

STATE OF MAINE  
125<sup>TH</sup> LEGISLATURE  
FIRST REGULAR SESSION



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

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

July 2011

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*Joint Standing Committee on Appropriations and Financial Affairs*

**LD 63      An Act To Authorize a General Fund Bond Issue To Repair the      Carried Over**  
**Mountain Division Rail Line**

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

The funds provided by this bond issue, in the amount of \$21,000,000, will be used to repair the Mountain Division rail line between Portland and Fryeburg.

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

**LD 100      An Act To Make Supplemental Appropriations and Allocations for the      PUBLIC 1**  
**Expenditures of State Government and To Change Certain Provisions      EMERGENCY**  
**of the Law Necessary to the Proper Operations of State Government for**  
**the Fiscal Year Ending June 30, 2011**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FLOOD ROSEN R	OTP-AM	H-2

LD 100 is the Governor's proposed fiscal year 2010-11 Emergency Supplemental Budget.

**Committee Amendment "A" (H-2)**

Committee Amendment "A" (H-2) is the unanimous report of the Committee in response to the Governor's proposed bill.

**Enacted Law Summary**

Public Law 2011, chapter 1 results in a net cost to the General Fund of \$118,116,848 and a net cost to the Fund for a Healthy Maine of \$1,380,582.

PART A makes supplemental appropriations and allocations of funds for fiscal year 2010-11.

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

PART C aligns budget appropriation categories with the services being provided to the early childhood population by the Child Development Services System and services being provided by local schools and makes adjustments to the funding of K-12 education.

PART D relates to the administration of certain school administrative units and renames a program within the Department of Education.

PART E relates to the debt service limit for school construction projects.

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PART F renames a program in the Department of Agriculture.

PART G provides for a one-day borrowing in fiscal year 2010-11 from Other Special Revenue Funds to the Fund for a Healthy Maine.

PART H transfers unexpended funds from the Division of Forest Protection, Other Special Revenue Funds account within the Department of Conservation to the unappropriated surplus of the General Fund.

PART I lapses unexpended funds in the Department of Environmental Protection, Land and Water Quality program General Fund carrying account to the General Fund unappropriated surplus.

PART J reduces the amount of unexpended funds to be transferred from the Maine Solid Waste Management Fund, Other Special Revenue Funds to the General Fund unappropriated surplus at the close of fiscal year 2010-11 and transfers funds from the Ground Water Oil Clean-up Fund, Other Special Revenue Funds account to the General Fund.

PART K requires the Commissioner of Education to conduct a comprehensive review of the Child Development Services System and to report the results to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Education and Cultural Affairs.

PART L transfers unexpended funds from the Fund for the Efficient Delivery of Local and Regional Services - Administration, Other Special Revenue Funds account to the unappropriated surplus of the General Fund and authorizes the transfer of Personal Services appropriations between General Fund accounts to cover separation and other personnel-related costs that may occur following the election of the Governor.

PART M clarifies that a specified amount of the General Fund unappropriated surplus must be transferred to the Maine Budget Stabilization Fund in fiscal year 2010-11 and increases the amount to be transferred from the unappropriated surplus of the General Fund to the Maine Budget Stabilization Fund on June 30, 2011.

PART N increases the revenue-sharing transfer to General Fund undedicated revenue for fiscal year 2010-11 and requires the revenue increase to General Fund undedicated revenue to be proportional based on the number of months remaining in fiscal year 2010-11.

PART O authorizes any balance remaining in the Traumatic Brain Injury Seed program, General Fund account within the Department of Health and Human Services to be carried forward at the end of any fiscal year.

PART P updates references to the United States Internal Revenue Code contained in the Maine Revised Statutes, Title 36. This primarily affects the State's income tax laws.

PART Q requires the State Controller to transfer a specified amount of unexpended Personal Services savings that would otherwise lapse to the Salary Plan program to General Fund unappropriated surplus at the close of fiscal year 2010-11 and allows the State Controller to transfer funding from the Salary Plan program to General Fund unappropriated surplus in the event that the specified amount of Personal Services savings is not achieved.

PART R 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.

PART S exempts the Department of Health and Human Services, Disproportionate Share - Riverview

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Psychiatric Center and the Disproportionate Share - Dorothea Dix Psychiatric Center accounts and the Department of Education, Education in the Unorganized Territory account from the provision of the Maine Revised Statutes that lapses unexpended General Fund Personal Services appropriations to the Salary Plan program, General Fund account at the close of each fiscal year.

PART T directs an applicant who intends to submit an application for a license to operate a casino in Oxford County to the Department of Public Safety, Gambling Control Board on or before December 1, 2011 to submit up to a specified amount of the fees to cover the projected costs of considering the application no later than May 1, 2011.

PART U transfers balances from several Other Special Revenue Funds accounts within the Department of Health and Human Services to General Fund unappropriated surplus.

PART V lapses unexpended funds in several Department of Health and Human Services General Fund carrying accounts to the General Fund unappropriated surplus.

PART W provides that for a transfer \$400,000 from the Division of Forest Protection, General Fund account in the Department of Conservation to the General Fund unappropriated surplus if the balance of the former account exceeds a specified amount on June 1, 2011. If the balance does not exceed the specified amount the Department of Conservation is authorized to sell a Jet Ranger helicopter and transfer \$400,000 from the proceeds to the General Fund unappropriated surplus.

PART X requires that a specified General Fund appropriation be provided for the Doctors for Maine's Future Scholarship Fund program no later than June 30, 2013.

PART Y lapses a portion of unencumbered balance forward of the Department of Labor, Governor's Training Initiative Program, General Fund account to the General Fund.

PART Z lapses a specified amount in the Department of Education, Management Information Systems General Fund carrying account to the General Fund unappropriated surplus.

PART AA eliminates the requirement that the Governor appoint the Commissioner of Professional and Financial Regulation from among the Superintendent of Financial Institutions, the Superintendent of Consumer Credit Protection, the Superintendent of Insurance and the Director of the Office of Licensing and Registration and gives statutory authority to the State Board of Nursing to accept federal funds on behalf of the State for the board's programs.

PART BB increases the period for providing certain information required by the Department of Administrative and Financial Services, Bureau of Revenue Services and for requesting a hearing before a creditor agency.

PART CC increases the period allowed for filing an amended Maine income tax return, a service provider tax return or estate tax return under certain circumstances and clarifies what triggers a requirement to file an amended Maine income tax return.

PART DD extends the period during which certain tax refunds may be requested.

PART EE reduces the period during which the State may not pay interest on certain overpayments of tax that are refunded to the taxpayer.

PART FF clarifies the original intent of Public Law 2009, chapter 571 related to the state share of health

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insurance premiums for certain employees.

PART GG authorizes the administrator of the Maine Milk Pool to distribute a specified amount under the dairy stabilization program between March 1, 2011 and June 30, 2011.

PART HH transfers unexpended funds from the Board of Pesticides Control, Other Special Revenue Funds account in the Department of Agriculture, Food and Rural Resources to the unappropriated surplus of the General Fund.

PART II requires the Finance Authority of Maine to make a one-time payment of a portion of the interest earned in the Agricultural Marketing Loan Fund to the State as undedicated General Fund revenue.

PART JJ changes the salary range for the position of Deputy Chief Medical Examiner.

