
2. Provides for enhanced penalties for a person who commits a hunting violation while in possession of a firearm with a noise suppression device;
3. Provides for the permanent revocation of a person's hunting license and the seizure and libel of the person's firearm and noise suppression device if the person commits a serious hunting violation while in possession of a firearm with a noise suppression device; and
4. Provides definitions of "hunting crime" and "serious hunting violation."

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The portion of this amendment regarding a chief law enforcement officer's certification on a person's federal application to transfer or make a firearm, including a noise suppression device:

1. Directs a chief law enforcement officer to provide the certification within 15 days of receipt, unless the officer has information that prevents the officer from providing the certification. A generalized objection to a person's possessing or transferring a firearm or a certain type of firearm is not sufficient;
2. Requires an officer who denies an application for certification to provide in writing the reasons for the denial;
3. Clarifies that a denial of an application or refusal or failure to provide a certification is a governmental action subject to appeal under the Maine Rules of Civil Procedure; and
4. Limits the information an officer may require from an applicant for certification and prohibits the officer from requiring access or consent to inspect any private premises as a condition of making a certification.

Enacted Law Summary

Public Law 2015, chapter 262 does the following regarding the use of noise suppression devices:

1. Until August 1, 2018, allows a person to use a noise suppression device while hunting, as long as the person has lawful possession of the device and has not had a hunting license revoked as a result of a serious hunting violation;
2. Provides for enhanced penalties for a person who commits a hunting violation while in possession of a firearm with a noise suppression device;
3. Provides for the permanent revocation of a person's hunting license and the seizure and libel of the person's firearm and noise suppression device if the person commits a serious hunting violation while in possession of a firearm with a noise suppression device; and
4. Provides definitions of "hunting crime" and "serious hunting violation."

Public Law 2015, chapter 262 does the following regarding a chief law enforcement officer's certification on a person's federal application to transfer or make a firearm, including a noise suppression device:

1. Directs a chief law enforcement officer to provide the certification within 15 days of receipt, unless the officer has information that prevents the officer from providing the certification. A generalized objection to a person's possessing or transferring a firearm or a certain type of firearm is not sufficient;
2. Requires an officer who denies an application for certification to provide in writing the reasons for the denial;
3. Clarifies that a denial of an application or refusal or failure to provide a certification is a governmental action subject to appeal under the Maine Rules of Civil Procedure; and
4. Limits the information an officer may require from an applicant for certification and prohibits the officer from requiring access or consent to inspect any private premises as a condition of making a certification.

LD 959 An Act To Amend the Membership of the Maine Outdoor Heritage Fund ONTP
Board

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

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This bill repeals the definition of the Coordinator of the Natural Areas Program and removes the Coordinator of the Natural Areas Program in the Department of Agriculture, Conservation and Forestry as a member of the Maine Outdoor Heritage Fund Board and replaces that member with the Commissioner of Marine Resources.

LD 1056 An Act To Exempt the Sale of Snowmobiles to Nonresidents from Sales Tax Died Between Houses

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOOD DAVIS	OTP-AM	H-179

This bill establishes an annual \$15 snowmobile trail fund sticker that must be purchased for each snowmobile registered in the State by a nonresident and that is voluntary for residents, the proceeds of which are transferred to the Snowmobile Trail Fund of the Department of Agriculture, Conservation and Forestry, Bureau of Parks and Lands for snowmobile trail maintenance and grooming.

Committee Amendment "A" (H-179)

This amendment replaces the bill and changes the title. It exempts the sales of snowmobiles to nonresidents from sales tax.

LD 1102 Resolve, Establishing the Commission To Study the Needs, Opportunities and Efficiency Associated with the Production of Salmonid Sport Fish in Maine Accepted Majority (ONTP) Report

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

This resolve creates the Commission to Study the Needs, Opportunities and Efficiency Associated with the Production of Salmonid Sport Fish in Maine. The commission is required to submit its report and any accompanying legislation to the Joint Standing Committee on Inland Fisheries and Wildlife by January 15, 2016.

LD 1196 An Act To Correct and Clarify Maine's Fish and Wildlife Laws PUBLIC 301

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS SHAW	OTP-AM	S-267

This bill makes the following changes to the laws governing fish and wildlife.

1. It eliminates the disabled hunter, trapper and angler advisory committee and a reference to that committee.
2. It provides that a person must hold a valid archery hunting license to hunt with a hand-held bow and arrow during any open season on a bird or animal and that a person must hold a valid big game archery license or big game hunting license and a valid crossbow hunting license to hunt with a crossbow during any open season on a bird or animal.
3. It enacts in the statutes certain requirements regulating the use of crossbows and eliminates the maximum draw

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weight for crossbows of 200 pounds.

4. It amends the supervisory requirements for apprentice hunter licenses and apprentice trapper licenses. It specifies that the holder of an apprentice hunter license must hunt in the presence of a person who is 18 years of age or older and who holds a valid adult hunting license and specifies that the holder of an apprentice trapper license must trap in the presence of a person that has held a valid adult trapper license for the prior three years.
5. It specifies that a nonresident junior hunting license includes all permits, stamps and other permissions needed to hunt at no additional cost.
6. It corrects cross-references to statutory provisions that authorize the taking of wildlife that attack domestic animals, destroy property or cause damage to crops or orchards.
7. It eliminates language imposing a five percent surcharge on agents who fail to pay the amount owed the State for watercraft registration, snowmobile registration and all-terrain vehicle registration.
8. It repeals the provision of current law that prohibits a person from operating an all-terrain vehicle on a private road after being forbidden to do so by the owner or a municipal official.

Committee Amendment "A" (S-267)

This amendment does the following.

1. It creates the Camp North Woods program to provide outdoor learning opportunities to youth and creates the Camp North Woods fund.
2. It prohibits possession of wild animals or wild birds that a person does not possess by lawful means.
3. It stipulates that if a person hunts with a crossbow that does not meet certain requirements, that person commits a Class E crime.
4. It prohibits the exchange of a moose permit for any consideration other than another moose permit.
5. It imposes certain requirements for hunting deer, bear or moose with bow and arrow and firearms and prohibits the use of medicinal, poisonous or stupefying substances as bait.
6. It provides that an ice shack must be removed from a body of water upon the earlier of the date of ice out or three days after the close of ice fishing season.
7. It creates a public records exception for information concerning the location of a threatened or endangered species.
8. It increases the minimum amount of damage to watercraft that requires reporting to the Commissioner of Inland Fisheries and Wildlife from \$1,000 in current law to \$2,000.

Enacted Law Summary

Public Law 2015, chapter 301 makes the following changes to the laws governing fish and wildlife.

1. It eliminates the disabled hunter, trapper and angler advisory committee and a reference to that committee.
2. It provides that a person must hold a valid archery hunting license to hunt with a hand-held bow and arrow during any open season on a bird or animal and that a person must hold a valid big game archery license or big game hunting license and a valid crossbow hunting license to hunt with a crossbow during any open season on a bird or

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animal.

3. It enacts in the statutes certain requirements regulating the use of crossbows and eliminates the maximum draw weight for crossbows of 200 pounds.
4. It amends the supervisory requirements for apprentice hunter licenses and apprentice trapper licenses. It specifies that the holder of an apprentice hunter license must hunt in the presence of a person who is 18 years of age or older and who holds a valid adult hunting license and specifies that the holder of an apprentice trapper license must trap in the presence of a person that has held a valid adult trapper license for the prior three years.
5. It specifies that a nonresident junior hunting license includes all permits, stamps and other permissions needed to hunt at no additional cost.
6. It corrects cross-references to statutory provisions that authorize the taking of wildlife that attack domestic animals, destroy property or cause damage to crops or orchards.
7. It eliminates language imposing a five percent surcharge on agents who fail to pay the amount owed the State for watercraft registration, snowmobile registration and all-terrain vehicle registration.
8. It repeals the provision of current law that prohibits a person from operating an all-terrain vehicle on a private road after being forbidden to do so by the owner or a municipal official.
9. It creates the Camp North Woods program to provide outdoor learning opportunities to youth and creates the Camp North Woods fund.
10. It prohibits possession of wild animals or wild birds that a person does not possess by lawful means.
11. It stipulates that if a person hunts with a crossbow that does not meet certain requirements, that person commits a Class E crime.
12. It prohibits the exchange of a moose permit for any consideration other than another moose permit.
13. It imposes certain requirements for hunting deer, bear or moose with bow and arrow and firearms and prohibits the use of medicinal, poisonous or stupefying substances as bait.
14. It provides that an ice shack must be removed from a body of water upon the earlier of the date of ice out or three days after the close of ice fishing season.
15. It creates a public records exception for information concerning the location of a threatened or endangered species.
16. It increases the minimum amount of damage to watercraft that requires reporting to the Commissioner of Inland Fisheries and Wildlife from \$1,000 in current law to \$2,000.

LD 1202 Resolve, To Ensure the Stocking of Inland Waters in the State

RESOLVE 53

Sponsor(s)

DAVIS
SHORT

Committee Report

OTP-AM

Amendments Adopted

S-171

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This resolve allows the Department of Inland Fisheries and Wildlife to spend up to \$200,000 from the department's carrying account during the 2016-2017 biennium to purchase fish to stock the inland waters of the State.

Committee Amendment "A" (S-171)

This amendment increases the amount the Department of Inland Fisheries and Wildlife may spend from the department's carrying account during fiscal year 2015-16 for fish stocking purposes from \$200,000, as in the resolve, to \$700,000 and authorizes the department to use that money:

1. To contract for an engineering study to upgrade the Grand Lake Stream Fish Hatchery. The study must include an analysis of the feasibility and cost of a new cold water supply to that hatchery to raise fall yearly brook trout;
2. To contract for an engineering study for the construction of a new fish hatchery in the State. The study must include a comparative analysis on whether the State can best achieve its fish stocking objectives through the construction of a new fish hatchery or through upgrades to existing state-owned fish hatcheries; and
3. To use any remaining funds to purchase fish to stock the inland waters of the State.

This amendment also requires the Department of Inland Fisheries and Wildlife to submit a report, including any findings and recommendations, to the Joint Standing Committee on Inland Fisheries and Wildlife by February 1, 2016.

Enacted Law Summary

Resolve 2015, chapter 53 authorizes the Department of Inland Fisheries and Wildlife to spend up to \$700,000 from the department's carrying account during the 2016-2017 biennium to purchase fish to stock the inland waters of the State. It also authorizes the department to use that money:

1. To contract for an engineering study to upgrade the Grand Lake Stream Fish Hatchery. The study must include an analysis of the feasibility and cost of a new cold water supply to that hatchery to raise fall yearly brook trout;
2. To contract for an engineering study for the construction of a new fish hatchery in the State. The study must include a comparative analysis on whether the State can best achieve its fish stocking objectives through the construction of a new fish hatchery or through upgrades to existing state-owned fish hatcheries; and
3. To use any remaining funds to purchase fish to stock the inland waters of the State.

Resolve 2015, chapter 53 requires the Department of Inland Fisheries and Wildlife to submit a report, including any findings and recommendations, to the Joint Standing Committee on Inland Fisheries and Wildlife by February 1, 2016.

