STATE OF MAINE
126TH 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 126th Maine Legislature

First Regular Session convened Wednesday, December 5, 2012
First Regular Session adjourned sine die Wednesday, July 10, 2013

Senate Legislative Days.....68
House Legislative Days.....67
Bills Considered.....1577

THE MAINE LEGISLATIVE COUNCIL

HOUSE MEMBERS
REP. MARK W. EVES, CHAIR
REP. SETH A. BERRY
REP. JEFFREY M. MCCABE
REP. KENNETH W. FREDETTE
REP. ALEXANDER R. WILLETTE

SENATE MEMBERS
SENATOR JUSTIN L. ALFOND, VICE-CHAIR
SENATOR SETH A. GOODALL
SENATOR TROY D. JACKSON
SENATOR MICHAEL D. THIBODEAU
SENATOR ROGER J. KATZ

JULY 2013

STATE OF MAINE
126TH LEGISLATURE
FIRST REGULAR SESSION

LEGISLATIVE DIGEST OF BILL SUMMARIES AND ENACTED LAWS

VOLUME 1

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

The Office of Policy and Legal Analysis
Marion Hylan Barr, Director
13 State House Station
Room 215, Cross Building
Augusta, Maine 04333-0013
Telephone: (207) 287-1670
Fax: (207) 287-1275

The Office of Fiscal and Program Review
Grant T. Pennoyer, Director
5 State House Station
Room 226, State House
Augusta, Maine 04333-0005
Telephone: (207) 287-1635
Fax: (207) 287-6469

Contents of this Digest are available on the Internet at ***www.maine.gov/legis/opla***

STATE OF MAINE

126TH 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 126th 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. The appendices include a summary of relevant session statistics, an index of all bills by LD number and an index of enacted laws by law type and chapter number.

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

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

The effective date for non-emergency legislation enacted in the First Regular Session of the 126th Legislature is October 9, 2013. The effective date for legislation enacted as an emergency measure may be found in the enacted law summary for that legislation.

TABLE OF CONTENTS

VOLUME 1

Committee Name	Page
Joint Standing Committee on Agriculture, Conservation and Forestry	1
Joint Standing Committee on Appropriations and Financial Affairs	45
Joint Standing Committee on Criminal Justice and Public Safety	85
Joint Standing Committee on Education and Cultural Affairs	154
Joint Standing Committee on Environment and Natural Resources	248
Joint Standing Committee on Energy Utilities and Technology	285
Joint Standing Committee on Health and Human Services	336
Joint Standing Committee on Insurance and Financial Services	418
Joint Standing Committee on Inland Fisheries and Wildlife	462
Appendix A: Session statistics	
Appendix B: Cumulative index by LD number	
Appendix C: Cumulative index by law type and chapter number	

VOLUME 2

Committee Name	Page
Joint Standing Committee on Judiciary	510
Joint Standing Committee on Labor, Commerce, Research and Economic Development	589
Joint Standing Committee on Marine Resources	675
Joint Select Committee on Maine's Workforce and Economic Future	702
Joint Standing Committee on State and Local Government	710
Joint Standing Committee on Taxation	750
Joint Standing Committee on Transportation	804
Joint Standing Committee on Veterans and Legal Affairs	863
Appendix A: Session statistics	
Appendix B: Cumulative index by LD number	
Appendix C: Cumulative index by law type and chapter number	

ACF

STATE OF MAINE

126TH LEGISLATURE

FIRST REGULAR SESSION

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

JOINT STANDING COMMITTEE ON AGRICULTURE, CONSERVATION AND FORESTRY

July 2013

STAFF:

CHRISTOPHER J. SPRUCE, LEGISLATIVE

OFFICE OF POLICY AND LEGAL ANALYSIS

13 STATE HOUSE STATION

AUGUSTA, ME 04333

(207) 287-1670

MEMBERS:

SEN. TROY D. JACKSON, CHAIR

SEN. JAMES A. BOYLE

SEN. ROGER L. SHERMAN

REP. JAMES F. DILL, CHAIR

REP. PETER S. KENT

REP. CRAIG V. HICKMAN

REP. BRIAN L. JONES

REP. WILLIAM F. NOON

REP. ROBERT J. SAUCIER

REP. DEAN A. CRAY

REP. DONALD G. MAREAN

REP. RUSSELL J. BLACK

REP. JEFFREY L. TIMBERLAKE

LD 2 **Resolve, Regarding Legislative Review of Portions of Chapter 252: Rules Governing Certification of Seed Potatoes in the State of Maine, a Major Substantive Rule of the Department of Agriculture, Conservation and Forestry** **RESOLVE 2 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
	OTP	

This resolve provides for legislative review of portions of Chapter 252: Rules Governing Certification of Seed Potatoes in the State of Maine, a major substantive rule of the Department of Agriculture, Conservation and Forestry.

Enacted Law Summary

Resolve 2013, chapter 2 adopts portions of Chapter 252: Rules Governing Certification of Seed Potatoes in the State of Maine, a major substantive rule of the Department of Agriculture, Conservation and Forestry. The rules adopted pursuant to this resolve modify the setting of fees associated with the certification of seed potatoes in Maine. The fees established pursuant to the rules adopted under the resolve relate to the program's field and shipping point inspections. The rules adopted under the resolve also change the designation of the propagation of certified and foundation seed potatoes from a Nuclear and General Year System to a Field Year System.

Resolve 2013, chapter 2 was enacted as an emergency measure effective March 20, 2013.

LD 5 **An Act To Make Changes to the Potato Marketing Improvement Fund** **PUBLIC 403**

Sponsor(s)	Committee Report	Amendments Adopted
WILLETTE JACKSON T	OTP-AM	H-198 S-330 HILL

This bill changes the governing authority of the Potato Marketing Improvement Fund from the Department of Agriculture, Conservation and Forestry to the Maine Potato Board. This bill requires the Maine Potato Board to establish the Potato Marketing Improvement Fund Committee to advise the board.

Committee Amendment "A" (H-198)

This amendment strikes and replaces the bill. The amendment, like the bill, changes the governing authority of the Potato Marketing Improvement Fund from the Department of Agriculture, Conservation and Forestry to the Maine Potato Board.

The bill requires the board to establish the Potato Marketing Improvement Fund Committee to advise the board. The amendment instead establishes the Potato Marketing Improvement Fund Committee in statute and changes the membership of the committee. The amendment authorizes the Finance Authority of Maine, at the discretion of the Commissioner of Agriculture, Conservation and Forestry, to make payments to the board from the fund to carry out the purposes of the fund.

The amendment also requires the authority to provide written annual reports to the commissioner and the joint standing committee of the Legislature having jurisdiction over agriculture, conservation and forestry matters regarding the payments.

The amendment also adds an appropriations and allocations section.

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

This amendment removes the appropriations and allocations section.

Enacted Law Summary

Public Law 2013, chapter 403 changes the governing authority of the Potato Marketing Improvement Fund from the Department of Agriculture, Conservation and Forestry to the Maine Potato Board. It establishes the Potato Marketing Improvement Fund Committee in statute and changes the membership of the committee. Public Law 2013, chapter 403 authorizes the Finance Authority of Maine, at the discretion of the Commissioner of Agriculture, Conservation and Forestry, to make payments to the board from the fund to carry out the purposes of the fund. It also requires the authority to provide written annual reports to the commissioner and the joint standing committee of the Legislature having jurisdiction over agriculture, conservation and forestry matters regarding the payments.

LD 33 **Resolve, Regarding Pesticide Applications and Public Notification in Schools** **RESOLVE 63 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
	OTP-AM	H-308

This resolve provides for legislative review of portions of Chapter 27: Standards for Pesticide Applications and Public Notification in Schools, a major substantive rule of the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control.

Committee Amendment "A" (H-308)

This amendment changes the title of the resolve. The amendment provides for legislative review of portions of Chapter 27: Standards for Pesticide Applications and Public Notification in Schools, a major substantive rule of the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control.

The amendments to Chapter 27 prescribe standards intended to ensure that pests are managed in a manner that minimizes risks to students and staff, relying on widely accepted science of integrated pest management. The amendments to the rules require school staff and contractors to choose the lowest-risk strategies for managing pests.

The proposed rules also strengthen the role of the Integrated Pest Management coordinator in each school, establish training requirements for the coordinator, and reduce the burden of record-keeping while making records easier to access.

The amendment also adds a section to the resolve that requires that, by March 15, 2014, the Commissioner of Education and the director of the Board of Pesticides Control report to the Joint Standing Committee on Education and Cultural Affairs and the Joint Standing Committee on Agriculture, Conservation and Forestry on developing standards and guidelines for landscaping design for school grounds that will minimize or eliminate the need to use pesticides on school grounds for any newly constructed school facilities.

Enacted Law Summary

Resolve 2013, chapter 63 adopts amendments to portions of Chapter 27: Standards for Pesticide Applications and Public Notification in Schools, a major substantive rule. Resolve 2013, chapter 63 adopts amendments to Chapter 27 that prescribe standards intended to ensure that pests are managed in a manner that minimizes risks to students and staff. The amendments to the rules require school staff and contractors to choose the lowest-risk strategies for managing pests. The amended rules also strengthen the role of the Integrated Pest Management coordinator in each school, establish training requirements for the coordinator, and reduce the burden of record keeping while making records easier to access.

Resolve 2013, chapter 63 also requires that, by March 15, 2014, the Commissioner of Education and the Director of the Board of Pesticides Control report to the Joint Standing Committee on Education and Cultural Affairs and the Joint Standing Committee on Agriculture, Conservation and Forestry on developing standards and guidelines for landscaping design for school grounds that will minimize or eliminate the need to use pesticides on school grounds for any newly constructed school facilities.

Resolve 2013, chapter 63 was enacted as an emergency measure effective June 22, 2013.

LD 59 **An Act Relating to the Unlawful Cutting of Trees** **PUBLIC 412**

Sponsor(s)	Committee Report	Amendments Adopted
LANGLEY THOMAS	OTP-AM	S-175

This bill provides that a person who violates state law regarding the unlawful cutting of trees more than once must obtain bonding to the satisfaction of the Commissioner of Agriculture, Conservation and Forestry and seek approval from the Department of Agriculture, Conservation and Forestry before commencing any further tree harvesting. This bill creates a new Class D crime of knowingly engaging in the unlawful cutting of trees.

Committee Amendment "A" (S-175)

This amendment replaces the bill, which establishes criminal penalties for the unlawful cutting of trees in the Maine Revised Statutes, Title 17, section 2510. The amendment requires the Division of Forestry to establish a process that applies to a person that has committed 2 violations of unlawful cutting of trees. The process must include requiring written approval from the division prior to harvesting, requiring bonding in an amount not less than $500,000 before harvesting and the division issuing a stop-work order if the requirements of prior approval and bonding are not met at the time harvesting is occurring. The Department of Agriculture, Conservation and Forestry is required to adopt major substantive rules to carry out the provisions of this legislation.

The amendment also adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2013, chapter 412 requires the Division of Forestry to establish a process that applies to a person that has committed 2 violations of unlawful cutting of trees. The process must include requiring written approval from the division prior to harvesting, requiring bonding in an amount not less than $500,000 before harvesting and the division issuing a stop-work order if the requirements of prior approval and bonding are not met at the time harvesting is occurring. Public Law 2013, chapter 412, requires the Department of Agriculture, Conservation and Forestry to adopt major substantive rules to carry out the provisions of this law.

LD 218 **An Act To Promote Small-scale Poultry Farming** **PUBLIC 323**

Sponsor(s)	Committee Report	Amendments Adopted
KUMIEGA	OTP-AM	H-476 H-497 KUMIEGA

This bill proposes to create 2 categories of poultry producers that are exempt from inspection under the Maine Revised Statutes, Title 22, section 2512. The first category is for poultry producers that slaughter and process under 1,000 birds annually on the farm where the poultry are raised and that meet other sales and licensing requirements. The bill proposes to exempt these producers from the rules established by the Department of Agriculture,

Conservation and Forestry governing facilities and sanitary processes used by small poultry producers and establishes certain labeling requirements. The 2nd category is for poultry producers that slaughter and process more than 999 and fewer than 2,000 birds annually on the farm where the poultry are raised and that meet similar sales and licensing requirements. Under this bill, these producers would not be exempt from the rules governing facilities and sanitary processes used by small poultry producers.

Committee Amendment "A" (H-476)

This amendment strikes and replaces the bill. It creates a registration category for poultry producers that are exempt from inspection under the Maine Revised Statutes, Title 22, section 2512. The registration category is an alternative to licensing under Title 22, section 2514 and is available to custom slaughterers, custom processors and producers that process fewer than 1,000 birds annually. The amendment also allows a poultry producer that processes fewer than 20,000 birds annually to slaughter that producer's own poultry without an inspector being present during slaughtering as long as the producer meets certain criteria related to licensing, state food processing rules, sanitary standards, sales and labeling. The amendment also creates a small enterprise exemption that allows a business to slaughter, dress and cut up poultry without an inspector being present during processing if that business meets certain criteria related to licensing, state food processing rules, sanitary standards, sales and labeling.

House Amendment "A" To Committee Amendment "A" (H-497)

This amendment expresses the intent of the Legislature that the current meat and poultry inspection program be maintained while allowing for maximum flexibility.

Enacted Law Summary

Public Law 2013, chapter 323 creates a registration category for poultry producers who are exempt from inspection under the Maine Revised Statutes, Title 22, section 2512. The registration category is an alternative to licensing under Title 22, section 2514 and is available to custom slaughterers, custom processors and producers that process fewer than 1,000 birds annually. Public Law 2013, chapter 323 also allows a poultry producer that processes fewer than 20,000 birds annually to slaughter that producer's own poultry without an inspector being present during slaughtering as long as the producer meets certain criteria related to licensing, state food processing rules, sanitary standards, sales and labeling. It also creates a small enterprise exemption that allows a business to slaughter, dress and cut up poultry without an inspector being present during processing if that business meets certain criteria related to licensing, state food processing rules, sanitary standards, sales and labeling. Public Law 2013, chapter 323 expresses the intent of the Legislature that the current meat and poultry inspection program be maintained while allowing for maximum flexibility.

LD 259 **An Act To Allow a Person To Rent a Slaughterhouse for the Slaughtering and Processing of Poultry** **PUBLIC 252**

Sponsor(s)	Committee Report	Amendments Adopted
TIMBERLAKE MASON G	OTP-AM	H-407

This bill allows a licensed slaughterhouse to contract with certain poultry producers for the rental of the slaughterhouse for the purposes of slaughtering poultry. The bill requires the renting producer's poultry to be slaughtered by the owner or operator of the slaughterhouse. It prohibits the poultry slaughtered and processed under the rental contract from being sold or transported for interstate commerce. The bill also requires certain information to be printed on labels of the poultry products produced for the renting producer. It also authorizes the Commissioner of Agriculture, Conservation and Forestry to adopt rules governing fees charged by licensed slaughterhouses for the rental of their facilities.

Committee Amendment "A" (H-407)

This amendment strikes and replaces the bill and changes the title. It establishes a registration process for certain

poultry slaughterers and processors. The amendment allows a licensed or registered slaughterhouse to contract with certain poultry producers for the rental of the slaughterhouse for the purposes of slaughtering poultry. The amendment requires the renting producer's poultry to be slaughtered and processed by that producer. It prohibits the poultry slaughtered and processed under the rental contract from being sold or transported for interstate commerce. The amendment also requires certain information to be printed on the labels of the poultry products produced by the producer renting a licensed or registered slaughterhouse.

Enacted Law Summary

Public Law 2013, chapter 252 establishes a registration process for certain poultry slaughterers and processors. It allows a licensed or registered slaughterhouse to contract with certain poultry producers for the rental of the slaughterhouse for the purposes of slaughtering poultry. Public Law 2013, chapter 252 requires the renting producer's poultry to be slaughtered and processed by that producer. It prohibits the poultry slaughtered and processed under the rental contract from being sold or transported for interstate commerce. The law also requires certain information to be printed on the labels of the poultry products produced by the producer renting a licensed or registered slaughterhouse.

LD 262 **An Act To Restore to Jimmy J. Soucy the Right To Maintain Existing Structures on Property in Sinclair** **DIED BETWEEN HOUSES**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T AYOTTE	ONTP OTP	

This bill specifies the permissible uses of certain property in Sinclair and structures on that property acquired by Jimmy J. Soucy in 2009 from the State of Maine.

LD 269 **An Act To Provide Increased Opportunities on the Allagash Wilderness Waterway** **DIED BETWEEN HOUSES**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T	OTP-AM ONTP	S-85

Current rules of the Department of Agriculture, Conservation and Forestry, Division of Parks and Public Lands limit to 12 the number of members in a group that may travel on the Allagash watercourse or camp at Allagash Wilderness Waterway campsites. This bill increases the permissible size of a group to 24, beginning with the 2014 camping season. It also requires larger groups to separate into self-contained groups of 24 or fewer. The bill also gives the division the authority to permit groups composed of more than 24 persons.

Committee Amendment "A" (S-85)

This amendment is the majority report. The amendment strikes and replaces the bill. Current rules of the Department of Agriculture, Conservation and Forestry, Division of Parks and Public Lands limit to 12 the number of members in a group that may travel on the Allagash watercourse or camp at Allagash Wilderness Waterway campsites. This amendment proposes to retain that rule except for groups of up to 18 persons who limit their use of the watercourse to day use and who do not camp overnight. It also makes exceptions for school groups that notify the division at least 2 weeks in advance and travel on the watercourse and camp at waterway campsites under the direction of the waterway's superintendent or the superintendent's designee. The amendment also proposes to allow groups of up to 24 persons to access the waterway by snowmobile at locations that are currently allowed by rule. The majority report was not adopted.

LD 271 **An Act To Facilitate the Processing of Livestock That Is Not for Resale** **DIED BETWEEN HOUSES**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T	OTP-AM OTP-AM	

This bill removes custom processors, which slaughter livestock or process meat exclusively for consumption by the owner of the livestock and members of the owner's household and the owner's nonpaying guests and employees, from the laws regulating meat processing, and removes the licensing requirement for custom slaughterhouses, which slaughter livestock for the exclusive use of another person and members of that person's household, nonpaying guests and employees. It also removes custom slaughterers and custom processors from a list of entities that are required to be licensed.

Committee Amendment "A" (S-272)

This amendment, which is the majority report of the committee, strikes and replaces the bill. The amendment authorizes the Commissioner of Agriculture, Conservation and Forestry to allow an animal that is a member of an amenable species, a term defined in the amendment, that is owned by a person to be slaughtered and processed at the home of another person that is registered to do so if that animal is not being offered for sale by the owner or by any other person. The amendment also adds registered establishments to slaughter establishments that may be periodically reviewed by inspectors to ensure that the laws and rules governing slaughter facilities are being followed. The majority report was not adopted.

Committee Amendment "B" (S-273)

This amendment, which is the minority report of the committee, strikes and replaces the bill. The amendment authorizes the Commissioner of Agriculture, Conservation and Forestry to allow an animal that is a member of an amenable species, a term defined in the amendment, that is owned by a person to be slaughtered and processed at the home of another person if that animal is not being offered for sale by the owner or by any other person. It differs from the majority report in that it does not require the person slaughtering and processing the animal to be registered as a custom slaughterer. The amendment also adds registered establishments to slaughter establishments that may be periodically reviewed by inspectors to ensure that the laws and rules governing slaughter facilities are being followed. The minority report was not adopted.

LD 282 **An Act To Eliminate the Commercial Standard for Maine White-cedar Shingles** **PUBLIC 13**

Sponsor(s)	Committee Report	Amendments Adopted
SHERMAN TIMBERLAKE	OTP	

This bill eliminates the commercial standard for Maine white-cedar shingles, a program that has no funding and that has not been used for at least 20 years.

Enacted Law Summary

Public Law 2013, chapter 13 eliminates the commercial standard for Maine white-cedar shingles, a program that has no funding and that has not been used for at least 20 years.

LD 283 **An Act To Eliminate the Elm Tree Restoration Fund** **PUBLIC 12**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T TIMBERLAKE	OTP	

This bill eliminates the Elm Tree Restoration Fund, a program that has no funding and that has never been used.

Enacted Law Summary

Public Law 2013, chapter 12 eliminates the Elm Tree Restoration Fund, a program that has no funding and that has never been used.

LD 284 **An Act To Amend the Duties of the Division of Forestry** **PUBLIC 18**

Sponsor(s)	Committee Report	Amendments Adopted
BOYLE CRAY	OTP	

This bill requires the Department of Agriculture, Conservation and Forestry, Division of Forestry to conduct a landowner relations program and repeals a requirement that the division print copies of forestry and forestry-related laws biennially.

Enacted Law Summary

Public Law 2013, chapter 18 requires the Department of Agriculture, Conservation and Forestry, Division of Forestry to conduct a landowner relations program and repeals a requirement that the division print copies of forestry and forestry-related laws biennially.

LD 285 **An Act To Electronically Issue Permits for Burning** **PUBLIC 35**

Sponsor(s)	Committee Report	Amendments Adopted
BOYLE GIFFORD	OTP-AM	S-14

This bill directs the Director of the Division of Forestry in the Department of Agriculture, Conservation and Forestry to develop a system to electronically issue permits for burning in all areas of the State using a publicly accessible site on the Internet. Current law provides a pilot project for the issuance of such permits in certain parts of the State. The bill also specifies the procedure for the disbursement of the fee collected for a permit for burning that is issued electronically.

Committee Amendment "A" (S-14)

This amendment incorporates a fiscal note.

Enacted Law Summary

Public Law 2013, chapter 35 directs the Director of the Division of Forestry in the Department of Agriculture, Conservation and Forestry to develop a system to electronically issue permits for burning in all areas of the State

using a publicly accessible site on the Internet. Current law provides a pilot project for the issuance of such permits in certain parts of the State. The bill also specifies the procedure for the disbursement of the fee collected for a permit for burning that is issued electronically.

LD 286 **An Act To Reduce Reporting Responsibilities of the Department of Agriculture, Conservation and Forestry** **PUBLIC 29**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T TIMBERLAKE	OTP	

The purpose of this bill is to reduce redundancy in oversight reporting to the Legislature by repealing 2 reporting requirements of the Department of Agriculture, Conservation and Forestry, one regarding the Maine Agricultural Internship and Training Program and the other regarding the nutrient management program.

Enacted Law Summary

Public Law 2013, chapter 29 reduces redundancy in oversight reporting to the Legislature by repealing 2 reporting requirements of the Department of Agriculture, Conservation and Forestry, one regarding the Maine Agricultural Internship and Training Program and the other regarding the nutrient management program.

LD 287 **An Act To Improve Funding of Agricultural Development Projects** **PUBLIC 64**

Sponsor(s)	Committee Report	Amendments Adopted
BOYLE CRAY	OTP-AM	S-36

This bill amends the laws governing the Department of Agriculture, Conservation and Forestry's agricultural development fund to provide more flexibility with respect to grants and contracts and allow the department to directly fund agricultural development projects.

Committee Amendment "A" (S-36)

This amendment is the unanimous report of the Joint Standing Committee on Agriculture, Conservation and Forestry. It requires that rules adopted regarding the implementation and use of the Department of Agriculture, Conservation and Forestry's agricultural development fund are major substantive rules in accordance with the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

Enacted Law Summary

Public Law 2013, chapter 64 amends the laws governing the Department of Agriculture, Conservation and Forestry's agricultural development fund to provide more flexibility with respect to grants and contracts and to allow the department to directly fund agricultural development projects. Public Law 2013, chapter 64 requires that rules adopted regarding the implementation and use of the Department of Agriculture, Conservation and Forestry's agricultural development fund are major substantive rules in accordance with the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

LD 288 **An Act Concerning Brucellosis Vaccines for Cattle** **PUBLIC 17**

Sponsor(s)	Committee Report	Amendments Adopted
CRAY JACKSON T	OTP	

Current law refers to a federal brucellosis classification that will be revised in 2014. This bill removes reference to Class A and B and refers to 9 Code of Federal Regulations, Part 78 as the means for allowing brucellosis-free cattle to be brought into the State, to prevent the necessity of revision in the near future. The bill removes the requirements that the Department of Agriculture, Conservation and Forestry maintain inventory of and distribute brucellosis vaccine to accredited veterinarians and establish fees to cover associated costs.

Enacted Law Summary

Public Law 2013, chapter 17 amends current law that refers to a federal brucellosis classification that will be revised in 2014, by removing reference to Class A and B and refers to 9 Code of Federal Regulations, Part 78 as the means for allowing brucellosis-free cattle to be brought into the State, to prevent the necessity of revision in the near future.

Public Law 2013, chapter 17 removes the requirements that the Department of Agriculture, Conservation and Forestry maintain inventory of and distribute brucellosis vaccine to accredited veterinarians and establish fees to cover associated costs.

LD 289 **An Act To Eliminate the Requirement That the Department of Agriculture, Conservation and Forestry Provide Technical Services for Direct-marketing Agricultural Products** **PUBLIC 65**

Sponsor(s)	Committee Report	Amendments Adopted
CRAY BOYLE	OTP-AM	H-40

This bill removes the provision in the laws regarding the agriculture direct-marketing assistance program that requires the Department of Agriculture, Conservation and Forestry to provide technical assistance for lease and contract negotiation.

Committee Amendment "A" (H-40)

This amendment is the unanimous report of the Joint Standing Committee on Agriculture, Conservation and Forestry. It removes from the laws regarding the direct-marketing of agricultural commodities references to the University of Maine System and the College of Agriculture as sources of assistance to which the Commissioner of Agriculture, Conservation and Forestry may refer farmers or groups of farmers seeking marketing assistance. It also updates the name of the College of Agriculture of the University of Maine System to the College of Natural Sciences, Forestry and Agriculture of the University of Maine throughout the Maine Revised Statutes.

Enacted Law Summary

Public Law 2013, chapter 65 removes the provision in the laws regarding the agriculture direct-marketing assistance program that requires the Department of Agriculture, Conservation and Forestry to provide technical assistance for lease and contract negotiation. It removes from the laws regarding the direct-marketing of agricultural commodities references to the University of Maine System and the College of Agriculture as sources of assistance to which the Commissioner of Agriculture, Conservation and Forestry may refer farmers or groups of farmers seeking marketing

assistance. Public Law 2013, chapter 65 also updates the name of the College of Agriculture of the University of Maine System to the College of Natural Sciences, Forestry and Agriculture of the University of Maine throughout the Maine Revised Statutes.

LD 290 **An Act To Eliminate the Forest Certification Incentive Cost-share Fund** **PUBLIC 11**

Sponsor(s)	Committee Report	Amendments Adopted
DILL SHERMAN	OTP	

This bill eliminates the Forest Certification Incentive Cost-share Fund, a program that has no funding and that has never been used.

Enacted Law Summary

Public Law 2013, chapter 11 eliminates the Forest Certification Incentive Cost-share Fund, a program that has no funding and that has never been used.

LD 291 **An Act To Transfer Responsibility for the Returnable Beverage Container Laws from the Department of Agriculture, Conservation and Forestry to the Department of Environmental Protection** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
COOPER	ONTP	

This bill proposes to transfer administration of the provisions regarding returnable beverage containers from the Department of Agriculture, Conservation and Forestry to the Department of Environmental Protection. Although the committee voted unanimously "ought-not-to-pass" on the bill, it authorized the committee co-chairs to send a letter to the Commissioner of Agriculture, Conservation and Forestry and to the Commissioner of Environmental Protection requesting that the commissioners discuss the changes proposed in LD 291 to determine if the proposed transfer of responsibility for the bottle bill from one department to the other is merited or feasible. The committee requested a report from the commissioners on the results of their discussions by December 15, 2013.

LD 292 **Resolve, Directing the Department of Agriculture, Conservation and Forestry To Develop a Plan for the Protection of the Public Health from Mosquito-borne Diseases** **RESOLVE 13**

Sponsor(s)	Committee Report	Amendments Adopted
GIFFORD SHERMAN	OTP-AM	H-54

This bill authorizes the Department of Agriculture, Conservation and Forestry to conduct appropriate mosquito-control activities in response to mosquito-borne disease public health threats. In addition, the bill authorizes municipalities to cooperate in controlling mosquitoes through the formation of mosquito-control districts. It establishes the Maine Mosquito Control Fund to provide funding for mosquito-control activities. Finally, the bill authorizes the Commissioner of Health and Human Services to declare a mosquito-borne disease public health threat.

Committee Amendment "A" (H-54)

This amendment is the unanimous report of the Joint Standing Committee on Agriculture, Conservation and Forestry. It replaces the bill with a resolve that directs the Department of Agriculture, Conservation and Forestry, in cooperation with appropriate personnel from the Department of Health and Human Services, to develop a plan for the protection of the public health from mosquito-borne diseases. The resolve also requires that the department report on its plan to the Joint Standing Committee on Agriculture, Conservation and Forestry by December 15, 2013, and authorizes the committee to report out a bill on the plan to the Second Regular Session of the 126th Legislature.

Enacted Law Summary

Resolve 2013, chapter 13 directs the Department of Agriculture, Conservation and Forestry, in cooperation with appropriate personnel from the Department of Health and Human Services, to develop a plan for the protection of the public health from mosquito-borne diseases. The resolve also requires that the department report on its plan to the Joint Standing Committee on Agriculture, Conservation and Forestry by December 15, 2013 and authorizes the committee to report out a bill on the plan to the Second Regular Session of the 126th Legislature.

LD 312 **An Act To Release a Restriction on Former State Land in Passadumkeag Currently Owned by Dale Ross** **P & S 12**

Sponsor(s)	Committee Report	Amendments Adopted
TURNER CAIN	OTP-AM ONTP	H-101

This bill rescinds the statutory restriction of only agricultural or forestry purposes on former state land in Passadumkeag currently owned by Dale Ross and directs the Department of Agriculture, Conservation and Forestry to issue a deed to Dale Ross releasing the restriction on that land.

Committee Amendment "A" (H-101)

This amendment is the majority report of the Joint Standing Committee on Agriculture, Conservation and Forestry. It amends the bill by requiring that Dale Ross, the owner of the property that is subject to the deed restriction, and the Department of Agriculture, Conservation and Forestry 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. The amendment 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 amendment also requires that Dale Ross pay all legal costs associated with the release of the deed restriction and the hold harmless agreement. The amendment also requires, pursuant to the Constitution of Maine, an affirmative vote of 2/3 of the members of the Legislature.

Enacted Law Summary

Private and Special Law 2013, chapter 12 rescinds the statutory restriction of only agricultural or forestry purposes on former state land in Passadumkeag currently owned by Dale Ross and directs the Department of Agriculture, Conservation and Forestry to issue a deed to Dale Ross releasing the restriction on that land. It requires that Dale Ross, the owner of the property that is subject to the deed restriction, and the Department of Agriculture, Conservation and Forestry 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. Private and Special Law 2013, chapter 12 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 Dale Ross pay all legal costs associated with the release of the deed restriction and the hold harmless agreement.

LD 368 **An Act To Ensure the Continuation of Dairy Farming** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
SHERMAN	OTP-AM	

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

This bill proposes to provide financial and technical assistance to dairy farms in the State to adapt new techniques and utilize new technology to offset the high cost of farming overhead including the cost of feed and fuel.

Committee Amendment "A" (S-170)

This amendment replaces the concept draft. It simplifies the process of calculating dairy stabilization tier program payments by eliminating additions to the statistical uniform blend price when determining the base price for comparison with the so-called tier safety net levels. The amendment also eliminates the distribution of 1/2 of 1% of the casino slot machine income to the Maine Milk Pool that is scheduled to begin July 1, 2013 and increases the net slot machine income distribution to the Dairy Improvement Fund from 1/2 of 1% to 1% on that date. The amendment also adds an emergency preamble and emergency clause.

The amendment, which was not adopted, also adds an appropriations and allocations section.

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 126th Legislature by joint order, H.P. 1145 as amended by H-B (H-580) and H-C (H-582).

LD 377 **An Act To Provide Funding to Soil and Water Conservation Districts** **HELD BY GOVERNOR**

Sponsor(s)	Committee Report	Amendments Adopted
BLACK SAVIELLO	OTP-AM	H-21 S-336 HILL

This bill includes an ongoing General Fund appropriation of $200,000 in fiscal years 2013-14 and 2014-15 to the Department of Agriculture, Conservation and Forestry for soil and water conservation districts.

Committee Amendment "A" (H-21)

This amendment incorporates a fiscal note.

Senate Amendment "A" To Committee Amendment "A" (S-336)

This amendment reduces the ongoing funding for soil and water conservation districts from $200,000 to $50,000 for fiscal years 2013-14 and 2014-15.

LD 421 **An Act To Prohibit the Unauthorized Harvesting of Wild Mushrooms and Fiddleheads**

ACCEPTED MAJORITY (ONTP) REPORT

Sponsor(s)	Committee Report	Amendments Adopted
BLACK SHERMAN	ONTP OTP-AM	

The purpose of this bill is to protect woodland owners by requiring anyone harvesting wild mushrooms or fiddleheads commercially to have written permission or a bill of sale from the landowner before harvesting or transporting. The permission requirements and enforcement provisions of this bill are the same as currently exist in Maine law for commercial harvesting of Christmas trees and boughs for wreaths. The bill also authorizes the Department of Health and Human Services to decline to certify or revoke the certification under the Maine Wild Mushroom Harvesting Certification Program of any person found in violation of the prohibition.

Committee Amendment "A" (H-351)

This amendment is the minority report. It removes fiddleheads from the title of the bill. The amendment deletes from the bill prohibitions against commercially harvesting fiddleheads without written permission or a bill of sale from the landowner. The amendment also deletes from the bill the definition of "fiddlehead." The minority amendment was not adopted.

LD 457 **An Act To Eliminate Certain Data Collection Requirements of the Forest Health and Monitoring Program of the Division of Forestry**

PUBLIC 37

Sponsor(s)	Committee Report	Amendments Adopted
GIFFORD SHERMAN	OTP	

This bill eliminates a requirement that the Department of Agriculture, Conservation and Forestry, Division of Forestry monitor the implementation of recommendations it makes regarding forest insects and diseases to individuals and municipalities as part of the forest health and monitoring program.

Enacted Law Summary

Public Law of 2013, chapter 37 eliminates a requirement that the Department of Agriculture, Conservation and Forestry, Division of Forestry monitor the implementation of recommendations it makes regarding forest insects and diseases to individuals and municipalities as part of the forest health and monitoring program.

LD 475 **An Act To Increase Food Sovereignty in Local Communities**

ACCEPTED MAJORITY (ONTP) REPORT

Sponsor(s)	Committee Report	Amendments Adopted
HICKMAN	ONTP OTP-AM	

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

This bill proposes to enact measures designed to:

1. Preserve the ability of local communities to produce, process, sell, purchase and consume local foods;

2. Ensure the preservation of family farms; and

3. Enhance the economic, environmental and social wealth of local communities by supporting family farms and sustainable agricultural practices and promoting the unimpeded ability of individuals, families and other entities to process or prepare foods for home consumption.

Committee Amendment "A" (H-155)

This amendment is the minority report of the committee. It replaces the concept draft. The amendment establishes the Maine Food Sovereignty Act of 2013 to encourage food self-sufficiency. The amendment states that the purposes of the Act are to preserve the ability of local communities to produce, process, sell and purchase locally produced foods, to ensure the preservation of family farms, to reduce hunger and increase food security and to enhance the economic, environmental and social wealth of rural communities. The amendment authorizes local governments to regulate food systems by local ordinance. The minority report was not adopted.

LD 476 **Resolve, Directing the Department of Agriculture, Conservation and Forestry To Develop a Policy To Reduce Food Waste in All State-funded Institutions** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
HICKMAN	ONTP	

This resolve requires the Commissioner of Agriculture, Conservation and Forestry and the Commissioner of Environmental Protection to develop a comprehensive policy to reduce food waste in all state-funded buildings and institutions and to submit a report detailing the policy, together with any recommendations, to the Joint Standing Committee on Agriculture, Conservation and Forestry by December 4, 2013. The committee may submit legislation to the Second Regular Session of the 126th Legislature to implement recommendations contained in the report.

LD 484 **An Act To Revise the Animal Welfare Laws** **PUBLIC 115**

Sponsor(s)	Committee Report	Amendments Adopted
GIFFORD BOYLE	OTP-AM ONTP	H-107

This bill makes several changes to the animal welfare laws. The bill includes small animals under the laws relating to animal shelters and animal control officers and provides guidelines for the disposition of small animals. The bill permits applicants for licenses as animal shelters and boarding kennels to receive conditional licenses to be able to begin operations pending completion of the full licensing process. The bill provides standards to permit the humane trapping of animals by animal control officers and clarifies that humane trapping of domestic animals for population control or animal control is excluded from the crime of cruelty to animals. The bill provides that laws relating to abandoned dogs apply to all abandoned animals excluding animals that are part of a population control program. The bill also adds dog licensing agents as license issuers and resolves a conflict regarding the distribution of licensing fees.

Committee Amendment "A" (H-107)

This amendment is the majority report of the committee. The amendment changes the definition of "population

control effort" by removing the provision of returning feral cats to the wild. The amendment also adds a fiscal note.

Enacted Law Summary

Public Law 2013, chapter 115 makes several changes to the animal welfare laws. It includes small animals under the laws relating to animal shelters and animal control officers and provides guidelines for the disposition of small animals. Public Law 2013, chapter 115 permits applicants for licenses as animal shelters and boarding kennels to receive conditional licenses to be able to begin operations pending completion of the full licensing process. It provides standards to permit the humane trapping of animals by animal control officers and clarifies that humane trapping of domestic animals for population control or animal control is excluded from the crime of cruelty to animals. Public Law 2013, chapter 113 provides that laws relating to abandoned dogs apply to all abandoned animals excluding animals that are part of a population control program. It also adds dog licensing agents as license issuers and resolves a conflict regarding the distribution of licensing fees. Public Law 2013, chapter 115 changes the definition of "population control effort" by removing the provision of returning feral cats to the wild.

LD 493 **An Act To Provide Economic Development in Aroostook County through Expanded Sale and Lease of State-owned Land** **DIED BETWEEN HOUSES**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T	OTP-AM ONTP OTP-AM	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to increase economic development in Aroostook County by permitting expanded leasing or sale of state-owned property.

Committee Amendment "A" (S-86)

This amendment is the majority report. It replaces the bill with a resolve and changes the title. The resolve requires the Director of the Division of Parks and Public Lands within the Department of Agriculture, Conservation and Forestry to convey to Roosevelt Conference Center, doing business as Eagle Lake Sporting Camps, a 10-acre parcel of land in Township 16, Range 6. The resolve requires the director to sell the land at fair market value and to retain or withhold any rights to subdivide. The director is also required by the resolve to convey to Eagle Lake Sporting Camps a right-of-way along the service road to the Square Lake Road for appraised fair market value. The resolve also stipulates that the State must retain a right of first refusal to reacquire the parcel and right-of-way from the owner if the use of the parcel for a year-round sporting camp or Class A restaurant and lodge is discontinued or appropriate licenses are not maintained. The majority report was not adopted.

Committee Amendment "B" (S-88)

This amendment is the minority report. It replaces the bill with a resolve and changes the title. The resolve requires the Director of the Division of Parks and Public Lands within the Department of Agriculture, Conservation and Forestry to convey to Roosevelt Conference Center, doing business as Eagle Lake Sporting Camps, a 10-acre parcel of land in Township 16, Range 6. The resolve requires the director to sell the land at fair market value and to retain or withhold any rights to subdivide. The director is also required by the resolve to convey to Eagle Lake Sporting Camps an easement along the service road to the Square Lake Road for appraised fair market value. The resolve also stipulates that the State must retain a right of first refusal to reacquire the parcel and easement from the owner if the use of the parcel for a year-round sporting camp or Class A restaurant and lodge is discontinued or appropriate licenses are not maintained. The minority report was not adopted.

LD 500 **An Act To Permit Tribal Members To Have Access to Wood Fiber for Fuel, Shelter and Traditional Woodcraft Production** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
BEAR		

This bill allows any member of the Houlton Band of Maliseet Indians, the Passamaquoddy Tribe, the Penobscot Nation or the Aroostook Band of Micmacs to enter and collect or harvest wood or wood fiber from any public or publicly controlled or managed property in the State for the purpose of using the wood or wood fiber for fuel, personal shelter construction or traditional woodcraft production.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, H-B (H-580) and H-C (H-582).

LD 505 **Resolve, Directing the Commissioner of Agriculture, Conservation and Forestry To Conduct an Internal Review of the Snowmobile Trail Fund** **RESOLVE 48 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
SAVIELLO LONG	OTP-AM	S-102

This resolve directs the Commissioner of Agriculture, Conservation and Forestry to conduct a review of aspects of expenditures from the Snowmobile Trail Fund that relate to the justification of certain expenditures from that fund, equity in the use of those funds in allocations to municipalities and local snowmobile clubs, equity in the cost sharing of funds between the Snowmobile Trail Fund and the ATV Recreational Management Fund with respect to state-owned rail trails, the elimination of state-administered snowmobile trail grooming projects and the implementation of regular reporting requirements and written policies to ensure equity in the use of funds in the Snowmobile Trail Fund.

In conducting this review, the commissioner is directed to consult with representatives of statewide snowmobiling organizations, municipalities and local snowmobile clubs and other appropriate stakeholder groups and to submit a report by December 4, 2013 to the Joint Standing Committee on Agriculture, Conservation and Forestry. Following its review of the commissioner's report, the committee may submit a bill to the Second Regular Session of the 126th Legislature to implement any mandatory reporting requirements or to authorize the adoption by the commissioner of any rules necessary to implement the commissioner's recommendations.

Committee Amendment "A" (S-102)

This amendment changes the duties of the Commissioner of Agriculture, Conservation and Forestry regarding the internal review of the Snowmobile Trail Fund required by the resolve. The amendment requires that the review include a written explanation of reasons funds are carried forward from one fiscal year to the next. It requires the development of a quarterly reporting system detailing the revenue to and expenditures from the fund, and a recommendation that reports be submitted quarterly to interested parties. The amendment requires the commissioner to develop an annual report on the finances and operations of the fund for submission to the joint standing committee of the Legislature having jurisdiction over agriculture, conservation and forestry matters. It also requires development of a written policy for distributing funds from the Snowmobile Trail Fund. The amendment requires the department to develop an educational program for grantees and to develop a plan to eliminate state-administered trail-grooming projects.

Enacted Law Summary

Resolve 2013, chapter 48 directs the Commissioner of Agriculture, Conservation and Forestry to conduct a review of aspects of expenditures from the Snowmobile Trail Fund. Resolve 2013, chapter 48 requires that the review include a written explanation of reasons funds are carried forward from one fiscal year to the next. It requires the development of a quarterly reporting system detailing the revenue to and expenditures from the fund, and a recommendation that reports be submitted quarterly to interested parties. Resolve 2013, chapter 48 requires the commissioner to develop an annual report on the finances and operations of the fund for submission to the joint standing committee of the Legislature having jurisdiction over agriculture, conservation and forestry matters. It also requires development of a written policy for distributing funds from the Snowmobile Trail Fund. The resolve also requires the department to develop an educational program for grantees and to develop a plan to eliminate state-administered trail-grooming projects.

Resolve 2013, chapter 48 was finally passed as an emergency measure effective June 11, 2013.

LD 524 **An Act To Change the Quorum Requirement for Meetings of the Land for Maine's Future Board** **PUBLIC 92**

Sponsor(s)	Committee Report	Amendments Adopted
SHAW SAVIELLO	OTP-AM	H-59

This bill increases the membership of the Land for Maine's Future Board from 9 members to 11 members.

Committee Amendment "A" (H-59)

This amendment strikes and replaces the bill and changes the title. The amendment reduces the quorum requirement to transact business by the Land for Maine's Future Board from 7 to 5 members.

Enacted Law Summary

Public Law 2013, chapter 92 reduces the quorum requirement to transact business by the Land for Maine's Future Board from 7 to 5 members.

LD 525 **An Act To Promote Industrial Hemp** **DIED ON ADJOURNMENT**

Sponsor(s)	Committee Report	Amendments Adopted
HARVELL PLUMMER	OTP-AM ONTP	H-406

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 and also repeals the provision that licensure is contingent upon action by the Federal Government.

Committee Amendment "A" (H-406)

This amendment is the majority report. It requires that any hemp seeds acquired for cultivation of hemp in the State come from an approved Canadian producer of hemp seeds. The amendment allows the Commissioner of Agriculture, Conservation and Forestry to issue licenses for hemp seed distribution to holders of seed labeling licenses. The amendment 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 amendment requires that application fees

and license fees are established by major substantive rules. The amendment adds an appropriations and allocations section to the bill.

LD 622 **An Act To Amend the Laws Concerning Reciprocal Disciplinary Actions in Harness Racing and Pulling Events** **PUBLIC 155 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
CRAY JACKSON T	OTP	

This bill requires the Department of Agriculture, Conservation and Forestry to obtain current listings from other jurisdictions of people who have been suspended or barred from agricultural pulling competitions and requires the department to suspend or bar from pulling competitions any person in those listings until the department receives notification from the jurisdiction that suspended or barred the person that the person is no longer suspended or barred. This bill also amends the reciprocal disciplinary action provision in harness racing for people in the harness racing industry who have been refused a license or have had their licenses suspended or revoked in another jurisdiction by clarifying certain language in that provision.

Enacted Law Summary

Public Law 2013, chapter 155 requires the Department of Agriculture, Conservation and Forestry to obtain current listings from other jurisdictions of people who have been suspended or barred from agricultural pulling competitions and requires the department to suspend or bar from pulling competitions any person in those listings until the department receives notification from the jurisdiction that suspended or barred the person that the person is no longer suspended or barred. Public Law 2013, chapter 155 also amends the reciprocal disciplinary action provision in harness racing for people in the harness racing industry who have been refused a license or have had their licenses suspended or revoked in another jurisdiction by clarifying certain language in that provision.

Public Law 2013, chapter 155 was enacted as an emergency measure effective May 29, 2013.

LD 630 **An Act To Reserve Ten Percent of Campsites at State Parks for Maine Residents** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
TUTTLE	ONTP	

This bill requires the Director of the Division of Parks and Public Lands within the Department of Agriculture, Conservation and Forestry to amend the current statewide reservation system for overnight camping at state parks with overnight camping facilities to set aside 10% of campsites for use by Maine residents. These reservations must be accepted on a first-come, first-served basis and may be made up to 4 months in advance of each camping season. The bill also includes a definition of "resident."