Public Law 2011, chapter 1 was enacted as an emergency measure effective February 8, 2011.

**LD 111      An Act To Authorize a General Fund Bond Issue To Fund Large-scale Marketing and Research and Development for Bulk Sales of Maine Seafood Worldwide      Carried Over**

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

The funds provided by this bond issue, in the amount of \$3,000,000, will be used for large-scale marketing of Maine seafood and for research and development for seafood production and processing to increase bulk sales of Maine seafood worldwide.

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

**LD 141      An Act To Increase the Retirement Age for New State Employees to 65 Years of Age      ONTP**

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

This bill is a concept draft pursuant to Joint Rule 208. The bill proposes to impose a retirement age of 65 years of age for those employees participating in the Maine Public Employees Retirement System who have not yet vested.

LD 1043, as enacted, contains a similar provision.

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**LD 181 An Act To Promote Fiscal Transparency in State Government**

**ONTP**

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

This bill requires the Commissioner of Administrative and Financial Services to develop and maintain a single, searchable, publicly accessible website that contains information on state revenues, expenditures and bond proceeds. It requires the Chief Information Officer to assist the commissioner in developing policies and procedures concerning the single website in a manner consistent with state and federal laws, rules and regulations. This bill also provides state employees with immunity from criminal penalties and civil liability for any acts, errors or omissions related to the dissemination of this financial information.

The committee sent a letter to the Commissioner of the Department of Administrative and Financial Services requesting that the provisions of the bill be accomplished administratively within existing resources.

**LD 225 An Act To Authorize a General Fund Bond Issue in the Amount of \$50,000,000 To Fund Research and Development**

**Carried Over**

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

The funds provided by this bond issue, in the amount of \$50,000,000, will be used to provide funds for research and development for Maine-based public and private institutions for environmental and renewable energy technology, biomedical technology and biotechnology, aquaculture and marine technology, composite materials technology, advanced technologies for forestry and agriculture, information technology and precision manufacturing technology through a competitive process.

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

**LD 263 An Act To Authorize a General Fund Bond Issue To Fund Construction of a Marine Technology Incubator Facility at the Gulf of Maine Research Institute**

**Carried Over**

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

The funds provided by this bond issue, in the amount of \$10,000,000, will be used to fund construction of a marine technology incubator facility at the Gulf of Maine Research Institute.

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

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**LD 280      Resolve, Reauthorizing the Balance of the 2005 Maine Biomedical Research Fund and Marine Infrastructure and Technology Fund Bond Issues      RESOLVE 73 EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RECTOR	OTP-AM	S-185

This resolve reauthorizes the balance of the 2005 Maine biomedical research and marine infrastructure and technology bond issues.

**Committee Amendment "A" (S-185)**

This amendment incorporates a fiscal note.

**Enacted Law Summary**

Resolve 2011, chapter 73 reauthorizes the balance of the 2005 Maine biomedical research and marine infrastructure and technology bond issues.

Resolve 2011, chapter 73 was finally passed as an emergency measure effective June 13, 2011.

**LD 298      An Act To Amend the Retirement Benefit Provisions for State Employees Working under Special Plans Who Remain Employed beyond the Minimum Years Necessary To Qualify for Retirement Benefits      ONTP**

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

Under current law, certain state employees in special retirement plans, such as the Maine State Police, marine resources officers and liquor inspectors, earn an additional 2% of average final compensation for each year those employees work beyond the minimum retirement age. This bill prospectively eliminates, beginning October 1, 2011, that additional 2% of the average final compensation computed each year past a member's minimum retirement age. The bill does not affect the inclusion of the additional 2% of average final compensation computed for each year beyond a member's minimum retirement age that occurs prior to October 1, 2011. The bill also amends language to make it gender-neutral.

**LD 336      An Act To Preserve the State's Public Pension Fund      LEAVE TO WITHDRAW**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CEBRA	LV/WD	

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This bill makes changes to the State's public pension laws to improve the financial condition of the Maine Public Employees Retirement System. For the next 6 years, the bill increases the amount of contributions to the Maine Public Employees Retirement System made by state employees and teachers by 1% of earnable compensation. The bill also reduces for 6 years the cost-of-living adjustments for retirement benefits by 50% for persons with annual pensions greater than \$25,000 but not greater than \$45,000 and suspends for 6 years cost-of-living adjustments for persons with annual pensions greater than \$45,000. Persons with pensions of \$25,000 or less continue to receive cost-of-living adjustments. The bill provides for a review of these changes during the 128th Legislature.

LD 1043, as enacted, contains provisions similar to some sections of this bill.

**LD 350      *Resolve, Directing the Maine Public Employees Retirement System To Consider Warden Bayley Grant's Game Warden Service as Having Begun in 1983, without an Interruption in Service*      LEAVE TO WITHDRAW**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
TILTON RAYE	LV/WD	

This resolve directs the Maine Public Employees Retirement System to calculate Warden Bayley Grant's employment service from the time he was first hired, without any break in service.

**LD 359      *An Act To Authorize a General Fund Bond Issue for Wastewater and Drinking Water Revolving Loan Funds*      Carried Over**

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

The funds provided by this bond issue, in the amount of \$15,500,000, will be used to fund revolving loan funds for drinking water systems and wastewater facilities and to secure federal grants.

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

**LD 381      *An Act To Establish a New Method of Determining the State Budget*      Carried Over**

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

This bill shifts the start of the fiscal biennium for the state budget from the first regular session of the Legislature to the second regular session of the Legislature, beginning with the fiscal year that begins on July 1, 2014. It also provides that the state budget beginning on July 1, 2013 is a one-year budget.

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

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**LD 399      An Act To Authorize a General Fund Bond Issue To Fund LifeFlight      Carried Over**

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

The funds provided by this bond issue, in the amount of \$640,000, will be used by the LifeFlight Foundation to complete a network of automated weather observing stations and for building helipads in rural communities with a history of high use or in remote locations to improve safety and access to emergency medical services.

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

**LD 409      An Act To Authorize a General Fund Bond Issue for Research and Development for Technology Advancement      Carried Over**

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

The funds provided by this bond issue, in the amount of \$100,000,000, will be used to provide funds for research, development and commercialization funds for targeted technology sectors, awarded after a competitive process administered by the Department of Economic and Community Development, Maine Technology Institute, and will leverage at least \$100,000,000 in other funds.

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

**LD 417      An Act To Authorize a General Fund Bond Issue To Improve Rail Lines in Western Maine      Carried Over**

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

The funds provided by this bond issue, in the amount of \$20,000,000, will be used to improve rail lines in western Maine.

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

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**LD 420      An Act To Authorize a General Fund Bond Issue To Fund Building a Container Port on Sears Island      Carried Over**

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

The funds provided by this bond issue, in the amount of \$200,000,000, will be used to fund building a privately operated container port on Sears Island.

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

**LD 470      An Act To Authorize a General Fund Bond Issue To Complete Renovation of a Bulkhead at the Gulf of Maine Research Institute      Carried Over**

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

The funds provided by this bond issue, in the amount of \$1,000,000, will be used to complete renovation of a bulkhead at the Gulf of Maine Research Institute.