LD 1225 An Act Concerning Swim Area Permits

PUBLIC 252

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
SHAW	OTP-AM	H-307
DAVIS	OTP-AM	

This bill provides that a person may not establish or maintain a swim line or a developed swim area unless the length of the developed swim area or of the area delineated by a swim line is equal to or less than 50 percent of the entire length of the shore frontage of the property from which the developed swim area or the area delineated by a swim line extends or 200 feet, whichever is greater. The length of a developed swim area or of an area delineated by a swim line is measured parallel to the shore. The length of the swim line will determine where a line, rope or

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series of buoys used to delineate an area of surface water for the purpose of swimming may be placed.

Committee Amendment "A" (H-307)

This amendment, which is the majority report, replaces the bill. This amendment modifies the swim area law as follows.

1. It provides that a swim line or developed swim area may not exceed 50 percent of the entire length of the shore frontage of the property from which the developed swim area or the area delineated by a swim line extends or 200 feet, whichever is greater, except that in no event may the developed swim area or the area delineated by a swim line extend beyond the shore frontage of the property. The length of the developed swim area or of an area delineated by a swim line must be measured parallel to the shore.
2. It removes the special penalties for establishing a swim area without a permit. It leaves in place the general civil penalty applicable under the Maine Revised Statutes, Title 12, section 1806.
3. It removes the permit fee exemptions for governmental entities and recreational camps and requires that all permits expire after five years.
4. It provides that permit fee revenues go into the Boating Facilities Fund and may be used in administering the swim area law.
5. It provides that a permit for a swim line or a developed swim area may be issued only if the swim line or developed swim area is designed solely to provide recreational swimming opportunities for the public. If the director determines, after notice and opportunity for hearing, that a swim line or a developed swim area is being used for purposes other than to provide recreational swimming opportunities for the public, the director may revoke the permit.

Committee Amendment "B" (H-308)

This amendment, which is the minority report, replaces the bill. This amendment modifies the swim area law as follows.

1. It provides that a swim line or developed swim area may not exceed 200 feet. The length of the developed swim area or of an area delineated by a swim line must be measured parallel to the shore.
2. It removes the special penalties for establishing a swim area without a permit. It leaves in place the general civil penalty applicable under the Maine Revised Statutes, Title 12, section 1806.
3. It removes the permit fee exemptions for governmental entities and recreational camps and requires that all permits expire after five years.
4. It provides that permit fee revenues go into the Boating Facilities Fund and may be used in administering the swim area law.
5. It provides that a permit for a swim line or a developed swim area may be issued only if the swim line or developed swim area is designed solely to provide recreational swimming opportunities for the public. If the director determines, after notice and opportunity for hearing, that a swim line or a developed swim area is being used for purposes other than to provide recreational swimming opportunities for the public, the director may revoke the permit.

Enacted Law Summary

Public Law 2015, chapter 252 amends the swim area law as follows.

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1. It provides that a swim line or developed swim area may not exceed 50 percent of the entire length of the shore frontage of the property from which the developed swim area or the area delineated by a swim line extends or 200 feet, whichever is greater, except that in no event may the developed swim area or the area delineated by a swim line extend beyond the shore frontage of the property. The length of the developed swim area or of an area delineated by a swim line must be measured parallel to the shore.
2. It removes the special penalties for establishing a swim area without a permit. It leaves in place the general civil penalty applicable under the Maine Revised Statutes, Title 12, section 1806.
3. It removes the permit fee exemptions for governmental entities and recreational camps and requires that all permits expire after five years.
4. It provides that permit fee revenues go into the Boating Facilities Fund and may be used in administering the swim area law.
5. It provides that a permit for a swim line or a developed swim area may be issued only if the swim line or developed swim area is designed solely to provide recreational swimming opportunities for the public. If the director determines, after notice and opportunity for hearing, that a swim line or a developed swim area is being used for purposes other than to provide recreational swimming opportunities for the public, the director may revoke the permit.

LD 1226 An Act To Establish a Comprehensive Hunting License

**Accepted Majority
(ONTP) Report**

Sponsor(s)

SHAW

Committee Report

ONTP
OTP-AM

Amendments Adopted

This bill expands the current resident hunting license and nonresident hunting license to encompass and replace all other hunting licenses and hunting permits except the:

1. Junior hunting license;
2. Resident and nonresident apprentice hunting licenses;
3. Antlerless deer and special deer season permits;
4. Moose permit;
5. Pheasant permit;
6. Waterfowl permit;
7. Falconry permit; and
8. Migratory bird permit.

This bill increases the fee for a resident and a nonresident hunting license from \$25 to \$38 and from \$114 to \$143, respectively. This bill also increases the fee on resident and nonresident hunting and fishing combination licenses from \$42 to \$55 and from \$149 to \$178, respectively, to reflect the increase in the hunting license fee.

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It also provides that infant, junior and senior resident archery lifetime hunting licenses purchased prior to January 1, 2016 remain valid and provide the same hunting opportunities as the expanded infant, junior and senior resident lifetime hunting licenses.

This bill maintains the current firearm, bow and arrow and crossbow hunter education requirements.

Committee Amendment "A" (H-431)

This amendment, which is the minority report of the committee, changes the title and replaces the bill. It creates a permit package, which authorizes the holder to hunt with a crossbow or muzzle-loader, and authorizes the holder to hunt bear, wild turkey, pheasant, migratory waterfowl, coyote at night and antlerless deer and deer of either sex during an expanded archery season, if an expanded archery season is adopted by the Department of Inland Fisheries and Wildlife by rule. The amendment sets the fee for the permit package at \$34, except as otherwise provided.

**LD 1232 Resolve, Directing the Department of Inland Fisheries and Wildlife To Accepted Majority
Amend Its Rules Regarding the Bag Limit on Smelts (ONTP) Report**

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

This resolve directs the Department of Inland Fisheries and Wildlife to amend its rules to increase the daily bag limit on smelts from two quarts of live smelts to 72 live smelts.

LD 1239 An Act To Allow Persons To Train and Use Dogs To Hunt Coyotes ONTP

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

This bill allows a person to train and use dogs to hunt coyotes.

**LD 1296 An Act To Repeal Authorization for Smelt Fishing in Mud Brook in PUBLIC 125
Aroostook County EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
MCELWEE EDGECOMB P	OTP	

Current law provides that, notwithstanding laws to the contrary, a person may fish for smelt by use of a dip net in Mud Brook, a tributary of Long Lake within Township 17, Range 3, Aroostook County. This bill repeals the provision that authorizes smelting in Mud Brook.

Enacted Law Summary

Public Law 2015, chapter 125 repeals the provisions of law that authorize smelting by use of a dip net in Mud Brook, a tributary of Long Lake within Township 17, Range 3, Aroostook County.

Public Law 2015, chapter 125 was enacted as an emergency measure effective May 29, 2015.

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LD 1321 An Act To Expand the Landowner Relations Program at the Department of Inland Fisheries and Wildlife

PUBLIC 277

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
ESPLING	OTP-AM ONTP	H-348

This bill amends the landowner relations program within the Department of Inland Fisheries and Wildlife by adding to the program the requirement that the Commissioner of Inland Fisheries and Wildlife establish an ongoing relationship with various outdoor recreationists and the nonprofit organizations representing these outdoor recreationists, and must provide ongoing education to these groups and individuals about good landowner relations.

The bill gives the Commissioner of Inland Fisheries and Wildlife, instead of the Governor, authority to appoint board members for the Landowners and Sportsmen Relations Advisory Board, and it reduces the size and membership of the board and expands the board's duties to include an annual stakeholder meeting and an annual reporting requirement.

This bill also directs the Commissioner of Inland Fisheries and Wildlife to establish a Keep Maine Clean program to recruit volunteers to pick up trash along roadsides, fields and forests while they are walking, hiking, fishing and otherwise enjoying public and private lands.

Committee Amendment "A" (H-348)

The bill amends the landowner relations program within the Department of Inland Fisheries and Wildlife by adding to the program the requirement that the Commissioner of Inland Fisheries and Wildlife establish an ongoing relationship with various outdoor user groups. This amendment, which is the majority report of the committee, removes that requirement.

The amendment also amends the Keep Maine Clean program established in the bill to remove the requirement that volunteers be recruited to pick up trash along roadways.

The amendment provides that any money received by the Commissioner of Inland Fisheries and Wildlife for the Keep Maine Clean program must be deposited in the Landowner Relations Fund.

Enacted Law Summary

Public Law 2015, chapter 277 gives the Commissioner of Inland Fisheries and Wildlife, instead of the Governor, authority to appoint board members for the Landowners and Sportsmen Relations Advisory Board, and it reduces the size and membership of the board and expands the board's duties to include an annual stakeholder meeting and an annual reporting requirement. It also directs the Commissioner of Inland Fisheries and Wildlife to establish a Keep Maine Clean program to recruit volunteers to pick up trash in fields and forests while they are walking, hiking, fishing and otherwise enjoying public and private lands and further provides that any money received by the Commissioner of Inland Fisheries and Wildlife for the program must be deposited in the Landowner Relations Fund.

LD 1369 An Act To Restructure the Permitting Process for Wildlife and Exotic Species in Captivity

PUBLIC 374

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS	OTP-AM OTP-AM	S-282

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This bill does the following.

1. It repeals the section of law that provides for an importation permit for wildlife and exotic species and amends the section of law regarding permits for the possession of wildlife in captivity to include importation.
2. It provides for an application fee and amends the permit fees.
3. It provides that the Commissioner of Inland Fisheries and Wildlife may grant permits to introduce, import, transport, receive or possess fish or gametes and must maintain a list of unregulated fish and wildlife species that is available to the public.
4. It directs the Department of Inland Fisheries and Wildlife to amend its rules to maintain an updated inspection provisions for applicants attempting to acquire a permit to possess or introduce, import and possess fish or wildlife in captivity; maintain a fee structure to establish fees for inspection provisions for regulated species; provide a process that allows authorized independent contractors to meet with permit applicants to educate applicants on minimum standard facility requirements and to inspect current facilities to recommend approval or denial of a permit; and to charge a responsible party for the cost incurred to remove or euthanize unpermitted regulated fish or wildlife species.
5. It adds educational purposes to the purposes for which the commissioner may issue permits to hunt, trap, possess, band and transport wild animals and wild birds. Current law provides that such permits may be issued for scientific purposes.

Committee Amendment "A" (S-282)

This amendment, which is the majority report of the committee, does the following.

1. It increases the penalty for keeping wildlife in captivity in violation of law to not less than \$500.
2. It clarifies that the Department of Inland Fisheries and Wildlife may seize fish or wildlife unlawfully kept in captivity for which a permit is required and may recover costs incurred to remove or euthanize seized wildlife.
3. It provides that the department may charge a \$25 late fee to a person who does not renew a permit to keep wildlife in captivity before the permit expires.
4. It provides that a person may be issued a permit for an additional fee of \$500 to keep wildlife in captivity after the person has already kept that wildlife in captivity.
5. It creates separate application and permit fees for importation and possession of wildlife in captivity. The bill creates one permit and fee schedule for both importation and possession.