LD 639 **An Act To Require Payment Quotes in Service Contracts for the Harvesting and Hauling of Wood** **PUBLIC 154**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T	OTP-AM	S-50

This bill proposes that contractors hired to harvest or haul wood be notified by the contracting party of the price per ton to be paid for the wood harvested or hauled under a service contract prior to the contractor's providing the

services.

Committee Amendment "A" (S-50)

This amendment is the unanimous report of the Joint Standing Committee on Agriculture, Conservation and Forestry. The amendment removes a requirement that the contracting party provide a per species price when notifying a contractor of the price to be paid under a service contract for harvesting or hauling wood. It also specifies that price notification must be in writing and that price notification may be communicated by mail or private courier or electronically.

Enacted Law Summary

Public Law 2013, chapter 154 proposes that contractors hired to harvest or haul wood be notified by the contracting party of the price per ton to be paid for the wood harvested or hauled under a service contract prior to the contractor's providing the services. It also specifies that price notification must be in writing and that price notification may be communicated by mail or private courier or electronically.

LD 657 **Resolve, Directing the Department of Agriculture, Conservation and Forestry To Review, Clarify and Update Its Rules Pertaining to the Maple Syrup Industry** **RESOLVE 30**

Sponsor(s)	Committee Report	Amendments Adopted
BLACK SHERMAN	OTP-AM	H-106

This resolve directs the Department of Agriculture, Conservation and Forestry to review, clarify and update its rules relating to the licensing of maple syrup processors.

Committee Amendment "A" (H-106)

This amendment requires the Commissioner of Agriculture, Conservation and Forestry to report on the results of the Department of Agriculture, Conservation and Forestry's review of rules relating to the licensing of maple syrup processors to the Joint Standing Committee on Agriculture, Conservation and Forestry by December 15, 2013.

Enacted Law Summary

Resolve 2013, chapter 30 directs the Department of Agriculture, Conservation and Forestry to review, clarify and update its rules relating to the licensing of maple syrup processors. It also requires the Commissioner of Agriculture, Conservation and Forestry to report on the results of the Department of Agriculture, Conservation and Forestry's review of rules relating to the licensing of maple syrup processors to the Joint Standing Committee on Agriculture, Conservation and Forestry by December 15, 2013.

LD 658 **An Act To Change the Grade Standards of the Maine Maple Syrup Industry** **PUBLIC 117**

Sponsor(s)	Committee Report	Amendments Adopted
BLACK SAVIELLO	OTP	

This bill replaces the existing maple syrup grading system for the State with a new grading system that has been proposed by the International Maple Syrup Institute. It proposes a uniform grade of maple syrup: Grade A for maple syrup sold at retail. The bill takes effect only upon adoption of the new grading system by the United States Department of Agriculture and the Canadian federal government and notice of those actions being provided by the Commissioner of Agriculture, Conservation and Forestry to the Secretary of State, the Secretary of the Senate, the

Clerk of the House of Representatives and the Revisor of Statutes.

Enacted Law Summary

Public Law 2013, chapter 117 replaces the existing maple syrup grading system for the State with a new grading system that has been proposed by the International Maple Syrup Institute. It proposes a uniform grade of maple syrup: Grade A for maple syrup sold at retail. Public Law 2013, chapter 117 takes effect only upon adoption of the new grading system by the United States Department of Agriculture and the Canadian federal government and notice of those actions being provided by the Commissioner of Agriculture, Conservation and Forestry to the Secretary of State, the Secretary of the Senate, the Clerk of the House of Representatives and the Revisor of Statutes.

LD 707 **An Act To Refund the Sales Tax Paid on Fuel Used in Commercial Agricultural Production** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
CUSHING GIFFORD	OTP-AM	

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

This bill proposes to limit hauling costs of milk by a milk transportation company for a dairy farmer to the mileage between the dairy farm and the nearest milk plant still operating in the State, regardless of the final disposition of the milk.

Committee Amendment "A" (S-168)

This amendment requires the refund of sales tax on purchases of fuel for use in commercial agricultural production and permits the issuance of a certificate permitting the purchases of such fuel without paying sales tax if the purchaser obtains a certificate verifying eligibility from the State Tax Assessor. The amendment provides an application date of October 1, 2013.

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 126th Legislature by joint order, H.P. 1145 as amended by H-B (H-580) and H-C (H-582).

LD 714 **An Act To Clarify the Laws Governing the Rule-making Authority of the Maine Forest Service** **PUBLIC 196**

Sponsor(s)	Committee Report	Amendments Adopted
MCCABE	OTP-AM ONTP	H-171

This bill amends the rule-making authority of the Maine Forest Service when dealing with introduced forest insects or diseases. Under current law, the agency has the authority to destroy or order the destruction of trees infested with a plant pathogen or insect that is the subject of a quarantine. This bill provides that the agency may develop rules to destroy or order the destruction or other mitigation of nearby trees that are likely to become infested in order to control the spread of the outbreak.

Committee Amendment "A" (H-171)

This amendment is the majority report of the Joint Standing Committee on Agriculture, Conservation and Forestry.

Under current law, the Maine Forest Service has the authority to destroy or order the destruction of trees infested with a plant pathogen or insect that is the subject of a quarantine. The amendment clarifies the provisions of the bill that provide that the Maine Forest Service may adopt rules to destroy or order the destruction or other mitigation of nearby trees that are likely to become infested in order to control the spread of the outbreak. The amendment provides that the Maine Forest Service may exercise its authority under current law to establish a quarantine on the transportation of trees or parts of trees notwithstanding any other provision of law. The amendment also requires the Director of the Maine Forest Service to submit a report on the rules adopted to the Joint Standing Committee on Agriculture, Conservation and Forestry by December 15, 2013.

Enacted Law Summary

Public Law 2013, chapter 196 amends the laws governing the rule-making authority of the Maine Forest Service. Under current law, the Maine Forest Service has the authority to destroy or order the destruction of trees infested with a plant pathogen or insect that is the subject of a quarantine. Public Law 2013, chapter 196 clarifies the provisions of the bill that provide that the Maine Forest Service may adopt rules to destroy or order the destruction or other mitigation of nearby trees that are likely to become infested in order to control the spread of the outbreak. It provides that the Maine Forest Service may exercise its authority under current law to establish a quarantine on the transportation of trees or parts of trees notwithstanding any other provision of law. Public Law 2013, chapter 196 also requires the Director of the Maine Forest Service to submit a report on the rules adopted to the Joint Standing Committee on Agriculture, Conservation and Forestry by December 15, 2013.

LD 718 **An Act To Protect Maine Food Consumers' Right To Know about Genetically Engineered Food and Seed Stock** **HELD BY GOVERNOR**

Sponsor(s)	Committee Report	Amendments Adopted
HARVELL	OTP-AM	H-393
CAIN	OTP-AM	H-444 TIMBERLAKE
	OTP-AM	

This bill requires disclosure of genetic engineering at the point of retail sale of food and seed stock and provides that food or seed stock for which the disclosure is not made is considered to be misbranded and subject to the sanctions for misbranding. The bill provides that food or seed stock may not be labeled as "natural" if it has been genetically engineered. The bill exempts 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. The bill also provides that the disclosure requirements do not apply to restaurants, alcoholic beverages or medical food. The disclosure provisions are administered by the Department of Agriculture, Conservation and Forestry.

Committee Amendment "A" (H-393)

This amendment is the majority report. The amendment adds a purpose section to the proposed new chapter on genetically engineered products in the Maine Revised Statutes, Title 22. It also changes the conditions governing the effective date and the repeal date of the bill. The amendment establishes a process for the Commissioner of Agriculture, Conservation and Forestry to report to the Secretary of State, the Revisor of Statutes and the joint standing committee of the Legislature having jurisdiction over agriculture, conservation and forestry matters when 4 other northeastern states have adopted mandatory labeling legislation. The amendment provides that the section of the bill that enacts Title 22, chapter 565 takes effect 30 days after the date of the commissioner's certification. The amendment also removes all references to seed stock.

Committee Amendment "C" (H-395)

This amendment is one of 2 minority reports. It differs from the majority report by requiring substantially similar

legislation to have been enacted in 5 contiguous states including Maine before it takes effect. The amendment adds a purpose section to the new chapter on genetically engineered products. It also changes the conditions governing the contingent effective date and the contingent repeal date of the bill. The amendment establishes a process for the Commissioner of Agriculture, Conservation and Forestry to report to the Secretary of State, the Revisor of Statutes and the joint standing committee of the Legislature having jurisdiction over agriculture, conservation and forestry matters when 5 contiguous states including Maine have adopted substantially similar legislation. The amendment provides that the section of the bill that enacts Title 22, chapter 565 takes effect 30 days after the date of the commissioner's certification. The amendment also proposes to exempt from the labeling requirements of the bill food products derived from any highly refined ingredients, where the effect of the purification process is to remove DNA or novel protein.

Committee Amendment "B" (H-394)

This amendment, which is one of 2 minority reports, changes the bill into a resolve. It directs the Commissioner of Agriculture, Conservation and Forestry to petition the United States Secretary of Agriculture and the United States Commissioner of Food and Drugs to develop a nationwide system to more fully evaluate, monitor and provide for necessary labeling to reinforce consumer confidence in the safety of the nation's food system.

House Amendment "B" To Committee Amendment "A" (H-444)

This amendment defines "food" to mean food intended for human consumption and changes the contingent effective date to provide that the Act takes effect when legislation requiring mandatory labeling of genetically engineered food has been adopted by 5 contiguous states including Maine.

LD 745 **An Act To Promote Sustainable Food Policies** **VETO SUSTAINED**

Sponsor(s)	Committee Report	Amendments Adopted
ALFOND	ONTP	S-136
MCCABE	OTP-AM	S-298 JACKSON T

This bill includes ongoing General Fund appropriations of $1,000,000 beginning in fiscal year 2013-14 to the Department of Agriculture, Conservation and Forestry for grants to municipalities to support sustainable food practices. It also includes ongoing General Fund appropriations of $100,000 beginning in fiscal year 2013-14 to the department to establish and administer a pilot project to support sustainable food practices.

Committee Amendment "A" (S-136)

This amendment is the minority report. The amendment replaces the bill with a resolve. It proposes to establish an 11-member Commission on Statewide Food Sustainability to study issues related to food sustainability and food insecurity in the State. The amendment requires that by December 4, 2013, the commission report its findings and recommendations to the Joint Standing Committee on Agriculture, Conservation and Forestry.

Senate Amendment "A" To Committee Amendment "A" (S-298)

This amendment strikes the minority report and replaces it with language that:

1. Establishes the Maine Farm-to-Plate Commission to collaborate with and advise the Commissioner of Agriculture, Conservation and Forestry on critical issues of agricultural regulation, food safety and local and regional food-related issues;

2. Directs the commission to develop a strategic plan for agricultural economic development;

3. Directs the commission to use the information gathered in the course of developing and upgrading the strategic

plan to identify methods and the funding necessary to strengthen links among producers, processors and markets; and

4. Requires the commission to investigate the feasibility, logistics and propriety of instituting in the State food sovereignty under which local governments may regulate local food systems by local ordinance and directs the commission to submit a report of its findings to the Joint Standing Committee on Agriculture, Conservation and Forestry no later than January 1, 2014.

LD 749 **An Act To Prohibit the Taking or Possession of a Natural Resource That Is on the Land of Another** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
KUMIEGA JACKSON T	ONTP	

This bill makes the taking, removing or possessing of a natural resource from the property of another without written permission from the owner a civil violation and makes it a Class E crime if the value of the resource taken exceeds $100 or if the offense is repeated.

LD 789 **Resolve, To Establish the Task Force on Milk Tier Pricing** **RESOLVE 67**

Sponsor(s)	Committee Report	Amendments Adopted
BLACK JACKSON T	OTP-AM	H-281

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

This bill proposes to adjust the price levels determined pursuant to the laws governing dairy stabilization for the various tiers of milk production in order to account for recent dramatic increases in feed and fuel costs.

Committee Amendment "A" (H-281)

This amendment replaces the bill, which was a concept draft, with a resolve. It proposes to establish the 11-member Task Force on Milk Tier Pricing to study the current dairy stabilization tier program to determine if any modifications are necessary to ensure its effectiveness. The amendment requires the task force to report its findings and recommendations to the Joint Standing Committee on Agriculture, Conservation and Forestry by December 4, 2013. The committee is authorized to report out a bill based on the task force's recommendations.

Enacted Law Summary

Resolve 2013, chapter 67 establishes an 11-member Task Force on Milk Tier Pricing to study the current dairy stabilization tier program to determine if any modifications are necessary to ensure its effectiveness. It requires the task force to report its findings and recommendations to the Joint Standing Committee on Agriculture, Conservation and Forestry by December 4, 2013. Resolve 2013, chapter 67 authorizes the committee to report out a bill based on the task force's recommendations.

LD 836 **An Act Regarding the Use of Mobile Poultry Processing Units** **PUBLIC 304**

Sponsor(s)	Committee Report	Amendments Adopted
DAUGHTRY JACKSON T	OTP	

This bill defines "mobile poultry processing unit" and adds mobile poultry processing unit operators to persons required to be licensed by the State to buy, sell, prepare, process, pack, store, transport or otherwise handle meat, meat food products or poultry products in the State. It also permits a poultry producer to sell product exempt from inspection to locally owned restaurants and grocery stores.

Enacted Law Summary

Public Law 2013, chapter 304 defines "mobile poultry processing unit" and adds mobile poultry processing unit operators to persons required to be licensed by the State to buy, sell, prepare, process, pack, store, transport or otherwise handle meat, meat food products or poultry products in the State. It also permits a poultry producer to sell product exempt from inspection to locally owned restaurants and grocery stores.

LD 837 **An Act To Clarify the Laws Establishing the Department of Agriculture, Conservation and Forestry** **PUBLIC 405**

Sponsor(s)	Committee Report	Amendments Adopted
FREDETTE	OTP-AM ONTP	H-339 H-354 DILL

This bill:

1. Establishes the Potato Marketing Improvement Fund Committee to advise the Maine Potato Board on the development of programs and activities that improve the economic viability of the potato industry and, together with the board and subject to approval of the commissioner, to administer the Potato Marketing Improvement Fund;

2. Transfers responsibility for maintaining the Aroostook County office from the Department of Agriculture, Conservation and Forestry to the Maine Potato Board;

3. Expands the mission statement of the Department of Agriculture, Conservation and Forestry to more accurately reflect the mission of the department;

4. Amends the principles that guide the department in the performance of its duties;

5. Refines the scope of the 2 deputy commissioners' oversight and specifies the qualifications of the Commissioner of Agriculture, Conservation and Forestry;

6. Authorizes the Finance Authority of Maine to make payments from the Potato Marketing Improvement Fund directly to the Maine Potato Board; and

7. Clarifies the intent of the Legislature regarding the incorporation of statutory language and removes contingent repeal language.

Committee Amendment "A" (H-339)

This amendment is the majority report. It strikes and replaces the bill.

Part A:

1. Expands the mission statement of the Department of Agriculture, Conservation and Forestry to more accurately reflect the mission of the department;

2. Amends the principles that guide the department in the performance of its duties;

3. Eliminates one of 2 deputy commissioner positions and creates the position of natural resource marketing and economic development specialist within the office of the Commissioner of Agriculture, Conservation and Forestry;

4. Specifies the qualifications of the Commissioner of Agriculture, Conservation and Forestry;

5. Reorganizes the department's divisions and units into 4 bureaus;

6. Establishes the position of the director of the Land for Maine's Future program within the Department of Agriculture, Conservation and Forestry, Bureau of Resource Information and Land Use Planning;

7. Clarifies the intent of the Legislature regarding the incorporation of statutory language and removes contingent repeal language; and

8. Requires the commissioner to provide written reports to the Joint Standing Committee on Agriculture, Conservation and Forestry on both November 1, 2013 and February 1, 2014.

Part B:

1. Corrects a conflict created when Public Law 2011, chapter 682 amended and chapter 655 repealed the Maine Revised Statutes, Title 12, section 685-C, subsection 1, paragraph B by repealing paragraph B and enacting a new paragraph B-1 based on chapter 682;

2. Corrects a conflict created when Public Law 2011, chapter 655 amended and chapter 682 repealed Title 12, section 685-C, subsection 1, paragraph C by repealing that paragraph;

3. Changes references in Title 23, section 3360-A, subsection 5-I, paragraph A to the Maine Land Use Regulation Commission by referring to it as "the former commission" and adds references to the new Maine Land Use Planning Commission to implement the intent of Public Law 2011, chapter 682, section 38; and

4. Corrects a conflict created when Public Law 2011, chapter 653 amended and chapter 682 repealed Title 38, section 488, subsection 9 by repealing that subsection.

Part C makes the following changes:

1. Public Law 2011, chapter 657, Part V reorganizes the Department of Agriculture, Food and Rural Resources and the Department of Conservation into one department, the Department of Agriculture, Conservation and Forestry. Pursuant to Part W of that public law, the Bureau of Geology and Natural Areas within the former Department of Conservation is renamed the Division of Geology and Natural Areas. In Public Law 2011, chapter 655, Part KK, section 14, the bureau is renamed the Bureau of Geology, Natural Areas and Coastal Resources. This Part corrects that conflict by combining the action of both public laws and renaming the agency the Division of Geology, Natural Areas and Coastal Resources;

2. A reference to the Maine Land Use Regulation Commission is corrected to reflect the changed name of that agency pursuant to Public Law 2011, chapter 682; and

3. This Part also updates references to the former departments and makes corrections in punctuation and usage.

Part D makes the following changes:

1. Public Law 2011, chapter 657, Part V reorganizes the Department of Agriculture, Food and Rural Resources and the Department of Conservation into one department, the Department of Agriculture, Conservation and Forestry. This Part makes changes to reflect that reorganization in sections where various technical corrections were required, as follows:

A. Language is added to allow the law to apply to actions taken by both the former Department of Conservation and the new department;

B. Obsolete language and references to past dates are removed and technical changes are made;

C. Reference to one of the departments where both appear is eliminated and a technical change is made;

D. The word "former" is added to a reference to a past publication of the Department of Conservation;

E. Reference to one of the commissioners where both appear is eliminated and a technical change is made; and

F. The reorganization of a bureau within the Department of Conservation to a division within the new department is implemented and what had been the Off-road Recreational Vehicle Division within that bureau is designated as the Off-road Recreational Vehicle Office.

Part E adds an appropriations and allocations section.

House Amendment "A" To Committee Amendment "A" (H-354)

This amendment expresses the Legislature's intent that curtailments imposed upon the Department of Agriculture, Conservation and Forestry be imposed proportionally among the major units within the department having substantive jurisdiction over distinct policy areas.

Enacted Law Summary

Public Law 2013, chapter 405 amends the laws governing the merger of the Department of Agriculture, Food and Rural Resources with the Department of Conservation, which was initated by the 125th Legislature with the merging of the offices of the commmissioners of the two departments. Part A of Public Law 2013, chapter 405:

1. Expands the mission statement of the Department of Agriculture, Conservation and Forestry to more accurately reflect the current mission of the merged department;

2. Amends the principles that guide the department in the performance of its duties;

3. Eliminates one of 2 deputy commissioner positions and creates the position of natural resource marketing and economic development specialist within the office of the Commissioner of Agriculture, Conservation and Forestry;

4. Specifies the qualifications of the Commissioner of Agriculture, Conservation and Forestry;

5. Reorganizes the department's divisions and units into 4 bureaus;

6. Establishes the position of the director of the Land for Maine's Future program within the Department of Agriculture, Conservation and Forestry, Bureau of Resource Information and Land Use Planning;

7. Clarifies the intent of the Legislature regarding the incorporation of statutory language and removes contingent repeal language; and

8. Requires the commissioner to provide written reports to the Joint Standing Committee on Agriculture, Conservation and Forestry on both November 1, 2013 and February 1, 2014.

Part B of Public Law 2013, chapter 405:

1. Corrects a conflict created when Public Law 2011, chapter 682 amended and chapter 655 repealed the Maine Revised Statutes, Title 12, section 685-C, subsection 1, paragraph B by repealing paragraph B and enacting a new paragraph B-1 based on chapter 682;

2. Corrects a conflict created when Public Law 2011, chapter 655 amended and chapter 682 repealed Title 12, section 685-C, subsection 1, paragraph C by repealing that paragraph;

3. Changes references in Title 23, section 3360-A, subsection 5-I, paragraph A to the Maine Land Use Regulation Commission by referring to it as the former commission and adds references to the new Maine Land Use Planning Commission to implement the intent of Public Law 2011, chapter 682, section 38; and

4. Corrects a conflict created when Public Law 2011, chapter 653 amended and chapter 682 repealed Title 38, section 488, subsection 9 by repealing that subsection.

Part C of Public Law 2013, chapter 405 makes the following changes:

1. Public Law 2011, chapter 657, Part V reorganizes the Department of Agriculture, Food and Rural Resources and the Department of Conservation into one department, the Department of Agriculture, Conservation and Forestry. Pursuant to Part W of that public law, the Bureau of Geology and Natural Areas within the former Department of Conservation is renamed the Division of Geology and Natural Areas. In Public Law 2011, chapter 655, Part KK, section 14, the bureau is renamed the Bureau of Geology, Natural Areas and Coastal Resources. This Part corrects that conflict by combining the action of both public laws and renaming the agency the Division of Geology, Natural Areas and Coastal Resources;

2. Corrects a reference to the Maine Land Use Regulation Commission to reflect the changed name of that agency pursuant to Public Law 2011, chapter 682; and

3. Updates references to the former departments and makes corrections in punctuation and usage.

Part D of Public Law 2013, chapter 405 makes the following changes:

1. Public Law 2011, chapter 657, Part V reorganizes the Department of Agriculture, Food and Rural Resources and the Department of Conservation into one department, the Department of Agriculture, Conservation and Forestry. This Part makes changes to reflect that reorganization in sections where various technical corrections were required, as follows:

A. Language is added to allow the law to apply to actions taken by both the former Department of Conservation and the new department;

B. Obsolete language and references to past dates are removed and technical changes are made;

C. Eliminates reference to one of the departments where both appear and makes a technical change;

D. Adds the word "former" to a reference to a past publication of the Department of Conservation;

E. Eliminates a reference to one of the commissioners where both appear and makes a technical change; and

F. Implements the reorganization of a bureau within the Department of Conservation to a division within the new department and designates what had been the Off-road Recreational Vehicle Division within that bureau as the Off-road Recreational Vehicle Office.

Part E of Public Law 2013, chapter 405 states that it is the intent of the Legislature that curtailment of allotments imposed on the Department of Agriculture, Conservation and Forestry be imposed proportionally among the major units within the department with jurisdiction over distinct policy areas.

LD 838 **Resolve, To Establish a Working Group To Study Issues Relating to Liability of Apiary Owners and Operators** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
BLACK PATRICK	ONTP OTP	

This resolve directs the Commissioner of Agriculture, Conservation and Forestry to establish a working group to review the liability issues relating to apiary owners and operators. The resolve directs the commissioner to submit a written report of findings and recommendations to the Joint Standing Committee on Agriculture, Conservation and Forestry no later than February 1, 2014. The resolve gives the Joint Standing Committee on Agriculture, Conservation and Forestry authority to submit a bill to the Second Regular Session of the 126th Legislature relating to the subject matter of the report.

LD 903 **An Act To Enhance the Development and Implementation of Integrated Pest Management Programs** **PUBLIC 290**

Sponsor(s)	Committee Report	Amendments Adopted
CRAY JACKSON T	OTP-AM	H-291

This bill increases the annual registration fee for pesticides from $150 to $165 effective January 1, 2014. The bill requires that the additional funds raised from the increase in the registration fees for pesticides are to be deposited in an account of the University of Maine Cooperative Extension and may be used only for integrated pest management programs established and administered by the University of Maine Cooperative Extension with advice from the Integrated Pest Management Council. It also requires that 10% of the fee increase be used for competitive grants for integrated pest management projects by the faculty and staff at the University of Maine.

Committee Amendment "A" (H-291)

This amendment replaces the bill. The amendment increases the annual registration fee for pesticides from $150 to $160 effective January 1, 2014. The amendment requires that the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control award an annual grant of not less than $135,000 each April 1st to the University of Maine Cooperative Extension for development and implementation of integrated pest management programs. The amendment also requires that the Board of Pesticides Control monitor the funds to ensure adequate funding for this grant and other grants for integrated pest management programs upon advice from the Integrated Pest Management Council. The amendment also requires the board to report to the joint standing committee of the Legislature having jurisdiction over agriculture, conservation and forestry matters by February 15th of each year.

Enacted Law Summary

Public Law 2013, chapter 290 increases the annual registration fee for pesticides from $150 to $160 effective January 1, 2014. It requires that the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control award an annual grant of not less than $135,000 each April 1st to the University of Maine Cooperative Extension for development and implementation of integrated pest management programs. Public Law 2013, chapter 290 also requires that the Board of Pesticides Control monitor the funds to ensure adequate funding for this grant and other grants for integrated pest management programs upon advice from the Integrated Pest Management Council. It also requires the board to report to the joint standing committee of the Legislature having jurisdiction over agriculture, conservation and forestry matters by February 15th of each year.

LD 961 **An Act To Ensure Safe School Grounds** **DIED BETWEEN HOUSES**

Sponsor(s)	Committee Report	Amendments Adopted
NELSON	ONTP	
MAZUREK	OTP-AM	

This bill restricts the use of pesticides on school grounds. It allows their use only in situations that pose a health threat to a student or staff member, when the presence of animals or insects have been identified as a public health nuisance, on athletic fields if there is a 14-day waiting period after application of the pesticides or on agricultural fields in accordance with the manufacturer's instructions. It 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.

Committee Amendment "A" (H-285)

This amendment is the minority report of the Joint Standing Committee on Agriculture, Conservation and Forestry.

The amendment amends the bill to allow the use of pesticides on school grounds in areas where bare ground of 25 square feet or greater exists as the result of pest problems. The amendment also amends the bill by replacing section 2, which directed the Commissioner of Education to adopt rules, with a provision that requires the Commissioner of Education to collaborate with the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control in developing school ground construction standards and guidelines and requires a report to the Joint Standing Committee on Education and Cultural Affairs and the Joint Standing Committee on Agriculture, Conservation and Forestry by March 15, 2014. The amendment also adds a mandate preamble and an appropriations and allocations section. The minority report was not adopted.

LD 987 **An Act To Amend the Procedures Used To Identify and Select Appointees to the Maine Land Use Planning Commission and To Make Other Technical Changes to the Agriculture, Conservation and Forestry Laws** **PUBLIC 256**

Sponsor(s)	Committee Report	Amendments Adopted
SHERMAN	OTP-AM	S-158
GIFFORD	OTP-AM	

This bill:

1. Requires that certain information in annual reports to the Legislature be compiled from data from the previous fiscal year rather than from the previous calendar year, consistent with the State's budgeting process;

2. Clarifies that the Department of Agriculture, Conservation and Forestry, Division of Forestry regulates water crossings by land management roads in those portions of unorganized and deorganized areas of the State zoned by the Maine Land Use Planning Commission as protection districts and management districts;

3. Makes references to boards of county commissioners consistent in provisions regarding the Maine Land Use Planning Commission;

4. Clarifies that appointments made by the boards of county commissioners will be reviewed according to the same process as applies to gubernatorial appointments and changes language regarding appointments made by the county commissioners and Governor to comport with language in the Constitution of Maine;

5. Adds unallocated language indicating that the terms of the members of the Maine Land Use Planning Commission appointed after January 2013 must be staggered; and

6. Makes corrections by updating the name of the Department of Agriculture, Conservation and Forestry to the enabling legislation of the Wells National Estuarine Research Reserve Management Authority and replacing the director of the former State Planning Office with the Director of the Maine Coastal Program as an ex officio nonvoting member of the board of directors.

Committee Amendment "A" (S-158)

This amendment is the majority report. It changes the process by which a board of county commissioners seeks and selects appointees to the Maine Land Use Planning Commission. The amendment provides that a person may not simultaneously serve as a county commissioner and a member of the Maine Land Use Planning Commission. The amendment clarifies that a vacancy in a seat on the Maine Land Use Planning Commission is filled by the same authority that appointed the member who vacated the seat. It also updates the filing of financial information for the Wells National Estuarine Research Reserve Management Authority.

Committee Amendment "B" (S-159)

This amendment is the minority report. It changes the process by which a board of county commissioners seeks and selects appointees to the Maine Land Use Planning Commission. The amendment also clarifies that a vacancy in a seat on the Maine Land Use Planning Commission is filled by the same authority that appointed the member who vacated the seat. It also updates the filing of financial information for the Wells National Estuarine Research Reserve Management Authority.

Enacted Law Summary

Public Law 2013, chapter 256 makes several changes to the statutes governing the Land Use Planning Commission.

1. It requires that certain information in annual reports to the Legislature be compiled from data from the previous fiscal year rather than from the previous calendar year, consistent with the State's budgeting process;

2. It clarifies that the Department of Agriculture, Conservation and Forestry, Division of Forestry regulates water crossings by land management roads in those portions of unorganized and deorganized areas of the State zoned by the Maine Land Use Planning Commission as protection districts and management districts;

3. It clarifies that appointments made by the boards of county commissioners will be reviewed according to the same process as applies to gubernatorial appointments and changes language regarding appointments made by the county commissioners and Governor to comport with language in the Constitution of Maine;

4. It makes corrections by updating the name of the Department of Agriculture, Conservation and Forestry to the enabling legislation of the Wells National Estuarine Research Reserve Management Authority and replacing the director of the former State Planning Office with the Director of the Maine Coastal Program as an ex officio

nonvoting member of the board of directors.

5. It changes the process by which a board of county commissioners seeks and selects appointees to the Maine Land Use Planning Commission.

6. It provides that a person may not simultaneously serve as a county commissioner and a member of the Maine Land Use Planning Commission.

7. It clarifies that a vacancy in a seat on the Maine Land Use Planning Commission is filled by the same authority that appointed the member who vacated the seat.

8. Public Law 2013, chapter 256 also updates the filing of financial information for the Wells National Estuarine Research Reserve Management Authority.

LD 1009 **An Act Concerning Fertilizer and Lime Products** **PUBLIC 204**
EMERGENCY

Sponsor(s)	Committee Report	Amendments Adopted
CRAY	OTP-AM	H-170
SHERMAN		H-218 DILL

This bill adds the definitions of "biosolids," "packaged biosolids" and "unpackaged biosolids" to the Maine Commercial Fertilizer Law. The bill also amends the definition of "commercial fertilizer" to mean a substance containing one or more recognized fertilizer materials bearing a guaranteed analysis on the product label of a packaged product. The bill also exempts unpackaged biosolids and packaged biosolids derived primarily from residuals regulated by the Department of Environmental Protection from being registered before being offered for sale and from the tonnage report.

Committee Amendment "A" (H-170)

This amendment changes the bill to remove references to estimates and averages from the labeling requirements for packaged and unpackaged biosolids and unpackaged industrial byproducts derived primarily from residuals regulated by the Department of Environmental Protection and exempted from being registered as commercial fertilizers before being offered for sale and from the tonnage report. The amendment also requires that, if a fertilizer material percentage statement appears on a label or accompanying delivery documentation, that product must be registered as a fertilizer.

House Amendment "A" To Committee Amendment "A" (H-218)

This amendment clarifies that a product with a fertilizer percentage statement that appears on a label or accompanying delivery documentation must be registered as a fertilizer with the exception of those products for which delivery documentation is required by Department of Environmental Protection rule.

Enacted Law Summary

Public Law 2013, chapter 204 adds the definitions of "biosolids," "packaged biosolids" and "unpackaged biosolids" to the Maine Commercial Fertilizer Law. It also amends the definition of "commercial fertilizer" to mean a substance containing one or more recognized fertilizer materials bearing a guaranteed analysis on the product label of a packaged product. Public Law 2013, chapter 204 also exempts unpackaged biosolids and packaged biosolids derived primarily from residuals regulated by the Department of Environmental Protection from being registered before being offered for sale and from the tonnage report. It also requires that, if a fertilizer material percentage statement appears on a label or accompanying delivery documentation, that product must be registered as a fertilizer. Public Law 2013, chapter 204 clarifies that a product with a fertilizer percentage statement that appears on a label or accompanying delivery documentation must be registered as a fertilizer with the exception of those

products for which delivery documentation is required by Department of Environmental Protection rule.

Public Law 2013, chapter 204 was enacted as an emergency measure effective June 5, 2013.

LD 1051 **An Act To Clarify the Authority and Responsibility of Forest Rangers** **PUBLIC 130**

Sponsor(s)	Committee Report	Amendments Adopted
TIMBERLAKE JACKSON T	OTP	

This bill incorporates into the Maine Revised Statutes, Title 12, chapter 807 the authority of forest rangers contained in Title 36, chapter 701 to make inspections, conduct investigations, make arrests and otherwise enforce that chapter, which relates to blueberries and blueberry taxes. It also clarifies the powers and duties of forest rangers regarding wildfires and agricultural and park fires, consistent with the current practice of forest rangers.

Enacted Law Summary

Public Law 2013, chapter 130 incorporates into the Maine Revised Statutes, Title 12, chapter 807 the authority of forest rangers contained in Title 36, chapter 701 to make inspections, conduct investigations, make arrests and otherwise enforce that chapter, which relates to blueberries and blueberry taxes. It also clarifies the powers and duties of forest rangers regarding wildfires and agricultural and park fires, consistent with the current practice of forest rangers.

LD 1170 **Resolve, Regarding the Transfer of State Property To Assist the Save the Depot Project in Greenville** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
THOMAS JOHNSON P	ONTP	

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

This resolve would, in accordance with the Constitution of Maine, Article IX, Section 23, require the State to convey title to an appropriate parcel of land in Greenville to the Save the Depot project for use as the future site of the historic Greenville Junction Railroad Depot.

LD 1239 **An Act To Clarify, Streamline and Promote Fair Animal Welfare Laws** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
DAVIS		

This bill repeals the definition of "intermittent agent" in the animal welfare laws. It changes the definitions of "kennel," "boarding kennel" and "breeding kennel" to create 3 new kennel license designations: personal kennel license, commercial boarding or training kennel license and commercial breeder kennel license. It also defines serious bodily injury. The bill also makes the changes to the animal welfare laws necessary to reflect the changes made in the defined terms. It removes the provision of law that requires a person to obtain a vendor's license to sell a dog or cat.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, H-B

(H-580) and H-C (H-582).

LD 1282 **An Act To Help Small Farmers in Selling Raw Milk and Homemade Food Products** **VETO SUSTAINED**

Sponsor(s)	Committee Report	Amendments Adopted
SAVIELLO	OTP-AM	S-195
KESCHL	ONTP	H-427 DILL

This bill exempts from state licensing and inspection requirements homestead food operations and raw milk producers who sell small quantities of certain food products or raw milk products made or produced at the person's residence or farm if the food products or raw milk products are sold directly from the person's home or farm or farm stand or at a farmers' market within the State.

Committee Amendment "A" (S-195)

This amendment is the majority report. It changes the title by removing a reference to homemade food products. It strikes from the bill the exemptions from licensing and inspection for homestead food operations. The amendment changes the wording of the signage and labeling requirements for milk producers selling raw milk or raw milk products without a license pursuant to the provisions of the bill. It requires milk producers selling raw milk or raw milk products that are exempt from licensing and inspection by the State to have samples of their raw milk and water supply tested by an accredited laboratory. The amendment also requires the Commissioner of Agriculture, Conservation and Forestry to adopt rules governing the testing of raw milk and water supply samples of the milk producers who operate under the exemptions in the bill.

The amendment also adds an appropriations and allocations section.

House Amendment "A" To Committee Amendment "A" (H-427)

This amendment corrects internal cross-references.

LD 1283 **An Act To Amend the Laws Governing Animal Trespass** **PUBLIC 348**

Sponsor(s)	Committee Report	Amendments Adopted
SAVIELLO	OTP-AM	S-237

This bill amends the animal trespass law in the following ways:

1. It makes a 3rd or subsequent violation a Class E crime;

2. It makes the fine for a 2nd violation $1,000;

3. It makes the fine for a 3rd or subsequent violation $2,500;

4. It requires a repeat violator to pay the reasonable court costs and attorney's fees for the Department of Agriculture, Conservation and Forestry, municipality or law enforcement agency; and

5. It authorizes forfeiture of an animal of a repeat violator if the court finds that the repeat violation jeopardizes the public health, safety or welfare.

Committee Amendment "A" (S-237)

The amendment strikes and replaces the bill. The amendment removes the penalty of a Class E crime for a 3rd or subsequent violation of the animal trespass statute. The amendment maintains animal trespass as a civil violation but increases the fines for repeated violations. The amendment also clarifies the existing statutory restitution provision and maintains the new forfeiture provision proposed in the bill.

Enacted Law Summary

Public Law 2013, chapter 348 maintains animal trespass as a civil violation but increases the fines for repeated violations. Public Law 2013, chapter 348 also clarifies the existing statutory restitution provision and creates a new forfeiture provision.

LD 1285 **An Act To Allow Law Enforcement Agencies Access to Animal Licensing Information** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BOLAND LACHOWICZ	ONTP	

This bill requires the Commissioner of Agriculture, Conservation and Forestry to create a statewide electronic database of dog licenses by January 1, 2014. The bill also requires that the database be accessible to all law enforcement agencies in the State for use in animal control. It also establishes the Animal Licensing Database Fund as a nonlapsing account within the Department of Agriculture, Conservation and Forestry. The bill authorizes the commissioner to establish by rule fees to fund and maintain the electronic database of dog licenses and requires that rules adopted to establish these fees are major substantive rules.

LD 1286 **An Act To Protect Maine Communities by Prohibiting Horse Slaughter for Human Consumption and the Transport of Horses for Slaughter** **DIED BETWEEN HOUSES**

Sponsor(s)	Committee Report	Amendments Adopted
KNIGHT KATZ	ONTP OTP-AM	

This bill prohibits the slaughter of horses for human consumption and:

1. Bans the possession, sale, purchase, transportation and import into or export out of this State of a horse if the person knows or should know that the horse is meant to be slaughtered for human consumption;

2. Bans the possession, sale, purchase, transportation, import into or export out of this State of horseflesh if the person knows or should know that the horseflesh is for human consumption;

3. Bans the construction or operation of a facility that the person knows or should know is used or will be used for the slaughter of horses for human consumption; and

4. Repeals current law that allows horsemeat to be sold in this State as long as it is plainly and conspicuously labeled as such.

Committee Amendment "A" (H-376)

This amendment is the minority report. It amends the title and strikes and replaces the bill. The amendment prohibits the slaughter of horses for sale or barter for human consumption. It also prohibits the sale or barter of any

product made in whole or in part from the flesh of a horse if a person knows or should reasonably have known that the flesh or the product made of the flesh was from a horse. The amendment also bans the transport of horses for the purposes of slaughter for human consumption and bans the construction or operation of horse slaughtering facilities. Violations of these prohibitions are civil violations for which a fine of not less than $500 and not more than $1,000 may be adjudged for each violation.

LD 1287 **An Act To Deregulate Face-to-face Transactions between the People and Small Farms and Small Food Producers** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
HICKMAN	OTP-AM	
SAVIELLO	OTP-AM	

This bill facilitates direct sales between Maine farmers and consumers. It allows persons preparing food in their own homes to sell directly to consumers or to offer homemade food at certain events without being licensed as food establishments.

Committee Amendment "A" (H-326)

This amendment, which is the majority report of the committee, amends the definition of "farm food product" to exclude fluid milk and food requiring temperature control for safety. It also requires all farm food products and homemade food to contain labels containing specific information, including information about the food's producer and the food's ingredients, and a declaration that the food is sold for personal use and is exempt from licensing and inspection by the State. The amendment also states that an agricultural producer or home kitchen producer does not constitute an approved source of food for retail or wholesale use.

Committee Amendment "B" (H-327)

This amendment, which is the minority report, excludes fluid milk from the definition of "farm food product." It also requires all farm food products and homemade food to contain labels containing specific information, including information about the food's producer and the food product's ingredients, and a declaration that the food is sold for personal use and is exempt from licensing and inspection by the State.

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 126th Legislature by joint order, H.P. 1145 as amended by H-B (H-580) and H-C (H-582).

LD 1307 **An Act To Establish the Livestock Damage Compensation Fund** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
JOHNSON C	ONTP	
	OTP-AM	

This bill proposes to establish the Livestock Damage Compensation Fund as a nonlapsing fund within the Department of Agriculture, Conservation and Forestry. The fund would compensate eligible farmers for damage done to livestock by coyotes and other wildlife. The bill requires the Commissioner of Agriculture, Conservation and Forestry to establish rules governing the Livestock Damage Compensation Fund no later than December 1, 2013.

Committee Amendment "A" (S-169)

This amendment is the minority report. It provides that rules adopted by the Commissioner of Agriculture, Conservation and Forestry governing the use of the Livestock Damage Compensation Fund established in the bill are major substantive rules. The minority report was not adopted.

LD 1391 **Resolve, To Provide a Pesticide Spraying Notification Process** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
BOYLE	ONTP OTP-AM	

This resolve directs the Department of Agriculture, Conservation and Forestry to establish a publicly accessible website that allows a person to place that person's name on a registry of those who wish to be notified of pesticides application by aircraft or air-carrier equipment in a given county. A person may register for notifications of pesticides application in more than one county. The publicly accessible website must allow a person who is going to apply pesticides by aircraft or air-carrier equipment to enter information about the application date, time and location and the types of pesticides to be applied and other information as determined by the department into the publicly accessible website at least one week before the application. The publicly accessible website must then generate e-mail messages to those listed on the appropriate county registry notifying them of the application of pesticides.

Committee Amendment "A" (S-101)

This amendment is the minority report. It clarifies that air-carrier equipment used in outdoor pesticides applications does not include air-assisted application equipment in which the airstream is directed to specific targeted specimens. The minority report was not adopted.

LD 1521 **Resolve, Directing the Department of Agriculture, Conservation and Forestry To Create a Pilot Program To Support the State's Small Food Processors** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
MCCABE		

This resolve directs the Department of Agriculture, Conservation and Forestry to develop a pilot program to assist small food processors similar to the Maine Farms for the Future program.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, H-B (H-580) and H-C (H-582).

LD 1527 **Resolve, Authorizing the Department of Agriculture, Conservation and Forestry, Division of Parks and Public Lands To Convey Certain Lands and Enter into Certain Leases with the Federal Government** **RESOLVE 56**

Sponsor(s)	Committee Report	Amendments Adopted
DILL JACKSON T	OTP-AM	H-258

This resolve allows the Director of the Division of Parks and Public Lands within the Department of Agriculture, Conservation and Forestry to lease rights and lands within the Coburn Mountain public reserved lands in Upper Enchanted Township, Somerset County to the United States Government or the United States Customs and Border Protection to maintain, operate, expand, modernize and improve existing public safety communications facilities.

The resolve allows the director to sell 2 parcels of land in Dover-Foxcroft, Piscataquis County to an abutter, Dead River Company, to resolve a boundary issue.

The resolve allows the director to sell a parcel of land in Dover-Foxcroft, Piscataquis County to an abutter, McKusick Petroleum Company, to resolve a boundary issue.

The resolve allows the director to sell parcels of land in Adamstown Township, Oxford County to the West Richardson Pond Public Lot Association.

Committee Amendment "A" (H-258)

This amendment requires the Director of the Division of Parks and Public Lands within the Department of Agriculture, Conservation and Forestry to obtain at least 2 appraisals to establish the fair market value of the 10 camp lots on West Richardson Pond that may be conveyed to the West Richardson Pond Public Lot Association pursuant to the resolve. The amendment also directs the director to ensure continued public access to West Richardson Pond by retaining state ownership of a specific lot in the Richardson Pond cottage lot subdivision.

Enacted Law Summary

Resolve 2013, chapter 56 allows the Director of the Division of Parks and Public Lands within the Department of Agriculture, Conservation and Forestry to lease rights and lands within the Coburn Mountain public reserved lands in Upper Enchanted Township, Somerset County to the United States Government or the United States Customs and Border Protection to maintain, operate, expand, modernize and improve existing public safety communications facilities. It also allows the director to sell 2 parcels of land in Dover-Foxcroft, Piscataquis County to an abutter, Dead River Company, to resolve a boundary issue. Resolve 2013, chapter 56 also allows the director to sell a parcel of land in Dover-Foxcroft, Piscataquis County to an abutter, McKusick Petroleum Company, to resolve a boundary issue. It also allows the director to sell parcels of land in Adamstown Township, Oxford County to the West Richardson Pond Public Lot Association. Resolve 2013, chapter 56 requires the Director of the Division of Parks and Public Lands within the Department of Agriculture, Conservation and Forestry to obtain at least 2 appraisals to establish the fair market value of the 10 camp lots on West Richardson Pond that may be conveyed to the West Richardson Pond Public Lot Association pursuant to the resolve. It also directs the director to ensure continued public access to West Richardson Pond by retaining state ownership of a specific lot in the Richardson Pond cottage lot subdivision.

LD 1531 **An Act To Maintain Access to Safe Medical Marijuana** **PUBLIC 371**
EMERGENCY

Sponsor(s)	Committee Report	Amendments Adopted
SAVIELLO	OTP-AM ONTP	S-271

This bill prohibits the use of pesticides in the cultivation of medical marijuana unless the pesticide is authorized by the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control. The bill directs the board to establish, for authorized use in the cultivation of medical marijuana, a list of minimum risk pesticides that are exempt from federal regulation under the Federal Insecticide, Fungicide and Rodenticide Act, Section 25(b).

Committee Amendment "A" (S-271)

This amendment, which is the majority report, strikes and replaces the bill but retains the emergency provisions. It

prohibits the use of a pesticide in the cultivation of medical marijuana unless the pesticide is exempt from federal registration requirements and is registered with the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control. The amendment requires that at least one applicator of an authorized pesticide must be certified by the board and all other employees of a registered dispensary or a registered primary caregiver who have direct contact with treated plants or who are involved in the handling of the pesticide must first complete the federal training requirements for agricultural workers or pesticide handlers.

Enacted Law Summary

Public Law 2013, chapter 371 prohibits the use of a pesticide in the cultivation of medical marijuana unless the pesticide is exempt from federal registration requirements and is registered with the Department of Agriculture, Conservation and Forestry, Board of Pesticides Control. Public Law 2013, chapter 371 requires that at least one applicator of an authorized pesticide must be certified by the board and all other employees of a registered dispensary or a registered primary caregiver who have direct contact with treated plants or who are involved in the handling of the pesticide must first complete the federal training requirements for agricultural workers or pesticide handlers.