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

**LD 513      RESOLUTION, Proposing an Amendment to the Constitution of Maine To More Equitably Fund the Liabilities of the Maine Public Employees Retirement System      Carried Over**

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

This resolution proposes to amend the Constitution of Maine to remove the requirement that experience losses incurred by the Maine Public Employees Retirement System be retired in only 10 years and to change the required amortization schedule of unfunded liabilities from a fixed 31-year schedule to a so-called open or rolling 25-year schedule.

This resolution was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

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**LD 542      An Act To Ensure Retirement Benefits for Members of the Maine Public Employees Retirement System      ONTP**

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

This bill establishes an option for new employees hired on or after July 1, 2012 to become members of the Judicial Retirement Program or the State Employee and Teacher Retirement Program. Current members may make a one-time, irrevocable election to remain as members. Legislators who are not vested as members in the Legislative Retirement Program and first-time Legislators serving on or after December 5, 2012 may not be members of the Legislative Retirement Program. Vested Legislators serving on or after December 5, 2010 may make a one-time, irrevocable election to remain as members. Those who do not elect to become members of the Maine Public Employees Retirement System are enrolled in the federal social security program.

LD 1043, as enacted, establishes a working group to develop a plan to replace the current defined benefit retirement plan for new state employees and teachers with a supplement to Social Security.

**LD 565      An Act To Provide Funding for the World Acadian Congress      Carried Over**

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

This bill provides funds for the World Acadian Congress in fiscal years 2011-12 and 2012-13 only.

**Committee Amendment "A" (S-184)**

This amendment strikes the funding for the World Acadian Congress in fiscal year 2011-12.

This bill was removed from the Special Appropriations Table, recommitted to the Joint Standing Committee on Appropriations and Financial Affairs and carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

**LD 741      An Act To Authorize a General Fund Bond Issue To Invest in Water and Sewer Infrastructure To Protect Public Health and To Facilitate the Expansion and Growth of Business      Carried Over**

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

The funds provided by this bond issue, in the amount of \$30,000,000, will be used to repair and reconstruct water and sewer systems that the Department of Environmental Protection considers in greatest need of attention and the

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greatest threat to the public health and the expansion of business.

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

**LD 777      An Act To Authorize a General Fund Bond Issue To Expand Necessary Capital Improvements at the University of Maine System That Support the Critical Disciplines of Science, Technology, Engineering and Math To Enhance Economic Development and Employment Opportunities for Maine Citizens      Carried Over**

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

The funds provided by this bond issue, in the amount of \$40,000,000, will be used to expand necessary capital improvements in the critical disciplines of science, technology, engineering and mathematics at the University of Maine System.

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

**LD 807      An Act To Repeal the Bonding Authority of the Maine Governmental Facilities Authority      Carried Over**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WATERHOUSE ROSEN R		

This bill removes the Maine Governmental Facilities Authority's ability to issue bonds or negotiable securities beginning October 1, 2011.

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

**LD 829      An Act To Authorize a General Fund Bond Issue To Invest in Transportation, Broadband Infrastructure, Downtown Revitalization, Land for Maine's Future and Training Facilities in Labor Market Areas with Higher than Average Unemployment for Tourism-related Training      Carried Over**

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

The funds provided by this bond issue, in the amount of \$100,000,000, will be used to provide funds over 5 years for the State's transportation biennial capital work plan, the Communities for Maine's Future Program, the ConnectME Authority, the Land for Maine's Future Board, the University of Maine System and the Maine Community College

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System for tourism-related training, targeted to particular projects in labor markets that have an unemployment rate higher than the statewide average.

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

**LD 830      An Act To Provide for the 2011 and 2012 Allocations of the State      P & S 18**  
**Ceiling on Private Activity Bonds**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
CHASE COLLINS	OTP-AM	H-665

This bill establishes a debt limit for most general obligation bonds and Maine Governmental Facilities Authority bonds originally issued for a term of in excess of 5 years at 5% of the General Fund revenues for the previous fiscal year.

**Committee Amendment "A" (H-665)**

This amendment replaces the bill and establishes the allocations of the state ceiling on issuance of tax-exempt bonds for calendar years 2011 and 2012 and allocates the state ceiling among the state-level issuers of tax-exempt bonds. Under federal law, a maximum of \$277,820,000 in tax-exempt bonds benefiting private individuals or entities may be issued in this State in 2011 and at least \$277,820,000 in tax-exempt bonds benefiting private individuals or entities may be issued in this State in 2012.

**Enacted Law Summary**

Private and Special Law 2011, chapter 18 establishes the allocations of the state ceiling on issuance of tax-exempt bonds for calendar years 2011 and 2012 and allocates the state ceiling among the state-level issuers of tax-exempt bonds.

**LD 842      An Act To Authorize a General Fund Bond Issue To Support Research      Carried Over**  
**and Sustainable Development of Maine's Natural Resources**

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

The major portion of the funds provided by this bond issue, in the amount \$45,000,000, are to fund research, development and commercialization of innovative technology that relies on the sustainable use of Maine's natural resources such as forest and agricultural products and tidal and wind energy. The remaining \$5,000,000 support sustainable local economic development projects that enhance the economic benefits of increased reliance on local foods and recycling of consumer products. The funds must be administered by the Maine Technology Institute and competitively awarded.

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

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**LD 851      An Act To Authorize a General Fund Bond Issue To Invest in Railroads      Carried Over**  
**To Reduce the Cost of Shipping to Maine Businesses, Attract Tourists to**  
**Maine and Facilitate the Development of Commuter Rail**  
**Transportation To Reduce the Use of Oil in Maine**

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

The funds provided by this bond issue, in the amount of \$25,000,000, will be used to provide funds for railroad reconstruction and expansion that the business sector considers vital to the shipment of goods and the ability of the business community to compete. It requires that the Department of Transportation consult with the business and economic development sector to develop a list of priorities in regard to railroad construction and reconstruction projects focusing on projects important to tourism and projects with greatest visibility for increased commuter and passenger rail service and taking into consideration the extent that proposed projects reduce the consumption of oil.

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

**LD 852      An Act To Authorize a General Fund Bond Issue To Support Maine's      Carried Over**  
**Natural Resource-based Economy**

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

The funds provided in this bond issue are to recapitalize the Land for Maine's Future program with \$36,000,000 to continue Maine's land conservation efforts, leveraging a minimum of \$36,000,000 in required matching funds. It provides \$12,000,000 for natural resource industry based infrastructure improvements and enhancements related to natural resource industry and to provide capital for state park maintenance and improvements. It also gives land conservation projects that protect and enhance deer wintering habitat preference and directs the Department of Inland Fisheries and Wildlife and the Department of Conservation to pursue projects that protect and conserve deer wintering habitat.

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

**LD 853      RESOLUTION, Proposing an Amendment to the Constitution of Maine      ONTP**  
**To Establish the Maine State Endowment Trust**

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

This resolution proposes to amend the Constitution of Maine to establish the Maine State Endowment Trust for the purpose of providing funds to support the public mission of State Government.

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**LD 874      An Act To Authorize a General Fund Bond Issue for Educational Opportunities for Underserved Regions of the State      Carried Over**

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

The funds provided by this bond issue, in the amount of \$27,100,000, will be used to improve equipment and facilities at the University of Maine System and the Maine Community College System to better serve the underserved regions of the State.