Committee Amendment "B" (S-283)

This amendment, which is the minority report of the committee, increases the penalty for keeping wildlife in captivity in violation of law to not less than \$500. This amendment clarifies that the Department of Inland Fisheries and Wildlife may seize fish or wildlife unlawfully kept in captivity for which a permit is required and may recover costs incurred to remove or euthanize seized wildlife. It provides that the department may charge a \$25 late fee to a person who does not renew a permit to keep wildlife in captivity before the permit expires. It provides that a person may be issued a permit for an additional fee of \$500 to keep wildlife in captivity after the person has already kept that wildlife in captivity. It creates separate application and permit fees for importation and possession of wildlife in captivity; the bill creates one permit and fee schedule for both importation and possession. It provides that the Commissioner of Inland Fisheries and Wildlife must adopt rules limiting the number of animals that may be imported or possessed under a permit before an additional permit is required.

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Enacted Law Summary

Public Law 2015, chapter 374 does the following regarding wildlife and exotic species kept in captivity.

1. It repeals the section of law that provides for an importation permit for wildlife and exotic species and amends the section of law regarding permits for the possession of wildlife in captivity to include importation.
2. It clarifies that the Department of Inland Fisheries and Wildlife may seize fish or wildlife unlawfully kept in captivity for which a permit is required and may recover costs incurred to remove or euthanize seized wildlife.
3. It creates separate application and permit fees for importation and possession of wildlife in captivity.
4. It provides that the Commissioner of Inland Fisheries and Wildlife may grant permits to introduce, import, transport, receive or possess fish or gametes and must maintain a list of unregulated fish and wildlife species that is available to the public.
5. It directs the Department of Inland Fisheries and Wildlife to amend its rules to maintain an updated inspection provisions for applicants attempting to acquire a permit to possess or introduce, import and possess fish or wildlife in captivity; maintain a fee structure to establish fees for inspection provisions for regulated species; provide a process that allows authorized independent contractors to meet with permit applicants to educate applicants on minimum standard facility requirements and to inspect current facilities to recommend approval or denial of a permit; and charge a responsible party for the cost incurred to remove or euthanize unpermitted regulated fish or wildlife species.
6. It adds educational purposes to the purposes for which the commissioner may issue permits to hunt, trap, possess, band and transport wild animals and wild birds. Current law provides that such permits may be issued for scientific purposes.
7. It increases the penalty for keeping wildlife in captivity in violation of law to not less than \$500.
8. It provides that the department may charge a \$25 late fee to a person who does not renew a permit to keep wildlife in captivity before the permit expires.
9. It provides that a person may be issued a permit for an additional fee of \$500 to keep wildlife in captivity after the person has already kept that wildlife in captivity.

LD 1409 An Act To Clarify and Simplify the Licensing and Registration Provisions of the Inland Fisheries and Wildlife Laws

PUBLIC 281

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
HILLIARD SAVIELLO	OTP-AM	H-435

This bill amends the inland fisheries and wildlife laws as follows.

1. It provides for the use of electronic licenses and permits.
2. It requires ATV registration numbers to be displayed by means of stickers.
3. It provides that, beginning January 1, 2016, a license holder, including a holder of a complimentary license, who hunts during a special season on deer implemented by the Commissioner of Inland Fisheries and Wildlife to maintain a deer population must be issued one antlerless deer permit and one either-sex permit, which is a new

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permit title established in the law governing special seasons.

4. It allows holders of junior hunting licenses, after they turn 16 years of age, to hunt pheasants and migratory waterfowl and to hunt with a bow and arrow for the remainder of the calendar year for which their licenses are issued without their having to purchase pheasant permits, migratory waterfowl permits or archery hunting licenses.
5. It removes references to big game licenses, changes references to crossbow and muzzle-loading licenses to crossbow and muzzle-loading permits and clarifies that hunting licenses allow the hunting of all legal species, subject to permit requirements.
6. It amends the license application and testing process for taxidermists to increase the application fee from \$10 to \$50, set the examination fee at \$50, require the examination of all persons who allow their licenses to lapse or who have not held a license within the previous three years, increase the license fee from \$67 to \$77, which is the current renewal fee, and make the license a three-year license.

Committee Amendment "A" (H-435)

This amendment does the following.

1. It removes the requirement in the bill that an antlerless deer permit and either-sex permit be issued to the holder of a complimentary license to hunt, trap or fish.
2. It adds the requirement that the holder of a license under which an antlerless deer permit and either-sex permit are issued must meet the archery hunting license eligibility requirements.
3. It provides that a nonresident junior hunting license includes all authorizations to hunt at no cost in addition to the cost of that license.
4. It alters the issuing schedule for taxidermist licenses to provide for their expiration on December 31st.
5. It makes technical changes to the bill.

Enacted Law Summary

Public Law 2015, chapter 281 does the following.

1. It allows the use of electronic licenses and permits.
2. It requires ATV registration numbers to be displayed by means of stickers.
3. It allows holders of junior hunting licenses, after they turn 16 years of age, to hunt pheasants and migratory waterfowl and to hunt with a bow and arrow for the remainder of the calendar year for which their licenses are issued without their having to purchase pheasant permits, migratory waterfowl permits or archery hunting licenses.
4. It removes references to big game licenses, changes references to crossbow and muzzle-loading licenses to crossbow and muzzle-loading permits and clarifies that hunting licenses allow the hunting of all legal species, subject to permit requirements.
5. It amends the license application and testing process for taxidermists to increase the application fee from \$10 to \$50, set the examination fee at \$50, require the examination of all persons who allow their licenses to lapse or who have not held a license within the previous three years, increase the license fee from \$67 to \$77, which is the current renewal fee, and make the license a three-year license.
6. It requires the holder of a license under which an antlerless deer permit and either-sex permit are issued to meet

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the archery hunting license eligibility requirements.

7. It provides that a nonresident junior hunting license includes all authorizations to hunt at no cost in addition to the cost of that license.

8. It alters the issuing schedule for taxidermist licenses to provide for their expiration on December 31st.

LD 1410 An Act To Strengthen Maine's Fisheries Laws

PUBLIC 298

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
DAVIS MARTIN R	OTP-AM	S-265

This bill amends and adds definitions in the inland fisheries and wildlife laws. It establishes a reporting requirement for persons licensed to fish for eels, suckers, lampreys or yellow perch. The reported information must be used for scientific purposes and is confidential. It provides for suspension or revocation of a permit for noncompliance with a permit restriction. The bill also repeals a provision of law allowing eel permits to be issued to trappers.

Committee Amendment "A" (S-265)

This amendment clarifies that the holder of an individual permit for harvesting suckers, lampreys or yellow perch may purchase a crew permit that authorizes up to three persons to engage in the permitted activity. The amendment provides that the holder of a smelt or baitfish dealer license may not receive, possess for resale, sell or offer to sell gift baitfish or gift smelts. The amendment also provides that the required report from the holder of a sucker, lamprey or yellow perch permit must be submitted to the Department of Inland Fisheries and Wildlife by December 31st of each year.

Enacted Law Summary

Public Law 2015, chapter 298 does the following.

1. It removes the bridle shiner, longnose dace and creek chubsucker from the definition of "baitfish" and provides definitions for lamprey eel and sucker.
2. It establishes a reporting requirement for persons licensed to fish for eels, suckers, lampreys or yellow perch and provides that the reported information will be used for scientific purposes and is confidential. The report must be filed with the Department of Inland Fisheries and Wildlife no later than December 31st annually.
3. It repeals a provision of law allowing eel permits to be issued to trappers.
4. It clarifies that the holder of an individual permit for harvesting suckers, lampreys or yellow perch may purchase a crew permit that authorizes up to three persons to engage in the permitted activity.
5. It provides that the holder of a smelt or baitfish dealer license may not receive, possess for resale, sell or offer to sell gift baitfish or gift smelts.

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LD 1430 An Act To Allow Hunters Whose Religion Prohibits Wearing Hunter Orange Clothing To Instead Wear Red

Died Between Houses

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

This bill allows a hunter whose religion prohibits the wearing of hunter orange to instead wear red. It also directs the Department of Inland Fisheries and Wildlife to amend its rules to reflect this exemption.

Committee Amendment "A" (S-244)

This amendment, which is the minority report of the committee, provides that a person may substitute articles of red clothing with a specified excitation purity and luminance factor for articles of hunter orange clothing, as long as the person is hunting on the person's own land.

LD 1442 An Act To Establish a Bag Limit for Brook Trout on Portions of Webster Stream in Piscataquis County

**PUBLIC 234
EMERGENCY**

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

This bill was reported out by the Joint Standing Committee on Inland Fisheries and Wildlife pursuant to joint order, H.P. 953.

This bill provides for a daily bag limit of one brook trout for Webster Stream in Piscataquis County from the Telos Lake dam downstream to Webster Lake that is effective between August 16th and September 30th annually.

Enacted Law Summary

Public Law 2015, chapter 234 provides for a daily bag limit of one brook trout for Webster Stream in Piscataquis County from the Telos Lake dam downstream to Webster Lake that is effective between August 16th and September 30th annually.

Public Law 2015, chapter 234 was enacted as an emergency measure effective June 22, 2015.

Joint Standing Committee on Inland Fisheries and Wildlife

SUBJECT INDEX

Bear

Enacted

LD 399 An Act To Establish a Youth Bear Hunting Day PUBLIC 79
EMERGENCY

Not Enacted

LD 801 An Act To Ensure Safe and Humane Bear Hunting Practices ONTP
LD 887 An Act To Prohibit Hunting Bear Using Dogs and Trapping Bear ONTP

Constitutional Provisions

Not Enacted

LD 703 RESOLUTION, Proposing an Amendment to the Constitution of INDEF PP
Maine To Protect the People's Right To Hunt, Fish and Harvest
Wildlife
LD 753 RESOLUTION, Proposing an Amendment to the Constitution of INDEF PP
Maine To Establish the Right To Hunt and Fish

Crossbow

Enacted

LD 275 An Act To Allow the Use of a Crossbow for Recreational Target PUBLIC 71
Practice within 100 Yards of a Building without the Owner's
Permission
LD 400 An Act To Continue To Permit Persons 70 Years of Age and Older PUBLIC 42
To Hunt with a Crossbow EMERGENCY

Deer

Enacted

LD 142 An Act To Expand Deer Hunting Opportunities for Junior Hunters PUBLIC 219

Not Enacted

LD 608 An Act To Allow Junior, Senior and Veteran Hunters To Shoot ONTP
Antlerless Deer on the Opening Day of Hunting Season
LD 639 An Act To Allow Certain Youths To Take a Deer of Either Sex ONTP
LD 755 An Act Concerning Antler Restrictions ONTP
LD 849 Resolve, Directing the Department of Inland Fisheries and Wildlife Veto Sustained
To Examine the Use of an Antler Point Restriction System To
Increase the Age, Size and Number of Antlered Deer in Maine

LD 926 Resolve, To Increase the Number of Days a Junior Hunter May Hunt Deer ONTP