Public Law 2013, chapter 371 was enacted as an emergency measure effective June 27, 2013.

LD 1567 **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 Late-filed Major Substantive Rule of the Department of Agriculture, Conservation and Forestry** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted

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 that was filed outside the legislative rule acceptance period.

This resolve was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, H-B (H-580) and H-C (H-582).

LD 1568 **Resolve, Regarding Legislative Review of Portions of Chapter 20: Special Provisions, a Late-filed Major Substantive Rule of the Department of Agriculture, Conservation and Forestry** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted

This resolve provides for legislative review of portions of Chapter 20: Special Provisions, a major substantive rule of the Department of Agriculture, Conservation and Forestry that was filed outside the legislative rule acceptance period.

This resolve was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, H-B (H-580) and H-C (H-582).

LD 1569 **Resolve, Regarding Legislative Review of Portions of Chapter 51: Notice of Aerial Pesticide Application, a Late-filed Major Substantive Rule of the Department of Agriculture, Conservation and Forestry** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted

This resolve provides for legislative review of portions of Chapter 51: Notice of Aerial Pesticide Application, a major substantive rule of the Department of Agriculture, Conservation and Forestry that was filed outside the legislative rule acceptance period.

This resolve was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, H-B (H-580) and H-C (H-582).

Joint Standing Committee on Agriculture, Conservation and Forestry

SUBJECT INDEX

Agricultural Events

Enacted		
LD 622	An Act To Amend the Laws Concerning Reciprocal Disciplinary Actions in Harness Racing and Pulling Events	PUBLIC 155 EMERGENCY

Agriculture

Enacted		
LD 5	An Act To Make Changes to the Potato Marketing Improvement Fund	PUBLIC 403

Agriculture - Policy

Enacted		
LD 2	Resolve, Regarding Legislative Review of Portions of Chapter 252: Rules Governing Certification of Seed Potatoes in the State of Maine, a Major Substantive Rule of the Department of Agriculture, Conservation and Forestry	RESOLVE 2 EMERGENCY
LD 286	An Act To Reduce Reporting Responsibilities of the Department of Agriculture, Conservation and Forestry	PUBLIC 29
LD 287	An Act To Improve Funding of Agricultural Development Projects	PUBLIC 64
LD 289	An Act To Eliminate the Requirement That the Department of Agriculture, Conservation and Forestry Provide Technical Services for Direct-marketing Agricultural Products	PUBLIC 65
LD 290	An Act To Eliminate the Forest Certification Incentive Cost-share Fund	PUBLIC 11
LD 292	Resolve, Directing the Department of Agriculture, Conservation and Forestry To Develop a Plan for the Protection of the Public Health from Mosquito-borne Diseases	RESOLVE 13
Not Enacted		
LD 707	An Act To Refund the Sales Tax Paid on Fuel Used in Commercial Agricultural Production	CARRIED OVER

Animal Control, Health and Welfare

Enacted		
LD 288	An Act Concerning Brucellosis Vaccines for Cattle	PUBLIC 17
LD 484	An Act To Revise the Animal Welfare Laws	PUBLIC 115
LD 1283	An Act To Amend the Laws Governing Animal Trespass	PUBLIC 348
Not Enacted		
LD 1239	An Act To Clarify, Streamline and Promote Fair Animal Welfare Laws	CARRIED OVER
LD 1285	An Act To Allow Law Enforcement Agencies Access to Animal Licensing Information	ONTP

Animal Control, Health and Welfare

Not Enacted		
LD 1307	**An Act To Establish the Livestock Damage Compensation Fund**	**MAJORITY (ONTP) REPORT**

Bottle Bill

Not Enacted		
LD 291	**An Act To Transfer Responsibility for the Returnable Beverage Container Laws from the Department of Agriculture, Conservation and Forestry to the Department of Environmental Protection**	**ONTP**

Bureau of Parks and Lands

Not Enacted		
LD 500	**An Act To Permit Tribal Members To Have Access to Wood Fiber for Fuel, Shelter and Traditional Woodcraft Production**	**CARRIED OVER**

Dairy

Enacted		
LD 789	**Resolve, To Establish the Task Force on Milk Tier Pricing**	**RESOLVE 67**
Not Enacted		
LD 368	**An Act To Ensure the Continuation of Dairy Farming**	**CARRIED OVER**

Department of Agriculture, Conservation and Forestry - Policy

Enacted		
LD 837	**An Act To Clarify the Laws Establishing the Department of Agriculture, Conservation and Forestry**	**PUBLIC 405**
Not Enacted		
LD 749	**An Act To Prohibit the Taking or Possession of a Natural Resource That Is on the Land of Another**	**ONTP**

Department of Agriculture, Conservation and Forestry -- Policy

Enacted		
LD 505	**Resolve, Directing the Commissioner of Agriculture, Conservation and Forestry To Conduct an Internal Review of the Snowmobile Trail Fund**	**RESOLVE 48 EMERGENCY**

Department of Agriculture, Conservation and Forestry - Regulation

Enacted		
LD 218	**An Act To Promote Small-scale Poultry Farming**	**PUBLIC 323**
LD 259	**An Act To Allow a Person To Rent a Slaughterhouse for the Slaughtering and Processing of Poultry**	**PUBLIC 252**
LD 657	**Resolve, Directing the Department of Agriculture, Conservation and Forestry To Review, Clarify and Update Its Rules Pertaining to the Maple Syrup Industry**	**RESOLVE 30**
LD 836	**An Act Regarding the Use of Mobile Poultry Processing Units**	**PUBLIC 304**
Not Enacted		
LD 271	**An Act To Facilitate the Processing of Livestock That Is Not for Resale**	**DIED BETWEEN HOUSES**

Department of Agriculture, Conservation and Forestry - Regulation

Not Enacted		
LD 1282	**An Act To Help Small Farmers in Selling Raw Milk and Homemade Food Products**	**VETO SUSTAINED**
LD 1286	**An Act To Protect Maine Communities by Prohibiting Horse Slaughter for Human Consumption and the Transport of Horses for Slaughter**	**DIED BETWEEN HOUSES**

Division of Parks and Lands

Not Enacted		
LD 269	**An Act To Provide Increased Opportunities on the Allagash Wilderness Waterway**	**DIED BETWEEN HOUSES**
LD 630	**An Act To Reserve Ten Percent of Campsites at State Parks for Maine Residents**	**ONTP**

Food Policy

Not Enacted		
LD 475	**An Act To Increase Food Sovereignty in Local Communities**	**MAJORITY (ONTP) REPORT**
LD 476	**Resolve, Directing the Department of Agriculture, Conservation and Forestry To Develop a Policy To Reduce Food Waste in All State-funded Institutions**	**ONTP**
LD 718	**An Act To Protect Maine Food Consumers' Right To Know about Genetically Engineered Food and Seed Stock**	**HELD BY GOVERNOR**
LD 745	**An Act To Promote Sustainable Food Policies**	**VETO SUSTAINED**
LD 1521	**Resolve, Directing the Department of Agriculture, Conservation and Forestry To Create a Pilot Program To Support the State's Small Food Processors**	**CARRIED OVER**

Land Preservation and Public Access

Enacted		
LD 524	**An Act To Change the Quorum Requirement for Meetings of the Land for Maine's Future Board**	**PUBLIC 92**

Land transactions

Enacted		
LD 312	**An Act To Release a Restriction on Former State Land in Passadumkeag Currently Owned by Dale Ross**	**P & S 12**
LD 1527	**Resolve, Authorizing the Department of Agriculture, Conservation and Forestry, Division of Parks and Public Lands To Convey Certain Lands and Enter into Certain Leases with the Federal Government**	**RESOLVE 56**
Not Enacted		
LD 493	**An Act To Provide Economic Development in Aroostook County through Expanded Sale and Lease of State-owned Land**	**DIED BETWEEN HOUSES**
LD 1170	**Resolve, Regarding the Transfer of State Property To Assist the Save the Depot Project in Greenville**	**ONTP**

Maine Forest Service

Enacted		
LD 59	An Act Relating to the Unlawful Cutting of Trees	PUBLIC 412
LD 284	An Act To Amend the Duties of the Division of Forestry	PUBLIC 18
LD 285	An Act To Electronically Issue Permits for Burning	PUBLIC 35
LD 457	An Act To Eliminate Certain Data Collection Requirements of the Forest Health and Monitoring Program of the Division of Forestry	PUBLIC 37
LD 714	An Act To Clarify the Laws Governing the Rule-making Authority of the Maine Forest Service	PUBLIC 196
LD 1051	An Act To Clarify the Authority and Responsibility of Forest Rangers	PUBLIC 130

Maine Land Use Planning Commission

Enacted		
LD 987	An Act To Amend the Procedures Used To Identify and Select Appointees to the Maine Land Use Planning Commission and To Make Other Technical Changes to the Agriculture, Conservation and Forestry Laws	PUBLIC 256
Not Enacted		
LD 262	An Act To Restore to Jimmy J. Soucy the Right To Maintain Existing Structures on Property in Sinclair	DIED BETWEEN HOUSES

Miscellaneous

Enacted		
LD 283	An Act To Eliminate the Elm Tree Restoration Fund	PUBLIC 12
LD 639	An Act To Require Payment Quotes in Service Contracts for the Harvesting and Hauling of Wood	PUBLIC 154
Not Enacted		
LD 421	An Act To Prohibit the Unauthorized Harvesting of Wild Mushrooms and Fiddleheads	MAJORITY (ONTP) REPORT
LD 838	Resolve, To Establish a Working Group To Study Issues Relating to Liability of Apiary Owners and Operators	MAJORITY (ONTP) REPORT

Pesticides

Enacted		
LD 33	Resolve, Regarding Pesticide Applications and Public Notification in Schools	RESOLVE 63 EMERGENCY

Pesticides and Pest Management

Enacted		
LD 903	An Act To Enhance the Development and Implementation of Integrated Pest Management Programs	PUBLIC 290
LD 1531	An Act To Maintain Access to Safe Medical Marijuana	PUBLIC 371 EMERGENCY
Not Enacted		
LD 961	An Act To Ensure Safe School Grounds	DIED BETWEEN HOUSES

Pesticides and Pest Management

Not Enacted		
LD 1391	**Resolve, To Provide a Pesticide Spraying Notification Process**	**MAJORITY (ONTP) REPORT**
LD 1567	**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 Late-filed Major Substantive Rule of the Department of Agriculture, Conservation and Forestry**	**CARRIED OVER**
LD 1568	**Resolve, Regarding Legislative Review of Portions of Chapter 20: Special Provisions, a Late-filed Major Substantive Rule of the Department of Agriculture, Conservation and Forestry**	**CARRIED OVER**
LD 1569	**Resolve, Regarding Legislative Review of Portions of Chapter 51: Notice of Aerial Pesticide Application, a Late-filed Major Substantive Rule of the Department of Agriculture, Conservation and Forestry**	**CARRIED OVER**

Regulated Products

Enacted		
LD 282	**An Act To Eliminate the Commercial Standard for Maine White-cedar Shingles**	**PUBLIC 13**
LD 658	**An Act To Change the Grade Standards of the Maine Maple Syrup Industry**	**PUBLIC 117**
LD 1009	**An Act Concerning Fertilizer and Lime Products**	**PUBLIC 204 EMERGENCY**
Not Enacted		
LD 525	**An Act To Promote Industrial Hemp**	**DIED ON ADJOURNMENT**
LD 1287	**An Act To Deregulate Face-to-face Transactions between the People and Small Farms and Small Food Producers**	**CARRIED OVER**

Soil and Water Conservation Districts

Not Enacted		
LD 377	**An Act To Provide Funding to Soil and Water Conservation Districts**	**HELD BY GOVERNOR**

AFA

STATE OF MAINE

126TH LEGISLATURE

FIRST REGULAR SESSION

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

JOINT STANDING COMMITTEE ON APPROPRIATIONS AND FINANCIAL AFFAIRS

July 2013

MEMBERS:

SEN. DAWN HILL, CHAIR
SEN. EMILY ANN CAIN
SEN. PATRICK S. A. FLOOD

REP. MARGARET R. ROTUNDO, CHAIR
REP. MICHAEL E. CAREY
REP. LINDA F. SANBORN
REP. MEGAN M. ROCHELO
REP. AARON M. FREY
REP. ERIK C. JORGENSEN
REP. KATHLEEN D. CHASE
REP. TOM J. WINSOR
REP. TYLER CLARK
REP. DENNIS L. KESCHL

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

LD 16 **An Act To Authorize a General Fund Bond Issue To Invest in Transportation Infrastructure** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
PEOPLES		

The funds provided by this bond issue, in the amount of $100,000,000, will be used to make improvements to state and local highways, roads and bridges, rail lines, public transportation and pedestrian trails.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 39 **An Act To Expand the Number of Qualified Educators** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
JOHNSON P		

This bill changes the law regarding the restoration of retired teachers to service by removing the provision that a retired teacher may be paid only 75% of the posted salary for the position and replaces the provision that a retired teacher may be restored to service for only up to 5 years with a provision that allows the retired teacher to be restored to service through one-year contracts.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 137 **An Act To Amend the Laws Governing Retirement under the Maine Public Employees Retirement System** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
HICKMAN SAVIELLO		

Under current law governing the Maine Public Employees Retirement System, the retirement benefit for a teacher or a state employee with creditable service of 25 years who had fewer than 10 years of creditable service on July 1, 1993 is reduced by 6% for each year that the member's age precedes 62 years of age. This bill provides that, for such a member who is 55 years of age or older on July 1, 2013 and who retires no earlier than July 1, 2013 and no later than June 30, 2014, the reduction amount is reduced to 2% for each year that the member's age precedes 62 years of age.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 138 **An Act To Amend the Laws Governing the Issuance of Bonds That Have Been Ratified by the Citizens of the State** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
KESCHL SAVIELLO		

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

This bill proposes to amend the laws governing the issuance of General Fund bonds that have been ratified at referendum by the citizens of the State. Under this bill, once the issuance of bonds is ratified at referendum, the bonds must be issued by the Treasurer of State unless the Treasurer of State determines, based on information available to the Treasurer of State, that:

1. The issuance of the bonds will adversely affect the credit rating of the State;

2. A delay in the issuance of the bonds will likely result in a more financially advantageous interest rate; or

3. Alternative funding sources are available to implement, within a comparable time frame, the projects and the purposes for which the bonds were authorized and ratified, and use of the alternative funding sources is fiscally preferable.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 186 **An Act To Amend the Laws Governing Disability Retirement Determinations by the Maine Public Employees Retirement System** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
BECK LACHOWICZ		

Under current law, when making determinations on applications for disability retirement, the Maine Public Employees Retirement System is required to consider the applicant's disability application, medical records and the analysis of a medical board that is designated by, and advisory to, the Maine Public Employees Retirement System. This bill provides instead that the retirement system may consider, but is not required to consider, the medical board's analysis.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 221 **An Act To Authorize a General Fund Bond Issue To Provide Funds for a Public-private Partnership for a New Science Facility at the Maine Maritime Academy** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
FREDETTE KATZ		

The funds provided by this bond issue, in the amount of $4,500,000, will be used for a public-private partnership for a building project for a new science facility at the Maine Maritime Academy to be matched by other funds.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 228 **An Act To Authorize a General Fund Bond Issue To Reduce Energy Costs by Weatherizing and Upgrading the Energy Efficiency of Maine Homes and Businesses and To Create Jobs by Providing for a Trained Workforce for Maine's Energy Future** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
BEAVERS BOYLE		

The purpose of this bill is to provide funds, through a General Fund bond issue, to reduce energy costs and to create jobs. 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.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 232 **An Act To Increase the Base for the Cost-of-living Increase for Retired State Employees and Teachers** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
SHERMAN		

This bill increases the base for the calculation of cost-of-living increases for retired teachers and state employees under the Maine Public Employees Retirement System from $20,000 to $30,000 beginning in 2014 and makes a grammatical correction.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 245 **An Act To Authorize a General Fund Bond Issue for Maintenance of State Armories** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
TUTTLE LUCHINI		

The funds provided by this bond issue, in the amount of $5,000,000, will be used to provide funds to repair and maintain armory property and facilities to remain in compliance with state and federal requirements.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as

amended by H-B (H-580) and H-C (H-582).

LD 250 **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, 2013**

PUBLIC 1
EMERGENCY

Sponsor(s)	Committee Report	Amendments Adopted
HILL ROTUNDO	OTP-AM	S-1 S-3 HILL

This bill is the Governor's proposed fiscal year 2012-13 Emergency Supplemental Budget.

Committee Amendment "A" (S-1)

This amendment is the unanimous report of the Committee in response to the Governor's proposed bill.

Senate Amendment "A" To Committee Amendment "A" (S-3)

This amendment strikes Part J and replaces it to provide that user fees from the use of state parks, historic sites and the Allagash Wilderness Waterway accrue to the General Fund after payment of any existing lease for Crescent Beach State Park. This amendment also directs the Commissioner of Agriculture, Conservation and Forestry to execute a lease for Crescent Beach State Park no later than April 24, 2013 and to report the terms and conditions of the lease, which may not exceed 5 years, to the Joint Standing Committee on Agriculture, Conservation and Forestry.

Enacted Law Summary

Public Law 2013, chapter 1 does the following.

PART A makes supplemental appropriations and allocations of funds for fiscal year 2012-13.

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

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

PART D authorizes the Department of Administrative and Financial Services to have more than one Deputy Commissioner. It also establishes the Director, Legislative Affairs and Communications position as a major policy-influencing position.

PART E does the following: 1) Limits the transfer to the reserve for retirement benefits at the close of fiscal year 2012-13; 2) Revises the distribution of available balances in the unappropriated surplus of the General Fund after all required deductions and adjustments; and 3) Repeals the provisions that would have authorized a transfer of up from the unappropriated surplus and the transfer of excess revenue from the Oxford Casino at the end of fiscal year 2012-13 to the Department of Health and Human Services to pay hospital settlements.

PART F transfers $14,096,679 from the K-12 Essential Programs and Services, Other Special Revenue Funds account in the Department of Education to the unappropriated surplus of the General Fund in fiscal year 2012-13.

PART G repeals the provision of law that directs the process for the renewal of contracts for the State's

wholesale liquor activities.

PART H authorizes the State Controller to recognize a receivable of up to $7,000,000 of estate tax revenue during fiscal year 2012-13.

PART I transfers $40,000,000 from the Maine Budget Stabilization Fund and $17,083,994 from the Reserve for General Fund Operating Capital to the General Fund unappropriated surplus in fiscal year 2012-13

PART J specifies that user fees from the use of state parks, historic sites and the Allagash Wilderness Waterway accrue to the General Fund after payments of any existing lease for Crescent Beach State Park and requires the Department of Agriculture, Conservation and Forestry to execute a lease for Crescent Beach State Park by a specified date and report the terms of the lease to the Joint Standing Committee on Agriculture, Conservation and Forestry. This Part is amended by Senate Amendment "A" to Committee Amendment "A" (S-3).

PART K transfers unexpended funds from the Harness Racing Commission program, operating account, Other Special Revenue Funds account in the Department of Agriculture, Conservation and Forestry to the unappropriated surplus of the General Fund.

PART L lapses $1,600,000 from the Department of Corrections - Capital Improvements, General Fund account to General Fund unappropriated surplus.

PART M transfers $1,000,000 in unexpended funds from the Tourism Marketing Promotion Fund, Other Special Revenue Funds account within the Department of Economic and Community Development to the unappropriated surplus of the General Fund.

PART N transfers funds from the Uncontrolled Sites Fund to the unappropriated surplus of the General Fund.

PART O lapses $2,000,000 from the General Purpose Aid for Local Schools, General Fund account within the Department of Education to General Fund unappropriated surplus.

PART P directs the Department of Health and Human Services to amend the rules of reimbursement for inpatient substance abuse services.

PART Q transfers the first $1,000,000 of unexpended Personal Services appropriations that would otherwise lapse to the Salary Plan program in the Department of Administrative and Financial Services to the unappropriated surplus of the General Fund.

PART R amends the requirement that the Commissioner of Education and the Commissioner of Labor identify General Fund savings to pay the cost of certain positions by removing the requirement that the funds come from savings from General Fund programs.

PART S changes the title of the Director, PK-20, Adult Education and Federal Programs Team to Chief Academic Officer.

PART T authorizes any unexpended balance in the Emergency Services Communication Bureau program, General Fund account at the close of fiscal year 2012-13 to be carried forward to be used for the purposes for which the funds were originally appropriated.

PART U authorizes the transfer by financial order of any available appropriation balance, including Personal

Services appropriation balances, within the Department of Health and Human Services to fully fund MaineCare cycle payments in fiscal year 2012-13 and gives similar authority for the psychiatric centers to transfer funds to fund an electronic medical records system.

PART V requires that any remaining balance in the Consent Decree program, General Fund account within the Department of Health and Human Services be carried forward for use in the next fiscal year.

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

PART X increases the amount of the transfer that Dirigo Health is required to make to the Department of Health and Human Services in fiscal year 2012-13.

PART Y authorizes one-time transfers from various Inland Fisheries and Wildlife Carrying Balances - General Fund accounts to fund position reclassifications.

PART Z authorizes the Judicial Department to transfer, in fiscal year 2012-13 only, all remaining Personal Services balances to the All Other line category in the Judicial Department, Courts - Supreme, Superior and District program, General Fund account.

PART AA transfers $3,000,000 from available Other Special Revenue Funds balances in the Department of Professional and Financial Regulation to the General Fund unappropriated surplus.

PART BB changes the funding source for 2 Workers' Compensation Board positions related to the enforcement of laws prohibiting the misclassification of workers.

PART CC authorizes the Governor to access any funds available to pay amounts owed by the Maine Commission on Indigent Legal Services up to $2,000,000 for fiscal year 2012-13.

PART DD transfers the responsibilities associated with the State Government Evaluation Act as it pertains to the Maine Public Employees Retirement System from the joint standing committee of the Legislature having jurisdiction over labor matters to the joint standing committee of the Legislature having jurisdiction over retirement matters.

PART EE requires the Department of Health and Human Services to apply for federal grants that might be available to assist with the implementation of the federal Patient Protection and Affordable Care Act and to assist with implementing required interfaces with information technology systems.

PART FF lapses available balances from the Law and Legislative Reference Library, the Legislature and the Office of Program Evaluation and Government Accountability to the General Fund unappropriated surplus.

PART GG directs the Department of Health and Human Services to reduce by 5% the reimbursement rates under the MaineCare program for licensed clinical professional counselors and licensed marriage and family therapists.

Public Law 2013, chapter 1 was enacted as an emergency measure effective March 6, 2013.

LD 273 **An Act Authorizing a General Fund Bond Issue To Fund the Dredging of Casco Bay and the Expansion of the Portland Fish Exchange** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
ALFOND WEAVER		

The funds provided by this bond issue, in the amount of $6,500,000, will be used for dredging Portland Harbor in Casco Bay and for improvements to the Portland Fish Exchange building.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 294 **An Act To Authorize a General Fund Bond Issue To Construct a Facility To Assist Maine Agriculture in Control of Animal and Plant Diagnostics** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
FREDETTE SHERMAN		

The funds provided by this bond issue, in the amount of $8,000,000, will be used to provide funds to assist Maine agriculture and to protect Maine farms through the creation of an animal and plant disease and insect control facility administered by the University of Maine Cooperative Extension Service.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 295 **An Act To Authorize a General Fund Bond Issue To Provide Weatherization Rebates for Veterans and Persons Eligible for Social Security** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
RUSSELL		

This bill directs the Efficiency Maine Trust to establish a weatherization rebate program for persons who receive social security retirement benefits or are veterans or dependents of veterans if a $75,000,000 general obligation bond to fund the program is approved by referendum.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 359 **An Act To Authorize a General Fund Bond Issue To Implement the Riverfront Island Master Plan** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
CRAVEN LIBBY N		

The funds provided by this bond issue, in the amount of $20,000,000, will be used to implement the Riverfront Island Master Plan along the Androscoggin River in Lewiston and Auburn.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 360 **An Act To Authorize a General Fund Bond Issue To Improve Rail Lines in Western Maine** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
CRAVEN CAREY		

The funds provided by this bond issue, in the amount of $18,000,000, will be used to improve rail lines in western Maine, particularly the rail line from Portland to Lewiston.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 378 **An Act To Authorize a General Fund Bond Issue To Complete Renovation of a Pier at the Gulf of Maine Research Institute** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
DION		

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

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 513 **An Act To Authorize a General Fund Bond Issue To Invest in Transportation, Broadband Infrastructure, Downtown Revitalization, Land for Maine's Future Board and Training Facilities for Tourism-related Training in Labor Market Areas with Higher-than-average Unemployment** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
LACHOWICZ KUSIAK		

The funds provided by this bond issue, in the amount of $85,000,000, 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 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 or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 636 **An Act To Authorize a General Fund Bond Issue To Support Public Higher Educational Facilities** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
CAIN TIPPING-SPITZ		

The funds provided by this bond issue, in the amount of $100,000,000, will be used to provide funds to renovate, make health and safety repairs and ensure compliance with the federal Americans with Disabilities Act of 1990, as amended, to the University of Maine System, the Maine Community College System and the Maine Maritime Academy.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 713 **An Act To Return Local Revenue Sharing to Full Funding** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
KATZ BLACK		

This bill establishes a plan to return the state-municipal revenue-sharing program to full funding over a 3-year period and replace the arbitrary fixed-dollar reductions used to reduce funding for local governments and balance the General Fund budget. This plan is intended to replace fixed-dollar reductions to this program and provide some long-term certainty in this revenue source for local governments.

The phased-in return to full 5% funding of the state-municipal revenue sharing starts with a transfer to the Local Government Fund of 3.5% of the revenue-sharing tax revenue collected during fiscal year 2013-14 and increases to 4% of revenue collected in fiscal year 2014-15 and finally to 5% of the revenue collected in fiscal year 2015-16 and thereafter. A portion of the transfers to the Local Government Fund are transferred each month to the Disproportionate Tax Burden Fund according to a scheduled phased-in increase to the percentage share. The Disproportionate Tax Burden Fund's share of total state-municipal revenue-sharing program distribution is unchanged from the current law.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 781 **An Act To Authorize a General Fund Bond Issue To Fund the Construction of a New State Archives Facility** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
BOLDUC		

The funds provided by this bond issue, in the amount of $25,000,000, will be used to provide funds for the construction of a new Maine State Archives facility to provide up-to-date storage space.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 782 **An Act To Authorize a General Fund Bond Issue To Support Science, Technology, Engineering and Mathematics Education To Enhance Economic Development** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
MACDONALD W		

The funds provided by this bond issue, in the amount of $50,000,000, 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 or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 790 **An Act To Repeal the Bonding Authority of the Maine Governmental Facilities Authority** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
SIROCKI		

This bill removes the Maine Governmental Facilities Authority's ability to issue bonds or negotiable securities beginning October 1, 2013.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 874 **An Act To Authorize a General Fund Bond Issue To Reduce the Cost of Shipping for Maine Businesses, Attract Tourists and Facilitate the Development of Commuter Rail Transportation** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
MAZUREK THERIAULT		

The funds provided by this bond issue, in the amount of $27,500,000, will be used to provide funds for railroad reconstruction and expansion to assist Maine's businesses by facilitating the shipment of goods and enhancing the ability of those businesses to compete. It requires that the Department of Transportation consult with the business and economic development sectors to develop a list of priorities in regard to railroad construction and reconstruction projects, focusing on projects important to tourism and projects with greatest potential for increased commuter and passenger rail service and taking into consideration the extent to which the proposed projects reduce the consumption of oil.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 904 **An Act To Clarify When Bonds May Be Issued** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
CAREY TUTTLE		

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

This bill proposes to amend the laws governing the issuance of General Fund bonds that have been ratified at referendum by the citizens of the State. Under this bill, once the issuance of bonds is ratified at referendum, the issuance of the bonds must be approved by the Governor unless the Governor determines, based on information available to the Governor, that:

1. The debt service on the bonds would be greater than the amount budgeted; or

2. The project or projects for which the bonds were authorized are not going forward and the funding to be provided by the bonds is not required.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 925 **An Act To Authorize a General Fund Bond Issue for Riverfront Community Development** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
LIBBY N CLEVELAND		

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

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 940 **An Act To Reestablish State-municipal Revenue-sharing as a Compact between the State and Municipal Governments** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
ALFOND EVES		

Beginning July 1, 2015, this bill restructures 2 funds that are the depositories of state-municipal revenue-sharing resources prior to distribution to municipalities as irrevocable trusts and renames the funds.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 942 **An Act To Authorize a General Fund Bond Issue To Invest in Deficient State Highways, Bridges and Aviation, Marine, Rail and Transit Facilities** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
MAZUREK THERIAULT		

The funds provided by this bond issue, in the amount of $120,000,000, will be used for improvements to highways and bridges and rail, aviation, pedestrian and bicycle and marine facilities and to replace transit buses. Highway and bridge investments will be in high-priority roads that are rated in poor or unacceptable condition. Funding is also provided to repair state aid minor collector highways in partnership with municipalities under the Secondary Road Program Fund. Bond funds will match federal, local and private funds providing a total match of at least $173,000,000.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1010 **An Act To Authorize a General Fund Bond Issue To Ensure Clean Water** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
CHIPMAN		

The funds provided by this bond issue, in the amount of $50,000.000, will be used to provide funds for the Maine Clean Water Fund to assist municipalities in achieving clean water by addressing various water quality issues and mandates, including, but not limited to, separate and combined sewer and storm water overflow and sewage treatment.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1011 **An Act To Authorize a General Fund Bond Issue To Upgrade Facilities and Purchase Classroom Equipment for Maine's Seven Community Colleges** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
FREDETTE LANGLEY		

The funds provided by this bond issue, in the amount of $15,000,000, will be used to provide funds to renovate and provide for new facilities and to fund a backlog of projects at the 7 Maine community colleges, of which $13,800,000 is for renovation and new facilities and $1,200,000 is for funding a backlog of projects.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1043 **An Act To Authorize a General Fund Bond Issue and To Assist in the Creation of Jobs through Regional Economic Development** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
BERRY CUSHING		

Part A provides funds in the amount of $10,000,000 to be used to provide funds for state, regional and local financial intermediaries to make flexible loans to and investments in small businesses and real estate projects to create jobs.

Part B amends the laws regarding the Regional Economic Development Revolving Loan Program of the Finance Authority of Maine to include revitalization of downtowns and building stronger communities and a sustainable economy as purposes of the program. It clarifies that a corporation under the program may use revenue from commitment fees and interest to cover its operating costs, including loan fund management, increases the dollar amount of the maximum loan available to a borrower and adjusts other financing terms. It also adds businesses engaged in commercial and mixed-use real estate and community facilities and businesses engaged in serving tourists to the list of businesses that are eligible for financial assistance under the program. Part B takes effect only if the General Fund bond issue proposed in Part A is approved by the voters of the State.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1052 **An Act To Authorize a General Fund Bond Issue To Improve Intermodal Infrastructure** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
FARNSWORTH HASKELL		

The funds provided by this bond issue, in the amount of $20,000,000, will be used to provide funds to reconfigure, repair, maintain and improve the intermodal infrastructure in the State, including but not limited to rail, truck, marine and air transit modes.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1090 **An Act To Authorize a General Fund Bond Issue To Expand Nursing Programs at Maine's Seven Community Colleges** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
HASKELL RUSSELL		

The funds provided by this bond issue, in the amount of $15,000,000, will be used to provide funds to expand nursing programs at the 7 Maine community colleges.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1095 **An Act To Authorize a General Fund Bond Issue To Improve Highways, Bridges and Multimodal Facilities** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
FLOOD THERIAULT		

The funds provided by this bond issue, in the amount of $100,000,000, will be used for reconstruction and rehabilitation of highways and bridges and for facilities or equipment related to ports, harbors, marine transportation, freight and passenger railroads, aviation and transit, matching an estimated $154,000,000 in federal and other funds.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1101 **An Act To Authorize a General Fund Bond Issue To Support Waterfront Development** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
HASKELL CAREY		

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, environmental and community development and revitalization along the State's waterfronts, promote economic activity, protect the environment and enhance the quality of life for Maine people.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1105 **An Act To Authorize a General Fund Bond Issue To Revitalize Maine's Downtowns through Innovative Business Development and the Creative Economy** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
ALFOND GRANT		

The funds provided by this bond issue, in the amount of $10,000,000, 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 or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1125 **An Act To Authorize a General Fund Bond Issue To Expand Public Water Infrastructure to Areas with Contaminated Well Water** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
SHAW		

The funds provided by this bond issue, in the amount of $2,000,000, will be used to establish a grant program to expand public water infrastructure to areas that experience well-water contamination.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1142 **An Act Regarding Correctional Officers' Retirement** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
DECHANT		

This bill provides that, for purposes of determining retirement benefits under the Maine Public Employees Retirement System, state and county corrections employees are entitled to receive service credit for any period during which the employee was employed but unable to work due to a work-related injury compensable under the Maine Workers' Compensation Act of 1992.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1163 **An Act To Authorize a General Fund Bond Issue To Fund Main Street and Downtown Economic Development Projects** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
GOODALL DECHANT		

The funds provided by this bond issue, in the amount of $20,000,000, will be used to provide funds for main street and downtown economic development projects, with $12,000,000 to be awarded to municipalities that are not automatic recipients of federal Community Development Block Grant funds and $8,000,000 to be awarded through open competitive grants for all municipalities.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1175 **An Act To Amend the Laws Governing Retirement Benefits for Capitol Police Officers** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
SAVIELLO KESCHL		

This bill provides that service retirement benefits for a Capitol Police officer in the employment of the Department of Public Safety be computed on the basis of all of the member's creditable service, regardless of when that service was earned.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1180 **An Act To Authorize a General Fund Bond Issue for the Maine Community Reinvestment and Job Creation Fund** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
GERZOFSKY PRIEST		

The funds provided by this bond issue, in the amount of $25,000,000, will be used to establish the Maine Community Reinvestment and Job Creation Fund, to benefit Brunswick Landing, formerly the Brunswick Naval Air Station, and to benefit the Loring Development Authority of Maine.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1223 **An Act To Authorize a General Fund Bond Issue To Support the Maine Technology Institute's Action Plan Implementation** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
CAIN DILL		

The funds provided by this bond issue, in the amount of $50,000,000, will be used to provide funds over 5 years for research, development and commercialization for targeted technology sectors, awarded after a competitive process administered by the Department of Economic and Community Development, Maine Technology Institute.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1385 **An Act To Amend the Reporting Requirements of the Workers' Compensation Management Fund** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
FITZPATRICK		

Current law requires the Commissioner of Administrative and Financial Services to provide to the State Budget Officer and departments and agencies notice of quarterly premium payments due to the Workers' Compensation Management Fund so that the charges may be incorporated into the normal budgetary process. This bill instead requires the Department of Administrative and Financial Services, Division of Employee Health and Benefits to inform the State Budget Officer of the premium charges for the fiscal year, and directs the State Budget Officer to advise any affected department or agency so those charges may be incorporated into the normal budgetary process. This bill also removes transitional language that was applicable in the 114th Legislature.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1395 **An Act Regarding the Cost-of-living Adjustment for Certain State Retirees When the Cost of Living Declines** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T		

This bill provides that the public employee pension adjustment for changes in the Consumer Price Index does not include downward adjustments to achieve cost-neutrality attributable to a decrease in the Consumer Price Index for years prior to a retiree's retirement.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1418 **An Act To Authorize a Matching General Fund Bond Issue for Improvements to the Seven Community College Campuses** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
CAMPBELL R		

The funds provided by this bond issue, in the amount of $10,000,000, will be used to provide matching funds for the 7 Maine community colleges in order to improve facilities, enhance education grant-issuing foundations and expand academic bridge programs after the Maine community colleges raise $2,500,000 in private or in-kind donations.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1440 **An Act To Amend the Retirement Laws Pertaining to Participating Local Districts** **PUBLIC 391**

Sponsor(s)	Committee Report	Amendments Adopted
ROTUNDO	OTP-AM	H-568

This bill amends specific defined benefit plan provisions that apply to members of the Participating Local District Consolidated Retirement Plan administered by the Maine Public Employees Retirement System as a result of recommendations of the Participating Local District Advisory Committee, a committee established by statute that represents both the labor and management interests of participating local districts.

1. Allows the Board of Trustees of the Maine Public Employees Retirement System to establish by rule the rate at which plan members contribute.

2. Reduces the cost-of-living adjustment cap from 4% to 3%.

3. Increases from 6 to 12 months the length of time that a retiree must be retired in order to receive a cost-of-living increase.

4. Raises the normal retirement age from 60 to 65 years of age for new hires.

5. Increases the early retirement reduction from 2 1/4% to 6% for new hires.

Committee Amendment "A" (H-568)

This amendment directs the Maine Public Employees Retirement System to review the statutory provisions governing the Participating Local District Retirement Program and the Participating Local District Consolidated Retirement Plan and report to the Joint Standing Committee on Appropriations and Financial Affairs no later than January 15, 2014. This amendment also provides that the committee may submit a bill to the Second Regular Session of the 126th Legislature upon receipt and review of the report.

Enacted Law Summary

Public Law 2013, chapter 391 amends specific defined benefit plan provisions that apply to members of the Participating Local District Consolidated Retirement Plan administered by the Maine Public Employees Retirement System as a result of recommendations of the Participating Local District Advisory Committee, a committee established by statute that represents both the labor and management interests of participating local districts.

1. It allows the Board of Trustees of the Maine Public Employees Retirement System to establish by rule the rate at which plan members contribute.

2. It reduces the cost-of-living adjustment cap from 4% to 3%.

3. It increases from 6 to 12 months the length of time that a retiree must be retired in order to receive a cost-of-living increase.

4. It raises the normal retirement age from 60 to 65 years of age for new hires.

5. It increases the early retirement reduction from 2 1/4% to 6% for new hires.

In addition, the law directs the Maine Public Employees Retirement System to review the statutory provisions governing the Participating Local District Retirement Program and the Participating Local District Consolidated Retirement Plan and report to the Joint Standing Committee on Appropriations and Financial Affairs no later than January 15, 2014.

LD 1455 **An Act To Authorize a General Fund Bond Issue To Ensure Clean Water and Safe Communities** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
GOODALL BERRY		

This bill authorizes a bond issue in the amount of $50,000,000 in order to make cost-effective investments in natural and built infrastructure to reduce threats to the State's water resources and provide a host of benefits for communities across Maine, including ensuring an abundant and high-quality drinking water supply, allowing communities to more effectively prepare for storms and flood events, conserving habitat for recreational fisheries, waterfowl and aquatic and wildlife species and strengthening the State's long-term economic base and competitive advantage. The bill establishes the Water Resources Commission and the Fund To Ensure Clean Water and Safe Communities. The commission is charged with assessing the State's water resource infrastructure needs and with allocating funds for resource conservation and development projects.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as

amended by H-B (H-580) and H-C (H-582).

LD 1461 **An Act To Require the State To Divest Itself of Assets Invested in the Fossil Fuel Industry** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
JONES LACHOWICZ		

This bill requires the State to divest itself of assets invested in the fossil fuel industry.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1473 **An Act To Create a Public Option Pension System** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
RUSSELL		

This bill establishes the Maine Secure Choice Retirement Savings Trust within the Department of Labor and does the following.

1. It requires eligible employers to offer a payroll deduction retirement savings arrangement so that eligible employees can contribute a portion of their salary or wages to a retirement savings program account in the Maine Secure Choice Retirement Savings Program, also created by the bill.

2. It requires an eligible employee to participate in the Maine Secure Choice Retirement Savings Program, unless the employee specifically opts out of the program. The Bureau of Labor Standards is required to provide forms to employers for employees to opt out of the program.

3. The bill creates the 7-member Maine Secure Choice Retirement Savings Investment Board to administer the trust.

4. It specifies risk management and investment policies that the board must follow in administering the program.

5. The bill requires a specific percentage of the annual salary or wages of an eligible employee participating in the program to be deposited in the trust, which is divided into a program fund and an administrative fund. It authorizes the board to establish a gain and loss revenue account within the program fund.

6. The bill, contingent upon sufficient interest and funding by vendors, requires the board to establish a retirement investment clearinghouse on the Internet and a vendor registration process through which information about employer-sponsored retirement plans and payroll deduction individual retirement accounts and annuities offered by private sector providers is available for consideration by eligible employers.

7. It requires the Bureau of Labor Standards to assess a penalty on an eligible employer that fails to make the program available to eligible employees.

8. It provides that the State has no liability for the payment of benefits under the program.

9. The bill directs the board to conduct a market analysis to determine whether the necessary conditions needed to implement the provisions of the trust can be achieved. The analysis may be conducted only when sufficient funding

from the nonprofit or private sector or from state or federal government is available. The provisions of the bill establishing the Maine Secure Choice Retirement Savings Investment Board and the trust are repealed December 31, 2015 unless the board reports to the Legislature the board's determination, through the market analysis, that those provisions of the trust are self-sustaining and that funds exist to allow the board to implement the program until sufficient funds become available to make it self-sustaining and the Legislature takes action based on the board's determination. It requires the board to ensure that insurance, annuity or other funding mechanisms are in place to protect the value of individuals' accounts.

10. The bill prevents the board from implementing the trust if the IRA arrangements offered fail to qualify for favorable federal income tax treatment ordinarily accorded to IRAs under the Internal Revenue Code or if the program is determined to be an employee benefit plan under the federal Employee Retirement Income Security Act.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1492 **An Act To Authorize a General Fund Bond Issue To Strengthen Maine's Economy and Communities** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
KATZ ROTUNDO		

The funds provided by this bond issue, in the amount of $85,000,000, will be used to provide funds for development projects for the Communities for Maine's Future Program; for capital investment in programs to train workers for which there is a demonstrated need; for research and development and commercialization of technology; for infrastructure repairs and improvements for public transport and public trails; and for wastewater and safe drinking water infrastructure improvements.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1509 **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, 2014 and June 30, 2015** **PUBLIC 368 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
CHASE HILL	OTP-AM	H-468 H-499 ROTUNDO

This bill is the Governor's proposed 2014-2015 Biennial Budget.

Committee Amendment "A" (H-468)

This amendment is the unanimous report of the Committee in response to the Governor's proposed bill.

House Amendment "P" To Committee Amendment "A" (H-499)

This amendment is a technical amendment that makes the following corrections to Committee Amendment "A".

1. It clarifies that the reduction in funding for prescription drugs and crossover payments relates to nondual

Medicare Savings Program members.

2. It makes a correction in an appropriations and allocations section.

3. It corrects language regarding the calculation of net reduction in funding for purposes of adjustments to the property tax levy limit.

4. It makes a technical correction to make consistent the language regarding the counting of benefits as income when determining eligibility for general assistance.

5. It reduces funding for the Maine Apprenticeship Program to offset an inadvertent overfunding.

6. It continues until August 1, 2013 all limited-period positions throughout State Government that are scheduled to expire during June of 2013.

Enacted Law Summary

Public Law 2013, chapter 368 does the following.

PART A makes appropriations and allocations of funds for the 2014-2015 biennium. Portions of this Part were amended by House Amendment "P" to Committee Amendment "A" (H-499).

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 authorizes the Department of Administrative and Financial Services to enter into financing arrangements in fiscal years 2013-14 and 2014-15 for the acquisition of motor vehicles for the Central Fleet Management Division.

PART E limits funding for merit increases to fiscal year 2013-14 only. It also does the following in relation to longevity payments: 1) eliminates payments to individuals not eligible on June 30, 2013; 2) maintains the longevity payment level for those eligible on June 30, 2013 at the rate in effect on June 30, 2013; and 3) extends the limitation on longevity payments to the legislative branch and the judicial branch.

PART F directs the Director of the Governor's Office of Policy and Management to analyze the structure and functions of government to identify $11,250,000 in savings to be achieved administratively in fiscal year 2013-14 and $22,500,000 in savings in fiscal year 2014-15. It also directs the Department of Administrative and Financial Services, Bureau of the Budget and the Executive Department, Governor's Office of Policy and Management to undertake a review of positions within executive branch departments and agencies and identify up to 100 positions to be eliminated.

PART G changes the process for adjustments to the property tax levy limit under the so-called LD 1 spending limitation system. This Part was amended by House Amendment "P" to Committee Amendment "A" (H-499).

PART H amends the statutory provisions pertaining to the active and retired state employee health insurance plan and the state contribution to the health insurance premiums for retired teachers; and reduces funding as a result of the specified changes and new actuarial projections of the cost of retiree health insurance.

PART I continues the voluntary employee incentive program through the 2014-2015 biennium.

PART J adjusts revenue sharing for the 2014-2015 biennium by extending the annual transfers back to the General Fund from the Local Government Fund to target total revenue sharing transfers to specified amounts.

PART K changes the reimbursement under the Business Equipment Tax Reimbursement (BETR) program and establishes a task force to review options for transitioning business equipment from the BETR program to the Business Equipment Tax Exemption (BETE) program.

PART L provides for Maine residents with a specified Maine adjusted gross income a refundable property tax fairness credit against state income taxes and terminates the Circuitbreaker Program and municipal property tax assistance programs.

PART M increases the tax on sales of prepared food, lodging and liquor sold in bars and restaurants and similar licensed establishments to 8% and the general sales tax to 5.5% from October 1, 2013 to June 30, 2015 and specifies the percentage transferred to the Tourism Marketing Promotion Fund during this period.

PART N provides that the sales tax applies to the sale of products transferred electronically in this State if the product would be subject to the sales tax if sold in a nondigital physical form.

PART O changes in the statutes related to payments to municipalities for adjustments to state valuation for sudden and severe disruption of municipal valuation. This Part is further amended by Public Law 2013, chapter 385 (LD 1570).

PART P repeals the sales tax exemption for certain publications.

PART Q suspends the inflation adjustment for income tax brackets for tax years beginning in 2014 and 2015 and provides that the inflation adjustment calculation for tax years beginning after 2015 must be based on the Chained Consumer Price Index instead of the Consumer Price Index.

PART R repeals the requirement that the state budget document contain the prioritized public improvements budget estimate.

PART S establishes the Tax Expenditure Review Task Force to evaluate tax expenditures and recommend the repeal or reduction of tax expenditures to achieve a specified savings.

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

PART U 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.

PART V transfers the powers and duties of the liquor enforcement division within the Department of Public Safety to the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations.

PART W recognizes an increase in the attrition rate for the 2014-2015 biennium for judicial branch and executive branch departments and agencies.