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

**LD 894      An Act To Authorize a General Fund Bond Issue To Invest in Highway and Bridge Infrastructure To Meet the Needs of the Business Sector and To Create Jobs      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 \$62,000,000, will be used to repair and reconstruct highways and bridges that are considered vital to the expansion of business interests by the business and economic development sector and essential to public safety. It requires that the Department of Transportation consult with the business and economic development sector to determine projects of highest priority to the business and economic development sector and establish a stakeholder group, if the bond passes, consisting of municipal officials, highway safety officials and members of the general public to develop a list of highway and bridge projects by level of priority relating to the safety of the general public.

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

**LD 919      An Act To Authorize a General Fund Bond Issue To Weatherize and Upgrade the Energy Efficiency of Maine Homes and Businesses and To Provide for a Trained Workforce for Maine's Energy Future      Carried Over**

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

The funds provided by this bond issue, in the amount of \$55,000,000, will be used to support weatherization and other energy efficiency improvements for Maine homes, businesses and public buildings to save money, reduce dependence on increasingly scarce heating fuels, support health and comfort and protect the environment. Funds are also provided to expand the workforce for weatherization and energy efficiency services and other parts of a new green economy.

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

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

**LD 948      An Act To Authorize a General Fund Bond Issue To Create Jobs      Carried Over**  
**through Energy Efficiency**

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

The funds provided by this bond issue, in the amount of \$25,000,000, will be for grants to make buildings throughout the State more energy efficient. Grant recipients must commit to using the money saved through increased energy efficiency to hire workers or for other workforce development.

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

**LD 979      An Act To Authorize a General Fund Bond Issue To Create an Animal      Carried Over**  
**and Plant Diagnostic Facility at the University of Maine**

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

The funds provided by this bond issue, in the amount of \$7,200,000, will be used to build an animal and plant diagnostic laboratory to enable animal and plant population health monitoring for exotic and zoonotic diseases as well as the study of animal and plant pathogens and containment of arthropods in a highly secure setting.

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

**LD 990      An Act To Authorize a General Fund Bond Issue in the Amount of      Carried Over**  
**\$1,000,000 for Road and Bridge Construction**

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

The funds provided by this bond issue, in the amount of \$1,000,000, will be used to repair the road and bridge within the Town of Woodstock.

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

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

**LD 1043    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, 2011, June 30, 2012 and June 30, 2013**

**PUBLIC 380  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FLOOD ROSEN R	OTP-AM	H-620 H-636 FLOOD S-324 ROSEN R

LD 1043 is the Governor's proposed 2012-2013 Biennial Budget Bill.

**Committee Amendment "A" (H-620)**

Committee Amendment "A" (H-620) is the unanimous report of the Committee in response to the Governor's proposed bill.

**House Amendment "A" To Committee Amendment "A" (H-636)**

This amendment makes a number of technical changes to Committee Amendment "A."

**Senate Amendment "H" To Committee Amendment "A" (S-324)**

This amendment makes changes to ensure proper administration and treatment of bonus depreciation and the Maine capital investment credit, and makes other technical corrections.

**Enacted Law Summary**

PART A makes appropriations and allocations of funds for the 2010-2011 biennium.

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

PART C relates to the funding of K-12 education.

PART D continues the voluntary employee incentive program during the 2012-2013 biennium and recognizes the resulting savings.

PART E denies merit pay increases to employees within the executive, legislative and judicial branches and provides that employees who are not eligible for a longevity payment on June 30, 2011 may not be granted one during the 2012-2013 biennium.

PART F recognizes an increase in the attrition rate for executive and judicial branch employees.

PART G increases the transfer of revenue from the tax on certain automobile rentals to the STAR Transportation Fund from 50% to 100% beginning in fiscal year 2012-13. (This Part was amended by LD 1480 Pt. J).

PART H authorizes the Department of Administrative and Financial Services to enter into financing

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arrangements for the acquisition of motor vehicles for the Central Fleet Management Division.

PART I continues the reductions to revenue sharing accomplished by fixed dollar amount transfers, designed to achieve a set total budgeted transfer amount back to the General Fund after the calculations of the prior month's income and sale tax collections.

PART J amends certain uniform administrative provisions of Title 36 (Taxation) of the Maine Revised Statutes.

PART K reduces the amount of penalties imposed for failure to file a tax return.

PART L clarifies the authority of the State Tax Assessor to waive certain tax penalties under certain conditions.

PART M provides for an exclusion amount and a progressive rate structure for estates of specified values and provides conformance with federal law with respect to the treatment of Maine qualified terminable interest property. It also clarifies provisions related to the estates of nonresidents.

PART N makes changes to the income tax rate schedules, deductions, exclusions and personal exemptions; eliminates the Maine alternative minimum tax on individuals, and reduces then eliminates the lump-sum retirement plan distribution tax.

PART O repeals the income tax addition modifications related to federal Section 179 business expensing thresholds and provides a bonus depreciation credit on certain property placed in service in Maine. This Part was amended by Senate Amendment "H" to Committee Amendment "A" (S-324).

PART P amends the Circuitbreaker Program to limit the benefit that would otherwise be available for application periods beginning in 2011 and 2012.

PART Q enacts the Maine New Markets Capital Investment Program.

PART R requires the calculation and transfer of General Fund savings in all departments and agencies resulting from the use of procurement cards.

PART S directs the Commissioner of Administrative and Financial Services to begin the process to open competitive bidding for the extension of the privatization of the wholesale liquor business in Maine and requires a specified advance payment before the end of fiscal year 2012-13. It specifies the set up of the remainder of the payments and the purposes for which those payments would be allocated. This Part was amended by House Amendment "A" to Committee Amendment "A" (H-636).

PART T freezes then caps cost-of-living (COLA) increases on retirement benefits; limits the application of COLA payments to a specified amount of retirement benefits; and provides for an ad-hoc payment in lieu of the COLA under specified conditions. It also increases the normal retirement age for specified members of the Maine Public Retirement System.

PART U establishes a working group to develop a plan to replace the current defined benefit retirement plan for new state employees and teachers with a supplement to Social Security.

PART V amends the statutory provisions pertaining to state employee retiree health insurance and caps the total premium costs for fiscal years 2011-12 and 2012-13 for active employees and retirees. It also requires the Executive Director of Employee Health and Benefits to develop a plan to constrain future premium increases. This Part was amended by House Amendment "A" to Committee Amendment "A" (H-636).

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PART W amends the statutory provisions pertaining to retired teacher health insurance. This Part was amended by Senate Amendment "H" to Committee Amendment "A" (S-324).

PART X establishes a new "cascade" transfer to set aside up to \$15,000,000 a year for the payment of non-cumulative cost-of-living adjustments in the 3 years in which they are suspended in Part T.

PART Y creates an irrevocable trust fund for other post-employment benefits for retired teachers and first responders and sets deadlines for the prefunding of the liabilities.

PART Z authorizes the Commissioner of Administrative and Financial Services to implement an employee retirement incentive program and specifies a time period for maintaining resulting vacancies.

PART AA authorizes transfers within the Department of Corrections to pay for food, heating and utility expenses.

PART BB authorizes transfers within the Department of Corrections of All Other and Capital Expenditures funding between accounts within the same fund for departmental overtime expenses.