Department of Inland Fisheries and Wildlife

Enacted

LD 570 An Act To Authorize the Commissioner of Inland Fisheries and Wildlife To Postpone or Cancel an Open Hunting Season PUBLIC 57

LD 913 An Act To Expand Public Opportunities for Wildlife Management Education PUBLIC 245

LD 1321 An Act To Expand the Landowner Relations Program at the Department of Inland Fisheries and Wildlife PUBLIC 277

Not Enacted

LD 157 An Act To Create an Advisory Committee To Review and Make Recommendations Regarding Hunting and Fishing Laws ONTP

LD 668 An Act To Market Maine's Hunting and Fishing Opportunities CARRIED OVER

LD 959 An Act To Amend the Membership of the Maine Outdoor Heritage Fund Board ONTP

Dogs and Dog Training

Enacted

LD 320 An Act Regarding the Tracking of Wounded Animals with a Leashed Dog PUBLIC 90

Not Enacted

LD 1239 An Act To Allow Persons To Train and Use Dogs To Hunt Coyotes ONTP

Endangered and Threatened Species

Enacted

LD 807 An Act To Amend Maine's Threatened and Endangered Species List PUBLIC 121

Not Enacted

LD 640 Resolve, To Establish a Working Group To Review the Incidental Take Permitting Process under the Endangered Species Laws CARRIED OVER

Firearms

Enacted

LD 942 An Act To Permit the Use of Firearm Noise Suppression Devices in Hunting and To Provide for a Chief Law Enforcement Officer's Certification for Certain Firearms PUBLIC 262

Not Enacted

LD 424 An Act To Allow the Use of Suppressors for Hunting Nuisance Wildlife ONTP

Fish and Fishing

Enacted

LD 1202	Resolve, To Ensure the Stocking of Inland Waters in the State	RESOLVE 53
LD 1296	An Act To Repeal Authorization for Smelt Fishing in Mud Brook in Aroostook County	PUBLIC 125 EMERGENCY
LD 1410	An Act To Strengthen Maine's Fisheries Laws	PUBLIC 298
LD 1442	An Act To Establish a Bag Limit for Brook Trout on Portions of Webster Stream in Piscataquis County	PUBLIC 234 EMERGENCY

Not Enacted

LD 158	Resolve, To Direct the Department of Inland Fisheries and Wildlife To Modify Fishing Rules for Webster Stream in Piscataquis County	ONTP
LD 257	An Act To Allow a Person To Take a 20-minute Break from Monitoring Ice Fishing Lines	ONTP
LD 610	An Act To Provide That Inland Waters Stocked with Fish by the State May Not Open for Ice Fishing until the Next January 1st	ONTP
LD 773	An Act To Allow Anadromous Fish Passage through Beaver Dams	Majority (ONTP) Report
LD 802	An Act To Allow the Breach or Removal of Beaver Dams That Obstruct Passage of Anadromous or Migratory Fish	ONTP
LD 906	Resolve, To Review Maine's Fish Stocking Rules	ONTP
LD 1102	Resolve, Establishing the Commission To Study the Needs, Opportunities and Efficiency Associated with the Production of Salmonid Sport Fish in Maine	Majority (ONTP) Report
LD 1232	Resolve, Directing the Department of Inland Fisheries and Wildlife To Amend Its Rules Regarding the Bag Limit on Smelts	Majority (ONTP) Report

Hunting

Not Enacted

LD 242	An Act To Allow Hunters To Wear Hunter Pink Instead of Hunter Orange in October in Recognition of Breast Cancer Awareness Month	Majority (ONTP) Report
LD 291	An Act To Allow the Hunting of Small Game Animals with a Slingshot	ONTP
LD 811	An Act To Benefit Senior Hunters	ONTP
LD 848	An Act To Increase the Safety of Hunting	ONTP
LD 1430	An Act To Allow Hunters Whose Religion Prohibits Wearing Hunter Orange Clothing To Instead Wear Red	Died Between Houses

Lake and River Protection - Invasive Species

Not Enacted

LD 907	An Act To Reduce Milfoil Infestations	ONTP
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Licenses and Permits

Enacted

LD 156	An Act To Eliminate the Minimum Age Requirement for a Junior Hunting License and Increase the Number of Times a Person May Hold an Apprentice Hunter License	PUBLIC 136
LD 256	An Act To Allow Nonresident College Students To Obtain Hunting, Fishing and Trapping Licenses at the Resident Fee and with Resident Privileges	PUBLIC 226
LD 1409	An Act To Clarify and Simplify the Licensing and Registration Provisions of the Inland Fisheries and Wildlife Laws	PUBLIC 281

Not Enacted

LD 609	An Act To Provide an Incentive to Nonresident Landowners Who Own More than 250 Acres To Keep That Land Open for Hunting	CARRIED OVER
LD 1226	An Act To Establish a Comprehensive Hunting License	Majority (ONTP) Report

Maine Tribes

Not Enacted

LD 888	An Act To Recognize and Provide for the Right To Hunt for Sustenance in Aroostook County for Maliseet and Micmac Tribal Members and Disabled Veterans	Majority (ONTP) Report
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Moose

Enacted

LD 373	An Act To Allow a Moose Permit To Be Transferred to a Family Member	PUBLIC 95
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Not Enacted

LD 134	Resolve, To Study the Impact of Winter Ticks on the State's Moose Population	Veto Sustained
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Omnibus

Enacted

LD 1196	An Act To Correct and Clarify Maine's Fish and Wildlife Laws	PUBLIC 301
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Snowmobiles and All-terrain Vehicles

Enacted

LD 88	An Act To Authorize Snowmobile Registration Reciprocity with the Provinces of New Brunswick and Quebec	PUBLIC 130
LD 716	An Act To Amend the Fees for Snowmobile Registrations and To Create the Snowmobile Trail Fund Donation Sticker	PUBLIC 237 EMERGENCY

Not Enacted

LD 561	An Act To Recognize the Registrations of Snowmobiles and All-terrain Vehicles Owned by Residents of a State That Borders Maine	ONTP
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LD 723	An Act To Allow Reciprocal Recognition of New Hampshire and Maine Snowmobile Registrations	ONTP
LD 1056	An Act To Exempt the Sale of Snowmobiles to Nonresidents from Sales Tax	Died Between Houses

Sunday Hunting

Not Enacted

LD 296	An Act To Increase Economic Development in Rural Communities by Expanding Hunting Opportunities	Majority (ONTP) Report
LD 479	An Act To Allow Hunting on Sunday with the Landowner's Written Consent	Majority (ONTP) Report
LD 691	An Act To Allow Sunday Hunting for Coyotes in Northern Maine	Report A (ONTP)
LD 799	An Act To Stimulate the Economy and Invigorate the Hunting Industry by Establishing a Pilot Project To Allow Hunting on Sundays in Limited Areas	Majority (ONTP) Report

Swim Areas

Enacted

LD 1225	An Act Concerning Swim Area Permits	PUBLIC 252
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Not Enacted

LD 126	An Act To Restrict Swim Areas	INDEF PP
LD 480	An Act To Allow Condominium and Homeowners Associations To Establish Swim Areas	Died Between Houses

Watercraft

Enacted

LD 22	An Act Regarding the Removal of Moorings and Floating Docks in Great Ponds During Ice-in Conditions	PUBLIC 105
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Not Enacted

LD 571	Resolve, To Study the Need for a Standard Formula for the Horsepower of Motors Used on the Lakes and Ponds of the State	Majority (ONTP) Report
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Wild Turkey

Enacted

LD 781	An Act To Expand Turkey Hunting Opportunities	PUBLIC 127
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Wildlife in Captivity

Enacted

LD 1369	An Act To Restructure the Permitting Process for Wildlife and Exotic Species in Captivity	PUBLIC 374
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Not Enacted

LD 746	An Act Regarding Captive Amphibian and Reptile Permits	ONTP
LD 833	Resolve, To Direct the Department of Inland Fisheries and Wildlife To Add Koi to the List of Fish Approved for Aquariums	ONTP

**127th LEGISLATURE
FIRST REGULAR SESSION**

Summary of Committee Actions

	<u>Number</u>	<u>% of All Bills/Papers</u>
I. BILLS AND PAPERS CONSIDERED		
A. Bills referred to Committee		
<i>Bills referred and voted out and not carried over</i>	1251	86.0%
<i>Bills Carried Over to next session</i>	176 *	12.1%
Total Bills referred	1427	98.1%
B. Bills reported out by law or joint order and not referred back to committee	8	0.5%
C. Bills introduced without reference	20	1.4%
D. <u>Bills referred, but not reported out</u>	0	
Total Bills considered by Legislature	1455	100.0%
E. Orders and Resolutions Referred to Committee		
<i>Joint Study Orders</i>	0	
<i>Joint Resolutions/Orders referred and voted out (SLG)</i>	2	
<i>Orders and Resolutions Carried Over to next session</i>	0	0.0%
Total Orders and Resolutions Referred	2	0.1%
		% of All Committee Reports
II. BILLS AND PAPERS REPORTED OUT OF COMMITTEES	Number	
A. Unanimous committee reports		
<i>Ought to Pass</i>	82	6.4%
<i>Ought to Pass as Amended</i>	363	28.2%
<i>Leave to Withdraw</i>	18	1.4%
<i>Ought Not to Pass</i>	460	35.8%
Total unanimous reports	923	71.8%
B. Divided committee reports		
<i>Two-way reports</i>	350	27.2%
<i>Three-way reports</i>	11	0.9%
<i>Four-way reports</i>	0	0.0%
Total divided reports	361	28.1%
Total Committee reports	1286	89.5%
III. CONFIRMATION HEARINGS	28	N/A
		% of All Bills/Rules
IV. FINAL DISPOSITION	Number	
A. Bills and Papers enacted or finally passed		
<i>Joint Study Orders</i>	1	0.0%
<i>Public laws</i>	377	25.9%
<i>Private and Special Laws</i>	11	0.8%
<i>Resolves</i>	54	3.7%
<i>Constitutional Resolutions</i>	0	0.0%
Total Enacted or Finally Passed	443	30.4%
B. Resolves to authorize major substantive rules		
Rules authorized without legislative changes	8	42.1%
Rules authorized with legislative changes	6	31.6%
Rules carried over to next session	2	
<u>Rules not authorized by the Legislature</u>	<u>3</u>	<u>15.8%</u>
Total number of rules reviewed	19	100.0%
C. Bills vetoed or held by Governor		
<i>Vetoed over-ridden</i>	127	8.7%
<i>Vetoed sustained</i>	53	3.6%
<u>Held by the Governor</u>	<u>1</u>	<u>0.1%</u>
Total	181	12.4%

* Total number of bills carried over to the next session includes 25 bills reported out of various committees and then carried over on the Special Appropriations Table by SP 555.