PART X creates an unclassified communications position within the Department of Agriculture, Conservation and Forestry.

PART Y changes the accounting structure to separate the milk pool program and the dairy stabilization support program.

PART Z transfers $4,000,000 from the General Fund unappropriated surplus to the Maine Budget Stabilization Fund no later than June 30, 2015.

PART AA requires the Commissioner of Administrative and Financial Services to convene a task force of Legislators and interested parties to review options for imposing a temporary assessment on larger nonprofit organizations.

PART BB requires the State Court Administrator to adjust upward the salaries of the State's chief justices, chief judge, deputy chief judge, associate justices and associate judges by a specified percentage on July 1, 2013 and July 1, 2014 instead of the percentage change in the Consumer Price Index.

PART CC increases the fee paid to nonsalaried medical examiners and nonsalaried medicolegal death investigators for an inspection and view.

PART DD adds the Chief Medical Examiner account within the Department of the Attorney General to the list of accounts exempt from lapsing unexpended General Fund Personal Services appropriations to the Salary Plan program.

PART EE increases the assessments imposed on persons convicted of crimes that accrue to the Victims' Compensation Fund.

PART FF 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.

PART GG allows the Department of Corrections to carry unexpended Personal Services balances to the Capital Expenditures line category in the following year.

PART HH authorizes the Commissioner of Corrections to use up to $250,000 to conduct an independent feasibility study of the need for correctional construction projects in the Town of Windham.

PART II makes the Deputy Chief of Staff within the Department of Education subject to appointment by the commissioner.

PART JJ authorizes the Department of Education to purchase portable computer devices for students and educators.

PART KK provides that the Commissioner of Education is required to employ at least one consultant whose responsibility includes, but is not limited to, covering the area of truancy, dropouts and alternative education.

PART LL lapses funds from accounts within the legislative branch to the unappropriated surplus of the General Fund.

PART MM suspends both primary and general election distributions to gubernatorial candidates during the 2014 election cycle and makes changes to the transfers to the Maine Clean Election Fund for the legislative elections.

PART NN requires the Department of Health and Human Services to continue to review the rate methodology for reimbursement under the Section 21 and Section 29 waivers and report on its recommended reimbursement levels.

PART OO amends the food supplement and Temporary Assistance for Needy Families programs for legal aliens to limit eligibility to those noncitizens who are unemployed but who have obtained proper work documentation and makes changes to the general assistance program. This Part was amended by House Amendment "P" to Committee Amendment "A" (H-499).

PART PP requires the Department of Health and Human Services to pursue an appropriate setting to provide

intravenous sedation dental services in the Portland area.

PART QQ updates the base year for the hospital tax to 2012 and keeps it at that level.

PART RR allows Commissioner of Agriculture, Conservation and Forestry to expend up to a specified percentage of the funds available from the Agriculture Fair Support Fund for administration.

PART SS requires the Department of Health and Human Services to amend the so-called Section 21 and Section 29 MaineCare waivers to permit reimbursement for the use of appropriate technology as a means to reduce cost and to incorporate the recommendations of the adult developmental services working group into the planning process.

PART TT does the following: 1) updates references to the United States Internal Revenue Code of 1986 contained in the Maine Revised Statutes; 2) amends the allowable standard deduction to not conform with the larger federal married joint standard deduction; 3) enacts a limitation on the itemized deductions for income tax years beginning on or after January 1, 2013; 4) enacts new addition and subtraction modifications for individual and corporate income taxes to decouple Maine bonus depreciation deductions from the federal bonus depreciation deductions; 5) enacts a new credit section extending the Maine capital investment credit for taxable years beginning in 2013; and 6) enacts an annual inflation adjustment to the itemized deduction limitation amount.

PART UU gives the Department of Health and Human Services the authority to adopt emergency rules to implement any provisions of this Act.

PART VV requires the Commissioner of Health and Human Services to standardize room and board rates for adult mental health residential.

PART WW establishes a working group convened by the Commissioner of Administrative and Financial Services to review mandates imposed by the State on municipalities.

PART XX 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 each year of the biennium.

PART YY transfers funds from the Carrying Balances - Inland Fisheries and Wildlife, General Fund account to the Administrative Services - Inland Fisheries and Wildlife, General Fund account to fund security improvements and renovations at the Gray headquarters facility.

PART ZZ delays until the 2016-2017 biennium the increase to Department of Inland Fisheries and Wildlife appropriations by 18% over the requested amount (also known as "The Fiscal Stability Program").

PART AAA amends language pertaining to watercraft revenue distribution between the Department of Inland Fisheries and Wildlife and the Department of Marine Resources.

PART BBB establishes a working group to be convened by the Director of the Division for the Blind and Visually Impaired within the Department of Labor to review the Department of Labor's business enterprise program.

PART CCC creates an Assistant to the Commissioner for Communications position within the Department of Marine Resources as a major policy-influencing position in the unclassified service, subject to appointment by the Commissioner of Marine Resources and eliminates the Special Assistant to the Commissioner position.

PART DDD renames 2 programs and establishes 2 programs in the Department of Marine Resources.

PART EEE requires that the funding for the Department of Public Safety, Bureau of State Police be provided 35%

from the Highway Fund and 65% from the General Fund beginning in fiscal year 2013-14.

PART FFF authorizes the Department of Administrative and Financial Services to enter into financing arrangements in fiscal years 2013-14 and 2014-15 for the acquisition of motor vehicles for the Department of Public Safety, Bureau of State Police.

PART GGG provides the transition provisions applicable to the transfer of 4 positions and the responsibility of those positions from the Department of Administrative and Financial Services to the Public Utilities Commission.

PART HHH authorizes members of the State Board of Education to be reimbursed for expenses.

PART III requires the State Controller to transfer $250,000 in fiscal year 2013-14 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 JJJ allocates part of the University of Maine cooperative extension pesticide education funds for fiscal years 2013-14 and 2014-15 for applied research and extension on spotted wing drosophila with input from the small fruit industry and to integrated pest management with input from the University of Maine Wild Blueberry Advisory Committee.

PART KKK provides for an interfund advance from Other Special Revenue Funds to the General Fund unappropriated surplus required for one day at the end of fiscal year 2013-14.

PART LLL requires the State Controller to transfer $1,050,000 from the General Fund unappropriated surplus to the Leased Space Reserve Fund, Other Special Revenue Funds account within the Department of Administrative and Financial Services no later than June 30, 2014.

PART MMM adds the Medicaid Waiver for Brain Injury Residential/Community Services program and the Medicaid Waiver for Other Related Conditions program to the list of programs whose funds do not lapse at the end of the fiscal year.

PART NNN authorizes new Maine Governmental Facilities Authority borrowing in fiscal year 2013-14 and fiscal year 2014-15 to provide funding for repairs to state facilities, including appropriations for the additional debt service costs, and authorizes financing agreements for heating system changes of up to a specified amount.

PART OOO requires that the balance in the Department of Public Safety, Criminal Justice Academy program, General Fund account at the close of fiscal year 2013-14 may not lapse and must be carried forward for its original purpose.

PART PPP directs the Department of Health and Human Services to amend its rules to pay a distinct psychiatric unit discharge rate for certain patients and to provide a specified reimbursement rate for inpatient substance abuse services.

PART QQQ requires the State Controller to transfer $2,500,000 from the Competitive Skills Scholarship Fund in the Department of Labor to the General Fund unappropriated surplus no later than June 30, 2014.

PART RRR establishes the rates of compensation for indigent legal services for fiscal years 2013-14 and 2014-15 and revises the rule-making authority of the commission to provide that rules concerning future changes to rates of compensation for assigned counsel and contract counsel are major substantive rules.

PART SSS 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.

PART TTT renames several programs within the Department of Health and Human Services.

PART UUU increases the limit for the special housing allowance for TANF families beginning October 1, 2013.

PART VVV extends authority to transfer balances in certain MaineCare General Fund accounts by financial order through June 30, 2015 and adds the Medicaid Waiver for Brain Injury Residential/Community Services program and the Medicaid Waiver for other Related Conditions program to the list of MaineCare programs between which transfers may be made.

PART WWW does the following: 1) authorizes the transfer by financial order of any available appropriations to MaineCare in order to fully fund weekly cycle payments; 2) prohibits transfers from the IV-E Foster Care/Adoption Assistance and State-funded Foster Care/Adoption Assistance programs except transfers between the 2 programs; and 3) authorizes the 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 XXX authorizes the Department of Corrections to transfer All Other funds by financial order between accounts within the same fund for the purposes of paying food, heating and utility expenses.

PART YYY 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 between July 1st and December 1st of each fiscal year. Any transfers resulting in a mission change or facility closure must have legislative review.

PART ZZZ segregates funding for vocational and industry programs and transfers the ending balances of the current industries enterprise account and portions of Other Special Revenue Funds accounts to a new industries enterprise account and specifies transfers of unexpended funds in existing facility industry accounts.

PART AAAA moves the budgetary and administrative responsibility for the displaced homemakers program from the Department of Labor to the University of Maine System.

PART BBBB amends the amount of funds available to the State authorized to be transferred by the Governor by financial order to the Maine Commission on Indigent Legal Services in the fiscal year ending June 30, 2013.

PART CCCC changes the name of the Bureau of Child and Family Services to the Office of Child and Family Services within the Department of Health and Human Services.

PART DDDD requires the State Controller to transfer the remaining balance from the Maine Community Policing Institute Surcharge Fund, Other Special Revenue Funds account within the Board of Trustees of the University of Maine System to the unappropriated surplus of the General Fund by the close of fiscal year 2013-14.

PART EEEE expands the use of the endowment to the Lewiston-Auburn College in the University of Maine System originally seeded to provide fellowships to student teachers to include student teachers in secondary schools and early childhood studies and allows the endowment to be used for internships or scholarships.

PART FFFF transfers funds from the Bureau of Revenue Services Fund program, Internal Service Fund in the Department of Administrative and Financial Services to the General Fund unappropriated surplus in fiscal year 2014-15.

PART GGGG requires the State Controller to transfer $100,000 from the Elderly Tax Deferral Program, Other

Special Revenue Funds account to the General Fund unappropriated surplus no later than June 30, 2015.

PART HHHH requires the State Controller to transfer $200,000 from the Bureau of Revenue Services Fund, Internal Service Fund account in the Department of Administrative and Financial Services to the General Fund unappropriated surplus by June 30, 2013.

PART IIII requires the State Controller to transfer $185,000 from the Elderly Tax Deferral Program, Other Special Revenue Funds account in the Department of Administrative and Financial Services to the General Fund unappropriated surplus by June 30, 2013.

PART JJJJ allows the members of the Maine Charter School Commission to receive per diem at the legislative rate in addition to being reimbursed for expenses.

PART KKKK authorizes the Department of Administrative and Financial Services to enter into financing arrangements for various information technology projects for amounts not to exceed $7,500,000 in principal costs and not to exceed 7 years in duration.

PART LLLL removes the requirement that expenditures from the Nonreserved Public Lands Management Fund and the Public Reserved Lands Management Fund in the Department of Agriculture, Conservation and Forestry; the Whitewater Rafting Fund in the Department of Inland Fisheries and Wildlife; and the Marine Fisheries Research and Development Fund in the Department of Marine Resources be subject to legislative approval in the same manner as General Fund appropriations.

PART MMMM requires the Department of Health and Human Services to develop recommendations to achieve payment parity between hospital-compensated and non-hospital-compensated physicians.

PART NNNN requires the State Controller to transfer $300,000 in fiscal year 2013-14 and $500,000 in fiscal year 2014-15 from the Dirigo Health Enterprise Fund to the unappropriated surplus of the General Fund.

PART OOOO extends the service provider tax to group residential services for people with brain injuries.

PART PPPP transfers $1,200,000 in fiscal year 2013-14 and $500,000 in fiscal year 2014-15 from the Revenue Services - Bureau of program, Other Special Revenue Funds account to the General Fund unappropriated surplus.

PART QQQQ 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 RRRR increases the amount transferred from the K-12 Essential Programs and Services, Other Special Revenue Funds account to the unappropriated surplus of the General Fund by fiscal year 2012-13 and requires transfers in each year of the biennium.

PART SSSS repeals the Clean Fuel Vehicle Fund and transfers cash balances to the General Fund unappropriated surplus and requires the Finance Authority of Maine to pay $37,033 from contributions and interest earned in the Clean Fuel Vehicle Fund to the State as undedicated General Fund revenue.

PART TTTT authorizes the State Budget Officer to calculate and transfer the savings to General Fund accounts for a decrease in rates from the risk management division within the Department of Administrative and Financial Services.

PART UUUU authorizes the State Budget Officer to calculate and transfer the savings to General Fund accounts achieved by converting state office buildings in the Augusta area to natural gas heat.

PART VVVV extends the exemption for aircraft and aircraft parts from the sales and use tax until June 30, 2021 and requires the joint standing committee of the Legislature having jurisdiction over taxation matters review the tax exemption.

PART WWWW requires the Department of Health and Human Services to restore MaineCare reimbursement rates for services provided by licensed clinical professional counselors and licensed marriage and family therapists to levels in place prior to March 1, 2013.

PART XXXX repeals the premium tax on malt liquor, wine, low-alcohol spirits products, fortified wines and hard cider and increases the excise tax on these items by the amount of the premium and requires that at least 31% of the excise tax collected to be appropriated to the Department of Health and Human Services for substance abuse prevention and treatment.

PART YYYY requires that legal notices appearing in a newspaper also appear on any publicly accessible website that the newspaper maintain and prohibits a newspaper from charging an executive branch agency a rate for publishing legal notices that is greater than the rate the newspaper charges the Legislature

PART ZZZZ requires the State Controller to transfer $100,000 from the Criminal History Record Check Fund program, Other Special Revenue Funds account in the Department of Education to the General Fund unappropriated surplus.

PART AAAAA makes changes to statutes regarding reimbursement under the MaineCare program for opioid drugs for the treatment of pain.

PART BBBBB authorizes the State Budget Officer to transfer up to $500,000 by financial order from the Department of Corrections - Capital Improvements, General Fund account to the State Board of Corrections in fiscal year 2012-13.

PART CCCCC specifies reporting requirement for the expanded "Bring College to ME Program" under the Maine Community College System and the development of criteria for a scholarship program for adults with prior education credits under the University of Maine System and establishes the "Foreign-trained Worker Pilot Project" within the Department of Education. This Part was originally contained in LD 90 as amended by the Joint Select Committee on Maine's Workforce and Economic Future.

PART DDDDD amends the laws governing the Education Coordinating Committee and directs the committee to study issues related to the delivery of programs and courses to adults needing assistance in meeting the requirements for postsecondary education admittance. This Part was originally contained in LD 90 as amended by the Joint Select Committee on Maine's Workforce and Economic Future.

PART EEEEE requires the Chancellor of the University of Maine System and the President of the Maine Community College System and the Board of Trustees of the Maine Community College System, to develop the policies and procedures to establish a process for students enrolled in community colleges in this State to successfully transfer their credits into the University of Maine System in order to complete their baccalaureate degrees. It also requires them to study the feasibility of developing a common course numbering system and provide a plan and implementation schedule. This Part was originally contained in LD 90 as amended by the Joint Select Committee on Maine's Workforce and Economic Future.

PART FFFFF establishes Maine industry partnerships as a cooperative initiative within the Office of the Governor and creates the Industry Partnership Assistance Collaborative in the Office of the Governor administered by the Commissioner of Labor. This Part was originally contained in LD 90 as amended by the Joint Select Committee on Maine's Workforce and Economic Future.

PART GGGGG establishes the Task Force on Adult Learners and requires it to develop a multisector statewide strategic plan to increase postsecondary degree completion rates among such nontraditional students. This Part was originally contained in LD 90 as amended by the Joint Select Committee on Maine's Workforce and Economic Future.

PART HHHHH requires the director of the office within the Department of Education concerned with adult education and family literacy to convene the Working Group on Adult Workforce Readiness to develop a statewide plan to address the work readiness needs of unemployed adults, incumbent workers and employers. This Part was originally contained in LD 90 as amended by the Joint Select Committee on Maine's Workforce and Economic Future.

PART IIIII requires Jobs for Maine's Graduates to provide capacity, curriculum and professional development to assist up to 30 high schools, depending on available funding. This Part was originally contained in LD 90 as amended by the Joint Select Committee on Maine's Workforce and Economic Future.

PART JJJJJ establishes the Maine Incumbent Worker Training Program as a pilot project within the Maine Community College System. This Part was originally contained in LD 90 as amended by the Joint Select Committee on Maine's Workforce and Economic Future.

PART KKKKK expands InternHelpME.com, a statewide internship-matching program established by the Maine State Chamber of Commerce. This Part was originally contained in LD 90 as amended by the Joint Select Committee on Maine's Workforce and Economic Future.

PART LLLLL makes additional supplemental appropriations and allocations for the fiscal year ending June 30, 2013.

PART MMMMM provides for an additional $3,000,000 to be transferred from the General Fund for distribution to the milk producers in fiscal year 2012-113.

PART NNNNN reduces funding for the Maine Apprenticeship Program. This Part is a result of House Amendment "P" to Committee Amendment "A" (H-499). The funding reduction offset an inadvertent overfunding as a result of incorporating LD 90 into the Biennial Budget.

PART OOOOO continues until August 1, 2013 all limited period positions throughout State Government that are scheduled to expire during June 2013. This Part is a result of House Amendment "P" to Committee Amendment "A" (H-499).

Public Law 2013, chapter 368 was enacted as an emergency measure effective June 26, 2013.

LD 1514 **An Act To Reform the Maine Public Employees Retirement System** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
WOODBURY		

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

This bill as emergency legislation proposes to amend the retirement provisions for state employees and teachers participating in the Maine Public Employees Retirement System in the following ways.

1. Cost-of-living adjustments. The bill would increase the cost-of-living adjustment formula for all individuals receiving a pension benefit from the State.

A. The base on which the cost-of-living adjustment, or COLA, is awarded would be the member's benefit up to the maximum allowable social security benefit at the member's normal retirement age under the federal social security laws. For an individual retiring in 2013, the pension amount eligible for the COLA would increase from $20,000 to $30,156.

B. The COLA would be calculated using the index used by the United States Social Security Administration but would be capped at 4%.

C. At retirement, members would be given a payout option that would provide a full COLA, not subject to the 4% cap and not subject to the reduced benefit base. The full COLA payout option would be self-funded by requiring an actuarially equivalent reduction in the initial benefit payout amount.

D. The increased COLA formula for individuals already receiving a retirement pension from the State would be applied prospectively only, beginning on July 1, 2013.

2. Deferred retirement. The bill would increase the pension amount for individuals choosing to defer retirement until after the normal retirement age specified in the State Employee and Teacher Retirement Program. The intent of this provision is to increase the flexibility of the program for employees choosing retirement at any age and to increase the financial benefits from continuing to work.

A. The normal retirement age would remain unchanged at 60, 62 or 65 years of age, depending on the year a member became vested in the program.

B. Members initiating payments before the normal retirement age would continue to receive a 1/2% reduction in the benefit amount for each month that the member retires early.

C. A member retiring after the normal retirement age would receive a 1/2% increase in the benefit amount for each month that the member defers retirement after the normal retirement age, up to 70 years of age. The percentage increase would be in addition to the increase in service credit.

3. Service credit. The baseline pension formula for retirement at the normal retirement age would provide a benefit amount of 2% of final average salary per year of service through June 30, 2013, plus 1.5% of final average salary per year of service after June 30, 2013.

4. Defined contribution plan. A state employee or teacher would automatically be enrolled in an opt-out defined contribution plan with a default employee contribution rate of 4% of salary. The State or the participating local school district would match 25% of the employee's or teacher's contribution, up to a maximum of 2% of the employee's or teacher's salary.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1555 **An Act To Strengthen Maine's Hospitals and To Provide for a New Spirits Contract** **PUBLIC 269 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
FLOOD	OTP-AM	S-269

This bill is based on Legislative Document 1546, except that it specifies that the application fees are capped at $5,000 for a bid for spirits trade marketing and $20,000 for a bid for spirits administration and warehousing and distribution and it eliminates those provisions of Legislative Document 1546 that propose to expand coverage under the MaineCare program.

Part A repeals current law that allows for transfer of the State's wholesale liquor business through July 1, 2014. Part A directs the Commissioner of Administrative and Financial Services to develop a request for proposals through the competitive bid process to award 2 contracts, one for the operation of the State's wholesale liquor business encompassing spirits administration and warehousing and distribution and one for spirits trade marketing. Part A also increases the discount rate at which agency liquor stores purchase spirits for retail sale from the current minimum of 9% of list price to 12% as of July 1, 2014. Part A allows the waiver of a licensing requirement in the event that a retailer with more than 5 agency liquor stores in this State is purchased or control is transferred to another company not in this State as long as the purchasing or controlling company has held a license to sell beer and wine in another state for at least one year.

Part B authorizes the bond bank, with the written approval of the Governor, to issue liquor operation revenue bonds in an amount up to $188,500,000. Part B establishes 2 funds, the Health Care Liability Retirement Fund and the Liquor Operation Revenue Fund. The Health Care Liability Retirement Fund is funded with the revenue from the sale of the bonds and used to pay debts owed by the State for services provided by health care providers prior to December 1, 2012; anything in excess of the amount owed is transferred to the Liquor Operation Revenue Fund. The Liquor Operation Revenue Fund is funded by revenue from the management of wholesale liquor activities; such revenue will be used to pay the principal and interest of the liquor operation revenue bonds as those amounts become due.

During fiscal years 2014-15, 2015-16 and 2016-17, any excess revenue up to a set amount is transferred to the General Fund to offset the amounts included in budgeted General Fund revenue from liquor sales and operations and to offset additional General Fund costs for liquor enforcement activities; after those transfers in those fiscal years and for the rest of the bond repayment period, excess revenue over the set amount, up to $7,000,000 per year, is transferred to the Department of Health and Human Services and the Department of Environmental Protection for revolving loan funds for drinking water systems and wastewater treatment, and, if the amount transferred for those loans is limited for federal matching funds purposes, any remainder is transferred to the Department of Transportation for construction of highways and bridges. Any excess funds retained by the Maine Municipal Bond Bank during the bond repayment period must be transferred to the Maine Budget Stabilization Fund immediately upon retirement of the bonds. Following the retirement of the bonds, excess revenue is also transferred to the Maine Budget Stabilization Fund.

Part C removes the administration of the sale of fortified wine by the State, beginning July 1, 2014.

Committee Amendment "A" (S-269)

This amendment does the following: 1) changes the amount of the liquor operation revenue bonds that may be issued to $183,500,000 from $188,500,000; 2) changes the distributions from the Liquor Operation Revenue Fund to the General Fund from $8,714,884 to $9,714,884 in fiscal year 2014-15, from $8,889,000 to $9,639,000 in fiscal year 2015-16 and from $9,067,000 to $9,817,000 in fiscal year 2016-17; 3) specifies that the fund must be used for the costs of administering the fund, bonds and ancillary obligations; and 4) replaces the appropriations and allocations Part with a new appropriations and allocations Part to implement the provisions of the bill.

Enacted Law Summary

Public Law 2013, chapter 269 does the following.

1. It repeals current law that allows for transfer of the State's wholesale liquor business through July 1, 2014.

2. It directs the Commissioner of Administrative and Financial Services to develop a request for proposals through the competitive bid process to award two contracts, one for the operation of the State's wholesale liquor business encompassing spirits administration and warehousing and distribution and one for spirits trade marketing.

3. It increases the discount rate at which agency liquor stores purchase spirits for retail sale from the current minimum of 9% of list price to 12% as of July 1, 2014.

4. It allows the waiver of a licensing requirement in the event that a retailer with more than five agency liquor stores in this State is purchased or control is transferred to another company not in this State as long as the purchasing or controlling company has held a license to sell beer and wine in another state for at least one year.

4. It authorizes the bond bank, with the written approval of the Governor, to issue liquor operation revenue bonds in an amount up to $183,500,000.

5. It establishes two funds, the Health Care Liability Retirement Fund which is funded with the revenue from the sale of the bonds and used to pay debts owed by the State for services provided by health care providers prior to December 1, 2012 and the Liquor Operation Revenue Fund which is funded by revenue from the management of wholesale liquor activities and used to pay the costs of administering the fund, the bonds and the ancillary obligation and the principal and interest of the liquor operation revenue bonds as those amounts become due.

6. It specifies that during fiscal years 2014-15, 2015-16 and 2016-17, any excess revenue up to a set amount is transferred to the General Fund to offset the amounts included in budgeted General Fund revenue from liquor sales and operations and to offset additional General Fund costs for liquor enforcement activities.

7. It specifies that after the transfers noted above in fiscal years 2014-15 through 2016-17 and for the rest of the bond repayment period, excess revenue over the set amount, up to $7,000,000 per year, is transferred to the Department of Health and Human Services and the Department of Environmental Protection for revolving loan funds for drinking water systems and wastewater treatment, and, if the amount transferred for those loans is limited for federal matching funds purposes, any remainder is transferred to the Department of Transportation for construction of highways and bridges.

8. It specifies that excess funds retained by the Maine Municipal Bond Bank during the bond repayment period and excess revenue following the retirement of the bonds must be transferred to the Maine Budget Stabilization Fund.

9. It removes the administration of the sale of fortified wine by the State, beginning July 1, 2014.

Public Law 2013, chapter 269 was enacted as an emergency measure effective June 14, 2013.

LD 1563 **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, 2013**

PUBLIC 248
EMERGENCY

Sponsor(s)	Committee Report	Amendments Adopted
THIBODEAU		

This bill was acted upon without reference to committee.

This bill is the Governor's proposal to make appropriations and allocations for the fiscal year ending June 30, 2013 and authorize limited-period positions not yet continued in a biennial budget to be occupied through June 30, 2013.

Enacted Law Summary

Public Law 2013, chapter 248 makes appropriations to support MaineCare costs and provide funding in the Medical Care - Payments to Providers program to make cycle payment in fiscal year 2012-13 and authorize limited-period positions not yet continued in a biennial budget to be occupied through June 30, 2013.

Public Law 2013, chapter 248 was enacted as an emergency measure effective June 14, 2013.

Public Law 2013, chapter 248 was repealed by Public Law 2013, chapter 377 (LD 1571) in order to avoid a double appropriation resulting from the enactment of the unified biennial budget (LD 1509, Public Law 2013, chapter 386).

LD 1571 **An Act To Prevent the Double Funding of Certain MaineCare Costs** **PUBLIC 377 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
HILL ROTUNDO		

This bill was acted upon without reference to committee.

This bill is the Governor's proposal to repeal Public Law 2013, chapter 248, which contains appropriations and allocations that are duplicated in Public Law 2013, chapter 368, the unified budget bill.

Enacted Law Summary

Public Law 2013, chapter 377 repeals Public Law 2013, chapter 248, which contains appropriations and allocations that are duplicated in Public Law 2013, chapter 368, the biennial budget bill.

Public Law 2013, chapter 377 was enacted as an emergency measure effective June 28, 2013.

LD 1572 **An Act To Correct Minor Technical Errors and Inconsistencies in the Unified Budget Bill** **HELD BY GOVERNOR**

Sponsor(s)	Committee Report	Amendments Adopted
		H-575 ROTUNDO H-581 ROTUNDO

This bill was reported by the Appropriations and Finanncial Affairs Committee pursuant to Joint Order, H.P. 1140.

This bill corrects minor technical errors and inconsistencies in Public Law 2013, chapter 368, the so-called unified budget bill, including:

1. Correcting a technical conflict created when 2 sections of the public law amended the same section of law;

2. Clarifying that the temporary increase in the sales tax to 5.5% applies to the services currently subject to the 5% sales tax;

3. Correcting a numbering error created when 2 different provisions of law were enacted with the same title and section number by reallocating the provision establishing the Maine capital investment credit for 2013;

4. Resolving a conflict created when 2 sections amended the provision of law that provides for an annual adjustment for inflation of the income tax rate brackets in different ways, one by delaying the annual adjustment of the income tax rate brackets and the other by providing for an annual adjustment of the itemized deduction limitation amount. Both provisions are maintained;

5. Correcting an initiative to reflect that the MaineCare reimbursement is limited to behavioral health services; and

6. Deappropriating funds to offset an appropriation in an initiative in the committee amendment that should have been eliminated when statutory changes were made in the enacted version of the unified budget bill.

House Amendment "A" (H-575)

This amendment specifies that the temporary sales tax increase applies to products transferred electronically, as intended in Public Law 2013, chapter 368, the unified budget bill.

House Amendment "B" (H-581)

This amendment removes the emergency preamble and emergency clause.

LD 1576 **An Act To Fund Agreements with Certain State Employee Unions and Ensure Equitable Treatment for Other State Employees** **PUBLIC 425 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
THIBODEAU		S-370 HILL

This bill was acted upon without reference to committee.

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.

The bill provides for the adjustment of certain salary schedules in fiscal year 2013-14 and in fiscal year 2014-15. The bill provides for similar and equitable treatment of confidential employees, probationary employees and other employees excluded from collective bargaining.

The bill authorizes the Governor to adjust confidential employee salaries as required to achieve parity with comparable positions in the legislative and judicial branches and further authorizes the Governor to grant similar and equitable treatment of employees whose salaries are subject to the Governor's adjustment or approval.

The bill authorizes use of the Salary Plan program to fund the collective bargaining agreements and other cost items and provides that positions supported from other funds must be funded whenever possible from those other sources.

The bill provides for reimbursement to the Department of Administrative and Financial Services for costs incurred

in the process of collective bargaining and contract administration and related costs.

The bill provides that employees of the legislative and judicial branches are subject to the same merit pay freeze in fiscal year 2014-15 as executive branch employees and deappropriates funds related to the elimination of those merit pay increases.

Senate Amendment "A" (S-370)

This amendment removes the deappropriation section.

Enacted Law Summary

Public Law 2013, chapter 425 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.

This law 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.

This law provides for the adjustment of certain salary schedules in fiscal year 2013-14 and in fiscal year 2014-15. The bill provides for similar and equitable treatment of confidential employees, probationary employees and other employees excluded from collective bargaining.

This law authorizes the Governor to adjust confidential employee salaries as required to achieve parity with comparable positions in the legislative and judicial branches and further authorizes the Governor to grant similar and equitable treatment of employees whose salaries are subject to the Governor's adjustment or approval.

This law authorizes use of the Salary Plan program to fund the collective bargaining agreements and other cost items and provides that positions supported from other funds must be funded whenever possible from those other sources.

This law provides for reimbursement to the Department of Administrative and Financial Services for costs incurred in the process of collective bargaining and contract administration and related costs.

This law provides that employees of the legislative and judicial branches are subject to the same merit pay freeze in fiscal year 2014-15 as executive branch employees. However, it does not deappropriate the funds related to the elimination of those merit pay increases.

Public Law 2013, chapter 425 was enacted as an emergency measure effective July 16, 2013.

LD 1577 **An Act To Fund the Agreement with Certain Judicial Department Employees** **PUBLIC 426 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
BERRY CAIN		

This bill was acted upon without reference to committee.

This bill authorizes funding of the collective bargaining agreement reached by the Judicial Department and the 4 bargaining units representing Judicial Department employees.

Enacted Law Summary

Public Law 2013, chapter 426 authorizes funding of the collective bargaining agreement reached by the Judicial Department and the 4 bargaining units representing Judicial Department employees.

Public Law 2013, chapter 426 was enacted as an emergency measure effective July 16, 2013.

Joint Standing Committee on Appropriations and Financial Affairs

SUBJECT INDEX

Budget Bills

Enacted		
LD 250	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, 2013	PUBLIC 1 EMERGENCY
LD 1509	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, 2014 and June 30, 2015	PUBLIC 368 EMERGENCY
LD 1563	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, 2013	PUBLIC 248 EMERGENCY
LD 1571	An Act To Prevent the Double Funding of Certain MaineCare Costs	PUBLIC 377 EMERGENCY
Not Enacted		
LD 1572	An Act To Correct Minor Technical Errors and Inconsistencies in the Unified Budget Bill	HELD BY GOVERNOR

Fiscal Policy

Not Enacted		
LD 138	An Act To Amend the Laws Governing the Issuance of Bonds That Have Been Ratified by the Citizens of the State	CARRIED OVER
LD 790	An Act To Repeal the Bonding Authority of the Maine Governmental Facilities Authority	CARRIED OVER
LD 904	An Act To Clarify When Bonds May Be Issued	CARRIED OVER
LD 1385	An Act To Amend the Reporting Requirements of the Workers' Compensation Management Fund	CARRIED OVER
LD 1461	An Act To Require the State To Divest Itself of Assets Invested in the Fossil Fuel Industry	CARRIED OVER

General Obligation Bond Bills

Not Enacted		
LD 16	An Act To Authorize a General Fund Bond Issue To Invest in Transportation Infrastructure	CARRIED OVER
LD 221	An Act To Authorize a General Fund Bond Issue To Provide Funds for a Public-private Partnership for a New Science Facility at the Maine Maritime Academy	CARRIED OVER
LD 228	An Act To Authorize a General Fund Bond Issue To Reduce Energy Costs by Weatherizing and Upgrading the Energy Efficiency of Maine Homes and Businesses and To Create Jobs by Providing for a Trained Workforce for Maine's Energy Future	CARRIED OVER

General Obligation Bond Bills

Not Enacted

LD 245	**An Act To Authorize a General Fund Bond Issue for Maintenance of State Armories**	**CARRIED OVER**
LD 273	**An Act Authorizing a General Fund Bond Issue To Fund the Dredging of Casco Bay and the Expansion of the Portland Fish Exchange**	**CARRIED OVER**
LD 294	**An Act To Authorize a General Fund Bond Issue To Construct a Facility To Assist Maine Agriculture in Control of Animal and Plant Diagnostics**	**CARRIED OVER**
LD 295	**An Act To Authorize a General Fund Bond Issue To Provide Weatherization Rebates for Veterans and Persons Eligible for Social Security**	**CARRIED OVER**
LD 359	**An Act To Authorize a General Fund Bond Issue To Implement the Riverfront Island Master Plan**	**CARRIED OVER**
LD 360	**An Act To Authorize a General Fund Bond Issue To Improve Rail Lines in Western Maine**	**CARRIED OVER**
LD 378	**An Act To Authorize a General Fund Bond Issue To Complete Renovation of a Pier at the Gulf of Maine Research Institute**	**CARRIED OVER**
LD 513	**An Act To Authorize a General Fund Bond Issue To Invest in Transportation, Broadband Infrastructure, Downtown Revitalization, Land for Maine's Future Board and Training Facilities for Tourism-related Training in Labor Market Areas with Higher-than-average Unemployment**	**CARRIED OVER**
LD 636	**An Act To Authorize a General Fund Bond Issue To Support Public Higher Educational Facilities**	**CARRIED OVER**
LD 781	**An Act To Authorize a General Fund Bond Issue To Fund the Construction of a New State Archives Facility**	**CARRIED OVER**
LD 782	**An Act To Authorize a General Fund Bond Issue To Support Science, Technology, Engineering and Mathematics Education To Enhance Economic Development**	**CARRIED OVER**
LD 874	**An Act To Authorize a General Fund Bond Issue To Reduce the Cost of Shipping for Maine Businesses, Attract Tourists and Facilitate the Development of Commuter Rail Transportation**	**CARRIED OVER**
LD 925	**An Act To Authorize a General Fund Bond Issue for Riverfront Community Development**	**CARRIED OVER**
LD 942	**An Act To Authorize a General Fund Bond Issue To Invest in Deficient State Highways, Bridges and Aviation, Marine, Rail and Transit Facilities**	**CARRIED OVER**
LD 1010	**An Act To Authorize a General Fund Bond Issue To Ensure Clean Water**	**CARRIED OVER**
LD 1011	**An Act To Authorize a General Fund Bond Issue To Upgrade Facilities and Purchase Classroom Equipment for Maine's Seven Community Colleges**	**CARRIED OVER**
LD 1043	**An Act To Authorize a General Fund Bond Issue and To Assist in the Creation of Jobs through Regional Economic Development**	**CARRIED OVER**
LD 1052	**An Act To Authorize a General Fund Bond Issue To Improve Intermodal Infrastructure**	**CARRIED OVER**
LD 1090	**An Act To Authorize a General Fund Bond Issue To Expand Nursing Programs at Maine's Seven Community Colleges**	**CARRIED OVER**
LD 1095	**An Act To Authorize a General Fund Bond Issue To Improve Highways, Bridges and Multimodal Facilities**	**CARRIED OVER**
LD 1101	**An Act To Authorize a General Fund Bond Issue To Support Waterfront Development**	**CARRIED OVER**
LD 1105	**An Act To Authorize a General Fund Bond Issue To Revitalize Maine's Downtowns through Innovative Business Development and the Creative Economy**	**CARRIED OVER**
LD 1125	**An Act To Authorize a General Fund Bond Issue To Expand Public Water Infrastructure to Areas with Contaminated Well Water**	**CARRIED OVER**

General Obligation Bond Bills

Not Enacted

LD 1163	An Act To Authorize a General Fund Bond Issue To Fund Main Street and Downtown Economic Development Projects	CARRIED OVER
LD 1180	An Act To Authorize a General Fund Bond Issue for the Maine Community Reinvestment and Job Creation Fund	CARRIED OVER
LD 1223	An Act To Authorize a General Fund Bond Issue To Support the Maine Technology Institute's Action Plan Implementation	CARRIED OVER
LD 1418	An Act To Authorize a Matching General Fund Bond Issue for Improvements to the Seven Community College Campuses	CARRIED OVER
LD 1455	An Act To Authorize a General Fund Bond Issue To Ensure Clean Water and Safe Communities	CARRIED OVER
LD 1492	An Act To Authorize a General Fund Bond Issue To Strengthen Maine's Economy and Communities	CARRIED OVER

Miscellaneous Funding and Other Requests

Enacted

LD 1555	An Act To Strengthen Maine's Hospitals and To Provide for a New Spirits Contract	PUBLIC 269 EMERGENCY
LD 1576	An Act To Fund Agreements with Certain State Employee Unions and Ensure Equitable Treatment for Other State Employees	PUBLIC 425 EMERGENCY
LD 1577	An Act To Fund the Agreement with Certain Judicial Department Employees	PUBLIC 426 EMERGENCY

State Employee and Teacher Retirement

Enacted

LD 1440	An Act To Amend the Retirement Laws Pertaining to Participating Local Districts	PUBLIC 391

Not Enacted

LD 39	An Act To Expand the Number of Qualified Educators	CARRIED OVER
LD 137	An Act To Amend the Laws Governing Retirement under the Maine Public Employees Retirement System	CARRIED OVER
LD 186	An Act To Amend the Laws Governing Disability Retirement Determinations by the Maine Public Employees Retirement System	CARRIED OVER
LD 232	An Act To Increase the Base for the Cost-of-living Increase for Retired State Employees and Teachers	CARRIED OVER
LD 1142	An Act Regarding Correctional Officers' Retirement	CARRIED OVER
LD 1175	An Act To Amend the Laws Governing Retirement Benefits for Capitol Police Officers	CARRIED OVER
LD 1395	An Act Regarding the Cost-of-living Adjustment for Certain State Retirees When the Cost of Living Declines	CARRIED OVER
LD 1473	An Act To Create a Public Option Pension System	CARRIED OVER
LD 1514	An Act To Reform the Maine Public Employees Retirement System	CARRIED OVER

Tax Reform - Revenue Sharing

Not Enacted

LD 713	An Act To Return Local Revenue Sharing to Full Funding	CARRIED OVER

Tax Reform - Revenue Sharing

Not Enacted

LD 940	**An Act To Reestablish State-municipal Revenue-sharing as a Compact between the State and Municipal Governments**	**CARRIED OVER**

CRJ

STATE OF MAINE

126TH LEGISLATURE

FIRST REGULAR SESSION

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

JOINT STANDING COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

July 2013

STAFF:

CURTIS BENTLEY, LEGISLATIVE ANALYST

ANNA BROOME, LEGISLATIVE ANALYST

OFFICE OF POLICY AND LEGAL ANALYSIS

13 STATE HOUSE STATION

AUGUSTA, ME 04333

(207) 287-1670

MEMBERS:

SEN. STAN J. GERZOFSKY, CHAIR

SEN. DAVID E. DUTREMBLE

SEN. GARY E. PLUMMER

REP. MARK N. DION, CHAIR

REP. MICHAEL A. LAJOIE

REP. BRYAN T. KAENRATH

REP. ALAN M. CASAVANT

REP. TIMOTHY I. MARKS

REP. JOSHUA R. PLANTE

REP. RICKY D. LONG

REP. THOMAS M. TYLER

REP. JETHRO D. PEASE

REP. COREY S. WILSON

LD 40 **An Act To Protect a Private Memorial Placed in a Public Right-of-way** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
CHASE CUSHING	ONTP OTP	

This bill prohibits the removal or destruction of a private memorial placed in a public right-of-way to mark the site of the death of a person. It establishes a Class D crime for tampering with a private memorial.

LD 76 **An Act To Provide Funding to the State Board of Corrections for Certain County Jail Debt** **INDEF PP**

Sponsor(s)	Committee Report	Amendments Adopted
DION	ONTP OTP-AM	

This bill provides a General Fund appropriation of $4,573,190 in fiscal year 2013-14 and $4,743,415 in fiscal year 2014-15 for the State Board of Corrections, which is for the difference between the fiscal year 2007-08 county jail debt costs and the amount of county jail debt costs projected for fiscal years 2013-14 and 2014-15.

Committee Amendment "A" (H-28)

This amendment, which is the minority report of the committee, requires that any funding appropriated for the difference between fiscal year 2007-08 county jail debt costs and the amount projected for fiscal years 2013-14 and 2014-15 be used only for capital improvement projects. The State Board of Corrections determines what constitutes a capital improvement project.

LD 85 **An Act To Amend the Motor Vehicle Ignition Interlock Device Requirements in the Laws Regarding Operating Under the Influence** **PUBLIC 187**

Sponsor(s)	Committee Report	Amendments Adopted
HILL	OTP ONTP	

This bill increases the minimum mandatory driver's license suspension for a person convicted of operating under the influence who has three or more previous offenses within a 10-year period from six to eight years and removes the requirement that such a person install for a period of four years an ignition interlock device in the motor vehicle the person operates, but authorizes the Secretary of State to reinstate the license of such a person after four years of suspension if the person has installed for a period of four years an ignition interlock device in the motor vehicle the person operates.

Enacted Law Summary

Public Law 2013, chapter 187 increases the minimum mandatory driver's license suspension for a person convicted of operating under the influence who has three or more previous offenses within a 10-year period from six to eight years and removes the requirement that such a person install for a period of four years an ignition interlock device in the motor vehicle the person operates, but authorizes the Secretary of State to reinstate the license of such a person after 4 years of suspension if the person has installed for a period of four years an ignition interlock device in

the motor vehicle the person operates.

LD 111 **An Act To Restrict the Sale, Purchase and Use of Fireworks in the State** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
LAJOIE CLEVELAND		

This bill repeals the provisions of law enacted in Public Law 2011, chapter 416 that permit the sale, purchase and use of consumer fireworks.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 122 **An Act To Provide Assistance to Municipalities Recovering from a Municipally Significant Disaster** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
TURNER THOMAS	ONTP OTP-AM	

This bill authorizes the Governor to declare a municipally significant disaster in cases where a disaster causes damages to locally maintained roads, bridges and other public facilities, the repair of which exceeds 20% of the affected municipality's total annual operating budget, excepting the education budget. The municipal officers in the affected municipality must work with the Department of Transportation and the Department of Administrative and Financial Services, Bureau of General Services to agree on an estimate of the total cost of the damages. The Governor may enter into a cost-sharing agreement with the municipal officers, subject to approval by the local legislative body, obligating the municipality to pay up to 50% of the cost of repairs. The bill further authorizes the Governor to enter into a cost-sharing agreement with a municipality that is affected by an event occurring in an abutting municipality. This negotiated share is also subject to approval by the local legislative body. In both cases, the State's share of the authorized expenditures is funded through the existing Disaster Relief Fund.

Committee Amendment "A" (H-61)

This amendment, which is the minority report of the committee, clarifies that State resources pay for 50% of the cost of a municipally significant disaster, contingent upon future budgetary action by the Legislature. The amendment also requires the Department of Administrative and Financial Services, Bureau of General Services and the Department of Transportation to work with a municipality to determine the cost of uninsured damages rather than all damages. The departments determine the actual cost of damages for compensation rather than estimated damages. It also clarifies that the Governor may enter into agreements that obligate municipal financial resources up to 50% of the actual total cost of damages rather than estimated damages.

LD 139 **An Act To Amend the Laws Governing the Sale of Firearms Carried by Maine State Police** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BEAUDOIN VALENTINO	ONTP	

This bill directs that proceeds from the sale of firearms to current or former State Police personnel be deposited into a dedicated account within the Department of Public Safety, Bureau of State Police for the purchase of replacement firearms. It also provides a one-time General Fund appropriation of $118,983 and Highway Fund allocation of $114,317 in fiscal year 2013-14 to the Department of Public Safety for the purchase of firearms.

LD 140 **An Act To Create a Permanent Wabanaki Law Enforcement Seat on the Board of Trustees of the Maine Criminal Justice Academy** **DIED BETWEEN HOUSES**

Sponsor(s)	Committee Report	Amendments Adopted
SOCTOMAH	OTP	
BURNS	ONTP	

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.

LD 152 **An Act To Authorize the Commissioner of Agriculture, Conservation and Forestry To Nominate Certain Rangers in the Division of Forestry To Become Conservation Law Enforcement Officers** **LEAVE TO WITHDRAW**

Sponsor(s)	Committee Report	Amendments Adopted
DION		

This bill authorizes the Commissioner of Agriculture, Conservation and Forestry to nominate forest rangers in the Department of Agriculture, Conservation and Forestry, Division of Forestry as candidates to become conservation law enforcement officers with the same powers as law enforcement officers. Candidates nominated to become conservation law enforcement officers must successfully meet and maintain the training standards and requirements for other state law enforcement officers. In the event that the Commissioner of Agriculture, Conservation and Forestry nominates one or more forest rangers as conservation law enforcement officers, the bill allows the commissioner, in consultation with the Commissioner of Public Safety, to develop a plan to address the training needs of forest rangers to become conservation law enforcement officers. It also provides a definition of the term "conservation law enforcement officer."

LD 166 **An Act To Criminalize Importation of So-called Bath Salts Containing Synthetic Hallucinogenic Drugs** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MAZUREK	ONTP	

This bill prohibits the importation of synthetic hallucinogenic drugs.