Part CC clarifies that the Maine Learning Technology Initiative program includes grades 9-12, provides for a competitive bidding process to select the research institute that performs required research and requires the Commissioner of Education to conduct an annual comprehensive review of the program.

PART DD moves the requirement to establish a school nurse consultant position from the Department of Health and Human Services to the Department of Education.

PART EE establishes the Statewide Capital Equipment Fund.

PART FF establishes a working group to develop recommendations and proposed legislation regarding the transfer of personnel and responsibilities from the Executive Department, State Planning Office to other departments or agencies in State Government.

PART GG changes the number of aircraft engines the Department of Inland Fisheries and Wildlife may purchase in each year of the biennium; authorizes a one-time transfer from the department's carrying balance to fund the retroactive portion of a position reclassification and a one-time transfer to fund the payment of outstanding balances for dispatch services.

PART HH delays the application of the Fiscal Stability Program within the Department of Inland Fisheries and Wildlife.

PART II extends the cap on transfers from net slot machine revenue to the Fund for a Healthy Maine and repeals a provision that requires the transfer of funding from the fund to offset the General Fund revenue loss associated with limiting the sale of certain flavored cigars.

PART JJ suspends the cost-of-living adjustments for the State's chief justices, chief judge, deputy chief judge, associate justices and associate judges in each year of the biennium.

PART KK eliminates eligibility for supplemental food assistance, TANF benefits and MaineCare benefits for certain noncitizens legally admitted to the United States with specified exceptions.

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PART LL allows the Department of Health and Human Services to require a person receiving supplemental food assistance or TANF benefits who was convicted of a drug related felony to undergo a drug test under certain conditions and specifies the actions to be taken by the department in response to a positive test result.

PART MM directs the Department of Health and Human Services to impose a penalty for certain transfers of assets to qualify for state support for boarding home services.

PART NN establishes a working group to develop a plan regarding the future role of the Dorothea Dix Psychiatric Center and specifies the group's membership.

PART OO directs the Department of Health and Human Services and the Department of the Attorney General to work on issues related to fraud detection.

PART PP establishes a lifetime limit for TANF benefits under certain conditions, requires the Department of Health and Human Services to adopt rules imposing penalty on TANF-unemployed Parents participants who quit employment without cause and requires the department to report on the impact of changes to the TANF program.

PART QQ authorizes a transfer from the unappropriated surplus of the General Fund to be used to pay hospital settlements.

PART RR makes a technical correction to a department name in a previously enacted bill.

PART SS establishes a fee to cover the administrative and other operational costs of the Maine Rx Plus program.

PART TT clarifies that the Judicial Department may use municipal law enforcement officers to provide court security.

PART UU establishes state-paid child care rates at the 50th percentile of the most current local market rate survey.

PART VV continues the authority of the Department of Health and Human Services to transfer available balances of General Fund appropriations between MaineCare accounts by financial order and the requirement to report on MaineCare expenditures and requires a review the effects of financial order transfer authority has had on the funding available for individual MaineCare General Fund accounts.

PART WW eliminates the prohibition on using General Fund appropriations to support the operation of the Controlled Substances Prescription Monitoring Program fund.

PART XX requires the Commissioner of Health and Human Services to report of the implementation of fiscal year 2011-12 funding for mental health services for individuals not eligible for MaineCare or housing services in order to conform to the consent decree.

PART YY directs the Substance Abuse Services Commission to create a stakeholder group to look at the prevalence of the use of cash to purchase certain controlled medications and to make recommendations to address the issue.

PART ZZ gives the Department of Health and Human Services the authority to adopt emergency rules to implement any provisions of this bill over which it has subject matter.

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PART AAA requires the State Controller to transfer \$1,000,000 funds from available balances in the Employment Rehabilitation Fund, Other Special Revenue Funds account within the Workers' Compensation Board to the General Fund unappropriated surplus.

PART BBB reduces the access payments made to support the cost of Dirigo Health; requires Dirigo Health to transfer additional funds to the MaineCare program for specified purposes; and requires the Board of Trustees and Executive Director of Dirigo Health to evaluate and report on the impact of the changes in this part.

PART CCC authorizes the Department of Administrative and Financial Services to enter into financing agreements for the acquisition of motor vehicles for the Department of Public Safety, Bureau of State Police.

PART DDD renames a program within the Department of the Secretary of State.

PART EEE authorizes the transfer of 500,000 from the General Fund to the Callahan Mine Site Restoration, Other Special Revenue Funds program within the Department of Transportation to design and implement clean-up initiatives.

PART FFF changes the required method by which the Office of the Treasurer provides written notice to each municipality of the maximum rate of interest that they may charge on delinquent taxes.

PART GGG transfers \$3,000,000 from available balances in Other Special Revenue accounts within the Department of Professional and Financial Regulation to the General Fund.

PART HHH specifies the amount that the judicial branch may credit to a nonlapsing Other Special Revenue Funds account to support its capital expenses.

PART III changes the requirement for the filing and posting of executive orders.

PART JJJ authorizes an interfund advance of \$43,000,000 from Other Special Revenue funds to the General Fund for one day at the end of fiscal year 2011-12.

PART KKK establishes the Streamline and Prioritize Core Government Services Task Force, and specifies the amount of General Fund savings to be achieved at \$25,000,000.

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

PART MMM specifies the conditions under which state employees and teachers who have reached normal retirement age and retire after September 1, 2011 may return to work for the same employer. (This Part was amended by LD 1480 Pt. L).

PART NNN requires the Secretary of State to publish adopted rule notices only on the publicly accessible website maintained by the Secretary of State and requires the Secretary of State to improve the search features of the site.

PART OOO expands the allowed uses of interest earned on balances in the Agricultural Marketing Loan Fund.

PART PPP changes a position title in the Department of Education.

PART QQQ authorizes the State Budget Officer to calculate and transfer the savings from the elimination of

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vacant positions.

PART RRR transfers \$4,000,000 from the unappropriated surplus of the General Fund to the Maine Budget Stabilization Fund and transfers General Fund revenue in excess of the budgeted amount for the Unclaimed Property Fund to the Maine Budget Stabilization Fund.

PART SSS changes the date by which the State Controller must transfer revenues to the Maine Clean Election Fund.

PART TTT transfers funds from the Fund for a Healthy Maine to the unappropriated surplus of the General Fund.

PART UUU directs the Department of Health and Human Services to carry forward any balances in the All Other line category in the Bureau of Medical Services General Fund account from year to year.

PART VVV directs the Department of Health and Human Services to standardize the room and board rates for children's private nonmedical institution services to stay within existing resources and specifies some factors to be considered in calculating the rates.

PART WWW creates the Governor's Office of Communications within the Executive Department.

PART XXX clarifies that rules adopted to establish an approval process for capital expenditures to renovate or construct intermediate care facilities for the developmentally disabled are routine technical rules.

PART YYY lapses \$2,800,000 from the General Purpose Aid for Local Schools General Fund account within the Department of Education to the unappropriated surplus of the General Fund at the close of fiscal year 2010-11.

PART ZZZ directs the Governor to implement specific recommendations of the 2008 plan developed by the natural resources agency task force and requires a report by the commissioners of the natural resources agencies to the Joint Standing Committee on Appropriations and Financial Affairs.

PART AAAA requires the Judicial Department to coordinate drug court efforts within existing General Fund resources and authorized headcount.