**127th LEGISLATURE
AGRICULTURE, CONSERVATION AND FORESTRY**

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
A. Bills referred to Committee			
<i>Bills referred and voted out and not carried over</i>	48	87.3%	3.3%
<u><i>Bills Carried Over to next session</i></u>	7 *	12.7%	0.5%
Total Bills referred	55	100.0%	3.8%
B. Bills reported out by law or joint order and not referred back to committee	0	0.0%	0.0%
Total Bills considered by Committee	55	100.0%	3.8%
Orders and Resolutions referred to Committee			
<i>Joint Study Orders referred and voted out</i>	0	0.0%	0.0%
<i>Joint Resolutions referred and voted out</i>	0	0.0%	0.0%
<i>Orders and Resolutions Carried Over</i>	0	0.0%	0.0%
Total Orders and Resolutions Referred	0	0.0%	0.0%
II. COMMITTEE REPORTS	<u>Number</u>	<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
A. Unanimous committee reports			
<i>Ought to Pass</i>	6	12.2%	0.5%
<i>Ought to Pass as Amended</i>	13	26.5%	1.0%
<i>Leave to Withdraw</i>	0	0.0%	0.0%
<i>Ought Not to Pass</i>	19	38.8%	1.5%
Total unanimous reports	38	77.6%	3.0%
B. Divided committee reports			
<i>Two-way reports</i>	11	22.4%	0.9%
<i>Three-way reports</i>	0	0.0%	0.0%
<i>Four-way reports</i>	0	0.0%	0.0%
Total divided reports	11	22.4%	0.9%
Total committee reports	49	89.1%	3.8%
III. CONFIRMATION HEARINGS	1	N/A	N/A
IV. FINAL DISPOSITION	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
A. Bills and Papers enacted or finally passed			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	12	21.8%	0.8%
<i>Private and Special Laws</i>	1	1.8%	0.1%
<i>Resolves</i>	5	9.1%	0.3%
<i>Constitutional Resolutions</i>	0	0.0%	0.0%
Total Enacted or Finally Passed	18	32.7%	1.2%
B. Major substantive rules			
<i>Authorized without legislative changes</i>	3	100.0%	15.8%
<i>Authorized with legislative changes</i>	0	0.0%	0.0%
<i>Rules carried over to next session</i>	0		
<u><i>Not authorized by the Legislature</i></u>	0	0.0%	0.0%
Total number of rules reviewed	3	100.0%	15.8%
C. Bills vetoed or held by Governor			
<i>Vetoed over-ridden</i>	1	1.8%	0.1%
<i>Vetoed sustained</i>	1	1.8%	0.1%
<u><i>Held by the Governor</i></u>	0	0.0%	0.0%
Total	2	3.6%	0.1%

* Total number of bills carried over to the next session includes 1 bill reported out of the ACF Committee and then carried over on the Special Appropriations Table by SP 555.

**127th LEGISLATURE
APPROPRIATIONS AND FINANCIAL AFFAIRS**

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
A. Bills referred to Committee			
<i>Bills referred and voted out</i>	20	32.8%	1.4%
<i><u>Bills Carried Over to next session</u></i>	<u>41</u>	<u>67.2%</u>	<u>2.8%</u>
Total Bills referred	61	100.0%	4.2%
B. Bills reported out by law or joint order and not referred back to committee	0	0.0%	0.0%
Total Bills considered by Committee	61	100.0%	4.2%
Orders and Resolutions referred to Committee			
<i>Joint Study Orders referred and voted out</i>	0	0.0%	0.0%
<i>Joint Resolutions referred and voted out</i>	0	0.0%	0.0%
<i>Orders and Resolutions Carried Over</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Orders and Resolutions Referred	0	0.0%	0.0%
II. COMMITTEE REPORTS	<u>Number</u>	<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
A. Unanimous committee reports			
<i>Ought to Pass</i>	0	0.0%	0.0%
<i>Ought to Pass as Amended</i>	6	30.0%	0.5%
<i>Leave to Withdraw</i>	0	0.0%	0.0%
<i><u>Ought Not to Pass</u></i>	<u>6</u>	<u>30.0%</u>	<u>0.5%</u>
Total unanimous reports	12	60.0%	0.9%
B. Divided committee reports			
<i>Two-way reports</i>	8	40.0%	0.6%
<i>Three-way reports</i>	0	0.0%	0.0%
<i>Four-way reports</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total divided reports	8	40.0%	0.6%
Total committee reports	20	32.8%	1.6%
III. CONFIRMATION HEARINGS	1	N/A	N/A
IV. FINAL DISPOSITION	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
A. Bills and Papers enacted or finally passed			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	9	14.8%	0.6%
<i>Private and Special Laws</i>	0	0.0%	0.0%
<i>Resolves</i>	1	1.6%	0.1%
<i><u>Constitutional Resolutions</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Enacted or Finally Passed	10	16.4%	0.7%
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	0	0.0%	0.0%
<i><u>Rules not authorized by the Legislature</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total number of rules reviewed	0	0.0%	0.0%
C. Bills vetoed or held by Governor			
<i>Vetoed over-ridden</i>	1	1.6%	0.1%
<i>Vetoed sustained</i>	0	0.0%	0.0%
<i><u>Held by the Governor</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total	1	1.6%	0.1%

**127th LEGISLATURE
CRIMINAL JUSTICE AND PUBLIC SAFETY**

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
A. Bills referred to Committee			
<i>Bills referred and voted out and not carried over</i>	76	90.5%	5.2%
<u><i>Bills Carried Over to next session</i></u>	<u>7</u> *	<u>8.3%</u>	<u>0.5%</u>
Total Bills referred	83	98.8%	5.7%
B. Bills reported out by law or joint order and not referred back to committee	1	1.2%	0.1%
Total Bills considered by Committee	84	100.0%	5.8%
Orders and Resolutions referred to Committee			
<i>Joint Study Orders referred and voted out</i>	0	0.0%	0.0%
<i>Joint Resolutions/Orders referred and voted out</i>	0	0.0%	0.0%
<i>Orders and Resolutions Carried Over</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Orders and Resolutions Referred	0	0.0%	0.0%
II. COMMITTEE REPORTS	<u>Number</u>	<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
A. Unanimous committee reports			
<i>Ought to Pass</i>	6	7.7%	0.5%
<i>Ought to Pass as Amended</i>	19	24.4%	1.5%
<i>Leave to Withdraw</i>	1	1.3%	0.1%
<u><i>Ought Not to Pass</i></u>	<u>12</u>	<u>15.4%</u>	<u>0.9%</u>
Total unanimous reports	38	48.7%	3.0%
B. Divided committee reports			
<i>Two-way reports</i>	37	47.4%	2.9%
<i>Three-way reports</i>	3	3.8%	0.2%
<u><i>Four-way reports</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total divided reports	40	51.3%	3.1%
Total committee reports	78	92.9%	6.1%
III. CONFIRMATION HEARINGS	1	N/A	N/A
IV. FINAL DISPOSITION	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
A. Bills and Papers enacted or finally passed			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	33	39.3%	2.3%
<i>Private and Special Laws</i>	0	0.0%	0.0%
<i>Resolves</i>	2	2.4%	0.1%
<u><i>Constitutional Resolutions</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Enacted or Finally Passed	35	41.7%	2.4%
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	0	0.0%	0.0%
<u>Rules not authorized by the Legislature</u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total number of rules reviewed	0	0.0%	0.0%
C. Bills vetoed or held by Governor			
<i>Vetoed over-ridden</i>	8	9.5%	0.5%
<i>Vetoed sustained</i>	4	4.8%	0.3%
<u><i>Held by the Governor</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total	12	14.3%	0.8%

* Total number of bills carried over to the next session includes 1 bill reported out of the CJPS Committee and then carried over on the Special Appropriations Table by SP 555.

**127th LEGISLATURE
EDUCATION AND CULTURAL AFFAIRS**

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
A. Bills referred to Committee			
<i>Bills referred and voted out and not carried over</i>	119 *	93.0%	8.2%
<u><i>Bills Carried Over to next session</i></u>	9 **	7.0%	0.6%
Total Bills referred	128	100.0%	8.8%
B. Bills reported out by law or joint order and not referred back to committee	0	0.0%	0.0%
Total Bills considered by Committee	128	100.0%	8.8%
Orders and Resolutions referred to Committee			
<i>Joint Study Orders referred and voted out</i>	0	0.0%	0.0%
<i>Joint Resolutions referred and voted out</i>	0	0.0%	0.0%
<i>Orders and Resolutions Carried Over</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Orders and Resolutions Referred	0	0.0%	0.0%
II. COMMITTEE REPORTS	<u>Number</u>	<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
A. Unanimous committee reports			
<i>Ought to Pass</i>	5	4.1%	0.4%
<i>Ought to Pass as Amended</i>	40	32.8%	3.1%
<i>Leave to Withdraw</i>	1	0.8%	0.1%
<u><i>Ought Not to Pass</i></u>	<u>47</u>	<u>38.5%</u>	<u>3.7%</u>
Total unanimous reports	93	76.2%	7.2%
B. Divided committee reports			
<i>Two-way reports</i>	29	23.8%	2.3%
<i>Three-way reports</i>	0	0.0%	0.0%
<u><i>Four-way reports</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total divided reports	29	23.8%	2.3%
Total committee reports	122	95.3%	9.5%
III. CONFIRMATION HEARINGS	3	N/A	N/A
IV. FINAL DISPOSITION	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
A. Bills and Papers enacted or finally passed			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	28	21.9%	1.9%
<i>Private and Special Laws</i>	2	1.6%	0.1%
<i>Resolves</i>	6	4.7%	0.4%
<u><i>Constitutional Resolutions</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Enacted or Finally Passed	36	28.1%	2.5%
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	1	33.3%	5.3%
<u>Rules not authorized by the Legislature</u>	<u>2</u>	<u>66.7%</u>	<u>10.5%</u>
Total number of rules reviewed	3	100.0%	15.8%
C. Bills vetoed or held by Governor			
<i>Vetoed over-ridden</i>	12	9.4%	0.8%
<i>Vetoed sustained</i>	5	3.9%	0.3%
<u><i>Held by the Governor</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total	17	13.3%	1.2%

* Total bills referred and reported out does not include LD 784, which was voted out of the EDU Committee, but later recommitted to the AFA Committee and then carried over to the next session.

** Total number of bills carried over to the next session includes 3 bills reported out of the EDU Committee and then carried over on the Special Appropriations Table by SP 555.