LD 168 **An Act To Establish Reasonable Restrictions on the Use of Fireworks** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
JOHNSON C LAJOIE		

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to establish reasonable restrictions on the sale and use of fireworks in the State. This bill would establish a mechanism for reviewing and determining whether restrictions should be placed on the use of fireworks depending on factors, including, but not limited to:

1. The level of fire danger within the area at the time of intended use;

2. The presence of farm animals in the area, and the propensity of such animals to suffer adverse health effects from exposure to the noise accompanying fireworks or, as a result of fear resulting from exposure to such noise, to endanger others;

3. The interests of summer residents and tourists, and the interests of local businesses that provide services to such residents and tourists;

4. The interests of year-round residents in living without unreasonable disturbances to their peace and tranquility; and

5. The effects on veterans who suffer from post-traumatic stress disorder, for whom exposure to fireworks carries the potential to trigger debilitating symptoms that have severe and long-lasting effects on their health and ability to function.

The mechanism for reviewing and determining the establishment of fireworks restrictions must evaluate the impact of the use of fireworks on tourism in the State, and balance the interests of the private individuals who choose to use fireworks and the members of the public who are then necessarily exposed to those fireworks. Restrictions imposed on the use of fireworks may include, among other things, a requirement to obtain a permit from the State Fire Marshal, a requirement to obtain local fire permits, limitations on the times during the day, week or month that fireworks may be used and the establishment of firework-free zones throughout the State.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 188 **An Act To Criminalize Possession of a Suspended or Revoked Concealed Handgun Permit** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MARKS	ONTP	

This bill requires the holder of a revoked concealed handgun permit to immediately surrender that license to the issuing authority. It also prohibits a person from possessing a suspended or revoked concealed handgun permit and makes a violation a Class E crime.

LD 189 **An Act To Establish a Central Concealed Handgun Permit Database** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MARKS	ONTP	

This bill directs the Commissioner of Public Safety to establish an online concealed handgun permit database that is accessible by law enforcement, courts and bail commissioners for the purpose of tracking concealed handgun permits.

LD 190 **An Act To Provide a Ten Percent Discount to Persons Charged with a Traffic Infraction Who Pay Fines by Waiver** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MARKS	ONTP	

This bill provides that if a person files a written answer to the judicial branch's violations bureau that does not contest a traffic infraction, the fine is reduced by 10%.

LD 191 **An Act To Authorize the Suspension of a Concealed Handgun Permit** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
MARKS	ONTP OTP-AM	

This bill allows the issuing authority of a concealed handgun permit to suspend that permit if the issuing authority has reasonable cause to believe the permit holder's permit may be subject to revocation. It also provides the permit holder an opportunity for a hearing on the issuing authority's decision to suspend the permit.

Committee Amendment "A" (H-187)

This amendment is the minority report. It removes language from the bill that prohibits a person from appealing a final agency action regarding the suspension of a concealed handgun permit.

LD 192 **An Act To Allow Consideration of Fetal Alcohol Spectrum Disorder at Sentencing in a Criminal Case** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
BEAVERS JACKSON T	ONTP OTP	

This bill allows a court to consider as a mitigating factor in sentencing a person convicted of a crime that the person suffers from the condition of fetal alcohol spectrum disorder. Fetal alcohol spectrum disorder is defined as a condition of impaired brain function constituting a permanent birth defect in a person caused by that person's

mother's consumption of alcohol while pregnant with that person.

LD 222 **An Act Designating the Chief of the State Police as the Only Issuing Authority of a Permit To Carry a Concealed Handgun** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
MARKS		

This bill makes the Chief of the State Police in the Department of Public Safety the sole issuing authority in the State for concealed weapons permits.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 223 **An Act To Amend the Laws Regarding a Concealed Handgun Permit** **ACCEPTED MINORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
MARKS	OTP-AM ONTP	

This bill changes the minimum age to obtain a permit to carry a concealed handgun from 18 years of age to 21 years of age.

Committee Amendment "A" (H-242)

This amendment is the majority report and provides that a member of the United States Armed Forces who is at least 18 years of age is eligible to apply for a concealed handgun permit. This is an exception to the proposal in the bill that requires a person to be at least 21 years of age to be eligible to apply for a concealed handgun permit.

LD 238 **An Act To Designate the Jail in Franklin County as a Jail Rather than a Holding Facility** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
SAVIELLO BLACK	ONTP	

The State Board of Corrections has statutory authority to determine correctional facility and county jail use. Currently, the jail in Franklin County, the Franklin County Detention Center, is designated by the board as a holding facility that may hold detainees for up to 72 hours. This bill specifies that the board must designate the jail in Franklin County as a jail for prisoners and not as a holding facility.

LD 251 **An Act Criminalizing Trafficking in Contraband in State Hospitals Serving Adults** **PUBLIC 191**

Sponsor(s)	Committee Report	Amendments Adopted
CRAVEN SIROCKI	OTP-AM	S-124

This bill makes it a Class C crime to traffic in contraband in a state hospital and a Class E crime to traffic in alcoholic beverages in a state hospital. "State hospital" means the Riverview Psychiatric Center or the Dorothea Dix Psychiatric Center.

Committee Amendment "A" (S-124)

This amendment replaces the bill and provides that a person who intentionally conveys or attempts to convey a dangerous weapon to a patient at a state hospital commits a Class C crime and makes any other violation of trafficking contraband in a state hospital a Class D crime.

This amendment adds to the definition of "contraband" provided in the bill a tool or other item that may be used to facilitate an escape.

Enacted Law Summary

Public Law 2013, chapter 191 provides that a person who intentionally conveys or attempts to convey a dangerous weapon to a patient at a state hospital commits a Class C crime and makes any other violation of trafficking contraband in a state hospital a Class D crime.

Public Law 2013, chapter 191 defines "contraband" to mean a dangerous weapon, a scheduled drug unless it is prescribed and approved for use by the state hospital or a tool that may be used to facilitate an escape.

LD 265 **An Act To Repeal the Restriction on Employers Regarding Firearms Kept in an Employee's Vehicle**

ACCEPTED MAJORITY (ONTP) REPORT

Sponsor(s)	Committee Report	Amendments Adopted
GERZOFSKY	ONTP	
KNIGHT	OTP	

This bill repeals the law that prohibits an employer from prohibiting an employee who holds a permit to carry a concealed firearm from keeping a firearm in the employee's locked vehicle.

LD 266 **An Act To Improve the Law Regarding Bail Commissioners**

ACCEPTED MAJORITY (ONTP) REPORT

Sponsor(s)	Committee Report	Amendments Adopted
GERZOFSKY	ONTP	
	OTP	

This bill amends the Maine Bail Code regarding bail commissioners by:

1. Requiring law enforcement agencies to maintain a list of available bail commissioners and to provide each bail commissioner on the list equal opportunities to set bail;

2. Amending the law regarding the sources and content of personal information a bail commissioner is required to obtain prior to setting bail in domestic violence cases; and

3. Giving a bail commissioner discretion to waive the bail commissioner fee, requiring a sheriff to set up a fund to help pay bail fees for indigent defendants in county facilities administered by that sheriff and requiring the Chief

Judge of the District Court to adopt rules to collect the bail fee as a surcharge for those defendants who cannot pay the bail fee at the time bail is set.

Committee Amendment "A" (S-29)

This amendment adds an appropriations and allocations section to the bill.

LD 267 **An Act Regarding the Sale of Firearms at Gun Shows** **ACCEPTED MINORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
GERZOFSKY	OTP-AM ONTP	

This bill requires that a national instant criminal background check be performed prior to the sale or transfer of a firearm at a gun show. The bill makes a gun show operator responsible for any failure to perform a required background check and subject to a fine of up to $10,000 for each such failure. The bill also requires gun show operators to post signs at gun shows to notify exhibitors of the background check requirement and requires gun show operators to provide unlicensed sellers and transferors with access to licensed sellers and transferors who will undertake the required background checks.

LD 277 **An Act To Clarify the Laws Regarding the Calculation of the Period of Imprisonment** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
GERZOFSKY	ONTP	

This bill requires that, for purposes of credit for time served for a criminal defendant, all time served by the defendant for conduct under a particular case docket number is credited regardless of what the defendant may be charged with initially or of what charges the defendant is ultimately convicted.

LD 296 **An Act To Equalize the Fire Investigation and Prevention Tax Paid by Insurers** **PUBLIC 95**

Sponsor(s)	Committee Report	Amendments Adopted
LAJOIE TUTTLE	OTP	H-32 DION

The purpose of this bill is to ensure that all fire insurance companies and associations doing business in Maine collect and pay the fire investigation and prevention tax at the same rate. This bill requires the Department of Professional and Financial Regulation, Bureau of Insurance to determine every five years the basis percentage of fire risk allocated to each line of insurance and requires that fire insurance companies and associations pay the established percentage based on the basis allocation.

House Amendment "A" (H-32)

This amendment incorporates a fiscal note.

Enacted Law Summary

Public Law 2013, chapter 95 ensures that all fire insurance companies and associations doing business in Maine collect and pay the fire investigation and prevention tax at the same rate. It requires the Department of Professional and Financial Regulation, Bureau of Insurance to determine every five years the basis percentage of fire risk allocated to each line of insurance and requires that fire insurance companies and associations pay the established percentage based on the basis allocation.

LD 297 **An Act To Require Forest Rangers To Be Trained in Order To Allow Them To Carry Firearms** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
DUNPHY LACHOWICZ		

This bill does the following.

1. It 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.

2. It requires the Director of the Division of Forestry within the Department of Agriculture, Conservation and Forestry to develop 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 continued employment. Forest rangers employed as such on the effective date of this bill are required to attend the 4-week preservice training course and forest rangers hired after the effective date are required to take the basic law enforcement training course. A forest ranger who has already attended a law enforcement training course at the Maine Criminal Justice Academy is exempt.

3. This bill requires the State Supervisor of the forest protection unit in the Division 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. The plans must be submitted 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, 2013 and implemented, including furnishing firearms and related equipment, no later than January 1, 2014.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 298 **An Act Regarding the Membership of the Emergency Medical Services' Board** **PUBLIC 62**

Sponsor(s)	Committee Report	Amendments Adopted
WERTS	OTP-AM	H-35

This bill adds an additional representative of a statewide association of fire chiefs to the Emergency Medical Services' Board and clarifies that six members constitute a quorum of the board.

Committee Amendment "A" (H-35)

This amendment replaces the bill. It changes the composition of the Emergency Medical Services' Board so that a representative of the public is replaced by a fire chief. Both public member positions are currently vacant and one has been vacant since January 2008. The amendment also removes the language in the bill that changes the number

of members required for a quorum. It is no longer necessary as the membership remains at an odd number.

Enacted Law Summary

Public Law 2013, chapter 62 changes the composition of the Emergency Medical Services' Board so that a representative of the public is replaced by a fire chief. Both public member positions were vacant and one has been vacant since January 2008.

LD 326 **An Act To Update the Maine Emergency Management Laws** **PUBLIC 146**

Sponsor(s)	Committee Report	Amendments Adopted
GERZOFSKY LONG	OTP-AM	S-73

This bill does the following.

1. It amends the Maine Emergency Management Act to include in its purposes coordination of homeland security.

2. It enacts definitions of "homeland security" and "terrorism".

3. It adds to the duties of the Director of the Maine Emergency Management Agency certain planning and training and the maintenance of the State Emergency Operations Center. It also requires that public education programs include information about prevention of emergency situations.

4. It designates the Commissioner of Defense, Veterans and Emergency Management as the Governor's homeland security advisor.

5. It changes the name of the Disaster Relief Fund to the Disaster Recovery Fund to more accurately reflect the fund's purpose to support long-term community disaster recovery.

6. It clarifies local and state emergency planning requirements and ensures current national standards are followed.

7. It provides that emergency management forces deployed under either the Emergency Management Assistance Compact and the International Emergency Management Assistance Compact are considered state employees for the purposes of immunity from liability and workers' compensation coverage. It specifies that a person holding a valid professional license in the State may be designated a member of the emergency management forces in that profession after verification of current license.

8. It consolidates in one subchapter language governing situation-specific operational plans and adds general language governing any agency-specific emergency plans.

9. It changes the general dam hazard evaluation requirement from at least once every six years to at least once every 12 years and changes the time frame for hazard evaluations from within 30 days of a request to within 60 days of a request.

10. It changes the dam condition inspection frequency of high and significant hazard dams from at least once every four years to at least once every six years.

Committee Amendment "A" (S-73)

This amendment adds to the list of agencies that must be consulted by the Director of the Maine Emergency Management Agency regarding a mass fatality plan the Department of Health and Human Services and the Maine Center for Disease Control and Prevention within that department and allows for other agencies to be consulted. It

also clarifies that members of the emergency management forces are deemed to be employees of the State when preparing for emergency management duty, in addition to being on or training for duty.

Enacted Law Summary

Public Law 2013, chapter 146 does the following.

1. It amends the Maine Emergency Management Act to include in its purposes coordination of homeland security.

2. It enacts definitions of "homeland security" and "terrorism".

3. It adds to the duties of the Director of the Maine Emergency Management Agency certain planning and training and the maintenance of the State Emergency Operations Center. It also requires that public education programs include information about prevention of emergency situations.

4. It designates the Commissioner of Defense, Veterans and Emergency Management as the Governor's homeland security advisor.

5. It changes the name of the Disaster Relief Fund to the Disaster Recovery Fund to more accurately reflect the fund's purpose to support long-term community disaster recovery.

6. It clarifies local and state emergency planning requirements and ensures current national standards are followed.

7. It provides that emergency management forces deployed under either the Emergency Management Assistance Compact and the International Emergency Management Assistance Compact are considered state employees for the purposes of immunity from liability and workers' compensation coverage. It specifies that a person holding a valid professional license in the State may be designated a member of the emergency management forces in that profession after verification of current license.

8. It consolidates in one subchapter language governing situation-specific operational plans and adds general language governing any agency-specific emergency plans.

9. It changes the general dam hazard evaluation requirement from at least once every six years to at least once every 12 years and changes the time frame for hazard evaluations from within 30 days of a request to within 60 days of a request.

10. It changes the dam condition inspection frequency of high and significant hazard dams from at least once every four years to at least once every six years.

11. It adds to the list of agencies that must be consulted by the Director of the Maine Emergency Management Agency regarding a mass fatality plan, the Department of Health and Human Services and the Maine Center for Disease Control and Prevention within that department and allows for other agencies to be consulted.

12. It clarifies that members of the emergency management forces are deemed to be employees of the State when preparing for emergency management duty, in addition to being on or training for duty.

LD 335 **An Act To Review Firearm Laws in the State** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
DICKERSON	ONTP	

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

It proposes to review all firearm laws through creation of a study group, directing a department to study or other means to determine if more could be done to protect citizens, particularly educators and children in school, from gun violence.

LD 353 **An Act To Allow Young Adult Offenders To Be Confined in Juvenile Correctional Facilities and To Comply with Federal Law Requirements** **PUBLIC 28**

Sponsor(s)	Committee Report	Amendments Adopted
PLUMMER DION	OTP	

This bill permits the Department of Corrections to incarcerate young adult offenders who are at least 18 years of age and under 26 years of age and who are subjects of the adult criminal justice system at the Long Creek Youth Development Center and the Mountain View Youth Development Center. The Commissioner of Corrections is required to maintain full sight and sound separation of the young adult population from the juvenile population.

This bill also ensures compliance with federal law requirements for the housing of juveniles bound over for adult criminal proceedings.

Enacted Law Summary

Public Law 2013, chapter 28 authorizes the Department of Corrections to incarcerate young adult offenders who are at least 18 years of age and under 26 years of age and who are subjects of the adult criminal justice system at the Long Creek Youth Development Center and the Mountain View Youth Development Center. The Commissioner of Corrections is required to maintain full sight and sound separation of the young adult population from the juvenile population.

Public Law 2013, chapter 28 also ensures compliance with federal law requirements for the housing of juveniles bound over for adult criminal proceedings.

LD 354 **An Act To Amend the County Jail Inspection Requirement for Nationally Accredited Facilities** **PUBLIC 27**

Sponsor(s)	Committee Report	Amendments Adopted
GERZOFSKY LONG	OTP	

This bill allows the Commissioner of Corrections to dispense with a comprehensive inspection of a county jail or other detention facility to determine whether it complies with Department of Corrections standards if it is nationally accredited.

Enacted Law Summary

Public Law 2013, chapter 27 allows the Commissioner of Corrections to dispense with a comprehensive inspection of a county jail or other detention facility to determine whether it complies with Department of Corrections standards if it is nationally accredited.

LD 355 **An Act To Amend Provisions Relating to the Department of Corrections To Clarify Certain Enforcement Powers** **PUBLIC 80**

Sponsor(s)	Committee Report	Amendments Adopted
GERZOFSKY LONG	OTP-AM	S-38

This bill does the following.

1. It allows employees of the Department of Corrections who are certified by the Board of Trustees of the Maine Criminal Justice Academy as law enforcement officers to exercise the same law enforcement powers as investigative officers. This change allows department employees who have completed the academy's part-time law enforcement officer training to exercise those powers when authorized by the Commissioner of Corrections.

2. It amends the laws governing the interception of prisoner wire and oral communications to reflect the proposed changes for employees of the Department of Corrections.

3. It requires transportation to work release job sites to be approved by a correctional facility's chief administrative officer instead of arranged exclusively by the commissioner as in current law.

4. It permits a correctional facility to use the first $1,000 in any deceased prisoner's facility-administered accounts to pay the funeral director and specified others. Current law allows the facility to make such payments only for those prisoners with no more than $1,000 in their accounts.

Committee Amendment "A" (S-38)

This amendment adds jail investigative officers and jail employees working at the direction of the jail investigative officer to those who may be authorized to exercise the same law enforcement powers as investigative officers.

It also clarifies that the phrase "administration of juvenile criminal justice" has the same meaning as in the Maine Juvenile Code.

Enacted Law Summary

Public Law 2013, chapter 80 does the following.

1. It allows employees of the Department of Corrections who are certified by the Board of Trustees of the Maine Criminal Justice Academy as law enforcement officers to exercise the same law enforcement powers as investigative officers. This change allows department employees who have completed the academy's part-time law enforcement officer training to exercise those powers when authorized by the Commissioner of Corrections.

2. It provides that jail investigative officers and jail employees working at the direction of the jail investigative officer may be authorized to exercise the same law enforcement powers as investigative officers.

3. It amends the laws governing the interception of prisoner wire and oral communications to reflect the proposed changes for employees of the Department of Corrections.

4. It requires transportation to work release job sites to be approved by a correctional facility's chief administrative officer instead of arranged exclusively by the commissioner as in current law.

5. It permits a correctional facility to use the first $1,000 in any deceased prisoner's facility-administered accounts to pay the funeral director and specified others. Current law allows the facility to make such payments only for

those prisoners with no more than $1,000 in their accounts.

6. It clarifies that the phrase "administration of juvenile criminal justice" has the same meaning as in the Maine Juvenile Code.

LD 366 **An Act To Adjust the Values of Property That Define the Class of Crime for Theft Offenses** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
KATZ GERZOFSKY	ONTP	

This bill changes the property values that define theft crimes other than Class E crimes as follows:

1. For a Class B offense, from more than $10,000 to more than $20,000;

2. For a Class C offense, from more than $1,000 but not more than $10,000 to more than $5,000 but not more than $20,000; and

3. For a Class D offense, from more than $500 but not more than $1,000 to more than $1,000 but not more than $5,000.

LD 379 **An Act To Require Institutions To Report Knowledge or Suspicion of Criminal Violations to a Law Enforcement Agency** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
KUSIAK WHITTEMORE	ONTP	

This bill requires the administration of an institution supported by public funds that provides a public service to immediately report to the appropriate law enforcement agency any knowledge or suspicion of a crime or criminal activity that is taking or has taken place on the grounds of the institution.

LD 380 **An Act To Clarify the Law Concerning the Threatening Display of Dangerous Weapons** **VETO SUSTAINED**

Sponsor(s)	Committee Report	Amendments Adopted
GATTINE HASKELL	OTP-AM ONTP	H-204

This bill amends the law regarding threatening display or carrying of a dangerous weapon by clarifying that "display in a threatening manner" includes to display a dangerous or deadly weapon in a public place in a way that causes a reasonable person to suffer intimidation or alarm.

Committee Amendment "A" (H-204)

This amendment replaces the bill and is the majority report of the committee. It clarifies that, except as prohibited by law, a person has the right to carry an unconcealed firearm in this State. This amendment prohibits a person, unless excepted by law, from refusing to provide that person's name, address and date of birth at the request of a law enforcement officer if the person possesses a dangerous and deadly weapon in a public place if the totality of the

circumstances is such as to lead the officer to reasonably believe that the protection of the public requires identification.

House Amendment "B" To Committee Amendment "A" (H-410)

Current law prohibits a person from displaying in a threatening manner a dangerous or deadly weapon and from concealing a dangerous or deadly weapon. This amendment applies those prohibitions only to a firearm and removes the application of the statute to other dangerous and deadly weapons.

This amendment also limits the requirement proposed in Committee Amendment "A" that a person in possession of a dangerous or deadly weapon in a public place provide that person's name, address and date of birth to a law enforcement officer.

This amendment was not adopted.

LD 381 **An Act To Allow a Court To Order a Person Who Violates a Municipal Ordinance To Perform Community Service Work** **PUBLIC 114**

Sponsor(s)	Committee Report	Amendments Adopted
DION GERZOFSKY	OTP-AM	H-97

This bill makes the following changes to the laws governing community service work.

1. It provides that an offender adjudicated as having violated a municipal ordinance may be ordered to perform community service work.

2. It provides that the judicial branch is not responsible for supervision of community service work.

3. It provides that an offender adjudicated as having violated a municipal ordinance may be ordered to perform community service work only if the municipality has established a community service work program that provides oversight of the community service order and ensures meaningful compliance with the community service requirements.

Committee Amendment "A" (H-97)

This amendment reallocates the provisions of the bill from the Maine Criminal Code to the portion of the statutes dealing with civil violation proceedings.

Enacted Law Summary

Public Law 2013, chapter 114 makes the following changes to the laws governing community service work.

1. It provides that an offender adjudicated as having violated a municipal ordinance may be ordered to perform community service work.

2. It provides that the judicial branch is not responsible for supervision of community service work.

3. It provides that an offender adjudicated as having violated a municipal ordinance may be ordered to perform community service work only if the municipality has established a community service work program that provides oversight of the community service order and ensures meaningful compliance with the community service requirements.

LD 382 **An Act Regarding the Period of Time for Which an Incarcerated Person Is Eligible To Earn Good Time** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CASAVANT TUTTLE	ONTP	

This bill increases the amount of good time that may be deducted from a person's sentence for a crime committed on or after October 1, 2013. It applies deductions enacted by Public Law 1983, chapter 456 to persons who commit crimes on or after October 1, 2013. This bill makes no distinction as to the type of crime the person committed. It also includes a deduction of good time for a person's good conduct during detention, which was first enacted by Public Law 2003, chapter 711, but the bill doubles the maximum prior amount from 2 days to 4.

LD 456 **An Act To Protect Farm Animals from Noise from the Discharge of Fireworks or Explosives** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
DICKERSON MAZUREK	ONTP OTP	

This bill prohibits the use of consumer fireworks or explosives, either loose or contained in a tube or other enclosure, within one mile of a field or pasture that contains livestock.

LD 478 **An Act To Require a Local Permit for the Use of Fireworks** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
PLANTE	ONTP	

This bill provides that a person who wishes to use consumer fireworks must obtain a permit from the person with authority to issue a permit for open burning. The permit must be issued in the same manner as a permit for open burning is issued.

LD 498 **An Act To Allow a Municipality To Prohibit a Sex Offender from Residing within 750 Feet of a Recreational Facility** **PUBLIC 161**

Sponsor(s)	Committee Report	Amendments Adopted
POULIOT KATZ	OTP-AM	H-169

This bill authorizes a municipality to enact an ordinance to prevent certain sex offenders from residing within 750 feet of a privately owned property where children are the primary users, such as an athletic field, park or recreational facility.

Committee Amendment "A" (H-169)

The bill allows a municipality to prohibit a sex offender from residing within 750 feet of privately owned property

where children are the primary users. This amendment applies the restriction to state-owned property that is leased to a nonprofit organization for purposes of a park, athletic field or recreational facility that is open to the public instead of to privately owned property.

Enacted Law Summary

Public Law 2013, chapter 161 authorizes a municipality to prohibit a sex offender from residing within 750 feet of state-owned property that is leased to a nonprofit organization for purposes of a park, athletic field or recreational facility that is open to the public where children are the primary users.

LD 502 **An Act To Allow County Jails To Apply Savings to Debt Service without a Reduction in State Payments** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
THOMAS		

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 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

This amendment, which is the majority report of the committee, provides clarification by replacing the term "efficiencies" with "reduced jail expenditures."

LD 526 **An Act To Allow for the Disposition of Certain Items Confiscated from Criminals Convicted of Sexual Exploitation of Minors** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
TYLER PLUMMER	ONTP	

This bill amends the law concerning criminal forfeiture of equipment used in the sexual exploitation of minors by extending the period in which a motion may be filed for forfeiture of the equipment, allowing a representative of a law enforcement agency to bring the motion, expanding the list of electronic equipment that may be seized and allowing the representative of a law enforcement agency to recommend to the court the final disposition or use of the forfeited equipment.

LD 527 **An Act To Protect Vulnerable Adults from Exploitation** **PUBLIC 414**

Sponsor(s)	Committee Report	Amendments Adopted
DION CAIN	OTP-AM	H-189

This bill provides that dementia and other cognitive impairments are included in the concept of being manifestly unable to make a reasonable judgement regarding conduct that constitutes a crime when considering consent as a defense. It further provides that consent cannot be induced by "undue influence," which is defined to mean misuse or manipulation of a trusting relationship of a dependent person who has significant limitations and who is 60 years of age or older, an incapacitated adult or a dependent adult. Finally, the bill increases the crime of the misuse of entrusted property to a felony when the victim is 60 years of age or older, incapacitated or dependent and the value

of the property is greater than $1,000 to be consistent with the crime of theft.

Committee Amendment "A" (H-189)

This amendment replaces the bill and does the following.

1. Current law provides that consent is not a defense against a charge involving a crime against the person or property of another if the consent is given by a person who for certain reasons, including mental illness or defect, is unable to make a reasonable judgment regarding the conduct that constitutes the crime. This amendment includes physical illness among these reasons and clarifies that mental illness or defect includes dementia and other cognitive impairments.

2. It creates a permissible inference under the Maine Rules of Evidence, Rule 303, that a defendant exercised unauthorized control of a property with the intent to deprive a person of that property if there is proof that the defendant possessed or controlled the property of a person who, by reason of physical illness or mental illness or defect, is manifestly unable or known by the defendant to be unable to make a reasonable judgment with respect to the disposition of that property or there is proof that the defendant obtained possession or control of the property by undue influence.

3. It defines "undue influence" to mean the misuse of real or apparent authority or the use of manipulation by a person in a trusting, confidential or fiduciary relationship with an incapacitated adult or a dependent adult who is wholly or partially dependent upon that person or others for care or support.

4. It provides that a person who is guilty of misuse of entrusted property against a vulnerable person commits a Class C crime if the property is valued at more than $1,000 but not more than $10,000 and commits a Class B crime if the property is valued at more than $10,000.

5. It defines "vulnerable person" to mean an incapacitated adult as defined in the Maine Revised Statutes, Title 22, section 3472, subsection 10 or a dependent adult as defined in Title 22, section 3472, subsection 6.

Enacted Law Summary

Public Law 2013, chapter 414 does the following.

1. It includes physical illness among the existing reasons consent is not a defense against a charge involving a crime against the person or property of another if the consent is given by a person who for certain reasons, including mental illness or defect, is unable to make a reasonable judgment regarding the conduct that constitutes the crime. It also clarifies that mental illness or defect includes dementia and other cognitive impairments.

2. It creates a permissible inference under the Maine Rules of Evidence, Rule 303, that a defendant exercised unauthorized control of a property with the intent to deprive a person of that property if there is proof that the defendant possessed or controlled the property of a person who, by reason of physical illness or mental illness or defect, is manifestly unable or known by the defendant to be unable to make a reasonable judgment with respect to the disposition of that property or there is proof that the defendant obtained possession or control of the property by undue influence.

3. It defines "undue influence" to mean the misuse of real or apparent authority or the use of manipulation by a person in a trusting, confidential or fiduciary relationship with an incapacitated adult or a dependent adult who is wholly or partially dependent upon that person or others for care or support.

4. It provides that a person who is guilty of misuse of entrusted property against a vulnerable person commits a Class C crime if the property is valued at more than $1,000 but not more than $10,000 and commits a Class B

crime if the property is valued at more than $10,000.

5. It defines "vulnerable person" to mean an incapacitated adult as defined in the Maine Revised Statutes, Title 22, section 3472, subsection 10 or a dependent adult as defined in Title 22, section 3472, subsection 6.

LD 576 **Resolve, To Protect Concealed Handgun Permit and Other Public Records Information on a Temporary Basis** **RESOLVE 1 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T MCCABE		S-2 JACKSON T

This bill was acted upon without reference to committee.

Current law requires the issuing authority of a concealed handgun permit to make a permanent record of each permit that includes the information contained in the permit itself and provides that the permanent record must be available for public inspection. This resolve places a moratorium on public access to such permanent records for a period of approximately 4 months, pending the Legislature's consideration of a measure to amend that section of law.

House Amendment "A" (H-1)

This amendment expands the moratorium established in the resolve on access to permanent records created by issuing authorities of concealed handgun permits to apply to business licenses, hunting licenses and fishing licenses. This amendment was not adopted.

Senate Amendment "A" (S-2)

This amendment removes language that prohibits the redistribution or dissemination of information received regarding handgun permits, clarifies that the moratorium on access does not apply to law enforcement officers and issuing authorities for criminal justice and permitting purposes and clarifies that applications for permits filed or granted after the effective date of the resolve and on or before April 30, 2013 are governed by the law in effect on and after April 30, 2013.

Enacted Law Summary

Resolve 2013, chapter 1 provides that until April 30, 2013, a permanent record that is created by an issuing authority of a concealed handgun permit is confidential and may not be made available for public inspection or copying. Resolve 2013, chapter 1 also provides that the confidential handgun permit information may be disclosed to law enforcement officers and issuing authorities for criminal justice and permitting purposes. Finally, it provides that after April 30, 2013, an application for a concealed handgun permit filed or granted on or after February 19, 2013 and on or before April 30, 2013 will be governed by the law in effect on and after April 30, 2013.

Resolve 2013, chapter 1 was finally passed as an emergency measure effective February 19, 2013.

LD 593 **An Act To Require That Carbon Monoxide Detectors Be Installed inside Educational Facilities** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
WERTS JACKSON T	ONTP OTP-AM	

This bill requires carbon monoxide detectors or carbon monoxide detection and warning equipment to be installed in educational facilities, defined as structures used for elementary or secondary education. The owner of an existing educational facility is required to install carbon monoxide detectors in specific areas of the facility. The owner of an educational facility constructed or substantially renovated or to which an addition in excess of 3,000 square feet is made after the effective date of this legislation is required to install carbon monoxide detection and warning equipment.

Committee Amendment "A" (H-145)

This amendment, which is the minority report of the committee, requires reimbursement to local school administrative units in order to avoid a mandate and adds an appropriations and allocations section for that purpose.

LD 594 **An Act To Prohibit Possession of a Firearm by a Person Who Has Created a Police Standoff** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CHAPMAN	ONTP	

This bill adds to the list of persons prohibited from possessing a firearm a person who has been adjudicated as creating a police standoff.

LD 626 **An Act To Remove the Mandatory Minimum Jail Sentence in Certain Cases** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
KATZ FREDETTE	ONTP OTP-AM	

This bill removes the mandatory minimum sentence of one year of imprisonment for a conviction of the crime of reckless conduct with a firearm.

Committee Amendment "A" (S-30)

This amendment incorporates a fiscal note.

LD 647 **An Act To Establish the Mobile Crime Laboratory Fund** **DIED BETWEEN HOUSES**

Sponsor(s)	Committee Report	Amendments Adopted
GERZOFSKY PRIEST	ONTP OTP-AM	

This bill establishes the Mobile Crime Laboratory Fund to establish, operate and maintain a mobile crime laboratory.

Committee Amendment "A" (S-112)

This amendment, which is the minority report of the committee, adds an appropriations and allocations section.

LD 660 **An Act To Enhance Self-defense by Removing Restrictions on the Carrying and Use of Weapons**

ACCEPTED MAJORITY (ONTP) REPORT

Sponsor(s)	Committee Report	Amendments Adopted
LIBBY A SHERMAN	ONTP OTP-AM	

This bill:

1. Removes the prohibition on having a loaded firearm or crossbow in a motor vehicle for a person other than a holder of a concealed weapons permit;

2. Provides the exception that a person may shoot from a motor vehicle or motorboat in the defense of life or property;

3. Removes the prohibition on concealing a dangerous weapon; and

4. Removes exceptions to the law prohibiting the carrying of a concealed dangerous weapon.

Committee Amendment "A" (H-361)

This amendment strikes and replaces the bill and is the minority report. The amendment specifies that a person who is not otherwise prohibited from possessing a firearm and is a resident of this State may carry a concealed handgun without a permit. The amendment also adds an appropriations and allocations section.

LD 661 **An Act To Prohibit Sale or Possession of Synthetic Cannabinoids**

PUBLIC 341

Sponsor(s)	Committee Report	Amendments Adopted
GOODE CUSHING	OTP-AM	H-422

This bill defines "synthetic cannabinoid," commonly known as "spice" or "K2," in general terms and lists it as a schedule Z drug. Current law only lists specific chemical compounds that are synthetic cannabinoids, so chemical compounds that are synthetic cannabinoids but differ from the compounds listed in statute are not considered schedule Z drugs and are legal in the State.

Committee Amendment "A" (H-422)

This amendment replaces the bill and amends the Maine Criminal Code to capture the larger group of synthetic cannabinoids that have been manufactured since Public Law 2011, chapter 428 was first enacted. The amendment classifies these synthetic cannabinoids as Schedule Z drugs.

Enacted Law Summary

Public Law 2013, chapter 341 amends the Maine Criminal Code to capture the larger group of synthetic cannabinoids that have been manufactured since Public Law 2011, chapter 428 was first enacted. Public Law 2013, chapter 341 classifies these synthetic cannabinoids as Schedule Z drugs.

LD 662 **An Act Regarding Sexually Explicit Text Messaging by Minors** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
MASTRACCIO TUTTLE		

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

This bill proposes to prohibit sexually explicit text messaging, also known as sexting, by a minor in a manner different from the prohibition in current law. Sexting is the act of recording, copying or transmitting images, photographs or videos of a person's breasts, genitals, anus or pubic area using a telephone, computer, camera, memory device or other piece of electronic equipment. The current provisions in the criminal law that prohibit sexting images of a minor do not except minors, even minors who transmit images of themselves, and potentially subject minors prosecuted for sexting to being listed on the sex offender registry for life. This bill proposes to create exceptions or other avenues in the law to discourage sexting by minors and provide educators and other adults with tools to prevent sexting and to punish minors short of treating them as sexual predators or serious criminals.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 663 **An Act To Change the Time Restriction on the Use of Fireworks** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CROCKETT	ONTP	

This bill reduces the permissible hours when fireworks may be used from between the hours of 9:00 a.m. and 10:00 p.m. to between the hours of 9:00 a.m. and 9:00 p.m.

LD 664 **An Act To Increase the Penalties for Crimes Involving Illegal or Prescription Drugs** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CHASE GERZOFSKY	ONTP	

This bill doubles the maximum term of imprisonment and fine a person convicted of a crime may receive if the crime involved the theft of an illegal or prescription drug or the person committed the crime while under the influence of an illegal drug or a drug that the person was not legally authorized to possess.

LD 685 **An Act To Require Investigation and Prosecution of Assaults by Law Enforcement Officers against Unarmed Individuals** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
KUSIAK	ONTP	

This bill requires the Attorney General to prosecute all credible claims of assault by a law enforcement officer against an unarmed person, allows a law enforcement agency to investigate a claim of assault on an unarmed person by a law enforcement officer of another law enforcement agency and removes the immunity from personal civil liability from a law enforcement officer who assaults an unarmed person.

LD 701 **An Act To Amend the Laws Governing Probation and Remove References to the Intensive Supervision Program of the Department of Corrections** **PUBLIC 133**

Sponsor(s)	Committee Report	Amendments Adopted
GERZOFSKY	OTP-AM	S-44
LONG	OTP-AM	

This bill amends the laws governing the process for terminating the probation of certain persons. It also requires the termination of the probation of persons, other than domestic violence and sex offenders, who complete all probation requirements if at least one half of the probation period has been served.

It allows the Department of Corrections to impose fees on probationers seeking out-of-state travel permits. The fees must be used to defray costs associated with processing the applications, as well as to help pay for extraditing probationers who have left Maine without permission or failed to return to Maine as required by a travel permit.

It amends the laws governing alternatives to probation revocation proceedings regarding under what conditions these alternatives are available, what these alternatives are and the duties of a probation officer with respect to a person on probation who successfully completes alternatives to probation revocation proceedings.

It eliminates references to the Department of Corrections' Intensive Supervision Program.

Committee Amendment "A" (S-44)

This amendment is the majority report of the committee. The amendment removes the provisions of the bill regarding the termination of probation. It also removes language that authorizes a probation officer who has evidence of a probation violation to offer the defendant the opportunity to voluntarily go to jail for a period of time not to exceed 72 hours in lieu of terminating that person's probation.

Committee Amendment "B" (S-45)

This amendment is the minority report of the committee and adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2013, chapter 133 amends the laws governing the process for terminating the probation of certain persons. It also requires the termination of the probation of persons, other than domestic violence and sex offenders, who complete all probation requirements if at least one half of the probation period has been served.

It also allows the Department of Corrections to impose fees on probationers seeking out-of-state travel permits. The fees must be used to defray costs associated with processing the applications, as well as to help pay for extraditing probationers who have left Maine without permission or failed to return to Maine as required by a travel permit.

It amends the laws governing alternatives to probation revocation proceedings regarding under what conditions these alternatives are available, what these alternatives are and the duties of a probation officer with respect to a person on probation who successfully completes alternatives to probation revocation proceedings.

Public Law 2013, chapter 133 eliminates references to the Department of Corrections' Intensive Supervision

Program.

LD 703 **An Act To Make Post-conviction Possession of Animals a Criminal Offense** **VETO SUSTAINED**

Sponsor(s)	Committee Report	Amendments Adopted
MAZUREK	ONTP OTP-AM	S-283

This bill sets the minimum amount of time for a person convicted of animal cruelty that the person cannot own, possess or have on the person's premises an animal as 5 years for a Class D crime and 15 years for a Class C crime and makes a violation of these time periods a Class D crime. This bill also provides for a person to petition the court to reduce the amount of time that the person may not own, possess or have on the person's premises an animal upon a showing that the person does not present a danger to animals, and other criteria.

Committee Amendment "A" (S-283)

This amendment is the minority report that was not adopted. It replaces the bill and provides that a person convicted of cruelty to animals may not own, possess, have on that person's premises or have under that person's control an animal for at least 5 years for a Class D conviction for cruelty to animals or for at least 15 years for a Class C conviction for cruelty to animals and makes a violation of this prohibition a Class D crime.

It provides that the Commissioner of Agriculture, Conservation and Forestry may reduce the period of time a person convicted of cruelty to animals is prohibited from having an animal upon application by the person subject to the prohibition. The commissioner may revoke the reduction in time granted if the commissioner finds that the person is a danger to animals or no longer has the ability to properly care for an animal. A person whose reduction of time has been revoked may not reapply for a reduction in time.

This amendment provides that a person subject to a prohibition for conviction of cruelty to animals may apply to the commissioner for final relief from the period of time the person is prohibited from having an animal no sooner than 5 years after entry of conviction for a Class D crime and no sooner than 15 years after entry of conviction for a Class C crime. A person may not reapply for final relief more frequently than every two years.

Finally, it authorizes the Commissioner of Agriculture, Conservation and Forestry to establish an application filing fee of not more than $25 to cover the costs of processing applications.

LD 708 **An Act To Reduce Emergency Rescue Costs** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
DUTREMBLE	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to direct the Director of Maine Emergency Medical Services within the Department of Public Safety to establish a pilot project designed to increase response efficiency for emergency medical services personnel and reduce costs for both patients and insurers. The bill would direct the Medical Direction and Practices Board to establish a Maine Emergency Medical Services protocol that authorizes emergency medical services personnel to identify those patients that need follow-up medical care but do not have a condition serious enough to need an ambulance to the nearest hospital. Under the pilot project, emergency medical services personnel would offer to patients meeting this criterion a free voucher to cover the round trip to and from the medical provider of the patient's choice. At the conclusion of the pilot project, the Director of Maine Emergency Medical Services would be required to report to the Legislature regarding the results

of the pilot project and submit recommendations regarding continuation and expansion of the pilot project and the funding of the vouchers.

LD 724 **An Act To Require Firearms Used in the Commission of Certain Acts To Be Civilly Forfeited to the State and Destroyed** **PUBLIC 328**

Sponsor(s)	Committee Report	Amendments Adopted
DION	OTP ONTP	

This bill requires the forfeiture and destruction of a firearm used in the commission of a crime that causes death or serious bodily injury by a person who then, either due to suicide or attempted suicide or the justifiable actions of a law enforcement officer, dies or becomes incompetent to stand trial.

Current law distinguishes between a firearm and a handgun for certain situations, including allowing a handgun used in a murder to be returned to the rightful owner, as long as the owner was not the person who committed the crime. This bill removes the distinction, applying the forfeiture laws equally to all firearms.

Enacted Law Summary

Public Law 2013, chapter 328 requires the forfeiture and destruction of a firearm used in the commission of a crime that causes death or serious bodily injury by a person who then, either due to suicide or attempted suicide or the justifiable actions of a law enforcement officer, dies or becomes incompetent to stand trial.

Current law distinguishes between a firearm and a handgun for certain situations, including allowing a handgun used in a murder to be returned to the rightful owner, as long as the owner was not the person who committed the crime. Public Law 2013, chapter 328 removes the distinction, applying the forfeiture laws equally to all firearms.

LD 771 **An Act To Amend the Laws Governing Reciprocity for Concealed Handguns Permits** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MARKS	ONTP	

This bill makes a concealed handguns permit issued to a nonresident invalid outside the borders of the State and prohibits a reciprocity agreement with another state to allow the issuance of a concealed handguns permit to a nonresident by the State to serve as a basis for the issuance of a concealed handguns permit in the other state.

LD 820 **An Act Regarding Fire Escapes for Certain Buildings** **PUBLIC 76**

Sponsor(s)	Committee Report	Amendments Adopted
LAJOIE DUTREMBLE	OTP	

This bill repeals the provision of law that provides that a person, firm or organization that violates the law pertaining to the installment and maintenance of fire escapes commits a civil violation to eliminate a conflict between the Maine Revised Statutes, Title 25, section 2453 and the National Fire Protection Association Life Safety Code 101. It also amends a section to correct a cross-reference to the repealed provision.

Enacted Law Summary

Public Law 2013, chapter 76 repeals the provision of law that provides that a person, firm or organization that violates the law pertaining to the installment and maintenance of fire escapes commits a civil violation to eliminate a conflict between the Maine Revised Statutes, Title 25, section 2453 and the National Fire Protection Association Life Safety Code 101. It also amends a section to correct a cross-reference to the repealed provision.

LD 839 **An Act To Amend the Laws Governing the Licensing of Technicians Involved in a Display of Fireworks or Special Effects** **PUBLIC 56**

Sponsor(s)	Committee Report	Amendments Adopted
LAJOIE WHITTEMORE	OTP	

This bill provides for the licensing of a proximate audience technician and a flame effect technician in connection with a display of fireworks or special effects.

Enacted Law Summary

Public Law 2013, chapter 56 provides for the licensing of a proximate audience technician and a flame effect technician in connection with a display of fireworks or special effects.

LD 840 **An Act To Amend the Law Regulating the Use of Explosives** **PUBLIC 57**

Sponsor(s)	Committee Report	Amendments Adopted
LAJOIE PLUMMER	OTP-AM	H-27

This bill amends the regulatory authority of the Commissioner of Public Safety to exempt from oversight the possession of 50 pounds or less of premixed or five pounds or less of mixed binary explosive target material for the purpose of sport shooting.

Committee Amendment "A" (H-27)

This amendment removes from the bill the provision that allows the Commissioner of Public Safety to exempt from oversight the possession of 50 pounds or less of premixed binary target material for the purpose of sport shooting.

Enacted Law Summary

Public Law 2013, chapter 57 amends the regulatory authority of the Commissioner of Public Safety to exempt from oversight the possession of five pounds or less of mixed binary explosive target material for the purpose of sport shooting.

LD 841 **An Act To Prevent Offensive Touching of a Person Seeking Access to Public Facilities** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
LIBBY A	ONTP OTP	

This bill creates the new Class D crime of unlawful contact during a security screening, which prohibits a person conducting a security screening of an individual seeking access to certain public buildings from touching certain

areas of that individual without a reasonable and articulable suspicion that the individual possesses a prohibited item that may not be detectable without touching those areas. This prohibition does not apply to security screenings at correctional facilities.

LD 842 **An Act To Facilitate the Use of Electronic Monitoring** **PUBLIC 227**

Sponsor(s)	Committee Report	Amendments Adopted
FREDETTE CAIN	OTP-AM	H-296

This bill provides a new form of relief to Maine's existing protection from abuse laws by allowing those seeking a protection from abuse order to request that the defendant be subject to electronic monitoring. Electronic monitoring may be ordered only after a full protection from abuse hearing and only after consideration of various domestic violence risk factors.

It directs the Department of Public Safety to establish an electronic monitoring program and authorizes the department to seek funding from the Electronic Monitoring Fund to support the program. This bill repeals the electronic monitoring fund within the Department of Corrections and places it in the judicial branch. These provisions take effect January 1, 2016.

Beginning July 1, 2015, the electronic monitoring program would operate as a pilot program in 4 of Maine's counties, expanding to statewide coverage by January 1, 2016.

Committee Amendment "A" (H-296)

This amendment replaces the bill and does the following.

1. It provides that a judicial officer may require a defendant to participate in an electronic monitoring program as a condition of pretrial release.