PART BBBB transfers \$1,900,000 from the Accident, Sickness and Health Insurance Internal Services Fund in the Department of Administrative and Financial Services to the General fund and transfers equitable excess reserves as required by state law or federal regulations.

PART CCCC provides new minimum taxability thresholds for nonresidents.

PART DDDD exempts from the sales tax certain meals provided to residents of retirement facilities retroactive to tax years beginning on or after January 1, 2010.

PART EEEE requires the refund of sales tax on purchases of fuel for use in a commercial fishing vessel and permits the issuance of a certificate permitting the purchases of such fuel without paying taxes under specified conditions.

PART FFFF retroactively exempts from sales tax plastic bags used by redemption centers.

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PART GGGG expands the current exemption from sales and use tax for aircraft to apply to all aircraft and to expand the exemption to include sales and repair and replacement parts used exclusively in aircraft and in the overhauling and rebuilding of aircraft and aircraft parts.

PART HHHH provides an income tax credit for investment in or contributions to eligible public fishery infrastructure projects in the State.

PART IIII authorizes year-end Personal Services balances in the Department of Corrections to carry from fiscal year 2010-11 to fiscal year 2011-12 to be used for the retroactive costs of reclassifications, range changes and bargaining unit changes.

PART JJJJ requires the State Controller to transfer \$29,700,000 from the Maine Budget Stabilization Fund to the General Fund in fiscal year 2011-12.

PART KKKK requires the Department of Defense, Veterans and Emergency Management, Maine Emergency Management Agency and the Commissioner of the Department of Administrative and Financial Services to research the potential for using federal funds to fund the cost of providing emergency broadcast alerts through the Maine Public Broadcasting Network.

PART LLLL creates a fund to be administered by the Director of the Bureau of Maine Veterans' Services to be used to contract for a Maine Women Veterans Coordinator and specifies the services to be provided.

PART MMMM requires the State Budget Officer to calculate and transfer the amount of savings that applies to each General Fund Account from a decrease in charges made to the Department of Administrative and Financial Services, Office of Information Technology.

PART NNNN transfers \$55,621 from the State Nuclear Safety Advisor, Other Special Revenue Funds account and \$20,053 from the Railroad Freight Service Quality Fund, Other Special Revenue account within the Office of the Public Advocate to the unappropriated surplus of the General Fund.

PART OOOO requires the judicial branch to develop and report on a plan to implement electronic filing in civil docket cases and a plan to implement audio broadcasts of law Court oral arguments.

PART PPPP requires persons licensed to sell liquor to be consumed on the premises to report all liquor purchases to the Department of Administrative and Financial Services, Bureau of Alcohol and Lottery Operations.

PART QQQQ suspends the cost-of-living adjustments for Legislators for 3 years and lowers the cap on adjustments in future years. It also lapses balances to the General Fund totaling \$3,384,249 from various accounts within the Legislature.

PART RRRR was added by House Amendment "A" to Committee Amendment "A" (H-636) to direct the Director of the Bureau of Alcoholic Beverages and Lottery Operations to reduce cost of goods sold expenditures below budgeted amounts to recognize savings from extending the lottery contract in fiscal year 2011-12 and rebidding the existing contract in fiscal year 2012-13.

Public Law 2011, chapter 380 was enacted as an emergency measure effective June 20, 2011.

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**LD 1133 An Act To Reform the Maine Public Employees Retirement System**

**ONTP**

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

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

This bill proposes to reform the Public Employees Retirement System plan consistent with the following principles:

1. Retirement benefits that have already been accrued based on an employee's past years of service should be fully protected;
2. Plan changes should not create additional hardship for people who are already retired or who are near retirement;
3. The reform should prevent dramatic discontinuities between the pensions of workers just vested and those approaching vesting or between workers just hired and future hires;
4. Cost-of-living adjustment should be retained as insurance for state retirees who do not generally benefit from an inflation-adjusted Social Security annuity;
5. The accrual of benefits going forward should be based on a benefit formula that more closely parallels the benefits most widely available in the private sector, while taking advantage of the financial gains from being a qualified Social Security opt-out plan; and
6. The plan should be flexible to employees with differing benefit preferences, establishing a baseline benefit that is adequate for those comfortable with later retirement or a smaller pension combined with a voluntary supplemental program for those preferring earlier retirement or a larger pension.

The bill also describes three elements of the reformed pension plan: Defined Benefit Pension Plan, Defined Contribution Pension Plan and Transitional Options.

**LD 1153 An Act Related to Authorization of GARVEE Bonds**

**PUBLIC 391**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
THIBODEAU	OTP-AM	S-317

This bill requires that bonded indebtedness created or authorized by the Legislature either directly or through any authority created by the Legislature must be approved by the voters, unless exempted from the requirement; requires that all bonds authorized by the Legislature or sold by an authority created by the Legislature must be sold in a competitive sale, unless an alternative mode of sale is approved by the authority board and approved by the State Treasurer based on market conditions; and requires that the total cost of principal and interest that will be paid at maturity per person based on the State's population from the latest Federal Decennial Census be added to the State Treasurer's statement that accompanies bonds on the ballot. It authorizes the State Treasurer to allocate and

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reallocate available amounts of private activity tax-exempt bond authority authorized by 26 United States Code among issuers and then report to the Governor and the joint standing committees of the Legislature having jurisdiction over appropriations and financial affairs and labor, commerce, research and economic development matters, which have the authority to submit legislation based on the report and adds the State Treasurer as an ex officio member of the Maine Turnpike Authority.

**Committee Amendment "A" (S-317)**

This amendment changes the title and replaces the bill. It provides that GARVEE (Grant Anticipation Revenue Vehicle) bonds must be authorized by a 2/3 vote of each House of the Legislature.

**Enacted Law Summary**

Public Law 2011, chapter 391 provides that GARVEE (Grant Anticipation Revenue Vehicle) bonds must be authorized by a 2/3 vote of each House of the Legislature.

**LD 1187      An Act To Authorize a General Fund Bond Issue To Revitalize Maine's      Carried Over**  
**Downtowns through Innovative Business Development and the Creative**  
**Economy**

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

The funds provided by this bond issue, in the amount of \$5,000,000, will be used as seed money to capitalize the Downtown Revitalization Fund, a revolving loan and grant fund to encourage business development in downtown areas, targeting innovative businesses, light manufacturing, trades and small businesses and space for artists and artisans. The Downtown Revitalization Fund is administered by a board consisting of public and private members and issues loans that must be matched by \$1 from the recipient for every \$2 received from the fund and issues grants.

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

**LD 1231      An Act Regarding Calculation of Benefits under Special Plans under the      ONTP**  
**Maine Public Employees Retirement System**

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

This bill limits retirement benefits to state employees under special plans to 60% of average final compensation and provides that the earnable compensation that is counted to calculate average final compensation for those employees may not include any annual increase larger than 2%.

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**LD 1240      An Act To Authorize a General Fund Bond Issue To Reduce the Cost of Government through Energy Efficiency      Carried Over**

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

The funds provided by this bond issue, in the amount of \$90,000,000, will be used to lower the costs of government at all levels by funding cost-effective energy efficiency improvements to public buildings. Forty-five million dollars will fund cost-effective energy efficiency improvements to buildings owned or leased by the State, and \$45,000,000 will be placed in a loan fund for cost-effective energy efficiency improvements to buildings owned or leased by municipal and county governments.