Prepared by the Office of Policy and Legal Analysis
127th Legislature, First Regular Session

**127th LEGISLATURE
ENERGY AND UTILITIES**

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
A. Bills referred to Committee			
<i>Bills referred and voted out</i>	63	82.9%	4.3%
<i><u>Bills Carried Over to next session</u></i>	<u>12</u>	<u>15.8%</u>	<u>0.8%</u>
Total Bills referred	75	98.7%	5.2%
B. Bills reported out by law or joint order and not referred back to committee	1	1.3%	0.1%
Total Bills considered by Committee	76	100.0%	5.2%
Orders and Resolutions referred to Committee			
<i>Joint Study Orders referred and voted out</i>	0	0.0%	0.0%
<i>Joint Resolutions referred and voted out</i>	0	0.0%	0.0%
<i><u>Orders and Resolutions Carried Over</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Orders and Resolutions Referred	0	0.0%	0.0%
	<u>Number</u>	<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
II. COMMITTEE REPORTS			
A. Unanimous committee reports			
<i>Ought to Pass</i>	4	6.3%	0.3%
<i>Ought to Pass as Amended</i>	23	35.9%	1.8%
<i>Leave to Withdraw</i>	0	0.0%	0.0%
<i><u>Ought Not to Pass</u></i>	<u>22</u>	<u>34.4%</u>	<u>1.7%</u>
Total unanimous reports	49	76.6%	3.8%
B. Divided committee reports			
<i>Two-way reports</i>	14	21.9%	1.1%
<i>Three-way reports</i>	1	1.6%	0.1%
<i><u>Four-way reports</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total divided reports	15	23.4%	1.2%
Total committee reports	64	84.2%	5.0%
III. CONFIRMATION HEARINGS	1	N/A	N/A
IV. FINAL DISPOSITION	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
A. Bills and Papers enacted or finally passed			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	17	22.4%	1.2%
<i>Private and Special Laws</i>	5	6.6%	0.3%
<i>Resolves</i>	4	5.3%	0.3%
<i><u>Constitutional Resolutions</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Enacted or Finally Passed	26	34.2%	1.8%
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	1	100.0%	5.3%
Rules carried over to next session	0		
<i><u>Rules not authorized by the Legislature</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total number of rules reviewed	1	100.0%	5.3%
C. Bills vetoed or held by Governor			
<i>Vetoed over-ridden</i>	8	10.5%	0.5%
<i>Vetoed sustained</i>	3	3.9%	0.2%
<i><u>Held by the Governor</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total	11	14.5%	0.8%

**127th LEGISLATURE
ENVIRONMENT AND NATURAL RESOURCES**

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
A. Bills referred to Committee			
<i>Bills referred and voted out</i>	48	90.6%	3.3%
<u><i>Bills Carried Over to next session</i></u>	4	7.5%	0.3%
Total Bills referred	52	98.1%	3.6%
B. Bills reported out by law or joint order and not referred back to committee	1	1.9%	0.1%
Total Bills considered by Committee	53	100.0%	3.6%
Orders and Resolutions referred to Committee			
<i>Joint Study Orders referred and voted out</i>	0	0.0%	0.0%
<i>Joint Resolutions referred and voted out</i>	0	0.0%	0.0%
<u><i>Orders and Resolutions Carried Over</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Orders and Resolutions Referred	0	0.0%	0.0%
II. COMMITTEE REPORTS	<u>Number</u>	<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
A. Unanimous committee reports			
<i>Ought to Pass</i>	4	8.2%	0.3%
<i>Ought to Pass as Amended</i>	15	30.6%	1.2%
<i>Leave to Withdraw</i>	2	4.1%	0.2%
<u><i>Ought Not to Pass</i></u>	<u>19</u>	<u>38.8%</u>	<u>1.5%</u>
Total unanimous reports	40	81.6%	3.1%
B. Divided committee reports			
<i>Two-way reports</i>	9	18.4%	0.7%
<i>Three-way reports</i>	0	0.0%	0.0%
<u><i>Four-way reports</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total divided reports	9	18.4%	0.7%
Total committee reports	49	92.5%	3.8%
III. CONFIRMATION HEARINGS	0	N/A	N/A
IV. FINAL DISPOSITION	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
A. Bills and Papers enacted or finally passed			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	17	32.1%	1.2%
<i>Private and Special Laws</i>	0	0.0%	0.0%
<i>Resolves</i>	3	5.7%	0.2%
<u><i>Constitutional Resolutions</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Enacted or Finally Passed	20	37.7%	1.4%
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	2	50.0%	10.5%
Rules authorized with legislative changes	1	25.0%	5.3%
<u>Rules not authorized by the Legislature</u>	<u>1</u>	<u>25.0%</u>	<u>5.3%</u>
Total number of rules reviewed	4	100.0%	21.1%
C. Bills vetoed or held by Governor			
<i>Vetoed over-ridden</i>	0	0.0%	0.0%
<i>Vetoed sustained</i>	1	1.9%	0.1%
<u><i>Held by the Governor</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total	1	1.9%	0.1%

**127th LEGISLATURE
HEALTH AND HUMAN SERVICES**

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
A. Bills referred to Committee			
<i>Bills referred and voted out and not carried over</i>	146	86.9%	10.0%
<u><i>Bills Carried Over to next session</i></u>	22 *	13.1%	1.5%
Total Bills referred	168	100.0%	11.5%
B. Bills reported out by law or joint order and not referred back to committee			
	0	0.0%	0.0%
Total Bills considered by Committee	168	100.0%	11.5%
Orders and Resolutions referred to Committee			
<i>Joint Study Orders referred and voted out</i>	0	0.0%	0.0%
<i>Joint Resolutions referred and voted out</i>	0	0.0%	0.0%
<u><i>Orders and Resolutions Carried Over</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Orders and Resolutions Referred	0	0.0%	0.0%
II. COMMITTEE REPORTS	<u>Number</u>	<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
A. Unanimous committee reports			
<i>Ought to Pass</i>	6	4.0%	0.5%
<i>Ought to Pass as Amended</i>	34	22.5%	2.6%
<i>Leave to Withdraw</i>	4	2.6%	0.3%
<u><i>Ought Not to Pass</i></u>	<u>51</u>	<u>33.8%</u>	<u>4.0%</u>
Total unanimous reports	95	62.9%	7.4%
B. Divided committee reports			
<i>Two-way reports</i>	52	34.4%	4.0%
<i>Three-way reports</i>	4	2.6%	0.3%
<u><i>Four-way reports</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total divided reports	56	37.1%	4.4%
Total committee reports	151	89.9%	11.7%
III. CONFIRMATION HEARINGS			
	0	N/A	N/A
IV. FINAL DISPOSITION	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
A. Bills and Papers enacted or finally passed			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	27	16.1%	1.9%
<i>Private and Special Laws</i>	0	0.0%	0.0%
<i>Resolves</i>	14	8.3%	1.0%
<u><i>Constitutional Resolutions</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Enacted or Finally Passed	41	24.4%	2.8%
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	3	100.0%	15.8%
Rules authorized with legislative changes	0	0.0%	0.0%
<u>Rules not authorized by the Legislature</u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total number of rules reviewed	3	100.0%	15.8%
C. Bills vetoed or held by Governor			
<i>Vetoed over-ridden</i>	16	9.5%	1.1%
<i>Vetoed sustained</i>	9	5.4%	0.6%
<u><i>Held by the Governor</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total	25	14.9%	1.7%

* Total number of bills carried over to the next session includes 5 bills reported out of the HHS Committee and then carried over on the Special Appropriations Table by SP 555.

**127th LEGISLATURE
INSURANCE AND FINANCIAL SERVICES**

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
A. Bills referred to Committee			
<i>Bills referred and voted out</i>	45	88.2%	3.1%
<i>Bills Carried Over to next session</i>	6	11.8%	0.4%
Total Bills referred	51	100.0%	3.5%
B. Bills reported out by law or joint order and not referred back to committee	0	0.0%	0.0%
Total Bills considered by Committee	51	100.0%	3.5%
Orders and Resolutions referred to Committee			
<i>Joint Study Orders referred and voted out</i>	0	0.0%	0.0%
<i>Joint Resolutions referred and voted out</i>	0	0.0%	0.0%
<i>Orders and Resolutions Carried Over</i>	0	0.0%	0.0%
Total Orders and Resolutions Referred	0	0.0%	0.0%
II. COMMITTEE REPORTS	<u>Number</u>	<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
A. Unanimous committee reports			
<i>Ought to Pass</i>	2	4.4%	0.2%
<i>Ought to Pass as Amended</i>	15	33.3%	1.2%
<i>Leave to Withdraw</i>	0	0.0%	0.0%
<i>Ought Not to Pass</i>	11	24.4%	0.9%
Total unanimous reports	28	62.2%	2.2%
B. Divided committee reports			
<i>Two-way reports</i>	17	37.8%	1.3%
<i>Three-way reports</i>	0	0.0%	0.0%
<i>Four-way reports</i>	0	0.0%	0.0%
Total divided reports	17	37.8%	1.3%
Total committee reports	45	88.2%	3.5%
III. CONFIRMATION HEARINGS	2	N/A	N/A
IV. FINAL DISPOSITION	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
A. Bills and Papers enacted or finally passed			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	20	39.2%	1.4%
<i>Private and Special Laws</i>	0	0.0%	0.0%
<i>Resolves</i>	0	0.0%	0.0%
<i>Constitutional Resolutions</i>	0	0.0%	0.0%
Total Enacted or Finally Passed	20	39.2%	1.4%
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	0	0.0%	0.0%
Rules not authorized by the Legislature	0	0.0%	0.0%
Total number of rules reviewed	0	0.0%	0.0%
C. Bills vetoed or held by Governor			
<i>Vetoed over-ridden</i>	6	11.8%	0.4%
<i>Vetoed sustained</i>	4	7.8%	0.3%
<i>Held by the Governor</i>	0	0.0%	0.0%
Total	10	19.6%	0.7%

**127th LEGISLATURE
INLAND FISHERIES AND WILDLIFE**

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
A. Bills referred to Committee			
<i>Bills referred and voted out</i>	64	94.1%	4.4%
<i><u>Bills Carried Over to next session</u></i>	<u>3</u>	<u>4.4%</u>	<u>0.2%</u>
Total Bills referred	67	98.5%	4.6%
B. Bills reported out by law or joint order and not referred back to committee	1	1.5%	0.1%
Total Bills considered by Committee	68	100.0%	4.7%
Orders and Resolutions referred to Committee			
<i>Joint Study Orders referred and voted out</i>	0	0.0%	0.0%
<i>Joint Resolutions referred and voted out</i>	0	0.0%	0.0%
<i>Orders and Resolutions Carried Over</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Orders and Resolutions Referred	0	0.0%	0.0%
II. COMMITTEE REPORTS	<u>Number</u>	<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
A. Unanimous committee reports			
<i>Ought to Pass</i>	5	7.7%	0.4%
<i>Ought to Pass as Amended</i>	14	21.5%	1.1%
<i>Leave to Withdraw</i>	0	0.0%	0.0%
<i><u>Ought Not to Pass</u></i>	<u>23</u>	<u>35.4%</u>	<u>1.8%</u>
Total unanimous reports	42	64.6%	3.3%
B. Divided committee reports			
<i>Two-way reports</i>	22	33.8%	1.7%
<i>Three-way reports</i>	1	1.5%	0.1%
<i><u>Four-way reports</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total divided reports	23	35.4%	1.8%
Total committee reports	65	95.6%	5.1%
III. CONFIRMATION HEARINGS	0	N/A	N/A
IV. FINAL DISPOSITION	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
A. Bills and Papers enacted or finally passed			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	23	33.8%	1.6%
<i>Private and Special Laws</i>	0	0.0%	0.0%
<i>Resolves</i>	1	1.5%	0.1%
<i><u>Constitutional Resolutions</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Enacted or Finally Passed	24	35.3%	1.6%
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	0	0.0%	0.0%
<i><u>Rules not authorized by the Legislature</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total number of rules reviewed	0	0.0%	0.0%
C. Bills vetoed or held by Governor			
<i>Vetoed over-ridden</i>	9	13.2%	0.6%
<i>Vetoed sustained</i>	2	2.9%	0.1%
<i><u>Held by the Governor</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total	11	16.2%	0.8%