2. It provides that a judicial officer may require a person convicted of a crime to participate in an electronic monitoring program as a condition of probation.

3. It establishes the Electronic Monitoring Fund within the State Board of Corrections and removes the fund from the purview of the Department of Corrections.

4. It directs the Maine Commission on Domestic and Sexual Abuse, to the extent practicable and as resources permit, to assist the State Board of Corrections in developing and implementing an electronic monitoring pilot project. By February 15, 2014, the commission must report to the Joint Standing Committee on Criminal Justice and Public Safety on the progress in developing and implementing an electronic monitoring pilot project.

5. It authorizes the committee to report out a bill to the Second Regular Session of the 126th Legislature implementing the recommendations of the commission.

Enacted Law Summary

Public Law 2013, chapter 227 does the following.

1. It provides that a judicial officer may require a defendant to participate in an electronic monitoring program as a condition of pretrial release.

2. It provides that a judicial officer may require a person convicted of a crime to participate in an electronic monitoring program as a condition of probation.

3. It establishes the Electronic Monitoring Fund within the State Board of Corrections and removes the fund from the purview of the Department of Corrections.

4. It directs the Maine Commission on Domestic and Sexual Abuse, to the extent practicable and as resources permit, to assist the State Board of Corrections in developing and implementing an electronic monitoring pilot project. By February 15, 2014, the commission must report to the Joint Standing Committee on Criminal Justice and Public Safety on the progress in developing and implementing an electronic monitoring pilot project.

5. It authorizes the Joint Standing Committee on Criminal Justice and Public Safety to report out a bill to the Second Regular Session of the 126th Legislature implementing the recommendations of the commission.

LD 873 **An Act To Establish Positive Reentry Parole** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
TUTTLE BOLAND	ONTP	

This bill establishes the option of parole for persons sentenced on or after October 1, 2013. Current law provides that only persons in the custody of the Department of Corrections pursuant to a sentence imposed under the law in effect before May 1, 1976 may apply for parole. This bill incorporates the concepts of positive reentry parole, is modeled in part on recent law enacted by Colorado and uses some of the technical aspects of Maine's existing parole law.

LD 883 **An Act Regarding the Sexual Assault Forensic Examiner Advisory Board** **PUBLIC 68**

Sponsor(s)	Committee Report	Amendments Adopted
GERZOFSKY GRAHAM	OTP-AM	S-26

This bill allows the Sexual Assault Forensic Examiner Advisory Board the authority to issue certificates to persons who complete sexual assault forensic examiner training and provides that certification by the board does not constitute licensing under the Maine Administrative Procedure Act.

Committee Amendment "A" (S-26)

This bill allows the Sexual Assault Forensic Examiner Advisory Board to establish prerequisites applicable to persons who wish to participate in sexual assault forensic examiner training, but does not require the prerequisites to be established by routine technical rule.

Enacted Law Summary

Public Law 2013, chapter 68 allows the Sexual Assault Forensic Examiner Advisory Board the authority to establish prerequisites applicable to persons who wish to participate in sexual assault forensic examiner training and issue certificates to those who complete the training.

LD 887 **An Act To Repeal a Specialized Form of the Generic Crime of Theft by Unauthorized Taking or Transfer** **PUBLIC 96**

Sponsor(s)	Committee Report	Amendments Adopted
	OTP	

This bill repeals the crime of theft by unauthorized taking or transfer at a casino or slot machine facility since, except for the additional requirement that the theft occur at or from a casino or slot machine facility, the crime is already prohibited by the generic umbrella crime of theft by unauthorized taking or transfer.

Enacted Law Summary

Public Law 2013, chapter 96 repeals the crime of theft by unauthorized taking or transfer at a casino or slot machine facility since, except for the additional requirement that the theft occur at or from a casino or slot machine facility, the crime is already prohibited by the generic umbrella crime of theft by unauthorized taking or transfer.

LD 888 **An Act To Provide Funding to the Judicial Branch to Facilitate Reporting to the National Instant Criminal Background Check System** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
DAVIS THOMAS	ONTP OTP-AM	

Public Law 2007, chapter 670 directs a court to transmit to the Department of Public Safety, State Bureau of Identification information on any order for involuntary commitment issued by the court and requires the commanding officer of the State Bureau of Identification to transmit that information to the Federal Bureau of Investigation, National Instant Criminal Background Check System for firearms background check purposes. However, the court and the State Bureau of Identification are not required to transmit such information until sufficient funding is available to cover the costs associated with the reporting requirements.

This bill provides a General Fund appropriation to the Judicial Department of $200,000 in fiscal year 2013-14 and $10,000 in fiscal year 2014-15 and to the Department of Public Safety, State Bureau of Identification of $25,000 in fiscal year 2013-14 and $7,000 in fiscal year 2014-15 to fund costs associated with the transmission of information to the Federal Bureau of Investigation, National Instant Criminal Background Check System on court orders for involuntary commitment.

Committee Amendment "A" (H-159)

This amendment, which is the minority report of the committee, makes a technical correction to the appropriations and allocations section.

LD 926 **An Act To Increase the Penalty for an Adult Who Provides Alcohol to a Minor Involved in a Fatal Accident** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CROCKETT HAMPER	ONTP	

This bill changes from Class C to Class B the crime of furnishing liquor to a minor if the consumption of the liquor causes the death of the minor or another individual.

LD 958 **An Act To Establish a Database To Prevent Individuals Involuntarily Admitted or Committed to a Mental Health Institution from Being Issued Concealed Handgun Permits** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MARKS	ONTP	

This bill directs the Department of Public Safety, State Bureau of Identification to establish and maintain a database of individuals admitted or committed involuntarily to a mental health institution who present a substantial threat of physical harm to themselves or to others. The database may only be used for the purpose of issuing permits to carry concealed handguns.

LD 997 **An Act To Establish Restrictions on Ammunition Feeding Devices** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
ALFOND BERRY	ONTP	

This bill makes the possession, transfer or importation of an ammunition feeding device for a firearm a Class D crime. An ammunition feeding device is a device such as a magazine, belt, drum or other device that has a capacity of more than 10 rounds of ammunition. This bill includes a number of exceptions to these prohibitions including but not limited to, a person in possession of an such a device prior to the effective date of this Act, a government agency or law enforcement officer or for research purposes.

LD 1022 **An Act To Improve Training Requirements for Obtaining a Concealed Handgun Permit** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
JOHNSON P	ONTP OTP	

This bill amends the training requirements to obtain a permit to carry a concealed handgun by requiring an applicant to demonstrate possession of defensive handgun skills, including the safe operating of a handgun and demonstrating firing 50 rounds of ammunition with a handgun, and a knowledge of the applicable provisions of the criminal laws of the State.

LD 1044 **An Act To Amend the Laws Governing Prosecution of Individuals Possessing a Controlled Substance under Certain Circumstances** **VETO SUSTAINED**

Sponsor(s)	Committee Report	Amendments Adopted
DORNEY	OTP-AM ONTP	H-205

This bill prohibits the admissibility of evidence derived as a result of a person's seeking medical assistance when experiencing a drug overdose or for another person who is experiencing a drug overdose in proving the crime of unlawful possession of a scheduled drug.

Committee Amendment "A" (H-205)

This amendment replaces the bill and creates an affirmative defense to prosecution. The amendment 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 amendment also specifies that the affirmative defense is not grounds for suppression of evidence with respect to any crime.

LD 1045 **An Act To Establish the Forensic Advisory Committee**

ACCEPTED MAJORITY (ONTP) REPORT

Sponsor(s)	Committee Report	Amendments Adopted
KORNFIELD	ONTP OTP-AM	

This bill creates the Forensic Advisory Committee, which reports to the Attorney General, to review and make recommendations about the operations of the Office of the Chief Medical Examiner, the Maine State Police Crime Laboratory and the forensic chemistry section of the Health and Environmental Testing Laboratory. The committee is also required to review the conduct of personnel, errors in testing and new programs of, protocols for and methods of forensic testing.

Committee Amendment "A" (H-355)

This amendment, which is the minority report, makes the following changes to the Forensic Advisory Committee in the bill.

1. It requires the Governor, rather than the chair of the committee, to appoint four of the members of the committee.

2. It requires the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters to review, and the Legislature to confirm, the appointments made by the Governor to the committee.

3. It requires an academic with a doctorate in biological sciences, rather than an academic research scientist, to be appointed to the committee.

4. It requires the committee to make recommendations for each laboratory in the bill to the entity that has specific oversight authority over the laboratory.

5. It allows the joint standing committee of the Legislature having jurisdiction over criminal justice and public safety matters to report out legislation, rather than a bill.

The amendment also adds an appropriations and allocations section.

LD 1053 **An Act Regarding a Retired Law Enforcement Officer Carrying a Concealed Handgun without a Permit** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BLACK BURNS	ONTP	

This bill amends the requirements for a retired law enforcement officer to carry a concealed handgun without a permit by adding that the retired law enforcement officer must have completed the firearms basic training course at the Maine Criminal Justice Academy or equivalent training requirements and removes the requirement for training within a year of possessing the handgun.

LD 1054 **An Act To Prohibit Enforcement by a Federal or State Official or Others of the National Defense Authorization Act For Fiscal Year 2012** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
LIBBY A	ONTP OTP-AM	

This bill expresses the findings of the Legislature that the National Defense Authorization Act For Fiscal Year 2012, authorizing the President of the United States to arrest, detain without charge, detain indefinitely, try under the laws of war or transfer to a foreign jurisdiction a noncitizen, violates the Constitution of the United States. This bill:

1. Prohibits within the State the activities authorized by the Act that the Legislature finds unconstitutional;

2. Prohibits the State from providing material support to or participating in the implementation of provisions of the Act that the Legislature finds unconstitutional;

3. Requires the Department of Public Safety to report to the Governor and Legislature any attempt by an agency or agent of the Federal Government to implement the Act through the operation of any state department or agency;

4. Makes a federal official or employee of a corporation doing business with the Federal Government who enforces or attempts to enforce the unconstitutional provisions of the Act guilty of a Class E crime; and

5. Makes a state official or employee of a corporation doing business with the State who enforces or attempts to enforce the unconstitutional provisions of the Act guilty of a Class D crime.

Committee Amendment "A" (H-161)

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

LD 1079 **An Act To Provide for Alternatives for the Courts To Address Settlement of Fines in Certain Cases** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CUSHING CROCKETT	ONTP	

Current law allows a court, when an offender defaults in payment of a fine imposed for a conviction of a Class D or Class E crime, to order the offender to perform community service work. The order may be issued only following a default hearing at which the offender is entitled to legal counsel.

This bill allows the court, prior to the default hearing, to offer the offender the option of performing community service work under the same terms and conditions as community service work ordered after the default hearing.

LD 1112 **An Act To Amend the Maine Juvenile Code and Related Statutes** **PUBLIC 234**

Sponsor(s)	Committee Report	Amendments Adopted
	OTP-AM ONTP	H-262

This bill makes the following changes to the Juvenile Code.

1. It provides that a person or entity performing a court-ordered mental health examination or evaluation of a juvenile may make a written demand for that juvenile's records or copies of those records held by another individual or entity.

2. It corrects an oversight to clarify that the juvenile crimes involving a useable amount of marijuana, drug paraphernalia, illegal transportation and certain types of intoxicating liquor need only be supported by a preponderance of the evidence rather than by evidence beyond a reasonable doubt as required for other juvenile crimes.

3. It adds a definition of "mental disease or defect" to the Maine Juvenile Code that is the same as the definition in the Maine Criminal Code for purposes of establishing lack of criminal responsibility by reason of insanity except it excludes the fact that a juvenile has not attained the level of mental or emotional development normally associated with an adult individual.

4. It removes duplicative or obsolete definitions for "he," "law enforcement officer," "organization" and "person."

5. It clarifies that the general principles contained in the Maine Revised Statutes, Title 17-A, Part 1, except specific provisions that are inconsistent with or inapplicable to the Maine Juvenile Code, are applicable to juvenile crimes.

6. It requires that a juvenile respond by way of an answer to a petition of allegation of a juvenile crime. A juvenile response may be through counsel.

7. It provides that, in addition to admitting the allegations of a petition, a juvenile or a juvenile's counsel may answer a petition by denying allegations, by asserting the absence of criminal responsibility by reason of insanity or by not contesting the allegations.

8. It allows a juvenile or a juvenile's counsel to answer by a denial and by an assertion of the absence of criminal responsibility by reason of insanity.

9. It allows a court to accept a denial or an assertion of the absence of criminal responsibility by reason of insanity, or both, when the case has been continued for investigation and for a bind-over hearing.

10. It provides that a court must enter an answer of denial if a juvenile or a juvenile's counsel declines to enter an answer.

11. It provides that a dispositional hearing will be set for a juvenile if the court accepts an answer admitting or not

contesting the allegations of the petition.

12. It provides that if the answer entered by a juvenile is a denial or an assertion of the absence of criminal responsibility by reason of insanity, or both, or if the court declines to accept an answer admitting or not contesting the allegations of the petition, an adjudicatory hearing must be set.

13. It provides for a right to periodic review of a disposition of a juvenile found incompetent to proceed. It also clarifies that the commitment of a juvenile to the Department of Health and Human Services is a commitment to the custody of the Commissioner of Health and Human Services.

14. It changes the period of time within which a juvenile may take an appeal from the juvenile court to the Superior Court from five to seven days after the entry of an order of disposition. This is the same appeal period as is provided for a petition contesting extradition.

Committee Amendment "A" (H-262)

This amendment clarifies that a juvenile must personally appear in court to enter an answer to allegations in a petition. The bill provides that when an answer is entered or the court declines to accept an answer admitting or not contesting the allegations of a petition, an adjudicatory hearing must be set. This amendment removes the reference to an adjudicatory hearing and instead provides that the matter must be set for further proceedings in order to accommodate existing local procedures.

Enacted Law Summary

Public Law 2013, chapter 234 makes the following changes to the Juvenile Code.

1. It provides that a person or entity performing a court-ordered mental health examination or evaluation of a juvenile may make a written demand for that juvenile's records or copies of those records held by another individual or entity.

2. It corrects an oversight to clarify that the juvenile crimes involving a useable amount of marijuana, drug paraphernalia, illegal transportation and certain types of intoxicating liquor need only be supported by a preponderance of the evidence rather than by evidence beyond a reasonable doubt as required for other juvenile crimes.

3. It adds a definition of "mental disease or defect" to the Maine Juvenile Code that is the same as the definition in the Maine Criminal Code for purposes of establishing lack of criminal responsibility by reason of insanity except it excludes the fact that a juvenile has not attained the level of mental or emotional development normally associated with an adult individual.

4. It removes duplicative or obsolete definitions for "he," "law enforcement officer," "organization" and "person."

5. It clarifies that the general principles contained in the Maine Revised Statutes, Title 17-A, Part 1, except specific provisions that are inconsistent with or inapplicable to the Maine Juvenile Code, are applicable to juvenile crimes.

6. It requires that a juvenile respond by way of an answer to a petition of allegation of a juvenile crime. A juvenile response may be through counsel but must appear before the court in person.

7. It provides that, in addition to admitting the allegations of a petition, a juvenile or a juvenile's counsel may answer a petition by denying allegations, by asserting the absence of criminal responsibility by reason of insanity or by not contesting the allegations.

8. It allows a juvenile or a juvenile's counsel to answer by a denial and by an assertion of the absence of criminal responsibility by reason of insanity.

9. It allows a court to accept a denial or an assertion of the absence of criminal responsibility by reason of insanity, or both, when the case has been continued for investigation and for a bind-over hearing.

10. It provides that a court must enter an answer of denial if a juvenile or a juvenile's counsel declines to enter an answer.

11. It provides that a dispositional hearing will be set for a juvenile if the court accepts an answer admitting or not contesting the allegations of the petition.

12. It provides that if the answer entered by a juvenile is a denial or an assertion of the absence of criminal responsibility by reason of insanity, or both, or if the court declines to accept an answer admitting or not contesting the allegations of the petition, an adjudicatory hearing must be set.

13. It provides for a right to periodic review of a disposition of a juvenile found incompetent to proceed. It also clarifies that the commitment of a juvenile to the Department of Health and Human Services is a commitment to the custody of the Commissioner of Health and Human Services.

14. It changes the period of time within which a juvenile may take an appeal from the juvenile court to the Superior Court from 5 to 7 days after the entry of an order of disposition. This is the same appeal period as is provided for a petition contesting extradition.

LD 1159 **An Act To Address Human Trafficking, Sex Trafficking and Prostitution** **PUBLIC 407**

Sponsor(s)	Committee Report	Amendments Adopted
	OTP	

This bill broadens the definition of "human trafficking offense" to include the Maine Criminal Code crimes of aggravated sex trafficking, sex trafficking and all other crimes in the Maine Revised Statutes, Title 17-A, chapters 11, 12 and 13 if accompanied by the withholding of government-issued immigration or identification documents or committed as part of a scheme to compel participation in prostitution or labor using specific types of threats.

This bill also makes changes in the Maine Criminal Code to address human trafficking and the subcategory of sex trafficking. Specifically, the bill:

1. Renames the crimes of aggravated promotion of prostitution and promotion of prostitution "aggravated sex trafficking" and "sex trafficking," respectively, in order to more accurately describe the defined criminal conduct;

2. Adds a provision to the crime of aggravated sex trafficking to include a victim who suffers from a mental disability;

3. Updates language in statute concerning aggravated sex trafficking regarding the terms "narcotic" and "alcoholic liquor;"

4. Amends the crime of sex trafficking to provide that a new violation after having been twice previously convicted of sex trafficking, engaging in prostitution, engaging a prostitute or patronizing prostitution of a minor, or attempts to commit those crimes or engaging in substantially similar conduct in another jurisdiction, constitutes a Class C crime;

5. Amends the crime of engaging in prostitution to permit the trial court at the time of sentencing to employ any

sentence alternative authorized for a Class E crime rather than solely a fine; and

6. Amends the crime of patronizing prostitution of a minor to include the Class C crime of patronizing prostitution of a mentally disabled person.

Enacted Law Summary

Public Law 2013, chapter 407 broadens the definition of "human trafficking offense" to include the Maine Criminal Code crimes of aggravated sex trafficking, sex trafficking and all other crimes in the Maine Revised Statutes, Title 17-A, chapters 11, 12 and 13 if accompanied by the withholding of government-issued immigration or identification documents or committed as part of a scheme to compel participation in prostitution or labor using specific types of threats.

It also makes changes in the Maine Criminal Code to address human trafficking and the subcategory of sex trafficking. Specifically, it:

1. Renames the crimes of aggravated promotion of prostitution and promotion of prostitution "aggravated sex trafficking" and "sex trafficking," respectively, in order to more accurately describe the defined criminal conduct;

2. Adds a provision to the crime of aggravated sex trafficking to include a victim who suffers from a mental disability;

3. Updates language in statute concerning aggravated sex trafficking regarding the terms "narcotic" and "alcoholic liquor;"

4. Amends the crime of sex trafficking to provide that a new violation after having been twice previously convicted of sex trafficking, engaging in prostitution, engaging a prostitute or patronizing prostitution of a minor, or attempts to commit those crimes or engaging in substantially similar conduct in another jurisdiction, constitutes a Class C crime;

5. Amends the crime of engaging in prostitution to permit the trial court at the time of sentencing to employ any sentence alternative authorized for a Class E crime rather than solely a fine; and

6. Amends the crime of patronizing prostitution of a minor to include the Class C crime of patronizing prostitution of a mentally disabled person.

LD 1173 **An Act To Repeal the Law Allowing Concealed Weapons in State Parks with Certain Exceptions**

ACCEPTED MAJORITY (ONTP) REPORT

Sponsor(s)	Committee Report	Amendments Adopted
GERZOFSKY PRIEST	ONTP OTP	

This bill repeals the law that allows a person to whom a permit to carry a concealed firearm permit has been issued, either by this State or another state, to carry a concealed firearm in the buildings or parts of buildings and other public property that are under the jurisdiction of the Department of Agriculture, Conservation and Forestry, Division of Public Parks and Lands, including state parks and historic sites. This bill retains the exemptions in current law for:

1. An authorized federal, state or local law enforcement officer in the performance of the officer's official duties;

2. A qualified law enforcement officer pursuant to 18 United States Code, Section 926B; and

3. A qualified retired law enforcement officer pursuant to 18 United States Code, Section 926C.

LD 1182 **An Act Regarding the Disposition of Firearms in State Custody** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
TIMBERLAKE MASON G	ONTP	

This bill amends the provisions of law concerning the disposal of firearms and ammunition by the State to:

1. Include the disposition of firearms and ammunition acquired by the State or a political subdivision that are no longer needed or that are turned in by a member of the public;

2. Require all law enforcement agencies to transfer any forfeited or no longer needed firearms and ammunition to the Department of Public Safety;

3. Clarify that the Department of Public Safety may transfer firearms and ammunition to the Maine State Police Crime Laboratory or the Maine State Museum;

4. Require the Department of Public Safety to hold up to two firearm and ammunition auctions a year and require that only unsafe firearms or ammunition be destroyed or transferred to the Maine State Police Crime Laboratory or the Maine State Museum;

5. Place conditions on the auction of firearms and the use of the proceeds;

6. Make the State immune from liability for the sale of a firearm or ammunition at auction; and

7. Require the Department of Public Safety to keep records of the disposition of all firearms and ammunition disposed of pursuant to the provisions of this bill.

LD 1183 **An Act To Prohibit the Enforcement of Federal Law Placing Restrictions on Firearms or Ammunition** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
JOHNSON D	ONTP OTP-AM	

This bill exempts from federal regulation firearms, firearm accessories and ammunition that are owned by residents of this State and kept exclusively in this State or that are made in this State and that remain in this State. It also prohibits the enforcement of any federal act, law, statute, rule, regulation or order that attempts to restrict or prohibit the ownership of a semi-automatic firearm or a magazine or that requires the registration of a firearm, a firearm accessory or ammunition. A violation is a Class C crime, punishable by a minimum of one year in prison.

Committee Amendment "A" (H-219)

This amendment is the minority report and incorporates a fiscal note.

LD 1229 **An Act To Regulate and Tax Marijuana**

ACCEPTED MAJORITY (ONTP) REPORT

Sponsor(s)	Committee Report	Amendments Adopted
RUSSELL VALENTINO	ONTP OTP-AM	

This bill reforms state marijuana laws by establishing an excise tax on marijuana, allowing the personal use and cultivation of marijuana and allowing, regulating and licensing certain commercial marijuana-related activities, while providing provisions to protect minors, employers and schools.

Part A of the bill establishes a tax rate of $50 per ounce for marijuana that is sold or transferred by licensed marijuana cultivation facilities. It directs the State Controller to distribute 10% of the revenue to regulating marijuana establishments, 5% to research into marijuana until January 1, 2021 and the remainder to the General Fund. It directs the Department of Administrative and Financial Services, Bureau of Revenue Services to report annually, beginning January 30, 2015, 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 marijuana that is sold in the State is assessed and to report its findings and recommendations to the Joint Standing Committee on Taxation by February 15, 2014.

Part B removes the civil violation for adults 21 years of age and older who possess up to 2 1/2 ounces of marijuana and creates a new civil violation for minors who present false identification to a retail marijuana store.

Part C of the bill allows a person 21 years of age or older to possess, purchase and use marijuana within certain limits and to cultivate a limited amount of marijuana for personal use. It allows a person to possess marijuana paraphernalia and up to 2 1/2 ounces of marijuana. It allows a person to cultivate up to 6 marijuana plants, including seedlings, and to purchase up to 2 1/2 ounces of marijuana, marijuana paraphernalia and marijuana seedlings from someone who is licensed to sell these products. The bill imposes the same type of restrictions on marijuana use that apply to tobacco use and that ban smoking in other public places. It requires those cultivating marijuana to secure it from access by unauthorized persons and access by minors. It also provides protections for schools and employers.

It includes specific requirements for the operations of commercial marijuana-related activities regarding the location of operations, security measures, labeling and record keeping. It allows localities to limit the number of each of 4 types of licensees, to regulate them or to ban them. It further limits the number of retail marijuana stores based on the size of the municipality.

This Part establishes the Bureau of Marijuana Regulation, Licensing and Enforcement in the Department of Administrative and Financial Services. The bureau is required to adopt emergency major substantive rules by June 1, 2014 for the licensing and regulation of marijuana establishments. Included in the rules must be a provision giving preference for licensing to a member or officer of a board of a corporation operating a registered dispensary under the Maine Medical Use of Marijuana Act or a senior manager of a registered dispensary. Until the initial rules adopted by the bureau are reviewed by the Legislature, the bureau is permitted to issue only 25% of the number of licenses for a retail marijuana store allowed in a municipality, but must issue at least one.

Additionally, Part C creates the Marijuana Regulations and Licensing Fund to provide a funding mechanism for regulation of commercial marijuana-related activities. It also establishes the Marijuana Research Fund, which is funded by part of the revenue generated from the marijuana tax. The Department of Health and Human Services is required to adopt rules for administering the fund by July 1, 2014.

Part D of the bill changes the requirement for patients, primary caregivers and dispensaries to keep marijuana in an enclosed, locked facility. Instead, it requires that the marijuana be secured from unauthorized access or from access by a person under 21 years of age.

Part E of the bill updates the existing exceptions regarding possession of marijuana in the Maine Criminal Code to reflect the use permitted by this legislation.

Part F of the bill removes the fingerprinting and criminal history record check requirements from the existing laws that allow a person to apply to the Department of Agriculture, Conservation and Forestry for a license to grow industrial hemp. It 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 the Maine Revised Statutes, Title 7 that are affected by changes in terminology proposed to the Maine medical marijuana law in this bill and in Title 26 to prohibit the employment of a person under 21 years of age in an establishment licensed for commercial marijuana-related activities.

Part G of the bill provides that a person cannot be found to lack "good moral character" for personal, medical or commercial marijuana activities allowed by this legislation for purposes of obtaining a permit to carry a concealed handgun.

Part H of the bill requires this legislation to be submitted to statewide referendum for approval by the voters of the State.

Committee Amendment "A" (H-324)

This amendment is the minority report of the committee. This amendment strikes the bill and replaces it with a requirement, contingent upon approval of the voters at referendum, that the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations develop a plan that includes proposed rules and any legislation needed to implement the use and taxation of marijuana. The bureau is required to report its plan to the Joint Standing Committee on Criminal Justice and Public Safety by January 31, 2014. The Joint Standing Committee on Criminal Justice and Public Safety may report out legislation to the Second Regular Session of the 126th Legislature related to that report. This amendment was not adopted.

LD 1233 **An Act Regarding Cyberbullying** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CRAVEN GATTINE	ONTP	

This bill establishes the crime of cyberbullying and makes a violation a Class E crime. It references the definition of cyberbullying in the education statutes that defines "cyberbullying" to mean bullying through the use of technology or any electronic communication device.

LD 1234 **An Act To Establish the Computer Crimes Unit Fund and Authorize the Department of Public Safety To Accept Donations for the Fund**

DIED BETWEEN HOUSES

Sponsor(s)	Committee Report	Amendments Adopted
GERZOFSKY	ONTP	
DION	OTP-AM	

This bill establishes the Computer Crimes Unit Fund to fund the establishment, maintenance and operation of the computer crimes laboratory. It allows the Department of Public Safety to accept donations to the fund for those purposes.

Committee Amendment "A" (S-114)

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

LD 1237 **Resolve, Directing the Department of Corrections To Amend Its Rules Pertaining to Certification of Batterer Intervention Programs**

RESOLVE 3 EMERGENCY

Sponsor(s)	Committee Report	Amendments Adopted
CAIN	OTP	
FREDETTE		

This resolve directs the Department of Corrections to adopt emergency rules, to be followed by nonemergency rulemaking, to ensure gender equality in terms of the certification of certified batterer intervention programs. In a December 2012 decision, the Maine Supreme Judicial Court cast doubt on the validity of current rules that were written in terms of batterer intervention programs for male offenders only.

Enacted Law Summary

Resolve 2013, chapter 3 directs the Department of Corrections to adopt emergency rules, to be followed by nonemergency rulemaking, to ensure gender equality in terms of the certification of certified batterer intervention programs.

Resolve 2013, chapter 3 was finally passed as an emergency measure effective April 4, 2013.

LD 1240 **An Act To Promote the Safe Use and Sale of Firearms**

VETO SUSTAINED

Sponsor(s)	Committee Report	Amendments Adopted
DION	OTP-AM	H-450
GERZOFSKY	OTP-AM	

This bill regulates the safe use and sale of firearms as follows.

1. It prescribes elements for the firearm safety course provided by the Department of Inland Fisheries and Wildlife.

2. It includes in the list of persons prohibited from possessing a firearm or a concealed handgun a person who has been admitted to a psychiatric hospital on an emergency basis and providing a procedure for such a person to appeal

the prohibition.

3. It increases the fine from $50 to $1,000 for giving a false or fictitious name to a firearm dealer.

4. It increases the minimum age to obtain a concealed handgun permit from 18 to 21 years of age.

5. It includes in the definition of "firearm dealer" a private seller, including a private seller at a gun show.

6. It requires a firearm dealer to require a buyer to present certification of completion of a firearm safety course or a copy of a current hunting license or current concealed handgun permit prior to sale.

7. It requires firearm dealers to conduct background checks of buyers, except for sales between family members.

8. It makes a violation of certain requirements for a firearm dealer a civil violation for the first offense and a Class E crime for second and subsequent offenses.

Committee Amendment "A" (H-450)

This amendment replaces the bill and is the majority report. The amendment does the following.

1. It creates the civil violation of the sale or transfer of a firearm to a prohibited person and strict liability Class E crime for a 2nd or subsequent offense of selling or transferring a firearm to a prohibited person. The amendment 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.

2. It 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.

3. It 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.

4. It creates a study group to be convened by the Chief of the State Police to review and make recommendations regarding the so-called blue paper process as it relates to persons admitted to a psychiatric hospital on an emergency basis who are temporarily prohibited from possessing firearms. Representatives from the following are invited to participate in this review: the Office of the Attorney General, the Department of Health and Human Services, the Maine Prosecutors Association, the Disability Rights Center and any other interested parties that the Chief of the State Police determines appropriate.

5. It requires the Chief of the State Police to report the recommendations of the study group to the Joint Standing Committee on Criminal Justice and Public Safety by January 30, 2014. Following receipt of the report, the Joint Standing Committee on Criminal Justice and Public Safety may report out a bill to the Second Regular Session of the 126th Legislature.

Committee Amendment "B" (H-451)

This amendment replaces the bill and is the minority report. The amendment does the following.

1. It 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.

2. It increases the penalty from $50 to $1,000 for the civil violation of giving a false or fictitious name to a firearms dealer.

3. It creates a study group to be convened by the Chief of the State Police to review and make recommendations regarding the current "blue paper" process as it relates to persons who are temporarily prohibited from possessing firearms. Representatives from the following are invited to participate in this review: the Office of the Attorney General, the Department of Health and Human Services, the Maine Prosecutors' Association, the Maine Disability Rights Center and any other interested parties that the Chief of the State Police determines appropriate.

4. It requires the study group to report its recommendations to the Joint Standing Committee on Criminal Justice and Public Safety by January 30, 2014. Upon receipt of the report, the Joint Standing Committee on Criminal Justice and Public Safety may report out a bill to the Second Regular Session of the 126th Legislature.

LD 1260 **An Act To Allow Ignition Interlock Devices on Vehicles Operated by First-time Offenders of Operating Under the Influence** **PUBLIC 389**

Sponsor(s)	Committee Report	Amendments Adopted
NUTTING PLUMMER	OTP-AM	H-369

Current law requires the license of a person convicted of operating under the influence, or OUI, to be suspended for 90 days if it is the person's first OUI conviction within 10 years. At the end of the suspension, the person must pay a license reinstatement fee of $50.

This bill amends the OUI laws for a first-time offender to:

1. Increase the license suspension period to 180 days;

2. Allow the license of a person to be reinstated immediately if the person has an ignition interlock device installed in the motor vehicle that person operates. The device must remain installed for 180 days or the number of days remaining in the suspension period, whichever is shorter; and

3. Increase the reinstatement fee to $100 if the person chooses to have an ignition interlock device installed in the motor vehicle the person operates.

Committee Amendment "A" (H-369)

This amendment does the following.

1. It reduces from 180 days to 150 days the driver's license suspension period for a person's first conviction of operating under the influence, or OUI.

2. It provides that the license of a first-time OUI offender may be reinstated 30 days after installing an ignition interlock device, instead of immediately upon installation as provided in the bill.

3. It also changes from 180 days to 150 days or the length of the suspension period the time a person who has one OUI offense must have an ignition interlock device installed before the Secretary of State may reinstate that person's driver's license.

4. It establishes a $50 administrative fee for a person whose license is reinstated through the use of an ignition interlock device. The administrative fee is in addition to the license reinstatement fee.

5. It provides that if a person commits an OUI and it results in a fatality, that person is ineligible to receive an ignition interlock device.

6. It provides that if a person commits an OUI that results in serious bodily injury that person's driver's license may be reinstated after three years of the suspension period has run if the pereson has installed for a period of three years an ignition interlock device.

7. It establishes penalties for a first-time OUI offender who violates the terms and conditions of license reinstatement with an ignition interlock device.

8. It requires a person certified by the Secretary of State to install ignition interlock devices to provide to a person whose adjusted gross household income is not more than 150% of the federal poverty level a discount of at least 50% of the costs associated with installing the ignition interlock device.

9. It delays the effective date of the provisions of the bill regarding the time period a first-time OUI offender's driver's license is suspended and may be reinstated through the use of an ignition interlock device until December 1, 2013.

Enacted Law Summary

Public Law 2013, chapter 389 does the following.

1. It increases the driver's license suspension period from 90 days to 150 days for a person's first conviction of operating under the influence, or OUI.

2. It provides that the license of a first-time OUI offender may be reinstated after 30 days of the suspension period has run if the person has installed an ignition interlock device for 150 days.

3. It also provides that a person who has one OUI offense must have an ignition interlock device installed for 150 days or the length of the suspension period before the Secretary of State may reinstate that person's driver's license.

4. It provides that if a person commits an OUI that results in serious bodily injury that person's driver's license may be reinstated after three years of the suspension period has run if the person has installed an ignition interlock device for three years.

5. It provides that if a person commits an OUI and it results in a fatality, that person is ineligible to receive an ignition interlock device.

6. It establishes a $50 administrative fee for a person whose license is reinstated through the use of an ignition interlock device. The administrative fee is in addition to the license reinstatement fee.

7. It establishes penalties for a first-time OUI offender who violates the terms and conditions of license reinstatement with an ignition interlock device.

8. It requires a person certified by the Secretary of State to install ignition interlock devices to provide to a person whose adjusted gross household income is not more than 150% of the federal poverty level a discount of at least 50% of the costs associated with installing the ignition interlock device.

9. It also provides that the provisions of the Act regarding the time period a first-time OUI offender's driver's license is suspended and may be reinstated through the use of an ignition interlock device take effect December 1, 2013.

LD 1289 **An Act To Create an Animal Abuser Registry** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
DICKERSON MAZUREK	ONTP	

This bill requires a person convicted of animal cruelty under Maine's criminal law or convicted of a comparable offense in another state to register annually as an animal abuser with the county sheriff for a period of 15 years. It requires each county sheriff to maintain a registry and disseminate information on the registered animal abuser. It requires the Department of Public Safety, State Bureau of Identification to maintain a central registry of animal abusers.

LD 1305 **An Act To Discourage Tenants from Damaging Rental Property** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
JOHNSON C LAJOIE	ONTP OTP-AM	

This bill creates the Class E crime of unlawful damage by a tenant if at the termination of a tenancy a rental unit has sustained over $1,000 worth of damage over the amount of the security deposit and the tenant does not pay the landlord within 60 days' notice of the damage by the landlord. A 2nd or subsequent offense is a Class D crime.

Committee Amendment "A" (S-240)

This amendment replaces the bill and is the minority report. It provides that the value of the loss of rental income because of damage caused by the tenant may be used to establish the Class C crime of aggravated mischief.

LD 1316 **An Act Regarding Computers Used To Commit a Crime or Facilitate the Commission of a Crime** **PUBLIC 297**

Sponsor(s)	Committee Report	Amendments Adopted
TYLER PLUMMER	OTP-AM	H-317

This bill amends the law regarding the disposition of computers used to commit crimes to:

1. Add a definition of "data storage device," as it is used in the definition of "computer";

2. Require that computer data stored on a computer in the possession of the State that was used to commit or facilitate the commission of a crime be permanently destroyed or caused to be permanently destroyed by the State through the removal and destruction of any parts of the computer on which the computer data are stored;

3. Permit the release of specifically identifiable computer data to persons requesting that computer data if certain conditions are met;

4. Permit the State to either destroy or assume ownership of a computer under certain circumstances;

5. Allow a person having a bona fide property interest in a computer in the custody of the State to take possession of that computer, but only after computer data on the computer have been permanently destroyed. If the computer was used to commit or facilitate the commission of a crime involving sexual exploitation of a minor, that computer, and all computer data on that computer, must be permanently destroyed;

6. Require the State, if it assumes ownership of a computer, to permanently destroy, or cause to be permanently destroyed, all computer data stored on that computer; and

7. Require that, before a criminal justice agency permanently destroys any computer data or disposes or assumes ownership of a computer in the custody of the agency prior to the effective date of this Act, the agency post on its publicly accessible website a notice stating that, unless written notification as described in the bill is given to the criminal justice agency within 4 months after the effective date of this Act, all such computer data and computers must be disposed of in accordance with the provisions of the bill.

Committee Amendment "A" (H-317)

This amendment makes the following changes to the bill.

1. It gives the State the discretion to destroy or dispose of a computer used to commit a crime instead of making it mandatory as in the bill.

2. In addition to a finding of the defendant's guilt as the trigger for the destruction of computer data or the disposal of a computer, this amendment adds to that the court's acceptance of a plea of guilty or nolo contendere or a finding by the court that the person is not criminally responsible for the crime. It also clarifies that the destruction or disposal of such property may not be done until after all appeal periods have run and any such proceedings have concluded.

3. In addition to the conditions in the bill that must be met before the State releases any computer data to persons requesting the data, this amendment also provides that the chief officer of the agency subject to the request may consider whether there is a 3rd-party vendor that can accommodate the request if the agency cannot provide the requested data. It also provides that the chief officer shall refer the request to the 3rd-party vendor for processing upon receipt of full payment from the requestor for the amount to be charged by the vendor.

4. This amendment provides that the chief officer of the criminal justice agency that is subject to a request for computer data or for possession of a computer must respond within 60 days from the date the request was received by the chief officer.

5. It changes the notice the State must give before destroying computer data or disposing of a computer in the custody of the State prior to the effective date of this Act from 4 months to 90 days.

Enacted Law Summary

Public Law 2013, chapter 297 amends the law regarding the disposition of computers used to commit crimes as follows.

1. It adds a definition of "data storage device," as it is used in the definition of "computer."

2. It provides that computer data stored on a computer in the possession of the State that was used to commit or facilitate the commission of a crime may be permanently destroyed or caused to be permanently destroyed by the State through the removal and destruction of any parts of the computer on which the computer data are stored.

3. It provides that a finding of the defendant's guilt, the court's acceptance of a plea of guilty or nolo contendere or a finding by the court that the person is not criminally responsible for the crime is a trigger for the destruction of computer data or the disposal of a computer.

4. It permits the release of specifically identifiable computer data to persons requesting that computer data if certain conditions are met. If an agency cannot provided the requested data, the chief officer of the agency subject to the request may consider whether there is a 3rd-party vendor that can accommodate the request and if so, refer the request to the 3rd-party vendor for processing upon receipt of full payment from the requestor for the amount to be charged by the vendor.

5. It permits the State to either destroy or assume ownership of a computer under certain circumstances and provides that the State may, if it assumes ownership of a computer, permanently destroy, or cause to be permanently destroyed, all computer data stored on that computer.

6. It allows a person having a bona fide property interest in a computer in the custody of the State to take possession of that computer, but only after computer data on the computer have been permanently destroyed. If the computer was used to commit or facilitate the commission of a crime involving sexual exploitation of a minor, that computer, and all computer data on that computer, may be permanently destroyed.

7. It requires that, before a criminal justice agency permanently destroys any computer data or disposes or assumes ownership of a computer in the custody of the agency prior to October 9, 2013, the agency must post on its publicly accessible website a notice stating that, unless written notification is given to the criminal justice agency within 90 days after October 9, 2013, all such computer data and computers must be disposed of in accordance with the provisions of this Act.

LD 1320 **An Act To Fairly Distribute the Debt Burden between the State and County Correctional Functions**

ACCEPTED MAJORITY (ONTP) REPORT

Sponsor(s)	Committee Report	Amendments Adopted
MACDONALD W JOHNSON C	ONTP OTP-AM	

This bill requires the State Board of Corrections to develop a formula to distribute the cost of debt service for Two Bridges Regional Jail to counties and to the State in proportion to the number of inmates each county and the State has in the jail. The formula must be updated 12 months prior to the beginning of each biennium and the cost of debt service must be included in the budgets of each county and the State.

Committee Amendment "A" (H-356)

This amendment, which is the minority report of the committee, replaces the bill. It requires the State Board of Corrections to determine the percentage of the average daily inmate population that came from outside of each county for the previous fiscal year. As long as the percentage of the population from outside the county is 10% or more, the county may include a percentage of the interest associated with corrections debt that is equal to the percentage of inmates from outside that county in its budget submitted to the State Board of Corrections. The amendment also adds an appropriations and allocations section.

LD 1419 **An Act To Allow a Setoff of a Third-party Bailor's Property under Certain Conditions**

PUBLIC 211

Sponsor(s)	Committee Report	Amendments Adopted
DION GERZOFSKY	OTP	

This bill allows a court to set off a portion of the bail posted by a third person on behalf of a defendant to pay any fine, fee or restitution that is owed by the third person.

Enacted Law Summary

Public Law 2013, chpater 211 allows a court to set off a portion of the bail posted by a third person on behalf of a defendant to pay any fine, fee or restitution that is owed by the third person.

LD 1429 **An Act To Allow School Administrative Units To Establish Rules, Procedures and Guidelines for Properly Trained Staff To Carry a Concealed Handgun on School Property while Acting in Their Official Capacities**

ACCEPTED MAJORITY (ONTP) REPORT

Sponsor(s)	Committee Report	Amendments Adopted
BURNS WILLETTE	ONTP OTP-AM	

This bill enables school administrative units to establish rules, procedures and guidelines to allow a properly trained school employee to carry a concealed handgun on school property. It also sets the following parameters.

1. It requires a school administrative unit electing to allow an employee to carry a concealed handgun on school property to ensure that the employee successfully completes a firearms training course and requalifies on an annual basis.

2. It also requires the employee to complete training in crisis intervention and hostage situations and use of deadly force, and possess a valid permit to carry a concealed handgun.

3. It requires a school administrative unit establishing a concealed handgun program to establish in writing the duties and responsibilities of school employees authorized to participate in the program.

4. It mandates that liability insurance be carried on each participating employee, whether paid for by the school administrative unit or the employee.

5. It allows a school administrative unit to pay a participating employee a stipend and to require an employee applying to carry a concealed handgun on school property to submit to a psychological evaluation.

6. It authorizes the Maine Criminal Justice Academy to design a firearms training course for school employees who have applied to carry concealed handguns on school property.

7. It specifies that participation in the program by a school employee is voluntary and provides that if at least 10% of the number of voters voting in the last general election petition the school administrative unit, the issue will be put to a vote at referendum.

Committee Amendment "A" (S-150)

This amendment is the minority report and allows a school administrative unit to invite a school employee who is qualified to carry a concealed handgun on school premises to become a part-time law enforcement officer. It provides that the school administrative unit may enter into an agreement with a local law enforcement agency to commission a qualified school employee as a part-time law enforcement officer. Before becoming a part-time law enforcement officer, the school employee must successfully complete the Maine Criminal Justice Academy's training requirements for a part-time law enforcement officer.

LD 1432 **An Act To Revise the Laws of the Maine Criminal Justice Academy** **PUBLIC 147**

Sponsor(s)	Committee Report	Amendments Adopted
PLUMMER DION	OTP	

This bill makes changes to the law related to criminal justice training and certification.

1. It makes minor technical changes to reflect current practice for the Maine Criminal Justice Academy and clearly identifies the purpose of the Maine Criminal Justice Academy Board of Trustees.

2. It eliminates the separate definitions for state and county corrections officers. It simplifies the definition of "judicial marshal." It eliminates the definition of "part-time corrections officer." It redefines "full-time law enforcement officer," "law enforcement officer," "part-time law enforcement officer" and "transport officer" for statewide application of the law.

3. It clarifies annual training and certification requirements.

4. It changes the makeup of the Maine Criminal Justice Academy Board of Trustees to specifically include a district attorney or a criminal prosecutor from a district attorney's office.

5. It eliminates outdated language concerning the establishment of minimum standards and sets deadlines for the agencies to comply with the standards and policies and for annual certification of any changes in the policies.

6. It amends the penalty section to add that an individual may also receive a civil penalty of up to $500 for violating any provision of the laws relating to law enforcement officers.

7. It reorganizes the same language regarding the custodian of the records so the provisions apply to all records.

8. It requires all corrections officers, whether employed as part-time or full-time officers, to be trained and certified to the same standards, regardless of how many annual hours worked.

9. It specifies that all law enforcement officers and corrections officers must complete the in-service training and may be disciplined by the board for not doing so, clarifies the role of the board involving in-service training and permits in-service training to be provided by either the Maine Criminal Justice Academy or the employing law enforcement agency.

10. It amends the law concerning the complaint review committee of the board to allow it to investigate any person holding a certificate issued by the board, not just law enforcement and corrections officers, and makes the process consistent with the due process guidelines of the Maine Administrative Procedure Act.

11. It makes more specific and expands the list of behaviors subject to disciplinary action by the board.

12. It allows the board to bring an action in court to enjoin a person from violating any provision of the laws relating to law enforcement officers regardless of whether civil or administrative proceedings have been or may be instituted.

13. It requires a chief administrative officer to report criminal convictions or criminal conduct of any certificate holder or potential certificate holder to the Director of the Maine Criminal Justice Academy within 30 days.

14. It requires reimbursement to a law enforcement agency for the cost of basic training regardless of the reason an officer left the agency if the officer is hired by another law enforcement agency and allows for a mutual agreement between two agencies on reimbursement.

Enacted Law Summary

Public Law 2013, chapter 147 makes changes to the law related to criminal justice training and certification.