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

**LD 1304      An Act Pertaining to Retirement Benefits for State Legislators      ONTP**

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

This bill terminates creditable service under the Legislative Retirement Program for members who have less than 5 years of creditable service on December 1, 2012.

**LD 1372      An Act To Make Additional Supplemental Appropriations and Allocations for the Fiscal Year Ending June 30, 2011      PUBLIC 28  
EMERGENCY**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
FLOOD ROSEN R	OTP-AM	H-84

LD 1372 is the Governor's second proposed fiscal year 2010-11 Emergency Supplemental Bill.

**Committee Amendment "A" (H-84)**

Committee Amendment "A" (H-84) is the unanimous report of the Committee in response to the Governor's proposal.

**Enacted Law Summary**

Public Law 2011, chapter 28 resulted in no net change to the General Fund or the Fund for a Healthy Maine.

PART A makes supplemental appropriations and allocations of funds for fiscal year 2010-11.

PART B transfers funds from the Medical Care Services Federal Expenditures Fund program within the Department

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of Health and Human Services to the unappropriated surplus of the General Fund to reverse the action taken in Public Law 2009, chapter 571, Part KKKK.

PART C requires any All Other balance in the Department of Health and Human Services, Bureau of Medical Services, General Fund account to be carried forward to fiscal year 2011-12 to be used for the same purposes.

PART D lapses a portion of the unencumbered balance forward from the Department of Labor, Governor's Training Initiative Program, General Fund account to the unappropriated surplus of the General Fund.

PART E authorizes the State Controller to transfer \$50,000 from the Department of Administrative and Financial Services, Other Special Revenue Funds, Bangor Campus Office Space account to the unappropriated surplus of the General Fund.

PART F lapses a portion of the unencumbered balance forward of the Department of Education, Learning Through Technology program, General Fund account to the General Fund.

PART G transfers the shares of excess reserves in the Accident, Sickness and Health Insurance Internal Service Fund that is associated with the General Fund and the Other Special Revenue Funds to the unappropriated surplus of the General Fund and transfers the equitable excess reserves as required by state or federal regulations.

PART H requires the State Budget Officer to calculate the savings as the result of a review of contracting processes and to transfer the savings by financial order upon the approval of the Governor.

PART I requires the transfer of up to \$25,000,000 from the unappropriated surplus of the General Fund to the Maine Budget Stabilization Fund at the close of fiscal year 2010-11, authorizes a second new transfer of up to \$5,000,000 from the unappropriated surplus of the General Fund to the Bureau of Medical Services General Fund account to be used to pay Maine Integrated Health Management Solution system operational contract costs and authorizes a third new transfer of up to \$2,500,488 from the unappropriated surplus of the General Fund to the Department of Administrative and Financial Services, Accident, Sickness and Health Insurance Internal Services Fund.

PART J eliminates the transfer from the Department of Audit, Statewide Single Audit - Set Aside, Other Special Revenue Funds account to the unappropriated surplus of the General Fund that was required by the end of fiscal year 2010-11 and a transfer from the unappropriated surplus of the General Fund to the same account to offset a transfer that was made in fiscal year 2009-10.

PART K increases the amount of unexpended Personal Services appropriations that would otherwise lapse to the Salary Plan program to be transferred to the General Fund unappropriated surplus at the close of fiscal year 2010-11 and increases the amount of funding that may be transferred from the Salary Plan program to the General Fund unappropriated surplus in the event that the full amount of savings is not achieved. It also lapses a specified amount from the General Fund Salary Plan program to the General Fund unappropriated surplus.

PART L authorizes the Commissioner of Education to identify savings within the existing General Fund programs of the Department of Education and to transfer funds to the Child Development Services General Fund program account in order to maintain services to students and provide timely payments to therapeutic service providers.

PART M reduces the amount of transfers required to be made from Other Special Revenue Funds accounts of departments and agencies statewide to the unappropriated surplus of the General Fund.

PART N transfers a specified amount in unexpended funds in the Department of the Attorney General, Administration - Attorney General, Other Special Revenue Funds program to the General Fund unappropriated surplus.

Public Law 2011, chapter 28 was enacted as an emergency measure effective April 14, 2011.

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**LD 1386      An Act To Authorize a General Fund Bond Issue To Fund the Challenger Learning Center of Maine      Carried Over**

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

The funds provided by this bond issue, in the amount of \$500,000, will be used by the Challenger Learning Center of Maine to improve educational achievement in mathematics and to inspire interest in science and technology careers.

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

**LD 1395      An Act To Authorize a Highway Fund Bond Issue To Improve Maine's Roads and Bridges      Carried Over**

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

The funds provided by this bond issue, in the amount of \$50,000,000, will be used to provide funds to match federal funds for highway and bridge capital projects.

This bill was carried over to any special and/or regular session of the 125th Legislature by joint order, H.P. 1190.

**LD 1524      An Act To Amend the Laws Relating to the Maine Public Employees Retirement System      PUBLIC 449**

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

This bill:

1. Further expands the investment-related activity of the Maine Public Employees Retirement System that is considered confidential;
2. Makes personnel records of retirement system staff confidential in a manner consistent with how similar records of other groups of public employees are treated;
3. Provides further clarification as to the conditions of membership for optional members, consistent with federal law;
4. Corrects the automatic refund provision of accumulated contributions to be consistent with federal law;

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5. Makes the effectiveness of a beneficiary designation consistent as between the defined benefit and group life insurance programs;
6. Clarifies how employees make coverage elections under the group life insurance program; and
7. Clarifies how coverage under the group life insurance program is treated during an authorized leave of absence.

### **Enacted Law Summary**

Public Law 2011 chapter 449 accomplishes the following:

1. It further expands the investment-related activity of the Maine Public Employees Retirement System that is considered confidential;
2. It makes personnel records of retirement system staff confidential in a manner consistent with how similar records of other groups of public employees are treated;
3. It provides further clarification as to the conditions of membership for optional members, consistent with federal law;
4. It corrects the automatic refund provision of accumulated contributions to be consistent with federal law;
5. It makes the effectiveness of a beneficiary designation consistent as between the defined benefit and group life insurance programs;
6. It clarifies how employees make coverage elections under the group life insurance program; and
7. It clarifies how coverage under the group life insurance program is treated during an authorized leave of absence.