**127th LEGISLATURE
JUDICIARY**

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
A. Bills referred to Committee			
<i>Bills referred and voted out</i>	108	85.7%	7.4%
<i><u>Bills Carried Over to next session</u></i>	18	14.3%	1.2%
Total Bills referred	126	100.0%	8.7%
B. Bills reported out by law or joint order and not referred back to committee	0	0.0%	0.0%
Total Bills considered by Committee	126	100.0%	8.7%
Orders and Resolutions referred to Committee			
<i>Joint Study Orders referred and voted out</i>	0	0.0%	0.0%
<i>Joint Resolutions/Orders referred and voted out</i>	0	0.0%	0.0%
<i>Orders and Resolutions Carried Over</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Orders and Resolutions Referred	0	0.0%	0.0%
II. COMMITTEE REPORTS	<u>Number</u>	<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
A. Unanimous committee reports			
<i>Ought to Pass</i>	12	11.1%	0.9%
<i>Ought to Pass as Amended</i>	50	46.3%	3.9%
<i>Leave to Withdraw</i>	1	0.9%	0.1%
<i>Ought Not to Pass</i>	<u>24</u>	<u>22.2%</u>	<u>1.9%</u>
Total unanimous reports	87	80.6%	6.8%
B. Divided committee reports			
<i>Two-way reports</i>	21	19.4%	1.6%
<i>Three-way reports</i>	0	0.0%	0.0%
<i>Four-way reports</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total divided reports	21	19.4%	1.6%
Total committee reports	108	85.7%	8.4%
III. CONFIRMATION HEARINGS	17	N/A	N/A
IV. FINAL DISPOSITION	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
A. Bills and Papers enacted or finally passed			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	56	44.4%	3.8%
<i>Private and Special Laws</i>	0	0.0%	0.0%
<i>Resolves</i>	2	1.6%	0.1%
<i><u>Constitutional Resolutions</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Enacted or Finally Passed	58	46.0%	4.0%
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	1	33.3%	5.3%
Rules carried over to the next session	2	0.0%	0.0%
<i><u>Rules not authorized by the Legislature</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total number of rules reviewed	3	100.0%	15.8%
C. Bills vetoed or held by Governor			
<i>Vetoed over-ridden</i>	30	23.8%	2.1%
<i>Vetoed sustained</i>	4	3.2%	0.3%
<i><u>Held by the Governor</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total	34	27.0%	2.3%

**127th LEGISLATURE
LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT**

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
A. Bills referred to Committee			
<i>Bills referred and voted out and not carried over</i>	141	92.8%	9.7%
<u><i>Bills Carried Over to next session</i></u>	<u>10</u> *	<u>6.6%</u>	<u>0.7%</u>
Total Bills referred	151	99.3%	10.4%
B. Bills reported out by law or joint order and not referred back to committee	1	0.7%	0.1%
Total Bills considered by Committee	152	100.0%	10.4%
Orders and Resolutions referred to Committee			
<i>Joint Study Orders referred and voted out</i>	0	0.0%	0.0%
<i>Joint Resolutions referred and voted out</i>	0	0.0%	0.0%
<u><i>Orders and Resolutions Carried Over</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Orders and Resolutions Referred	0	0.0%	0.0%
II. COMMITTEE REPORTS	<u>Number</u>	<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
A. Unanimous committee reports			
<i>Ought to Pass</i>	9	6.2%	0.7%
<i>Ought to Pass as Amended</i>	26	17.9%	2.0%
<i>Leave to Withdraw</i>	4	2.8%	0.3%
<u><i>Ought Not to Pass</i></u>	<u>51</u>	<u>35.2%</u>	<u>4.0%</u>
Total unanimous reports	90	62.1%	7.0%
B. Divided committee reports			
<i>Two-way reports</i>	54	37.2%	4.2%
<i>Three-way reports</i>	1	0.7%	0.1%
<u><i>Four-way reports</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total divided reports	55	37.9%	4.3%
Total committee reports	145	95.4%	11.3%
III. CONFIRMATION HEARINGS	1	N/A	N/A
IV. FINAL DISPOSITION	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
A. Bills and Papers enacted or finally passed			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	38	25.0%	2.6%
<i>Private and Special Laws</i>	1	0.7%	0.1%
<i>Resolves</i>	0	0.0%	0.0%
<u><i>Constitutional Resolutions</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Enacted or Finally Passed	39	25.7%	2.7%
B. Resolves to authorize major substantive rules			
<i>Rules authorized without legislative changes</i>	0	0.0%	0.0%
<i>Rules authorized with legislative changes</i>	0	0.0%	0.0%
<u><i>Rules not authorized by the Legislature</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total number of rules reviewed	0	0.0%	0.0%
C. Bills vetoed or held by Governor			
<i>Vetoed over-ridden</i>	12	7.9%	0.8%
<i>Vetoed sustained</i>	5	3.3%	0.3%
<u><i>Held by the Governor</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total	17	11.2%	1.2%

* Total number of bills carried over to the next session includes 3 bills reported out of the LCRED Committee and then carried over on the Special Appropriations Table by SP 555.

**127th LEGISLATURE
MARINE RESOURCES**

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
A. Bills referred to Committee			
<i>Bills referred and voted out</i>	25	89.3%	1.7%
<i><u>Bills Carried Over to next session</u></i>	<u>3</u>	<u>10.7%</u>	<u>0.2%</u>
Total Bills referred	28	100.0%	1.9%
B. Bills reported out by law or joint order and not referred back to committee	0	0.0%	0.0%
Total Bills considered by Committee	28	100.0%	1.9%
Orders and Resolutions referred to Committee			
<i>Joint Study Orders referred and voted out</i>	0	0.0%	0.0%
<i>Joint Resolutions referred and voted out</i>	0	0.0%	0.0%
<i>Orders and Resolutions Carried Over</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Orders and Resolutions Referred	0	0.0%	0.0%
		% of this Committee's Reports	% of All Committee Reports
II. COMMITTEE REPORTS	<u>Number</u>		
A. Unanimous committee reports			
<i>Ought to Pass</i>	1	4.0%	0.1%
<i>Ought to Pass as Amended</i>	10	40.0%	0.8%
<i>Leave to Withdraw</i>	1	4.0%	0.1%
<i><u>Ought Not to Pass</u></i>	<u>9</u>	<u>36.0%</u>	<u>0.7%</u>
Total unanimous reports	21	84.0%	1.6%
B. Divided committee reports			
<i>Two-way reports</i>	4	16.0%	0.3%
<i>Three-way reports</i>	0	0.0%	0.0%
<i><u>Four-way reports</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total divided reports	4	16.0%	0.3%
Total committee reports	25	89.3%	1.9%
III. CONFIRMATION HEARINGS	0	N/A	N/A
		% of Comm Bills/Papers	% of All Bills/Papers
IV. FINAL DISPOSITION	<u>Number</u>		
A. Bills and Papers enacted or finally passed			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	10	35.7%	0.7%
<i>Private and Special Laws</i>	0	0.0%	0.0%
<i>Resolves</i>	0	0.0%	0.0%
<i><u>Constitutional Resolutions</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Enacted or Finally Passed	10	35.7%	0.7%
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	0	0.0%	0.0%
<i><u>Rules not authorized by the Legislature</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total number of rules reviewed	0	0.0%	0.0%
C. Bills vetoed or held by Governor			
<i>Vetoes over-ridden</i>	1	3.6%	0.1%
<i>Vetoes sustained</i>	1	3.6%	0.1%
<i><u>Held by the Governor</u></i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total	2	7.1%	0.1%

**127th LEGISLATURE
STATE AND LOCAL GOVERNMENT**

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
A. Bills referred to Committee			
<i>Bills referred and voted out and not carried over</i>	60	88.2%	4.1%
<u><i>Bills Carried Over to next session</i></u>	<u>8</u> *	<u>11.8%</u>	<u>0.5%</u>
Total Bills referred	68	100.0%	4.7%
B. Bills reported out by law or joint order and not referred back to committee	0	0.0%	0.0%
Total Bills considered by Committee	68	100.0%	4.7%
Orders and Resolutions referred to Committee			
<i>Joint Study Orders referred and voted out</i>	0	0.0%	0.0%
<i>Joint Resolutions referred and voted out</i>	2	100.0%	0.0%
<i>Orders and Resolutions Carried Over</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Orders and Resolutions Referred	2	100.0%	0.0%
II. COMMITTEE REPORTS	<u>Number</u>	<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
A. Unanimous committee reports			
<i>Ought to Pass</i>	6	9.5%	0.5%
<i>Ought to Pass as Amended</i>	10	15.9%	0.8%
<i>Leave to Withdraw</i>	1	1.6%	0.1%
<u><i>Ought Not to Pass</i></u>	<u>15</u>	<u>23.8%</u>	<u>1.2%</u>
Total unanimous reports	32	50.8%	2.5%
B. Divided committee reports			
<i>Two-way reports</i>	31	49.2%	2.4%
<i>Three-way reports</i>	0	0.0%	0.0%
<i>Four-way reports</i>	0	0.0%	0.0%
Total divided reports	31	49.2%	2.4%
Total committee reports	63	90.0%	4.9%
III. CONFIRMATION HEARINGS	0	N/A	N/A
IV. FINAL DISPOSITION	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
A. Bills and Papers enacted or finally passed			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	14	20.6%	1.0%
<i>Private and Special Laws</i>	0	0.0%	0.0%
<i>Resolves</i>	4	5.9%	0.3%
<u><i>Constitutional Resolutions</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Enacted or Finally Passed	18	26.5%	1.2%
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	0	0.0%	0.0%
<u>Rules not authorized by the Legislature</u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total number of rules reviewed	0	0.0%	0.0%
C. Bills vetoed or held by Governor			
<i>Vetoed over-ridden</i>	4	5.9%	0.3%
<i>Vetoed sustained</i>	3	4.4%	0.2%
<u><i>Held by the Governor</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total	7	10.3%	0.5%

* Total number of bills carried over to the next session includes 1 bill reported out of the SLG Committee and then carried over on the Special Appropriations Table by SP 555.