1. It makes minor technical changes to reflect current practice for the Maine Criminal Justice Academy and identifies the purpose of the Maine Criminal Justice Academy Board of Trustees.

2. It eliminates the separate definitions for state and county corrections officers. It simplifies the definition of "judicial marshal." It eliminates the definition of "part-time corrections officer." It redefines "full-time law enforcement officer," "law enforcement officer," "part-time law enforcement officer" and "transport officer" for statewide application of the law.

3. It clarifies annual training and certification requirements.

4. It changes the makeup of the Maine Criminal Justice Academy Board of Trustees to specifically include a district attorney or a criminal prosecutor from a district attorney's office.

5. It eliminates outdated language concerning the establishment of minimum standards and sets deadlines for the agencies to comply with the standards and policies and for annual certification of any changes in the policies.

6. It amends the penalty section to add that an individual may also receive a civil penalty of up to $500 for violating any provision of the laws relating to law enforcement officers.

7. It reorganizes the same language regarding the custodian of the records so the provisions apply to all records.

8. It requires all corrections officers, whether employed as part-time or full-time officers, to be trained and certified to the same standards, regardless of how many annual hours worked.

9. It specifies that all law enforcement officers and corrections officers must complete the in-service training and may be disciplined by the board for not doing so, clarifies the role of the board involving in-service training and permits in-service training to be provided by either the Maine Criminal Justice Academy or the employing law enforcement agency.

10. It amends the law concerning the complaint review committee of the board to allow it to investigate any person holding a certificate issued by the board, not just law enforcement and corrections officers, and makes the process consistent with the due process guidelines of the Maine Administrative Procedure Act.

11. It makes more specific and expands the list of behaviors subject to disciplinary action by the board.

12. It allows the board to bring an action in court to enjoin a person from violating any provision of the laws relating to law enforcement officers regardless of whether civil or administrative proceedings have been or may be instituted.

13. It requires a chief administrative officer to report criminal convictions or criminal conduct of any certificate holder or potential certificate holder to the Director of the Maine Criminal Justice Academy within 30 days.

14. It requires reimbursement to a law enforcement agency for the cost of basic training regardless of the reason an officer left the agency if the officer is hired by another law enforcement agency and allows for a mutual agreement between two agencies on reimbursement.

LD 1433 **An Act To Amend the Laws Governing Mental Responsibility for Criminal Conduct** **PUBLIC 265**

Sponsor(s)	Committee Report	Amendments Adopted
SANDERSON HAMPER	OTP-AM	H-297 H-346 DION

This bill amends the laws governing mental responsibility for criminal conduct in the following ways.

1. It provides that the State Forensic Service may observe a defendant who is incarcerated at the correctional facility where the defendant is incarcerated as part of an evaluation of the defendant by the State Forensic Service if the State Forensic Service determines that the correctional facility can provide an appropriate setting for the observation.

2. It provides that, if a defendant has been incarcerated prior to commitment to the custody of the Commissioner of Health and Human Services for observation to determine the competency of the defendant to stand trial and during the period of observation the defendant assaults another person and the risk of a subsequent assault cannot be managed, the commissioner may return the defendant to the correctional facility.

3. It sets deadlines for a court to hold a hearing on the question of a defendant's competence to stand trial and increases the number of different types of facilities to which a court may commit a defendant who is found incompetent to stand trial.

4. It provides that a person who is in prison for an offense and is found not criminally responsible by reason of insanity for another offense must finish that person's prison term before beginning the commitment ordered by the court for the 2nd offense.

5. It provides that an individual who is in state custody on the basis of being not criminally responsible by reason of insanity with respect to an offense may petition the court to be off institutional grounds if the individual is monitored by a team providing assertive community treatment and meets with a psychiatrist, psychologist, nurse practitioner or physician assistant at least monthly. It removes language that limits to 14 days the amount of time such an individual may be off institutional grounds.

Committee Amendment "A" (H-297)

This amendment makes the following changes to the bill.

1. The bill provides that, if a defendant has been incarcerated prior to commitment to the custody of the Commissioner of Health and Human Services for observation to determine the competency of the defendant to stand trial and during the period of observation the defendant assaults another person and the risk of a subsequent assault cannot be managed, the commissioner may return the defendant to the correctional facility. This amendment provides that the defendant need only present a substantial risk of causing bodily injury to staff or others instead of requiring an actual assault.

2. The bill requires a court to terminate a defendant's commitment to the custody of the Commissioner of Health and Human Services after the commissioner notifies the court that the defendant is being returned to a correctional facility because the defendant assaulted another person and the risk of subsequent assaults cannot be managed. This amendment removes the mandatory language and gives the court discretion in determining what action should be taken regarding the defendant, including, but not limited to, the termination of the defendant's commitment.

3. This amendment provides that if the State Forensic Service reports to the court that a defendant is either now

competent to stand trial or not restorable, the court must hold a hearing on the matter within 30 days of the report. Current law provides that the court must schedule such a hearing without delay.

4. In addition to the places provided in the bill where the Commissioner of Health and Human Services is allowed to house a person committed as not competent to stand trial, this amendment allows the commissioner to place such a person in any living situation specifically approved by a court.

5. This amendment provides that when a person serving a criminal sentence is found not criminally responsible for a subsequent crime, the court may exercise its discretion to determine whether the defendant should be immediately committed to a mental health institution or whether the defendant should complete the sentence being served before being committed to the institution. This change accords section 4 of the bill with the Law Court's holding in James v. State, 2008 ME 122, 953 A.2d 1152.

6. This amendment provides that a person previously found not criminally responsible for a crime who has been committed to the custody of the Commissioner of Health and Human Services whose treatment plan allows that person to live off institutional grounds must meet with a member of a multidisciplinary treatment team affiliated with the institution at least every 14 days and with a team member qualified to prescribe medication at least monthly.

House Amendment "A" To Committee Amendment "A" (H-346)

This amendment removes the change made in Committee Amendment "A" that would require the court to hold a competency hearing within 30 days of the court's receiving the State Forensic Service's report.

Enacted Law Summary

Public Law 2013, chapter 265 amends the laws governing mental responsibility for criminal conduct in the following ways.

1. It provides that the State Forensic Service may observe a defendant who is incarcerated at the correctional facility where the defendant is incarcerated as part of an evaluation of the defendant by the State Forensic Service if the State Forensic Service determines that the correctional facility can provide an appropriate setting for the observation.

2. It provides that, if a defendant has been incarcerated prior to commitment to the custody of the Commissioner of Health and Human Services for observation to determine the competency of the defendant to stand trial and during the period of observation the defendant presents a substantial risk of causing bodily injury to staff or others that cannot be managed in an appropriate mental health institution, the commissioner may return the defendant to the correctional facility. Additionally, it directs the commissioner to report the risk management issue to the court for determining what action should be taken regarding the defendant, including, but not limited to, the termination of the defendant's commitment.

3. It specifies the types of facilities that the Commissioner of Health and Human Services is allowed to house a person committed as not competent to stand trial including any living situation that has been specifically approved by a court.

4. It provides that when a person serving a criminal sentence is found not criminally responsible for a subsequent crime, the court may exercise its discretion to determine whether the defendant should be immediately committed to a mental health institution or whether the defendant should complete the sentence being served before being committed to the institution. This change amends the law to accord it with the Law Court's holding in James v. State, 2008 ME 122, 953 A.2d 1152.

5. It provides that a person previously found not criminally responsible for a crime who has been committed to the custody of the Commissioner of Health and Human Services whose treatment plan allows that person to live off

institutional grounds must meet with a member of a multidisciplinary treatment team affiliated with the institution at least every 14 days and with a team member qualified to prescribe medication at least monthly.

LD 1438 **An Act To Implement Certain Recommendations of the Criminal Law Advisory Commission Relative to the Maine Bail Code, Statutory Post-conviction Review, the Maine Criminal Code and a Related Statute** **PUBLIC 266**

Sponsor(s)	Committee Report	Amendments Adopted
	OTP-AM	H-456

This bill implements the Criminal Law Advisory Commission recommendations as follows.

1. Current law provides that a person who has been sentenced but granted a stay of execution to report to the court at a specific time and who fails to report commits a Class E crime or a Class C crime depending on the length of the original sentence imposed. Existing statute does not specify a culpable mental state for failure to report. This bill clarifies that a failure to report is a strict liability crime, which means that it does not include a culpable mental state element, making it equivalent in this respect to a failure to appear and a violation of a condition of release.

2. In the context of a failure to report, it amends language to ensure that circumstances in which a sentence is automatically stayed or automatically terminated are included in addition to circumstances in which the stay order provides a specific date.

3. It makes a technical correction to the affirmative defense language for failure to report.

4. Current law provides for an action for post-conviction review of a criminal judgment or of a post-sentencing proceeding following the criminal judgment when the challenged criminal judgment or post-sentencing proceeding is causing a present restraint or other specified impediment. This bill provides that these restraints and impediments include community service work imposed by the challenged criminal judgment that has not been fully performed when the person has not inexcusably failed to complete the work within the time specified by the court.

5. It rectifies an oversight that occurred during the Second Regular Session of the 125th Legislature when the law granting grounds for relief to show that a challenged criminal judgment or sentence is unlawful or unlawfully imposed was amended.

6. It provides that a person who has taken an appeal from a judgment of not criminally responsible by reason of insanity may use the remedy of post-conviction review while the appeal is pending.

7. It makes a number of technical corrections to clarify provisions regarding the exhaustion of remedies with respect to appeals.

8. It amends the Class C version of the crime of visual sexual aggression against a child by adding that a person is guilty of the crime if the person engages in the prohibited activity for the purpose of causing affront or alarm. This language was included in the Class D version of the crime but omitted from the Class C version of the crime when both were enacted by Public Law 2003, chapter 711, Part B, section 4.

9. It amends the law that provides an affirmative defense to prosecution for prohibited contact with a minor to make clear that the defendant may not be the person whose consent with respect to contact with the minor provides the basis for the affirmative defense.

10. It provides that when an offender defaults on the payment of a fine and the court determines it to be excusable, in addition to the current statutory options of giving the offender additional time for payment or reducing the

amount of each installment, the court may permit the offender to perform community service work if the community service work is supervised by a local sheriff or by a community confinement monitoring agency with which that sheriff has contracted.

11. It adds a person conducting research at a school of pharmacology to the list of persons who are authorized to possess, furnish and have control of scheduled or prescription drugs, controlled substances or hypodermic apparatuses.

Committee Amendment "A" (H-456)

This amendment removes the provision of the bill that amends the Class C version of the crime of visual sexual aggression against a child to include engaging in the prohibited activity for the purpose of causing affront or alarm.

The bill amends the law that provides an affirmative defense to prosecution for prohibited contact with a minor by making it explicit that the defendant may not be the person whose consent, with respect to contact with the minor, provides the basis for the affirmative defense. This amendment removes that provision.

Enacted Law Summary

Public Law 2013, chapter 266 implements the Criminal Law Advisory Commission recommendations as follows.

1. Current law provides that a person who has been sentenced but granted a stay of execution to report to the court at a specific time and who fails to report commits a Class E crime or a Class C crime depending on the length of the original sentence imposed. Existing statute does not specify a culpable mental state for failure to report. Public Law 2013, chapter 266 clarifies that a failure to report is a strict liability crime, which means that it does not include a culpable mental state element, making it equivalent in this respect to a failure to appear and a violation of a condition of release.

2. In the context of a failure to report, it amends language to ensure that circumstances in which a sentence is automatically stayed or automatically terminated are included in addition to circumstances in which the stay order provides a specific date.

3. It makes a technical correction to the affirmative defense language for failure to report.

4. Current law provides for an action for post-conviction review of a criminal judgment or of a post-sentencing proceeding following the criminal judgment when the challenged criminal judgment or post-sentencing proceeding is causing a present restraint or other specified impediment. Public Law 2013, chapter 266 provides that these restraints and impediments include community service work imposed by the challenged criminal judgment that has not been fully performed when the person has not inexcusably failed to complete the work within the time specified by the court.

5. It rectifies an oversight that occurred during the Second Regular Session of the 125th Legislature when the law granting grounds for relief to show that a challenged criminal judgment or sentence is unlawful or unlawfully imposed was amended.

6. It provides that a person who has taken an appeal from a judgment of not criminally responsible by reason of insanity may use the remedy of post-conviction review while the appeal is pending.

7. It makes a number of technical corrections to clarify provisions regarding the exhaustion of remedies with respect to appeals.

8. It provides that when an offender defaults on the payment of a fine and the court determines it to be excusable, in addition to the current statutory options of giving the offender additional time for payment or reducing the amount of each installment, the court may permit the offender to perform community service work if the community service

work is supervised by a local sheriff or by a community confinement monitoring agency with which that sheriff has contracted.

9. It adds a person conducting research at a school of pharmacology to the list of persons who are authorized to possess, furnish and have control of scheduled or prescription drugs, controlled substances or hypodermic apparatuses.

LD 1439 **An Act To Repeal Certain Maine Criminal Code Provisions Addressing So-called Bath Salts Containing Synthetic Hallucinogenic Drugs and Instead To Define Them as Schedule W Drugs** **PUBLIC 194**

Sponsor(s)	Committee Report	Amendments Adopted
	OTP	

This bill is proposed by the Criminal Law Advisory Commission. It repeals provisions criminalizing synthetic hallucinogenic drugs in chapter 45 of the Maine Criminal Code and in related provisions regarding asset forfeiture in the Maine Revised Statutes, Title 15 and regarding drug-related offenses in Title 22 and instead classifies these drugs as schedule W drugs. As schedule W drugs, they are treated the same as all other schedule W drugs for purposes of possession, trafficking and furnishing.

This bill also repeals an unnecessary provision of law that prohibits including a drug or substance in schedule W, X, Y or Z that is legally sold in the State without any federal or state requirements as to prescription and that is unaltered as to its form.

Enacted Law Summary

Public Law 2013, chapter 194 repeals provisions criminalizing synthetic hallucinogenic drugs in chapter 45 of the Maine Criminal Code and in related provisions regarding asset forfeiture in the Maine Revised Statutes, Title 15 and regarding drug-related offenses in Title 22 and instead classifies these drugs as schedule W drugs. As schedule W drugs, they are treated the same as all other schedule W drugs for purposes of possession, trafficking and furnishing.

Public Law 2013, chapter 194 also repeals an unnecessary provision of law that prohibits including a drug or substance in schedule W, X, Y or Z that is legally sold in the State without any federal or state requirements as to prescription and that is unaltered as to its form.

LD 1470 **An Act To Develop Juvenile Assessment Centers** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MASTRACCIO TUTTLE	ONTP	

This bill develops guidelines for the establishment of juvenile assessment centers throughout the State. It provides that one center may be established in each prosecutorial district and that each center is responsible for providing collocated central intake and screening services for juveniles referred to the Department of Corrections. This bill directs centers to provide for the coordination and sharing of information among the participating agencies to facilitate the screening of and case processing for juveniles referred to the department and must provide a forum for the department to conduct predisposition assessments and evaluations of juveniles.

This bill establishes a juvenile assessment advisory board to govern each center and provides that the board must

include representatives from the Department of Corrections; the county sheriff; the Department of Health and Human Services, Bureau of Child and Family Services; the district attorney; the State Police; municipal police departments; and county mental health organizations, and may include representatives from associations representing health service providers and associations of criminal defense lawyers and other state and local agencies serving juveniles.

LD 1491 **An Act To Extend the Statute of Limitations on Certain Sex Crimes** **PUBLIC 392**

Sponsor(s)	Committee Report	Amendments Adopted
GERZOFSKY DION	OTP-AM ONTP	S-209

This bill provides that a civil action based upon a sexual act that is committed or engaged in by an actor who has certain authority over the other person may be commenced at any time. It also extends to 10 years the statute of limitations on prosecutions for crimes involving unlawful sexual touching, unlawful sexual contact, sexual abuse of a minor, rape or gross sexual assault if the actor has certain authority over the victim.

Committee Amendment "A" (S-209)

This amendment removes provisions of the bill regarding sexual acts committed by a person who has certain authority over the other person. It extends the statute of limitations period from six years to eight years for Class A, Class B and Class C sex crimes.

Enacted Law Summary

Public Law 2013, chapter 392 extends the statute of limitations period from six years to eight years for Class A, Class B and Class C sex crimes involving unlawful sexual contact or gross sexual assault.

LD 1493 **An Act To Revise the Laws Concerning Criminal History Record Information and Intelligence and Investigative Information** **PUBLIC 267**

Sponsor(s)	Committee Report	Amendments Adopted
	OTP-AM	H-360

This bill implements the recommendations of the Criminal Law Advisory Commission to revise the criminal history record information laws, currently allocated to the Maine Revised Statutes, Title 16, chapter 3, subchapter 8.

Part A of this bill repeals chapter 3, subchapter 8, which includes sections 611 to 623, and enacts 2 new chapters within Title 16. The creation of 2 chapters allows for the separate treatment of the 2 mutually exclusive information-of-record categories of criminal history record information and intelligence and investigative record information. Their consolidated treatment in chapter 3, subchapter 8 resulted in significant confusion as to their differing meanings and applications.

1. This bill enacts Title 16, chapter 7, which:

   A. Designates, in section 701, the new chapter as the Criminal History Record Information Act;

   B. Outlines, in section 702, the chapter's scope and application, which had no counterpart in former subchapter 8. It makes clear that when criminal history record information is public information, the term "public criminal history record information" is used. Similarly, when criminal history record information is confidential, it is labeled as "confidential criminal history record information"; and

C. Defines, in section 703, like in former section 611, technical terms used throughout the subchapter, including:

(1) A definition of "administration of criminal justice," which mirrors former section 611, subsection 1, except that the word "detection" has been eliminated from the first sentence and "criminal identification activities" has been eliminated from the 2nd sentence because such activities are now addressed in the new chapter 9 regarding intelligence and investigative record information;

(2) A definition of "confidential criminal history record information," which replaces former section 611, subsection 9. What was formerly identified as "nonconviction data" is now identified as "confidential criminal history record information." The types of criminal history record information described in former section 611, subsection 9 are included in section 703, subsection 2 and have been modified for purposes of clarity and completeness. Section 703, subsection 2, paragraphs D, I, J and K have no counterpart in former section 611, subsection 9;

(3) A definition of "criminal history record information," which replaces former section 611, subsection 3 with a new section 703, subsection 3 and expands on the former definition. The new subsection 3 employs and refers to formal involvement in the criminal justice system either as an accused or as a convicted criminal defendant and defines the term to specifically include "a juvenile treated by statute as an adult for criminal prosecution purposes" and expands on examples of criminal history record information. The new definition expressly excludes civil proceedings of any kind, intelligence and investigative record information and any information of record of juvenile crime proceedings;

(4) A definition of "criminal justice agency," which replaces former section 611, subsection 4 with a new section 703, subsection 4 and differs in 4 substantive respects. First, the definition now specifies that the only jurisdictions to which it applies are the Federal Government, a state as defined in the new section 703, subsection 9 and the State of Maine. Foreign countries, other than Canada, are not included. Second, as to the included jurisdictions, the applicable government agencies or subunits are at all governmental levels. The former references to state, district, county or local have been replaced by "at any governmental level" because although these governmental divisions are appropriate insofar as Maine is concerned, they are not necessarily correct in describing the governmental divisions in the other named jurisdictions. Third, the definition no longer conditions government agency or subunit qualification on whether the criminal justice agency allocates a substantial part of its annual budget to the administration of criminal justice. It also adds an equivalent agency of any federally recognized Indian tribe. Fourth, it replaces the word "courts" with "federal courts, Maine courts, courts in any other state";

(5) A definition of "disposition," which replaces former section 611, subsection 5;

(6) A definition of "dissemination," which parallels former section 611, subsection 6, but expands the listed means of transmission by adding the phrase "by any means";

(7) A definition of "executive order," which parallels former section 611, subsection 7 but makes 3 nonsubstantive changes; and

(8) A definition of "public crimes."

2. This bill enacts Title 16, chapter 9, which:

A. Enacts section 801, which designates chapter 9 as the Intelligence and Investigative Record Information Act;

B. Enacts section 802, which replaces that portion of former section 614, subsection 1 that applied the section

614 limitations on dissemination of intelligence and investigative information of record to specifically identified Maine criminal justice agencies, rather than to all Maine criminal justice agencies. Section 802 applies the chapter to all Maine criminal justice agencies; and

C. Defines in section 803, like in former section 611, technical terms used throughout the chapter, including:

(1) A definition of "administration of civil justice," which had no counterpart in former subchapter 8. It addresses the same types of criminal justice agency activities described in the new subsection 2 but in the context of "civil violations" and "civil actions" rather than in the context of crimes. It does not include known, suspected or possible traffic infractions;

(2) A definition of "administration of criminal justice," which is wholly different from former section 611, subsection 1 except to the extent former subsection 1 included the activities of "detection" and "criminal identification." It includes criminal justice agency activities "relating to the anticipation, prevention, detection, monitoring or investigation of known, suspected or possible crimes," activities that generally predate the activities addressed in former section 611, subsection 1. However, particularly in the context of "known" crimes, investigation can continue well after a specific, identifiable person is formally involved with the criminal justice system as an accused in anticipation of trial and sentencing;

(3) A definition of "administration of juvenile justice," which had no counterpart in former subchapter 8. It addresses the same types of criminal justice agency activities described in the new subsections 1 and 2 but in the context of juvenile crimes. The administration of juvenile justice is distinct from the administration of criminal justice and the administration of civil justice because a juvenile crime is, strictly speaking, neither a crime nor is it civil. It is a hybrid of both. As a consequence, the administration of juvenile justice is expressly excluded from the definition of "intelligence and investigative record information" and is instead addressed in a new section 3308-A of the Maine Juvenile Code;

(4) A definition of "criminal justice agency," which replaces former section 611, subsection 4 and mirrors new section 703, subsection 4, except it does not include courts. Courts are now addressed in section 805, subsection 4;

(5) A definition of "dissemination," which replaces former section 611, subsection 6 and mirrors new section 703, subsection 6;

(6) A definition of "executive order," which replaces former section 611, subsection 7 and mirrors new section 703, subsection 7; and

(7) A definition of "intelligence and investigative record information," which replaces former section 611, subsection 8 and modifies the former definition to better clarify the scope of the definition. It speaks both in terms of information of record collected or kept by any Maine criminal justice agency while performing the "administration of criminal justice," which is included as subsection 1, and in terms of information of record collected or kept by the Department of the Attorney General or by district attorneys' offices when they are performing the administration of civil justice, included as subsection 2. The definition of "intelligence and investigative record information" includes the Department of the Attorney General's records relating to the administration of civil justice in order to perpetuate Public Law 1993, chapter 719, "An Act to Bring the Department of the Attorney General into Conformity with the Criminal History Record Information Laws."

Part B corrects cross-references in existing law to reflect the new Criminal History Record Information Act and the new Intelligence and Investigative Record Information Act.

Part C moves the confidentiality protection for reports of animal cruelty from the former section governing intelligence and investigative record information to the animal welfare laws in Titles 7 and 17.

Part D adds a new section 3308-A to the Maine Juvenile Code, addressing dissemination of juvenile intelligence and investigative record information by a Maine criminal justice agency as follows.

1. Title 15, section 3308-A, subsection 1 contains technical terms used in that section. The terms "administration of juvenile justice," "criminal justice agency," "dissemination," "executive order," "state" and "statute" mirror the meanings found in the new Title 16, section 803, subsections 3 to 6, 8 and 9, respectively. The term "juvenile intelligence and investigative record information" has no counterpart in Title 16, section 803 because the "administration of juvenile justice" is expressly excluded from the definition of "intelligence and investigative record information" in section 803, subsection 7.

2. Title 15, section 3308-A, subsection 2 clarifies that, to the extent a criminal justice agency has juvenile intelligence and investigative record information that has been made part of the court records of a juvenile proceeding, dissemination of that information by the criminal justice agency must be as provided by section 3307 and section 3308.

3. Title 15, section 3308-A, subsection 3 clarifies that juvenile intelligence and investigative record information is confidential other than as provided in subsection 2. Additionally, subsection 3 lists certain disseminations of confidential juvenile intelligence and investigative record information that are expressly authorized. These parallel those contained in Title 16, section 805.

Committee Amendment "A" (H-360)

This amendment clarifies that Maine courts, unlike other criminal justice agencies, must provide their own internal procedures addressing access and review.

It authorizes the release of intelligence and investigative record information to the Secretary of State for use in the determination and issuance of a driver's license suspension.

It amends the provision of the bill regarding judicial review to eliminate unnecessary language.

Enacted Law Summary

Public Law 2013, chapter 267 revises the criminal history record information laws, currently allocated to the Maine Revised Statutes, Title 16, chapter 3, subchapter 8 as follows.

It repeals chapter 3, subchapter 8, which includes sections 611 to 623, and enacts 2 new chapters within Title 16. The creation of 2 chapters allows for the separate treatment of the 2 mutually exclusive information-of-record categories of criminal history record information and intelligence and investigative record information. Their consolidated treatment in chapter 3, subchapter 8 resulted in significant confusion as to their differing meanings and applications.

Public Law 2013, chapter 267 enacts Title 16, chapter 7, which:

1. Designates, in section 701, the new chapter as the Criminal History Record Information Act;

2. Outlines, in section 702, the chapter's scope and application, which had no counterpart in former subchapter 8. It makes clear that when criminal history record information is public information, the term "public criminal history record information" is used. Similarly, when criminal history record information is confidential, it is labeled as "confidential criminal history record information"; and

3. Defines, in section 703, like in former section 611, technical terms used throughout the subchapter, including:

   A. A definition of "administration of criminal justice," which mirrors former section 611, subsection 1, except

that the word "detection" has been eliminated from the first sentence and "criminal identification activities" has been eliminated from the 2nd sentence because such activities are now addressed in the new chapter 9 regarding intelligence and investigative record information;

B. A definition of "confidential criminal history record information," which replaces former section 611, subsection 9. What was formerly identified as "nonconviction data" is now identified as "confidential criminal history record information." The types of criminal history record information described in former section 611, subsection 9 are included in section 703, subsection 2 and have been modified for purposes of clarity and completeness. Section 703, subsection 2, paragraphs D, I, J and K have no counterpart in former section 611, subsection 9;

C. A definition of "criminal history record information," which replaces former section 611, subsection 3 with a new section 703, subsection 3 and expands on the former definition. The new subsection 3 employs and refers to formal involvement in the criminal justice system either as an accused or as a convicted criminal defendant and defines the term to specifically include "a juvenile treated by statute as an adult for criminal prosecution purposes" and expands on examples of criminal history record information. The new definition expressly excludes civil proceedings of any kind, intelligence and investigative record information and any information of record of juvenile crime proceedings;

D. A definition of "criminal justice agency," which replaces former section 611, subsection 4 with a new section 703, subsection 4 and differs in 4 substantive respects. First, the definition now specifies that the only jurisdictions to which it applies are the Federal Government, a state as defined in the new section 703, subsection 9 and the State of Maine. Foreign countries, other than Canada, are not included. Second, as to the included jurisdictions, the applicable government agencies or subunits are at all governmental levels. The former references to state, district, county or local have been replaced by "at any governmental level" because although these governmental divisions are appropriate insofar as Maine is concerned, they are not necessarily correct in describing the governmental divisions in the other named jurisdictions. Third, the definition no longer conditions government agency or subunit qualification on whether the criminal justice agency allocates a substantial part of its annual budget to the administration of criminal justice. It also adds an equivalent agency of any federally recognized Indian tribe. Fourth, it replaces the word "courts" with "federal courts, Maine courts, courts in any other state";

E. A definition of "disposition," which replaces former section 611, subsection 5;

F. A definition of "dissemination," which parallels former section 611, subsection 6, but expands the listed means of transmission by adding the phrase "by any means";

G. A definition of "executive order," which parallels former section 611, subsection 7 but makes 3 nonsubstantive changes; and

H. A definition of "public crimes."

Public Law 2013, chapter 267 enacts Title 16, chapter 9, which:

1. Enacts section 801, which designates chapter 9 as the Intelligence and Investigative Record Information Act;

2. Enacts section 802, which replaces that portion of former section 614, subsection 1 that applied the section 614 limitations on dissemination of intelligence and investigative information of record to specifically identified Maine criminal justice agencies, rather than to all Maine criminal justice agencies. Section 802 applies the chapter to all Maine criminal justice agencies; and

3. Defines in section 803, like in former section 611, technical terms used throughout the chapter, including:

A. A definition of "administration of civil justice," which had no counterpart in former subchapter 8. It addresses the same types of criminal justice agency activities described in the new subsection 2 but in the context of "civil violations" and "civil actions" rather than in the context of crimes. It does not include known, suspected or possible traffic infractions;

B. A definition of "administration of criminal justice," which is wholly different from former section 611, subsection 1 except to the extent former subsection 1 included the activities of "detection" and "criminal identification." It includes criminal justice agency activities "relating to the anticipation, prevention, detection, monitoring or investigation of known, suspected or possible crimes," activities that generally predate the activities addressed in former section 611, subsection 1. However, particularly in the context of "known" crimes, investigation can continue well after a specific, identifiable person is formally involved with the criminal justice system as an accused in anticipation of trial and sentencing;

C. A definition of "administration of juvenile justice," which had no counterpart in former subchapter 8. It addresses the same types of criminal justice agency activities described in the new subsections 1 and 2 but in the context of juvenile crimes. The administration of juvenile justice is distinct from the administration of criminal justice and the administration of civil justice because a juvenile crime is, strictly speaking, neither a crime nor is it civil. It is a hybrid of both. As a consequence, the administration of juvenile justice is expressly excluded from the definition of "intelligence and investigative record information" and is instead addressed in a new section 3308-A of the Maine Juvenile Code;

D. A definition of "criminal justice agency," which replaces former section 611, subsection 4 and mirrors new section 703, subsection 4, except it does not include courts. Courts are now addressed in section 805, subsection 4;

E. A definition of "dissemination," which replaces former section 611, subsection 6 and mirrors new section 703, subsection 6;

F. A definition of "executive order," which replaces former section 611, subsection 7 and mirrors new section 703, subsection 7; and

G. A definition of "intelligence and investigative record information," which replaces former section 611, subsection 8 and modifies the former definition to better clarify the scope of the definition. It speaks both in terms of information of record collected or kept by any Maine criminal justice agency while performing the "administration of criminal justice," which is included as subsection 1, and in terms of information of record collected or kept by the Department of the Attorney General or by district attorneys' offices when they are performing the administration of civil justice, included as subsection 2. The definition of "intelligence and investigative record information" includes the Department of the Attorney General's records relating to the administration of civil justice in order to perpetuate Public Law 1993, chapter 719, "An Act to Bring the Department of the Attorney General into Conformity with the Criminal History Record Information Laws."

Public Law 2013, chapter 267 moves the confidentiality protection for reports of animal cruelty from the former section governing intelligence and investigative record information to the animal welfare laws in Titles 7 and 17.

Public Law 2013, chapter 267 adds a new section 3308-A to the Maine Juvenile Code, addressing dissemination of juvenile intelligence and investigative record information by a Maine criminal justice agency as follows.

1. Title 15, section 3308-A, subsection 1 contains technical terms used in that section. The terms "administration of juvenile justice," "criminal justice agency," "dissemination," "executive order," "state" and "statute" mirror the meanings found in the new Title 16, section 803, subsections 3 to 6, 8 and 9, respectively. The term "juvenile intelligence and investigative record information" has no counterpart in Title 16, section 803 because the

"administration of juvenile justice" is expressly excluded from the definition of "intelligence and investigative record information" in section 803, subsection 7.

2. Title 15, section 3308-A, subsection 2 clarifies that, to the extent a criminal justice agency has juvenile intelligence and investigative record information that has been made part of the court records of a juvenile proceeding, dissemination of that information by the criminal justice agency must be as provided by section 3307 and section 3308.

3. Title 15, section 3308-A, subsection 3 clarifies that juvenile intelligence and investigative record information is confidential other than as provided in subsection 2. Additionally, subsection 3 lists certain disseminations of confidential juvenile intelligence and investigative record information that are expressly authorized. These parallel those contained in Title 16, section 805.

It also clarifies that Maine courts, unlike other criminal justice agencies, must provide their own internal procedures addressing access and review.

Public Law 2013, chapter 267 authorizes the release of intelligence and investigative record information to the Secretary of State for use in the determination and issuance of a driver's license suspension.

LD 1513 **Resolve, Directing the Department of Corrections, Department of Education, Department of Health and Human Services and Department of Labor To Support the Statewide Coordinated Services District System** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
HASKELL		

This resolve requires the Department of Corrections, the Department of Education, the Department of Health and Human Services and the Department of Labor to fund, support the administration of and provide staffing for the statewide coordinated services district system established pursuant to Resolve 2009, chapter 204 to coordinate and implement service delivery initiatives to increase high school graduation rates, reduce the number of youth in the juvenile justice system, reduce child abuse and neglect and increase employment opportunities for youth.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1515 **An Act To Increase the Availability of Mental Health Services** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
MALABY	OTP-AM	

This bill authorizes the Commissioner of Corrections to:

1. Under certain circumstances, transfer an adult jail inmate to a correctional facility for the purpose of providing the inmate with mental health services;

2. Accept placement in a mental health unit of a correctional facility for observation of an adult defendant who has been committed to the custody of the Commissioner of Health and Human Services;

3. Accept placement in a mental health unit of a correctional facility for hospital-level care and treatment of an adult defendant who has been found incompetent to stand trial and committed to the custody of the Commissioner of Health and Human Services; and

4. Under certain circumstances, medicate a person with mental illness residing in a correctional or detention facility without that person's consent, subject to the person's right to have a court hearing prior to being involuntarily medicated or a court hearing after the issuance of an ex parte court order in an emergency situation.

Committee Amendment "A" (H-490)

This amendment makes the language in the bill relating to involuntary medication of a person with mental illness residing in a mental health unit of a Department of Corrections correctional facility consistent with the language in the Maine Revised Statutes, Title 34-B relating to involuntary medication of a person with mental illness residing in a state mental health institute.

The amendment also makes clear that the provision for involuntary medication by court order applies only to those persons with mental illness who are at least 18 years of age and residing in a mental health unit of a Department of Corrections correctional facility providing hospital-level care and treatment.

The amendment also adds a new "second opinion" ground that must be met to obtain an involuntary medication order, sets out a clear and convincing evidence standard for all court findings and specifies various elements of the involuntary medication court hearings.

The amendment adds a repeal date of August 1, 2017 to the new involuntary medication provisions and the new transfer and placement provisions. The amendment requires the Department of Health and Human Services and the Department of Corrections to report to the joint standing committee of the Legislature having jurisdiction over criminal justice matters by January 15, 2017 regarding the operations of a correctional facility's mental health unit. The report must include the average daily population of the mental health unit, the average daily staffing patterns, the average length of stay in the unit, a description of services provided and the number of persons placed in the unit pursuant to the Maine Revised Statutes, Title 34-A, sections 3069-A, 3069-B and 3069-C. The report must also include any recommendations for reallocation of resources or the redesign of services of the mental health unit, the forensic services provided at Riverview Psychiatric Center and the transfer provisions of Title 34-A, sections 3069-A, 3069-B and 3069-C.

The amendment also requires the Department of Corrections, by January 15, 2017, to submit a report to the joint standing committee of the Legislature having jurisdiction over criminal justice matters regarding the number of applications submitted and orders granted pursuant to Title 34-A, section 3049.

The amendment requires the Department of Health and Human Services to prepare a plan regarding how to fully assess for brain injury or suspected brain injury persons who enter into the custody of the department under Title 15, section 101-D or section 103. The plan must include how the department will meet the needs of persons who have traumatic or acquired brain injuries and must be presented in a report to the joint standing committee of the Legislature having jurisdiction over criminal justice matters by January 15, 2017.

Finally, the amendment also adds an appropriations and allocations section.

House Amendment "A" To Committee Amendment "A" (H-495)

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

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 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

Joint Standing Committee on Criminal Justice and Public Safety

SUBJECT INDEX

Animal Cruelty

Not Enacted		
LD 703	An Act To Make Post-conviction Possession of Animals a Criminal Offense	VETO SUSTAINED
LD 1289	An Act To Create an Animal Abuser Registry	ONTP

Competency to Stand Trial/Mental Health

Enacted		
LD 1433	An Act To Amend the Laws Governing Mental Responsibility for Criminal Conduct	PUBLIC 265
Not Enacted		
LD 1515	An Act To Increase the Availability of Mental Health Services	CARRIED OVER

Criminal History Record Information/DNA/Forensics

Enacted		
LD 1493	An Act To Revise the Laws Concerning Criminal History Record Information and Intelligence and Investigative Information	PUBLIC 267

Criminal Law

Enacted		
LD 251	An Act Criminalizing Trafficking in Contraband in State Hospitals Serving Adults	PUBLIC 191
Not Enacted		
LD 379	An Act To Require Institutions To Report Knowledge or Suspicion of Criminal Violations to a Law Enforcement Agency	ONTP
LD 1305	An Act To Discourage Tenants from Damaging Rental Property	MAJORITY (ONTP) REPORT

Criminal Procedure/Bail/Sentencing

Enacted		
LD 381	An Act To Allow a Court To Order a Person Who Violates a Municipal Ordinance To Perform Community Service Work	PUBLIC 114
LD 1419	An Act To Allow a Setoff of a Third-party Bailor's Property under Certain Conditions	PUBLIC 211
LD 1438	An Act To Implement Certain Recommendations of the Criminal Law Advisory Commission Relative to the Maine Bail Code, Statutory Post-conviction Review, the Maine Criminal Code and a Related Statute	PUBLIC 266
Not Enacted		
LD 192	An Act To Allow Consideration of Fetal Alcohol Spectrum Disorder at Sentencing in a Criminal Case	MAJORITY (ONTP) REPORT

Criminal Procedure/Bail/Sentencing

Not Enacted		
LD 266	An Act To Improve the Law Regarding Bail Commissioners	MAJORITY (ONTP) REPORT
LD 277	An Act To Clarify the Laws Regarding the Calculation of the Period of Imprisonment	ONTP
LD 626	An Act To Remove the Mandatory Minimum Jail Sentence in Certain Cases	MAJORITY (ONTP) REPORT
LD 1079	An Act To Provide for Alternatives for the Courts To Address Settlement of Fines in Certain Cases	ONTP

Department of Corrections

Enacted		
LD 355	An Act To Amend Provisions Relating to the Department of Corrections To Clarify Certain Enforcement Powers	PUBLIC 80
LD 701	An Act To Amend the Laws Governing Probation and Remove References to the Intensive Supervision Program of the Department of Corrections	PUBLIC 133
Not Enacted		
LD 1513	Resolve, Directing the Department of Corrections, Department of Education, Department of Health and Human Services and Department of Labor To Support the Statewide Coordinated Services District System	CARRIED OVER

Domestic Violence

Enacted		
LD 1237	Resolve, Directing the Department of Corrections To Amend Its Rules Pertaining to Certification of Batterer Intervention Programs	RESOLVE 3 EMERGENCY

Drugs

Enacted		
LD 661	An Act To Prohibit Sale or Possession of Synthetic Cannabinoids	PUBLIC 341
LD 1439	An Act To Repeal Certain Maine Criminal Code Provisions Addressing So-called Bath Salts Containing Synthetic Hallucinogenic Drugs and Instead To Define Them as Schedule W Drugs	PUBLIC 194
Not Enacted		
LD 166	An Act To Criminalize Importation of So-called Bath Salts Containing Synthetic Hallucinogenic Drugs	ONTP
LD 664	An Act To Increase the Penalties for Crimes Involving Illegal or Prescription Drugs	ONTP
LD 1044	An Act To Amend the Laws Governing Prosecution of Individuals Possessing a Controlled Substance under Certain Circumstances	VETO SUSTAINED
LD 1229	An Act To Regulate and Tax Marijuana	MAJORITY (ONTP) REPORT

Electronic Devices--Monitoring/Crimes/Disposal

Enacted		
LD 842	An Act To Facilitate the Use of Electronic Monitoring	PUBLIC 227
LD 1316	An Act Regarding Computers Used To Commit a Crime or Facilitate the Commission of a Crime	PUBLIC 297

Electronic Devices--Monitoring/Crimes/Disposal

Not Enacted		
LD 526	An Act To Allow for the Disposition of Certain Items Confiscated from Criminals Convicted of Sexual Exploitation of Minors	ONTP
LD 662	An Act Regarding Sexually Explicit Text Messaging by Minors	CARRIED OVER
LD 1233	An Act Regarding Cyberbullying	ONTP

Firearms/Concealed Firearms

Enacted		
LD 576	Resolve, To Protect Concealed Handgun Permit and Other Public Records Information on a Temporary Basis	RESOLVE 1 EMERGENCY
LD 724	An Act To Require Firearms Used in the Commission of Certain Acts To Be Civilly Forfeited to the State and Destroyed	PUBLIC 328
Not Enacted		
LD 139	An Act To Amend the Laws Governing the Sale of Firearms Carried by Maine State Police	ONTP
LD 188	An Act To Criminalize Possession of a Suspended or Revoked Concealed Handgun Permit	ONTP
LD 189	An Act To Establish a Central Concealed Handgun Permit Database	ONTP
LD 191	An Act To Authorize the Suspension of a Concealed Handgun Permit	MAJORITY (ONTP) REPORT
LD 222	An Act Designating the Chief of the State Police as the Only Issuing Authority of a Permit To Carry a Concealed Handgun	CARRIED OVER
LD 223	An Act To Amend the Laws Regarding a Concealed Handgun Permit	MINORITY (ONTP) REPORT
LD 265	An Act To Repeal the Restriction on Employers Regarding Firearms Kept in an Employee's Vehicle	MAJORITY (ONTP) REPORT
LD 267	An Act Regarding the Sale of Firearms at Gun Shows	MINORITY (ONTP) REPORT
LD 335	An Act To Review Firearm Laws in the State	ONTP
LD 380	An Act To Clarify the Law Concerning the Threatening Display of Dangerous Weapons	VETO SUSTAINED
LD 594	An Act To Prohibit Possession of a Firearm by a Person Who Has Created a Police Standoff	ONTP
LD 660	An Act To Enhance Self-defense by Removing Restrictions on the Carrying and Use of Weapons	MAJORITY (ONTP) REPORT
LD 771	An Act To Amend the Laws Governing Reciprocity for Concealed Handguns Permits	ONTP
LD 888	An Act To Provide Funding to the Judicial Branch to Facilitate Reporting to the National Instant Criminal Background Check System	MAJORITY (ONTP) REPORT

Firearms/Concealed Firearms

Not Enacted

LD 958	**An Act To Establish a Database To Prevent Individuals Involuntarily Admitted or Committed to a Mental Health Institution from Being Issued Concealed Handgun Permits**	**ONTP**
LD 997	**An Act To Establish Restrictions on Ammunition Feeding Devices**	**ONTP**
LD 1022	**An Act To Improve Training Requirements for Obtaining a Concealed Handgun Permit**	**MAJORITY (ONTP) REPORT**
LD 1053	**An Act Regarding a Retired Law Enforcement Officer Carrying a Concealed Handgun without a Permit**	**ONTP**
LD 1173	**An Act To Repeal the Law Allowing Concealed Weapons in State Parks with Certain Exceptions**	**MAJORITY (ONTP) REPORT**
LD 1182	**An Act Regarding the Disposition of Firearms in State Custody**	**ONTP**
LD 1183	**An Act To Prohibit the Enforcement of Federal Law Placing Restrictions on Firearms or Ammunition**	**MAJORITY (ONTP) REPORT**
LD 1240	**An Act To Promote the Safe Use and Sale of Firearms**	**VETO SUSTAINED**
LD 1429	**An Act To Allow School Administrative Units To Establish Rules, Procedures and Guidelines for Properly Trained Staff To Carry a Concealed Handgun on School Property while Acting in Their Official Capacities**	**MAJORITY (ONTP) REPORT**

Fireworks

Enacted

LD 839	**An Act To Amend the Laws Governing the Licensing of Technicians Involved in a Display of Fireworks or Special Effects**	**PUBLIC 56**

Not Enacted

LD 111	**An Act To Restrict the Sale, Purchase and Use of Fireworks in the State**	**CARRIED OVER**
LD 168	**An Act To Establish Reasonable Restrictions on the Use of Fireworks**	**CARRIED OVER**
LD 456	**An Act To Protect Farm Animals from Noise from the Discharge of Fireworks or Explosives**	**MAJORITY (ONTP) REPORT**
LD 478	**An Act To Require a Local Permit for the Use of Fireworks**	**ONTP**
LD 663	**An Act To Change the Time Restriction on the Use of Fireworks**	**ONTP**

Juveniles

Enacted

LD 1112	**An Act To Amend the Maine Juvenile Code and Related Statutes**	**PUBLIC 234**

Not Enacted

LD 1470	**An Act To Develop Juvenile Assessment Centers**	**ONTP**

Law Enforcement

Enacted

Law Enforcement

Enacted		
LD 1432	An Act To Revise the Laws of the Maine Criminal Justice Academy	PUBLIC 147
Not Enacted		
LD 140	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 152	An Act To Authorize the Commissioner of Agriculture, Conservation and Forestry To Nominate Certain Rangers in the Division of Forestry To Become Conservation Law Enforcement Officers	LEAVE TO WITHDRAW
LD 297	An Act To Require Forest Rangers To Be Trained in Order To Allow Them To Carry Firearms	CARRIED OVER
LD 685	An Act To Require Investigation and Prosecution of Assaults by Law Enforcement Officers against Unarmed Individuals	ONTP
LD 841	An Act To Prevent Offensive Touching of a Person Seeking Access to Public Facilities	MAJORITY (ONTP) REPORT
LD 1045	An Act To Establish the Forensic Advisory Committee	MAJORITY (ONTP) REPORT
LD 1054	An Act To Prohibit Enforcement by a Federal or State Official or Others of the National Defense Authorization Act For Fiscal Year 2012	MAJORITY (ONTP) REPORT

Maine Emergency Management Agency

Enacted		
LD 326	An Act To Update the Maine Emergency Management Laws	PUBLIC 146
Not Enacted		
LD 122	An Act To Provide Assistance to Municipalities Recovering from a Municipally Significant Disaster	MAJORITY (ONTP) REPORT

OUI/OAS/Other MV Violations

Enacted		
LD 85	An Act To Amend the Motor Vehicle Ignition Interlock Device Requirements in the Laws Regarding Operating Under the Influence	PUBLIC 187
LD 1260	An Act To Allow Ignition Interlock Devices on Vehicles Operated by First-time Offenders of Operating Under the Influence	PUBLIC 389
Not Enacted		
LD 190	An Act To Provide a Ten Percent Discount to Persons Charged with a Traffic Infraction Who Pay Fines by Waiver	ONTP
LD 926	An Act To Increase the Penalty for an Adult Who Provides Alcohol to a Minor Involved in a Fatal Accident	ONTP

Prison/Jail/Inmate

Enacted		
LD 353	An Act To Allow Young Adult Offenders To Be Confined in Juvenile Correctional Facilities and To Comply with Federal Law Requirements	PUBLIC 28
LD 354	An Act To Amend the County Jail Inspection Requirement for Nationally Accredited Facilities	PUBLIC 27
Not Enacted		

Prison/Jail/Inmate

Not Enacted

LD 76	An Act To Provide Funding to the State Board of Corrections for Certain County Jail Debt	INDEF PP
LD 238	An Act To Designate the Jail in Franklin County as a Jail Rather than a Holding Facility	ONTP
LD 382	An Act Regarding the Period of Time for Which an Incarcerated Person Is Eligible To Earn Good Time	ONTP
LD 502	An Act To Allow County Jails To Apply Savings to Debt Service without a Reduction in State Payments	CARRIED OVER
LD 873	An Act To Establish Positive Reentry Parole	ONTP
LD 1320	An Act To Fairly Distribute the Debt Burden between the State and County Correctional Functions	MAJORITY (ONTP) REPORT

Public Safety/Emergency Medical Services

Enacted

LD 296	An Act To Equalize the Fire Investigation and Prevention Tax Paid by Insurers	PUBLIC 95
LD 298	An Act Regarding the Membership of the Emergency Medical Services' Board	PUBLIC 62
LD 820	An Act Regarding Fire Escapes for Certain Buildings	PUBLIC 76
LD 840	An Act To Amend the Law Regulating the Use of Explosives	PUBLIC 57

Not Enacted

LD 40	An Act To Protect a Private Memorial Placed in a Public Right-of-way	MAJORITY (ONTP) REPORT
LD 593	An Act To Require That Carbon Monoxide Detectors Be Installed inside Educational Facilities	MAJORITY (ONTP) REPORT
LD 647	An Act To Establish the Mobile Crime Laboratory Fund	DIED BETWEEN HOUSES
LD 708	An Act To Reduce Emergency Rescue Costs	ONTP
LD 1234	An Act To Establish the Computer Crimes Unit Fund and Authorize the Department of Public Safety To Accept Donations for the Fund	DIED BETWEEN HOUSES

Sex Offenses -- Criminal

Enacted

LD 498	An Act To Allow a Municipality To Prohibit a Sex Offender from Residing within 750 Feet of a Recreational Facility	PUBLIC 161
LD 883	An Act Regarding the Sexual Assault Forensic Examiner Advisory Board	PUBLIC 68
LD 1491	An Act To Extend the Statute of Limitations on Certain Sex Crimes	PUBLIC 392

Sex Trafficking

Enacted

Sex Trafficking

Enacted

LD 1159	**An Act To Address Human Trafficking, Sex Trafficking and Prostitution**	**PUBLIC 407**

Theft/Bad Checks

Enacted

LD 527	**An Act To Protect Vulnerable Adults from Exploitation**	**PUBLIC 414**
LD 887	**An Act To Repeal a Specialized Form of the Generic Crime of Theft by Unauthorized Taking or Transfer**	**PUBLIC 96**

Not Enacted

LD 366	**An Act To Adjust the Values of Property That Define the Class of Crime for Theft Offenses**	**ONTP**

EDU

STATE OF MAINE

126TH LEGISLATURE

FIRST REGULAR SESSION

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

JOINT STANDING COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS

July 2013

MEMBERS:

SEN. REBECCA J. MILLETT, CHAIR
SEN. CHRISTOPHER K. JOHNSON
SEN. BRIAN D. LANGLEY

REP. W. BRUCE MACDONALD, CHAIR
REP. MARY P. NELSON
REP. HELEN RANKIN
REP. MATTHEA DAUGHTRY
REP. BRIAN L. HUBBELL
REP. VICTORIA P. KORNFIELD
REP. PETER B. JOHNSON
REP. JOYCE A. MAKER
REP. MICHAEL D. MCCLELLAN
REP. MATTHEW G. POULIOT
REP. MADONNA M. SOCTOMAH

STAFF:
PHILLIP D. MCCARTHY, SR. LEGISLATIVE ANALYST
JON CLARK, DEPUTY DIRECTOR
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

LD 6 **An Act Regarding the Authority of a School Board To Elect a School Superintendent** **VETO SUSTAINED**

Sponsor(s)	Committee Report	Amendments Adopted
CASAVANT DUTREMBLE	OTP-AM ONTP	H-31

This bill prohibits school boards from requiring that a superintendent reside in a municipality that is included within the school administrative unit.