*Joint Standing Committee on Appropriations and Financial Affairs*

**SUBJECT INDEX**

*Budget Bills*

Enacted

LD 100	An Act To Make Supplemental Appropriations and Allocations for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2011	PUBLIC 1 EMERGENCY
LD 1043	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, 2011, June 30, 2012 and June 30, 2013	PUBLIC 380 EMERGENCY
LD 1372	An Act To Make Additional Supplemental Appropriations and Allocations for the Fiscal Year Ending June 30, 2011	PUBLIC 28 EMERGENCY

*Fiscal Policy*

Enacted

LD 830	An Act To Provide for the 2011 and 2012 Allocations of the State Ceiling on Private Activity Bonds	P & S 18
LD 1153	An Act Related to Authorization of GARVEE Bonds	PUBLIC 391

Not Enacted

LD 181	An Act To Promote Fiscal Transparency in State Government	ONTP
LD 381	An Act To Establish a New Method of Determining the State Budget	Carried Over
LD 807	An Act To Repeal the Bonding Authority of the Maine Governmental Facilities Authority	Carried Over
LD 853	RESOLUTION, Proposing an Amendment to the Constitution of Maine To Establish the Maine State Endowment Trust	ONTP

*General Obligation Bond Bills*

Enacted

LD 280	Resolve, Reauthorizing the Balance of the 2005 Maine Biomedical Research Fund and Marine Infrastructure and Technology Fund Bond Issues	RESOLVE 73 EMERGENCY
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Not Enacted

LD 63	<b>An Act To Authorize a General Fund Bond Issue To Repair the Mountain Division Rail Line</b>	<b>Carried Over</b>
LD 111	<b>An Act To Authorize a General Fund Bond Issue To Fund Large-scale Marketing and Research and Development for Bulk Sales of Maine Seafood Worldwide</b>	<b>Carried Over</b>
LD 225	<b>An Act To Authorize a General Fund Bond Issue in the Amount of \$50,000,000 To Fund Research and Development</b>	<b>Carried Over</b>
LD 263	<b>An Act To Authorize a General Fund Bond Issue To Fund Construction of a Marine Technology Incubator Facility at the Gulf of Maine Research Institute</b>	<b>Carried Over</b>
LD 359	<b>An Act To Authorize a General Fund Bond Issue for Wastewater and Drinking Water Revolving Loan Funds</b>	<b>Carried Over</b>
LD 399	<b>An Act To Authorize a General Fund Bond Issue To Fund LifeFlight</b>	<b>Carried Over</b>
LD 409	<b>An Act To Authorize a General Fund Bond Issue for Research and Development for Technology Advancement</b>	<b>Carried Over</b>
LD 417	<b>An Act To Authorize a General Fund Bond Issue To Improve Rail Lines in Western Maine</b>	<b>Carried Over</b>
LD 420	<b>An Act To Authorize a General Fund Bond Issue To Fund Building a Container Port on Sears Island</b>	<b>Carried Over</b>
LD 470	<b>An Act To Authorize a General Fund Bond Issue To Complete Renovation of a Bulkhead at the Gulf of Maine Research Institute</b>	<b>Carried Over</b>
LD 741	<b>An Act To Authorize a General Fund Bond Issue To Invest in Water and Sewer Infrastructure To Protect Public Health and To Facilitate the Expansion and Growth of Business</b>	<b>Carried Over</b>
LD 777	<b>An Act To Authorize a General Fund Bond Issue To Expand Necessary Capital Improvements at the University of Maine System That Support the Critical Disciplines of Science, Technology, Engineering and Math To Enhance Economic Development and Employment Opportunities for Maine Citizens</b>	<b>Carried Over</b>
LD 829	<b>An Act To Authorize a General Fund Bond Issue To Invest in Transportation, Broadband Infrastructure, Downtown Revitalization, Land for Maine's Future and Training Facilities in Labor Market Areas with Higher than Average Unemployment for Tourism-related Training</b>	<b>Carried Over</b>
LD 842	<b>An Act To Authorize a General Fund Bond Issue To Support Research and Sustainable Development of Maine's Natural Resources</b>	<b>Carried Over</b>
LD 851	<b>An Act To Authorize a General Fund Bond Issue To Invest in Railroads To Reduce the Cost of Shipping to Maine Businesses, Attract Tourists to Maine and Facilitate the Development of Commuter Rail Transportation To Reduce the Use of Oil in Maine</b>	<b>Carried Over</b>

LD 852	<b>An Act To Authorize a General Fund Bond Issue To Support Maine's Natural Resource-based Economy</b>	<b>Carried Over</b>
LD 874	<b>An Act To Authorize a General Fund Bond Issue for Educational Opportunities for Underserved Regions of the State</b>	<b>Carried Over</b>
LD 894	<b>An Act To Authorize a General Fund Bond Issue To Invest in Highway and Bridge Infrastructure To Meet the Needs of the Business Sector and To Create Jobs</b>	<b>Carried Over</b>
LD 919	<b>An Act To Authorize a General Fund Bond Issue To Weatherize and Upgrade the Energy Efficiency of Maine Homes and Businesses and To Provide for a Trained Workforce for Maine's Energy Future</b>	<b>Carried Over</b>
LD 948	<b>An Act To Authorize a General Fund Bond Issue To Create Jobs through Energy Efficiency</b>	<b>Carried Over</b>
LD 979	<b>An Act To Authorize a General Fund Bond Issue To Create an Animal and Plant Diagnostic Facility at the University of Maine</b>	<b>Carried Over</b>
LD 990	<b>An Act To Authorize a General Fund Bond Issue in the Amount of \$1,000,000 for Road and Bridge Construction</b>	<b>Carried Over</b>
LD 1187	<b>An Act To Authorize a General Fund Bond Issue To Revitalize Maine's Downtowns through Innovative Business Development and the Creative Economy</b>	<b>Carried Over</b>
LD 1240	<b>An Act To Authorize a General Fund Bond Issue To Reduce the Cost of Government through Energy Efficiency</b>	<b>Carried Over</b>
LD 1386	<b>An Act To Authorize a General Fund Bond Issue To Fund the Challenger Learning Center of Maine</b>	<b>Carried Over</b>
LD 1395	<b>An Act To Authorize a Highway Fund Bond Issue To Improve Maine's Roads and Bridges</b>	<b>Carried Over</b>

***MainePERS***

**Enacted**

LD 1524	<b>An Act To Amend the Laws Relating to the Maine Public Employees Retirement System</b>	<b>PUBLIC 449</b>
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**Not Enacted**

LD 141	<b>An Act To Increase the Retirement Age for New State Employees to 65 Years of Age</b>	<b>ONTP</b>
LD 298	<b>An Act To Amend the Retirement Benefit Provisions for State Employees Working under Special Plans Who Remain Employed beyond the Minimum Years Necessary To Qualify for Retirement Benefits</b>	<b>ONTP</b>
LD 336	<b>An Act To Preserve the State's Public Pension Fund</b>	<b>LEAVE TO WITHDRAW</b>

LD 350	<b>Resolve, Directing the Maine Public Employees Retirement System To Consider Warden Bayley Grant's Game Warden Service as Having Begun in 1983, without an Interruption in Service</b>	<b>LEAVE TO WITHDRAW</b>
LD 513	<b>RESOLUTION, Proposing an Amendment to the Constitution of Maine To More Equitably Fund the Liabilities of the Maine Public Employees Retirement System</b>	<b>Carried Over</b>
LD 542	<b>An Act To Ensure Retirement Benefits for Members of the Maine Public Employees Retirement System</b>	<b>ONTP</b>
LD 1133	<b>An Act To Reform the Maine Public Employees Retirement System</b>	<b>ONTP</b>
LD 1231	<b>An Act Regarding Calculation of Benefits under Special Plans under the Maine Public Employees Retirement System</b>	<b>ONTP</b>
LD 1304	<b>An Act Pertaining to Retirement Benefits for State Legislators</b>	<b>ONTP</b>

*Miscellaneous Funding and Other Requests*

Not Enacted

LD 565	<b>An Act To Provide Funding for the World Acadian Congress</b>	<b>Carried Over</b>
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