**127th LEGISLATURE
TAXATION**

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
A. Bills referred to Committee			
<i>Bills referred and voted out and not carried over</i>	103	88.8%	7.1%
<u><i>Bills Carried Over to next session</i></u>	13 *	11.2%	0.9%
Total Bills referred	116	100.0%	8.0%
B. Bills reported out by law or joint order and not referred back to committee			
	0	0.0%	0.0%
Total Bills considered by Committee	116	100.0%	8.0%
Orders and Resolutions referred to Committee			
<i>Joint Study Orders referred and voted out</i>	0	0.0%	0.0%
<i>Joint Resolutions referred and voted out</i>	0	0.0%	0.0%
<i>Orders and Resolutions Carried Over</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Orders and Resolutions Referred	0	0.0%	0.0%
II. COMMITTEE REPORTS	<u>Number</u>	<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
A. Unanimous committee reports			
<i>Ought to Pass</i>	3	2.7%	0.2%
<i>Ought to Pass as Amended</i>	26	23.4%	2.0%
<i>Leave to Withdraw</i>	0	0.0%	0.0%
<u><i>Ought Not to Pass</i></u>	<u>61</u>	<u>55.0%</u>	<u>4.7%</u>
Total unanimous reports	90	81.1%	7.0%
B. Divided committee reports			
<i>Two-way reports</i>	20	18.0%	1.6%
<i>Three-way reports</i>	1	0.9%	0.1%
<u><i>Four-way reports</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total divided reports	21	18.9%	1.6%
Total committee reports	111	95.7%	8.6%
III. CONFIRMATION HEARINGS			
	0	N/A	N/A
IV. FINAL DISPOSITION	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
A. Bills and Papers enacted or finally passed			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	13	11.2%	0.9%
<i>Private and Special Laws</i>	0	0.0%	0.0%
<i>Resolves</i>	2	1.7%	0.1%
<u><i>Constitutional Resolutions</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Enacted or Finally Passed	15	12.9%	1.0%
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	0	0.0%	0.0%
<u>Rules not authorized by the Legislature</u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total number of rules reviewed	0	0.0%	0.0%
C. Bills vetoed or held by Governor			
<i>Vetoed over-ridden</i>	3	2.6%	0.2%
<i>Vetoed sustained</i>	4	3.4%	0.3%
<u><i>Held by the Governor</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total	7	6.0%	0.5%

* Total number of bills carried over to the next session includes 8 bills reported out of the TAX Committee and then carried over on the Special Appropriations Table by SP 555.

**127th LEGISLATURE
TRANSPORTATION**

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
A. Bills referred to Committee			
<i>Bills referred and voted out</i>	92	94.8%	6.3%
<i>Bills Carried Over to next session</i>	<u>5</u> *	<u>5.2%</u>	<u>0.3%</u>
Total Bills referred	97	100.0%	6.7%
B. Bills reported out by law or joint order and not referred back to committee			
	0	0.0%	0.0%
Total Bills considered by Committee	97	100.0%	6.7%
Orders and Resolutions referred to Committee			
<i>Joint Study Orders referred and voted out</i>	0	0.0%	0.0%
<i>Joint Resolutions referred and voted out</i>	0	0.0%	0.0%
<i>Orders and Resolutions Carried Over</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Orders and Resolutions Referred	0	0.0%	0.0%
II. COMMITTEE REPORTS			
	<u>Number</u>	<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
A. Unanimous committee reports			
<i>Ought to Pass</i>	8	8.6%	0.6%
<i>Ought to Pass as Amended</i>	33	35.5%	2.6%
<i>Leave to Withdraw</i>	0	0.0%	0.0%
<i>Ought Not to Pass</i>	43	46.2%	3.3%
<i>Refer to another committee</i>	<u>1</u>	<u>1.1%</u>	<u>0.1%</u>
Total unanimous reports	85	91.4%	6.6%
B. Divided committee reports			
<i>Two-way reports</i>	8	8.6%	0.6%
<i>Three-way reports</i>	0	0.0%	0.0%
<i>Four-way reports</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total divided reports	8	8.6%	0.6%
Total committee reports	93	95.9%	7.2%
III. CONFIRMATION HEARINGS			
	1	N/A	N/A
IV. FINAL DISPOSITION			
	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
A. Bills and Papers enacted or finally passed			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	24	24.7%	1.6%
<i>Private and Special Laws</i>	2	2.1%	0.1%
<i>Resolves</i>	8	8.2%	0.5%
<i>Constitutional Resolutions</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Enacted or Finally Passed	34	35.1%	2.3%
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	2	100.0%	10.5%
<i>Rules not authorized by the Legislature</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total number of rules reviewed	2	100.0%	10.5%
C. Bills vetoed or held by Governor			
<i>Vetoes over-ridden</i>	7	7.2%	0.5%
<i>Vetoes sustained</i>	3	3.1%	0.2%
<i>Held by the Governor</i>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total	10	10.3%	0.7%

* Total number of bills carried over to the next session includes 1 bill reported out of the TRA Committee and then carried over on the Special Appropriations Table by SP 555.

**127th LEGISLATURE
VETERANS' AND LEGAL AFFAIRS**

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	<u>Number</u>	<u>% of Comm Activity</u>	<u>% of All Bills/Papers</u>
A. Bills referred to Committee			
<i>Bills referred and voted out</i>	93	89.4%	6.4%
<u><i>Bills Carried Over to next session</i></u>	8 *	<u>7.7%</u>	<u>0.5%</u>
Total Bills referred	101	97.1%	6.9%
B. Bills reported out by law or joint order and not referred back to committee	3	2.9%	0.2%
Total Bills considered by Committee	104	100.0%	7.1%
Orders and Resolutions referred to Committee			
<i>Joint Study Orders referred and voted out</i>	0	0.0%	0.0%
<i>Joint Resolutions referred and voted out</i>	0	0.0%	0.0%
<u><i>Orders and Resolutions Carried Over from previous session</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Orders and Resolutions Referred	0	0.0%	0.0%
II. COMMITTEE REPORTS	<u>Number</u>	<u>% of this Committee's Reports</u>	<u>% of All Committee Reports</u>
A. Unanimous committee reports			
<i>Ought to Pass</i>	5	5.1%	0.4%
<i>Ought to Pass as Amended</i>	29	29.6%	2.3%
<i>Leave to Withdraw</i>	3	3.1%	0.2%
<u><i>Ought Not to Pass</i></u>	<u>47</u>	<u>48.0%</u>	<u>3.7%</u>
Total unanimous reports	84	85.7%	6.5%
B. Divided committee reports			
<i>Two-way reports</i>	14	14.3%	1.1%
<i>Three-way reports</i>	0	0.0%	0.0%
<u><i>Four-way reports</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total divided reports	14	14.3%	1.1%
Total committee reports	98	94.2%	7.6%
III. CONFIRMATION HEARINGS	0	N/A	N/A
IV. FINAL DISPOSITION	<u>Number</u>	<u>% of Comm Bills/Papers</u>	<u>% of All Bills/Papers</u>
A. Bills and Papers enacted or finally passed			
<i>Joint Study Orders</i>	0	0.0%	0.0%
<i>Public laws</i>	25	24.0%	1.7%
<i>Private and Special Laws</i>	0	0.0%	0.0%
<i>Resolves</i>	2	1.9%	0.1%
<u><i>Constitutional Resolutions</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total Enacted or Finally Passed	27	26.0%	1.9%
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	0	0.0%	0.0%
<u>Rules not authorized by the Legislature</u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total number of rules reviewed	0	0.0%	0.0%
C. Bills vetoed or held by Governor			
<i>Vetoed over-ridden</i>	6	5.8%	0.4%
<i>Vetoed sustained</i>	4	3.8%	0.3%
<u><i>Held by the Governor</i></u>	<u>0</u>	<u>0.0%</u>	<u>0.0%</u>
Total	10	9.6%	0.7%

* Total number of bills carried over to the next session includes 2 bills reported out of the VLA Committee and then carried over on the Special Appropriations Table by SP 555.

APPENDIX B

INDEX OF BILLS

NOT REFERRED TO COMMITTEE

**BILLS NOT REFERRED:
COMMITTEE WHERE SUMMARY MAY BE FOUND**

<u>LD</u>	<u>TITLE</u>	<u>COMMITTEE</u>
33	An Act To Strengthen the Maine Clean Election Act, Improve Disclosure and Make Other Changes to the Campaign Finance Laws	Veterans and Legal Affairs
126	An Act To Restrict Swim Areas	Inland Fisheries and Wildlife
194	An Act To Authorize a General Fund Bond Issue To Encourage Access to Workforce Training and Job Creation	Appropriations and Financial Affairs
241	Resolve, Regarding Metallic Mineral Mining Rules of the Department of Environmental Protection	Environment and Natural Resources
450	An Act To Amend the Laws Regarding the Fund for the Efficient Delivery of Local and Regional Services	State and Local Government
457	An Act To Redistribute the Agricultural Fair Support Fund	Agriculture, Conservation and Forestry
480	An Act To Allow Condominium and Homeowners Associations To Establish Swim Areas	Inland Fisheries and Wildlife
806	An Act To Strengthen the Maine Clean Election Act, Improve Disclosure and Make Other Changes to the Campaign Finance Laws	Veterans and Legal Affairs
918	An Act To Allow Licensed Independent Practice Dental Hygienists To Expose and Process Radiographs under Protocols Developed by the Board of Dental Examiners	Labor, Commerce, Research and Economic Development
968	An Act To Expand Access to Affordable Higher Education and To Strengthen Workforce Development	Education and Cultural Affairs
1024	An Act To Preserve Agricultural Fairs	Agriculture, Conservation and Forestry
1135	An Act Regarding the Requirements for Sprinkler Systems in Townhouses	Criminal Justice and Public Safety
1216	An Act To Improve the Authority of Guardians of Persons with Intellectual Disabilities or Autism	Judiciary
1275	An Act Regarding Notice to the Public Pertaining to a Resident Person Deported from Canada to the United States for Committing a Sex Offense against a Child	Criminal Justice and Public Safety
1427	Resolve, Regarding the Department of Environmental Protection's Rule Chapter 500: Stormwater Management	Environment and Natural Resources

**BILLS NOT REFERRED:
COMMITTEE WHERE SUMMARY MAY BE FOUND**

<u>LD</u>	<u>TITLE</u>	<u>COMMITTEE</u>
1429	An Act To Amend the Laws Regarding On-premises and Off-premises Liquor Licenses	Veterans and Legal Affairs
1435	An Act Regarding Ethanol-free Motor Fuel	Environment and Natural Resources
1442	An Act To Establish a Bag Limit for Brook Trout on Portions of Webster Stream in Piscataquis County	Inland Fisheries and Wildlife
1444	An Act To Correct an Inconsistency in the So-called Dig Safe Law	Energy, Utilities and Technology
1446	An Act To Authorize a Casino To Benefit Federally Recognized Indian Tribes in the State	Veterans and Legal Affairs
1448	An Act To Amend Education Laws	Education and Cultural Affairs
1449	An Act To Amend the State Election Laws	Veterans and Legal Affairs
1450	An Act To Enact an Interim Budget	Appropriations and Financial Affairs
1451	An Act To Fund the Agreement with Certain Judicial Department Employees	Appropriations and Financial Affairs
1452	An Act To Make Technical Changes to Recently Enacted Legislation	Appropriations and Financial Affairs
1453	An Act To Fund Agreements with Bargaining Units for Certain Executive Branch Employees and Ensure Equitable Treatment for Other Executive Branch Employees	Appropriations and Financial Affairs
1454	Resolve, Reauthorizing the Balance of the 2009 Bond Issue for Land Conservation Projects	Appropriations and Financial Affairs
1455	An Act To Make a Technical Correction to a Recently Enacted Law Regarding the Appointment of District Court Judges	Judiciary