Committee Amendment "A" (H-31)

This amendment, which is the majority report of the Joint Standing Committee on Education and Cultural Affairs, replaces the bill and provides that a school board may elect a superintendent without regard to whether the superintendent resides in a municipality that is included within the school administrative unit. It also removes the emergency preamble and clause from the bill.

LD 18 **An Act To Fund Public Education for Kindergarten to Grade 12 at 55%** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CAMPBELL J MILLETT	ONTP	

This bill provides additional funding totaling $83,718,198 in fiscal year 2013-14 and $99,525,393 in fiscal year 2014-15 necessary for the State to achieve the statutory commitment to fund 55% of the total cost of kindergarten to grade 12 public education as calculated by the essential programs and services funding model.

LD 25 **An Act To Exclude Certain State-funded Costs from the State Share of the Total Cost of Funding Public Education** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
MASON A GOODALL	OTP-AM OTP-AM	

This bill provides that, beginning in fiscal year 2013-14, the state contributions to teacher retirement, retired teachers' health insurance and retired teachers' life insurance may not be included in the calculation of the state share percentage of the total cost of funding public education from kindergarten to grade 12 as required by the Essential Programs and Services Funding Act.

Committee Amendment "A" (H-505)

This amendment, which is the majority report of the Joint Standing Committee on Education and Cultural Affairs, adds an emergency preamble and clause to the bill, but retains the provision in the bill that the state contributions to teacher retirement, retired teachers' health insurance and retired teachers' life insurance may not be included in the calculation of the state share percentage of the total cost of funding public education from kindergarten to grade 12 as required by the Essential Programs and Services Funding Act. The amendment provides that the state share percentage target for fiscal year 2013-14 and succeeding years is 55%. This amendment also adds an appropriations and allocations section.

Committee Amendment "B" (H-506)

This amendment, which is the minority report of the Joint Standing Committee on Education and Cultural Affairs, adds an emergency preamble and clause to the bill and removes the provision in the bill that would have provided that the state contributions to teacher retirement, retired teachers' health insurance and retired teachers' life insurance may not be included in the calculation of the state share percentage of the total cost of funding public education from kindergarten to grade 12 as required by the Essential Programs and Services Funding Act. The amendment clarifies that the state contributions to teacher retirement reflect the state contributions to the employer retirement costs that are applicable to the normal cost of teacher retirement. The amendment also provides that the state share percentage target for fiscal year 2013-14 and succeeding years is 55%. This amendment adds an appropriations and allocations section.

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 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 34 **An Act To Implement the Recommendations of the Government Oversight Committee and the Office of Program Evaluation and Government Accountability Regarding Child Development Services** **PUBLIC 338**

Sponsor(s)	Committee Report	Amendments Adopted
	OTP-AM	H-380 S-238 MILLETT

This bill implements recommendations of the Government Oversight Committee stemming from the report on child development services issued by the Office of Program Evaluation and Government Accountability in July 2012. The purpose of this bill is to require improved reporting to the Legislature on key financial and performance aspects of the Child Development Services System and the programs it administers, in order to enhance transparency, accountability and legislative oversight. The system is an entity established in statute with responsibility for administering federal programs for eligible children from birth to under 6 years of age under the federal Individuals with Disabilities Education Act. The system and its programs receive some federal funding but are primarily supported by the General Fund.

Committee Amendment "A" (H-380)

This amendment makes the following changes to the bill.

1. It provides that the annual report on the performance of the Child Development Services System within the Department of Education submitted to the Legislature by the director of early childhood special education must also be submitted to the joint standing committee of the Legislature having jurisdiction over health and human services matters.

2. It provides that the following data for eligible children who received services must be included in the annual report on the performance of the Child Development Services System submitted to the Legislature:

A. The number of children who received direct services in the prior year who were born in Maine and the number of children who received direct services in the prior year who were born in Maine and who were delivered at home;

B. The total number of children who were referred in the prior year for support outside of the Child Development Services System and the number of children who received direct services in the prior year who were referred for support outside of the Child Development Services System; and

C. The number of children who received direct services in the prior year who received all of the services in their individualized family service plan or individualized education program and the number of children who received direct services in the prior year who received less than 90% of the services in their individualized family service plan or individualized education program.

3. It provides that the statistics and analysis on the performance of the Child Development Services System submitted to the Legislature must also include the average age, both in aggregate and by primary disability type, at which children who were born in Maine began receiving services from the Child Development Services System and the average age, both in aggregate and by primary disability type, at which children who were born in Maine and who were delivered at home began receiving services from the Child Development Services System.

4. It provides that the annual report on the performance of the Child Development Services System submitted to the Legislature must also include a report by each regional site that demonstrates the trends of the Child Development Services System employee costs and the results of efforts undertaken by the Child Development Services System to coordinate with other entities and maximize the use of a broad base of community resources, including private providers and public schools, midwives, resources from other agencies and other resources serving families and children from birth to under 6 years of age.

The amendment also adds an appropriations and allocations section.

Senate Amendment "A" To Committee Amendment "A" (S-238)

This amendment delays until January 1, 2015 when certain information must be included in the report on the performance of the Child Development Services System submitted to the Legislature. The amendment also removes the appropriations and allocations section.

Enacted Law Summary

Public Law 2013, chapter 338 implements recommendations of the Government Oversight Committee stemming from the report on child development services issued by the Office of Program Evaluation and Government Accountability in July 2012. The law requires improved reporting to the Legislature on key financial and performance aspects of the Child Development Services System and the programs it administers, in order to enhance transparency, accountability and legislative oversight. The law provides that the director of early childhood special education must provide an annual report on the performance of the Child Development Services System to the joint standing committees of the Legislature having jurisdiction over education and cultural affairs, appropriations and financial affairs, and health and human services matters.

LD 56 **An Act To Ensure Equity in School Costs Borne by Municipalities within Consolidated School Units** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BEAVERS	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. The bill proposes to amend the funding distribution method required under the Essential Programs and Services Funding Act to ensure parity and taxpayer equity among towns that are members of consolidated school units.

LD 61 **An Act To Amend Standards for Participation in Certain Public School Services by Students Who Are Homeschooled** **PUBLIC 400**

Sponsor(s)	Committee Report	Amendments Adopted
ESPLING BURNS	OTP-AM	H-30

This bill provides that a student receiving homeschool instruction is eligible for a state tuition subsidy for certain postsecondary courses as long as the criteria for participation are met. The bill also provides that a student receiving homeschool instruction is eligible for special education services in the same manner that students enrolled in a private school are eligible for these services.

Committee Amendment "A" (H-30)

This amendment strikes the mandate preamble and the provision in the bill that requires that a school administrative unit provide the same special education services to a student receiving home instruction as are provided to a student enrolled in private school.

Enacted Law Summary

Public Law 2013, chapter 400 provides that a student receiving homeschool instruction is eligible for a state tuition subsidy for certain postsecondary courses as long as the criteria for participation are met.

LD 91 **An Act To Raise the School Construction Bond Cap** **PUBLIC 44**

Sponsor(s)	Committee Report	Amendments Adopted
MASON A GOODALL	OTP-AM	H-5

This bill increases the major capital maximum debt service limit for school construction projects for fiscal years 2013-14 and 2014-15 to $126,000,000.

Committee Amendment "A" (H-5)

This amendment incorporates a fiscal note.

Enacted Law Summary

Public Law 2013, chapter 44 increases the major capital maximum debt service limit for school construction projects for fiscal years 2013-14 and 2014-15 to $126,000,000.

LD 92 **An Act Relating to Private School Student Participation in Public School Cocurricular, Interscholastic and Extracurricular Activities** **PUBLIC 428**

Sponsor(s)	Committee Report	Amendments Adopted
MAKER MASON G	OTP-AM	H-53 S-332 HILL

This bill changes the standards for making public school resources and services available to students enrolled in certain equivalent instruction programs by eliminating the requirement that resources and services be made available to students in a private school recognized by the Department of Education as providing equivalent

instruction and by limiting the ability of the public school principal or the principal's designee to deny participation to situations where the school cannot reasonably accommodate the student's participation.

Committee Amendment "A" (H-53)

This amendment strikes and replaces the bill. The amendment limits public school resources and services available to students enrolled in private schools to only those students enrolled in certain private schools recognized by the Department of Education as providing equivalent instruction.

The amendment provides that the principal of a public school may deny the request of a student enrolled in an equivalent instruction program to participate in a cocurricular, extracurricular or interscholastic activity only if the school does not have the capacity to provide the student with the opportunity to participate in the activity. If approval for participation is withheld by the principal, the principal must provide a written explanation to the student or the student's parent or guardian stating the reason or reasons for the decision.

The amendment provides that a student enrolled in an equivalent instruction program is not eligible to participate in a cocurricular, interscholastic or extracurricular activity at a public school if the private school the student attends already provides that same activity.

Senate Amendment "A" To Committee Amendment "A" (S-332)

This amendment adds a mandate preamble.

Enacted Law Summary

Public Law 2013, chapter 428 limits public school resources and services available to students enrolled in private schools to only those students enrolled in certain private schools recognized by the Department of Education as providing equivalent instruction. The law provides that the principal of a public school may deny the request of a student enrolled in an equivalent instruction program to participate in a cocurricular, extracurricular or interscholastic activity only if the school does not have the capacity to provide the student with the opportunity to participate in the activity. If approval for participation is withheld by the principal, the principal must provide a written explanation to the student or the student's parent or guardian stating the reason or reasons for the decision. The law also provides that a student enrolled in an equivalent instruction program is not eligible to participate in a cocurricular, interscholastic or extracurricular activity at a public school if the private school the student attends already provides that same activity.

LD 93 **An Act To Require Public Secondary Schools To Offer a Course in Gun Safety and Handling** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
DAVIS BURNS	ONTP	

This bill requires public secondary schools to offer a firearm safety and handling course that is optional for students.

LD 112 **An Act To Make Changes to the Educators for Maine Program** **PUBLIC 7**

Sponsor(s)	Committee Report	Amendments Adopted
NELSON CRAVEN	OTP	

This bill changes the Educators for Maine Program by including certain participants in the Jobs for Maine's Graduates program as eligible for loan forgiveness.

Enacted Law Summary

Public Law 2013, chapter 7 changes the Educators for Maine Program by including certain participants in the Jobs for Maine's Graduates program as eligible for loan forgiveness.

LD 113 **An Act To Make Changes to the Maine College Savings Program** **PUBLIC 4**

Sponsor(s)	Committee Report	Amendments Adopted
MACDONALD W MILLETT	OTP	

This bill makes changes to the Maine College Savings Program, also known as NextGen or the NextGen College Investing Plan, by adding financial education to the list of permissible program fund uses.

Enacted Law Summary

Public Law 2013, chapter 4 makes changes to the Maine College Savings Program, also known as NextGen or the NextGen College Investing Plan, by adding financial education to the list of permissible program fund uses.

LD 130 **An Act To Stabilize Education Funding by Reducing the Impact of Changes in Property Valuation** **PUBLIC 203**

Sponsor(s)	Committee Report	Amendments Adopted
MILLETT MALABY	OTP-AM	S-128

This bill is a concept draft pursuant to Joint Rule 208. The bill proposes to stabilize state funding for education by requiring the property fiscal capacity component of the essential programs and services funding formula to be based on a rolling 5-year average of the property values of a municipality included in a school administrative unit.

Committee Amendment "A" (S-128)

This amendment strikes and replaces the bill, which is a concept draft. This amendment stabilizes state funding for education by requiring the property fiscal capacity component of the essential programs and services funding formula to be based on a 2-year average of the property values of the municipalities included in a school administrative unit in fiscal year 2014-15 and to be based on a 3-year average of the property values of the municipalities included in a school administrative unit in fiscal year 2015-16 and each succeeding fiscal year.

Enacted Law Summary

Public Law 2013, chapter 203 stabilizes state funding for education by requiring the property fiscal capacity component of the essential programs and services funding formula to be based on a 2-year average of the property values of the municipalities included in a school administrative unit in fiscal year 2014-15 and to be based on a 3-year average of the property values of the municipalities included in a school administrative unit in fiscal year 2015-16 and each succeeding fiscal year.

LD 160 **An Act To Amend the Laws Pertaining to Archaeological Sites** **PUBLIC 89**

Sponsor(s)	Committee Report	Amendments Adopted
JORGENSEN KATZ	OTP-AM	H-62

This bill amends the laws governing the excavation of archaeological sites. It creates the new defined term "protected site" that takes the place of and has the same meaning as the current term "site". The new term "protected site" is then used throughout these laws in place of "site". The result is, with one exception, no net change in legal effect. The exception is the confidentiality provision. The bill modifies the current definition of "site" to remove all of the limiting criteria and uses this newly-defined term in the confidentiality section. The result is an expansion of confidentiality protection. Under current law, Maine Historic Preservation Commission or the Maine State Museum may designate as confidential any information in the possession of state agencies or the University of Maine System about the location or attributes of archeological sites only if the sites meet all the current limiting criteria (site is located on state-controlled land or land subject to a landowner agreement, site is listed on or eligible to be listed on the National Register of Historic Places, and site is posted; or the site is given an emergency designation, with the permission of the landowner, as being directly threatened, and the site is posted). Under the bill, confidentiality may be extended to information about the location or attributes of any site containing artifacts or evidence of habitation, occupation or use by historic or prehistoric people.

Committee Amendment "A" (H-62)

This amendment makes the following changes to the bill.

1. It requires the directors of the Maine Historic Preservation Commission and the Maine State Museum to establish procedures for reviewing at least once every 10 years site location information designated as confidential in order to determine whether continued confidentiality is necessary and, if not, to remove the confidentiality designation.

2. It requires the Maine Historic Preservation Commission and the Maine State Museum to consult with representatives of the Passamaquoddy Tribe, the Penobscot Nation, the Houlton Band of Maliseet Indians and the Aroostook Band of Micmacs with regard to the adequate and appropriate curation of Native American artifacts recovered from protected sites, as defined in the bill.

3. It makes a technical wording change.

Enacted Law Summary

Public Law 2013, chapter 89 makes the following changes to law.

Under current law, Maine Historic Preservation Commission or the Maine State Museum may designate as confidential any information in the possession of state agencies or the University of Maine System about the location or attributes of archeological sites only if the sites meet all the current limiting criteria (site is located on state-controlled land or land subject to a landowner agreement, site is listed on or eligible to be listed on the National Register of Historic Places, and site is posted; or the site is given an emergency designation, with the permission of the landowner, as being directly threatened, and the site is posted). Under this law, confidentiality may be extended to information about the location or attributes of any site containing artifacts or evidence of habitation, occupation or use by historic or prehistoric people.

This law requires the directors of the Maine Historic Preservation Commission and the Maine State Museum to establish procedures for reviewing at least once every 10 years site location information designated as confidential in order to determine whether continued confidentiality is necessary and, if not, to remove the confidentiality

designation.

It also requires the Maine Historic Preservation Commission and the Maine State Museum to consult with representatives of the Passamaquoddy Tribe, the Penobscot Nation, the Houlton Band of Maliseet Indians and the Aroostook Band of Micmacs with regard to the adequate and appropriate curation of Native American artifacts recovered from protected sites, as defined in the bill.

LD 178 **Resolve, To Provide Consistency in Rules of the Department of Education Regarding Visual and Performing Arts Requirements for High School Graduation** **RESOLVE 38**

Sponsor(s)	Committee Report	Amendments Adopted
NELSON MILLETT	OTP-AM	H-156

This resolve requires the Department of Education to amend its rules relating to high school graduation requirements to permit the visual and performing arts requirement to be met by completion of a credit in dance, music, theater or visual arts. This change is intended to resolve confusion resulting from different descriptions of the standard for visual and performing arts requirements in the rules of the department.

Committee Amendment "A" (H-156)

This amendment adds forensics to the list of courses that the Department of Education must include in the amendments to its rules relating to courses that may fulfill high school graduation requirements in the area of visual and performing arts.

Enacted Law Summary

Resolve 2013, chapter 38 requires the Department of Education to amend its rules relating to high school graduation requirements to permit the visual and performing arts requirement to be met by completion of a credit in dance, music, theater, forensics or visual arts. The resolve directs the department to determine the extent to which graduation requirements in the area of visual and performing arts may be met by the study of forensics, which may include, but is not limited to, the separate or integrated study of the art of public speaking, the art of formal debate and the interpretive performance of literature as they relate to the area of visual and performing arts.

LD 193 **An Act To Authorize InterCoast Career Institute To Grant the Degree of Associate Degree in Applied Science** **P & S 14**

Sponsor(s)	Committee Report	Amendments Adopted
CHASE COLLINS	OTP	

This bill authorizes InterCoast Colleges to grant the degree of Associate Degree in Applied Science.

Enacted Law Summary

Private and Special Law 2013, Chapter 14 authorizes InterCoast Colleges to grant the degree of Associate Degree in Applied Science.

LD 194 **An Act To Ensure That a Curtailment in School Funding Is Shared by All Institutions** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
KUSIAK	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. The bill proposes to ensure that if the Governor curtails funding for the state share of the costs of education the reduction in state funding must be shared equally by all entities receiving public funds for education purposes, including public schools, private schools and charter schools.

LD 195 **An Act To Fund Education by Providing Equal State Funding for Each Student** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MALABY CUSHING	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. The bill proposes to amend the school funding formula to require equal funding for each kindergarten to grade 12 student attending Maine public schools based on the pupil counts for April 1st and October 1st for the most recent calendar year.

LD 233 **An Act To Require the Department of Education To Report on the Costs and Sources of Funding of Charter Schools** **LEAVE TO WITHDRAW**

Sponsor(s)	Committee Report	Amendments Adopted
MILLETT NELSON		

This bill directs an authorizer of public charter schools to report yearly to the Commissioner of Education the total amount of funds expended by each public charter school authorized by that authorizer and the source of those funds and directs the Department of Education to report by July 1st of each year to the Governor, the Legislature and the public the overall cost and source of funds for all public charter schools in the State and the overall cost and source of funds for each public charter school.

LD 243 **Resolve, To Direct the Department of Education To Amend Its Rules Regarding Restraint of Students** **RESOLVE 8 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
SAVIELLO BLACK	OTP-AM	S-6

This resolve directs the Department of Education to amend its Rule Chapter 33: Rule Governing Physical Restraint and Seclusion, which limits the use of restraint and seclusion. The current rule allows the use of those interventions only to prevent an imminent risk of injury or harm to a student or others. This resolve requires the rule to be changed to allow the use of restraint or seclusion to prevent significant property damage, to prevent disruption of the educational environment and when authorized in writing by a student's parent. The resolve also requires the rule to exclude some specific, limited techniques from the definition of "physical restraint," and to amend the definition

of "physical escort" to include picking up younger students. The resolve requires the department to make the required changes in the rule within 7 business days of the effective date of the resolve.

Committee Amendment "A" (S-6)

This amendment strikes and replaces the resolve to direct the Department of Education to amend its Rule Chapter 33: Rule Governing Physical Restraint and Seclusion, which limits the use of restraint and seclusion. The current rule allows the use of those interventions only to prevent an imminent risk of injury or harm to a student or others. This resolve requires the rule to be changed as follows.

1. It provides that the threshold for the use of physical restraint or seclusion is to prevent the risk of injury or harm to the child.

2. It clarifies the definition of physical escort.

3. It clarifies that physical restraint does not include a brief period of physical contact necessary to break up a fight.

4. It provides that the department is required to provide consistent and accurate information regarding the requirements of the rule annually to teachers and administrators throughout the State.

5. It retains the provision in the resolve that requires the department to file the specific changes to the rule required by this resolve with the Secretary of State within seven business days of the effective date of the resolve, but it clarifies that these rule changes are routine technical rules, but that any changes to the rule on or after July 1, 2013 are major substantive rules.

The amendment also requires the department to present a report describing the implementation of the changes to the rule, including the effect of these changes on relevant stakeholders, to the Joint Standing Committee on Education and Cultural Affairs not later than January 10, 2014.

Finally, the amendment requires the department to develop nonregulatory guidance regarding the amendments to the rule so that teachers and administrators have accurate information regarding these revised requirements. The department is required to submit a report detailing its guidance and related training efforts to the Joint Standing Committee on Education and Cultural Affairs before the end of the Second Regular Session of the 126th Legislature.

Enacted Law Summary

Resolve 2013, chapter 8 provides that final adoption of Chapter 33: Rule Governing Physical Restraint and Seclusion, a provisionally adopted major substantive rule of the Department of Education, is authorized contingent upon the department making changes to the rule that:

1. Provide that the threshold for the use of physical restraint or seclusion is to prevent the risk of injury or harm to the child;

2. Clarify the definition of physical escort;

3. Clarify that physical restraint does not include a brief period of physical contact necessary to break up a fight;

4. Provide that the department is required to provide consistent and accurate information regarding the requirements of the rule annually to teachers and administrators throughout the State.

5. Require the department to file the specific changes to the rule required in this resolve with the Secretary of State within seven business days of the effective date. These rule changes are routine technical rules but that any changes made to the rule on or after July 1, 2013 are major substantive rules.

The resolve also requires the department to present a report describing the implementation of the changes to the rule, including the effect of these changes on relevant stakeholders, to the Joint Standing Committee on Education and Cultural Affairs not later than January 10, 2014.

Finally, the resolve requires the department to develop nonregulatory guidance regarding the amendments to the rule so that teachers and administrators have accurate information regarding these revised requirements. The department is required to submit a report detailing its guidance and related training efforts to the Joint Standing Committee on Education and Cultural Affairs before the end of the Second Regular Session of the 126th Legislature.

Resolve 2013, chapter 8 was finally passed as an emergency measure effective April 15, 2013.

LD 244 **An Act To Amend the Student Membership Criteria of the State Board of Education** **PUBLIC 15 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
MILLETT DAUGHTRY	OTP	

This bill changes the criteria for the student members of the State Board of Education. Current law requires a student to reside in the congressional district that the student represents at the time of appointment. This bill requires the student to attend school in the congressional district the student represents at the time of appointment.

Enacted Law Summary

Public Law 2013, chapter 15 changes the criteria for the student members of the State Board of Education. The law requires a student to reside to attend school in the congressional district the student represents at the time of appointment.

Public Law 2013, chapter 15 was enacted as an emergency measure effective April 8, 2013.

LD 299 **RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require the State Share of Education Funding To Be at Least Fifty-five Percent of the Total Cost and One Hundred Percent of the Cost of Special Education** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
JONES	ONTP	

This resolution proposes to amend the Constitution of Maine to require the Legislature to appropriate sufficient state funds to cover at least 55% of the total state and local cost of funding public education from kindergarten to grade 12 and 100% of the state and local costs of special education as approved pursuant to citizen-initiated legislation in 2004.

LD 300 **An Act To Protect School Administrative Units and Taxpayers** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
BECK SHERMAN		

This bill provides that an insurer providing health insurance covering employees of a school administrative unit is not required to provide loss information concerning those employees if requested by the school administrative unit.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 301 **An Act To Remove Unnecessary Agenda from the School Day** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MCCLELLAN	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. It proposes to require a review by the Commissioner of Education of items required by law or policy to be taught or recognized in the public schools in kindergarten to grade 12 that are in addition to the curriculum implementing the statewide system of learning results under the Maine Revised Statutes, Title 20-A, section 6209. The review must be conducted in consultation with representatives of school superintendents, teachers and parents. The review must categorize the additional items required to be taught or recognized, identify items that may have become obsolete or duplicative and recommend the most efficient and effective way to teach or recognize the required items without interfering with the time needed during the school day to provide effective teaching of knowledge required under the system of learning results. The commissioner would be authorized to report the results of the review to the joint standing committee of the Legislature having jurisdiction over education matters, which would be authorized to report out a bill, if necessary.

LD 322 **Resolve, Regarding Legislative Review of Portions of Chapter 61: State Board of Education Rules for Major Capital School Construction Projects, a Major Substantive Rule of the State Board of Education** **RESOLVE 34 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
	OTP-AM	H-165

This resolve provides for legislative review of portions of Chapter 61: State Board of Education Rules for Major Capital School Construction Projects, a major substantive rule of the State Board of Education.

Committee Amendment "A" (H-165)

This amendment provides that final adoption of portions of Chapter 61: State Board of Education Rules for Major Capital School Construction Projects, a Major Substantive Rule of the State Board of Education, is authorized contingent upon the State Board of Education making specified changes to the proposed rule.

Enacted Law Summary

Resolve 2013, chapter 34 provides that final adoption of portions of Chapter 61: State Board of Education Rules for Major Capital School Construction Projects, a Major Substantive Rule of the State Board of Education, is authorized contingent upon the State Board of Education making specified changes to the proposed rule.

Resolve 2013, chapter 34 was finally passed as an emergency measure effective June 3, 2013.

LD 323 **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 52
EMERGENCY

Sponsor(s)	Committee Report	Amendments Adopted
	OTP-AM	H-191
		S-111 MILLETT

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-191)

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.

Senate Amendment "A" To Committee Amendment "A" (S-111)

This amendment is a technical correction to Committee Amendment "A." It clarifies that the rule must be amended by deleting Part 4, "Criteria for Change in Eligibility," which exceeds federal requirements concerning necessary evaluation procedures.

Enacted Law Summary

Resolve 2013, chapter 52 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 2013, chapter 52 was finally passed as an emergency measure effective June 13, 2013.

LD 351 **An Act To Authorize the Provision of Insurance on Student Loans**

PUBLIC 34
EMERGENCY

Sponsor(s)	Committee Report	Amendments Adopted
CAIN FREDETTE	OTP-AM	S-8

This bill modifies the Finance Authority of Maine's Higher Education Loan Program to specify that the Finance Authority of Maine may provide loan insurance on supplemental student loans and renames it the Higher Education Loan and Loan Insurance Program.

Committee Amendment "A" (S-8)

This amendment makes the following changes to the bill:

1. It requires students receiving loans from or loans insured by the Finance Authority of Maine under the Higher Education Loan and Loan Insurance Program to make satisfactory academic progress in accordance with the

standards of the students' institution of higher learning; and

2. It requires students receiving loans insured by the Finance Authority of Maine under the Higher Education Loan and Loan Insurance Program to satisfy financial education requirements established or approved by the authority.

Enacted Law Summary

Public Law 2013, chapter 34 modifies the Finance Authority of Maine's Higher Education Loan Program to specify that the Finance Authority of Maine may provide loan insurance on supplemental student loans and renames it the Higher Education Loan and Loan Insurance Program. It also requires students receiving loans from or loans insured by the Finance Authority of Maine under the Higher Education Loan and Loan Insurance Program to make satisfactory academic progress in accordance with the standards of the students' institution of higher learning and requires students receiving loans insured by the Finance Authority of Maine under the Higher Education Loan and Loan Insurance Program to satisfy financial education requirements established or approved by the authority.

Public Law 2013, chapter 34 was enacted as an emergency measure effective April 16, 2013.

LD 367 **An Act To Repeal the Repeal Provision in the Law That Limits the Reduction of State Subsidy for Education** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
HAMPER MAKER	ONTP	

This bill repeals the repeal provision in the law that exempts a school administrative unit from a reduction in its state subsidy for failure to raise its required local contribution to the total cost of funding public education if the unit raises the same percentage of the local contribution as the State raises of the state contribution.

LD 369 **An Act To Redesign Maine's School Funding Model** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
JOHNSON C BERRY		

This bill is a concept draft pursuant to Joint Rule 208. The bill proposes a redesign of Maine's school funding formula to achieve equal educational opportunity for Maine students and statewide equity in property tax burden.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 370 **Resolve, To Create a Working Group To Identify Elementary School and Middle School Applied Learning Opportunities** **RESOLVE 22**

Sponsor(s)	Committee Report	Amendments Adopted
LANGLEY POULIOT	OTP-AM	S-37

This resolve is a concept draft pursuant to Joint Rule 208. The bill proposes to assemble a working group to identify opportunities for and best practices of applied learning opportunities in kindergarten to grade 8. These

opportunities and practices will then be posted on the Department of Education's website so that all schools may access them and benefit from them.

Committee Amendment "A" (S-37)

This amendment replaces the resolve, which is a concept draft, with a resolve to convene a working group to identify opportunities for providing applied learning pathways for students enrolled in kindergarten to grade 8 in public schools in the State.

Enacted Law Summary

Resolve 2013, chapter 22 establishes a working group to identify opportunities for providing applied learning pathways for students enrolled in kindergarten to grade 8 in public schools in the State.

LD 383 **An Act To Increase Public Awareness Regarding School Budget Elections** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
MCCLELLAN	ONTP OTP-AM	

This bill changes the form of the question required in a budget validation referendum for a regional school unit to include the total dollar amount of the school budget and the percentage increase or decrease in the school budget compared to the budget in the previous year.

Committee Amendment "A" (H-253)

This amendment, which is the minority report of the Joint Standing Committee on Education and Cultural Affairs, strikes and replaces the bill to require that the information provided by a regional school unit board, which must be posted at polling places during a budget validation referendum vote, must include a statement that includes the total dollar amount of authorized expenditures in the budget for the upcoming school year and the amount of the percentage increase or decrease of the total authorized expenditures as compared to the total authorized expenditures in the budget approved and validated in the previous school year.

LD 384 **An Act To Allow Spouses and Children of Veterans Killed in the Line of Duty To Receive the State Tuition Waiver** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
VILLA VALENTINO	ONTP	

This bill provides tuition waivers to state postsecondary educational institutions for spouses and children of members of the United States Armed Forces who have been killed or injured while on duty. This tuition waiver is currently available for spouses and children of firefighters, law enforcement officers and emergency medical services persons who have been killed or injured while on duty.

LD 409 **Resolve, To Establish a Veteran-to-farmer Training Pilot Program** **RESOLVE 69**

Sponsor(s)	Committee Report	Amendments Adopted
HICKMAN SHERMAN	OTP-AM	H-413

This bill is a concept draft pursuant to Joint Rule 208. The bill proposes to establish the Veteran-to-farmer Training Pilot Program.

1. The bill will require the University of Maine System, the Maine Community College System, the Department of Labor, the Department of Agriculture, Conservation and Forestry and the Department of Veterans and Emergency Management to design a pilot program for a postsecondary education certificate program that will enable United States military veterans to develop necessary skills in farming while also addressing the difficulties some veterans face in transitioning back to civilian life after military service.

2. The certificate program would provide a hands-on farming skills training curriculum, classroom-based business training, business start-up support and health monitoring for veterans.

3. After its design, the curriculum will be submitted to the United States Department of Veterans Affairs for approval in order to allow eligible veterans to use federal G.I. Bill education benefits for participation in the certificate program.

4. Completion of the certificate program would enable veterans to create new farm businesses and to meet the requirements to acquire the leases and loans needed to farm.

Committee Amendment "A" (H-413)

This amendment replaces the concept draft with a resolve that directs the Department of Agriculture, Conservation and Forestry and the University of Maine Cooperative Extension, in consultation with the agriculture program at Kennebec Valley Community College, the Maine Apprenticeship Program in the Department of Labor, the Finance Authority of Maine and the Department of Defense, Veterans and Emergency Management, Bureau of Veterans' Services, to design a veteran-to-farmer training pilot program that enables veterans of the Armed Forces of the United States to develop necessary skills in farming while also addressing the difficulties some veterans face in their transition back to civilian life after military service. The amendment also requires the Department of Agriculture, Conservation and Forestry and the University of Maine Cooperative Extension to jointly submit a report to the Joint Standing Committee on Education and Cultural Affairs no later than January 10, 2014. The joint standing committee may report out a bill to the Second Regular Session of the 126th Legislature.

Enacted Law Summary

Resolve 2013, chapter 69 directs the Department of Agriculture, Conservation and Forestry and the University of Maine Cooperative Extension, in consultation with the agriculture program at Kennebec Valley Community College, the Maine Apprenticeship Program in the Department of Labor, the Finance Authority of Maine and the Department of Defense, Veterans and Emergency Management, Bureau of Veterans' Services, to design a veteran-to-farmer training pilot program that enables veterans of the Armed Forces of the United States to develop necessary skills in farming while also addressing the difficulties some veterans face in their transition back to civilian life after military service. The resolve also requires the Department of Agriculture, Conservation and Forestry and the University of Maine Cooperative Extension to jointly submit a report to the Joint Standing Committee on Education and Cultural Affairs no later than January 10, 2014. The joint standing committee may report out a bill to the Second Regular Session of the 126th Legislature.

LD 417 **An Act To Ensure That All Voters Are Able To Vote in Regional School Unit Budget Elections** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
THOMAS KNIGHT	ONTP	

This bill makes several changes to the annual budget approval process for regional school units. The bill:

1. Changes the annual budget meeting at which the regional school unit's budget is initially adopted by registered district voters to an annual public hearing on the budget at which residents of the regional school unit have an opportunity to offer public comments but do not vote on the proposed budget;

2. Authorizes the regional school unit's board to make changes to the budget presented at the public hearing and to propose the amended budget for approval by voters at a referendum in the municipalities comprising the regional school unit;

3. Changes the current budget adoption process from a validation vote to an annual referendum vote asking voters to accept or reject the budget presented by the board of the regional school unit; and

4. Amends the process that regional school units must follow when voters reject a proposed school budget at referendum.

LD 422 **An Act Regarding Enrollment and Graduation Rates of First-generation Higher Education Students** **PUBLIC 166**

Sponsor(s)	Committee Report	Amendments Adopted
FREDETTE KATZ	OTP-AM	H-116

This bill is in response to a recommendation of the Task Force on Franco-Americans. This bill requires the Board of Trustees of the University of Maine System to establish a working group including representatives of public and private institutions of higher education in the State to study and develop a strategy to increase enrollment and graduation rates for first-generation college students who are residents of the State. The board is required to report annually to the joint standing committee of the Legislature having jurisdiction over education matters on activities over the previous year by institutions of higher education in the State to increase enrollment and graduation rates of first-generation college students.

Committee Amendment "A" (H-116)

This amendment replaces the bill but preserves much of the intent of the bill. The amendment requires 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 to each submit annually to the joint standing committee of the Legislature having jurisdiction over education matters a report that includes data regarding enrollment of first-generation college students and educational outcomes, including graduation rates for first-generation college students compared with other students; a summary of strategies used and activities undertaken to increase enrollment and graduation rates of first-generation college students; and plans or recommendations for new strategies or activities designed to increase enrollment and graduation rates of first-generation college students. The committee is authorized to submit legislation relating to the subject matter of the report.

Enacted Law Summary

Public Law 2013, chapter 166 requires 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 to each submit annually to the joint standing committee of the Legislature having jurisdiction over education matters a report that includes data regarding enrollment of first-generation college students and educational outcomes, including graduation rates for first-generation college students compared with other students; a summary of strategies used and activities undertaken to increase enrollment and graduation rates of first-generation college students; and plans or recommendations for new strategies or activities designed to increase enrollment and graduation rates of first-generation college students. The committee is authorized to submit legislation relating to the subject matter of the report.

LD 439 **An Act To Improve Maine's Charter School Laws** **PUBLIC 272**

Sponsor(s)	Committee Report	Amendments Adopted
MASON G JOHNSON P	OTP-AM	S-127

This bill makes changes to the public charter school approval and funding processes. It provides that the 90-day deadline for an authorizer to make decisions on public charter school applications runs from the deadline for submission of all applications, not from the date that each application is submitted. It requires an authorizer to make its expectations of the applicant clear when requesting resubmission of an application. It allows the public charter school application to be incorporated by reference into the charter contract.

With regard to funding of public charter schools, the bill changes the manner of adjusting payments from noncharter public schools to public charter schools when students move into or out of public charter schools after the beginning of the school year. Under current law, only the last payment from the noncharter public school in June is adjusted. This bill requires adjustment of the March and June payments to avoid potential overpayments to a public charter school when students leave the public charter school in the first half of the school year.

Committee Amendment "A" (S-127)

This amendment strikes the change to the public charter school approval provision in the bill that requires an authorizer to make the authorizer's expectations of the applicant clear when requesting resubmission of an application and removes the provision in current law that allows an authorizer to request resubmission of an application.

Enacted Law Summary

Public Law 2013, chapter 272 makes changes to the public charter school approval and funding processes. It provides that the 90-day deadline for an authorizer to make decisions on public charter school applications runs from the deadline for submission of all applications, not from the date that each application is submitted. It allows the public charter school application to be incorporated by reference into the charter contract. With regard to funding of public charter schools, the law changes the manner of adjusting payments from noncharter public schools to public charter schools when students move into or out of public charter schools after the beginning of the school year.

LD 442 **Resolve, To Ensure the Continued Accessibility and Affordability of a High School Equivalency Exam for Maine Residents** **RESOLVE 49**

Sponsor(s)	Committee Report	Amendments Adopted
LANGLEY GIFFORD	OTP-AM	S-172

This resolve requires the Department of Education to examine the options for the administration of a high school equivalency examination and to develop a plan for the continued availability of a high school equivalency examination. The department shall submit its report and plan to the Joint Standing Committee on Education and Cultural Affairs by April 1, 2013.

Committee Amendment "A" (S-172)

This amendment strikes the emergency preamble and the emergency clause from the resolve and amends the resolve to provide that the review conducted by the Department of Education on the options for the administration of a high school equivalency examination must include an analysis of the implementation costs that would be required to transition to a computer-based high school equivalency examination. The amendment also requires that the department's plan for the continued availability of a high school equivalency examination must also address the continued state funding support and technical assistance necessary to transition to a computer-based high school equivalency examination. The amendment changes the reporting date to October 1, 2013.

Enacted Law Summary

Resolve 2013, chapter 49 requires the Department of Education to examine the options for the administration of a high school equivalency examination and to develop a plan for the continued availability of a high school equivalency examination. The review conducted by the department must include an analysis of the implementation costs that would be required to transition to a computer-based high school equivalency examination. The department's plan for the continued availability of a high school equivalency examination must also address the continued state funding support and technical assistance necessary to transition to a computer-based high school equivalency examination. The department shall submit its report and plan to the Joint Standing Committee on Education and Cultural Affairs by October 1, 2013.

LD 462 **An Act To Dedicate Funds for Emergency Back-up Power for Schools** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
GILLWAY COLLINS	ONTP	

This bill provides that if a school administrative unit participates in the Percent for Art Program it must use at least 1/2 of the amount identified for this purpose to provide back-up electrical power to the school, building or facility being constructed.

LD 464 **An Act To Change Compensation for Career and Technical Education Region Cooperative Board Meeting Attendance** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
CHAPMAN	OTP-AM	

This bill increases the compensation for a career and technical education region cooperative board member from $10 to $20 for each meeting the member attends.

Committee Amendment "A" (H-279)

This amendment incorporates a fiscal note.

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 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and

H-C (H-582).

LD 466 **An Act To Amend the Laws Governing Awarding a High School Diploma to Veterans** **PUBLIC 281**

Sponsor(s)	Committee Report	Amendments Adopted
CHIPMAN TUTTLE	OTP-AM	H-471

This bill directs the Department of Education with assistance from the Department of Defense, Veterans and Emergency Management, Bureau of Maine Veterans' Services to issue honorary secondary school diplomas to qualifying veterans of the United States Armed Forces who did not finish secondary school.

Committee Amendment "A" (H-471)

This amendment strikes and replaces the bill to make changes that are consistent with the current statutory provisions established for awarding a high school diploma to qualifying veterans of the United States Armed Forces who did not finish secondary school during certain periods of wartime. The amendment adds provisions to the current law that allow for awarding a high school diploma to a qualifying veteran who did not finish secondary school during the period of wartime or peacetime that followed World War II, the Korean Conflict or the Vietnam War.

Enacted Law Summary

Public Law 2013, chapter 281 make changes that are consistent with the current statutory provisions established for awarding a high school diploma to qualifying veterans of the United States Armed Forces who did not finish secondary school during certain periods of wartime. The law allows for awarding a high school diploma to a qualifying veteran who did not finish secondary school during the period of wartime or peacetime that followed World War II, the Korean Conflict or the Vietnam War.

LD 481 **Resolve, To Review the Laws Governing the Funding of Virtual Public Charter Schools** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
MACDONALD W	OTP-AM OTP-AM	

This bill amends the laws governing virtual public charter schools to:

1. Require the authorizer of a virtual public charter school to review and approve the courses and curricula for the virtual public charter school prior to the beginning of each school year;

2. Require that education personnel operating a virtual public charter school hold valid teacher certification in the State;

3. Require that each virtual public charter school student receive at least 2 personal visits from a teacher during each school year; and

4. Provide that only 20% of the per-pupil allocation of state and local operating funds follows the student to a virtual public charter school.

Committee Amendment "A" (H-437)

This amendment, which is the majority report of the committee, amends the bill to provide that part-time teachers must also meet the teacher employment provisions of the public charter school law. The amendment also directs the Department of Education, in consultation with the Maine Charter School Commission, to review funding provisions related to determining the per-pupil allocation amount necessary for the costs of operating virtual public charter schools and validating the appropriate amount of operating costs that should be provided for students enrolled in virtual public charter schools and report the results of its review to the Joint Standing Committee on Education and Cultural Affairs, which is authorized to report out a bill to the Second Regular Session of the 126th Legislature.

Committee Amendment "B" (H-438)

This amendment, which is the minority report of the committee, strikes the bill and replaces it with a resolve that directs the Department of Education, in consultation with the Maine Charter School Commission, to review funding provisions related to determining the per-pupil allocation amount necessary for the costs of operating virtual public charter schools and validating the appropriate amount of operating costs that should be provided for students enrolled in virtual public charter schools and report the results of its review to the Joint Standing Committee on Education and Cultural Affairs, which is authorized to report out a bill to the Second Regular Session of the 126th Legislature.

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 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 485 **An Act To Amend and Clarify Certain Education Laws** **PUBLIC 167**

Sponsor(s)	Committee Report	Amendments Adopted
JOHNSON P LANGLEY	OTP-AM	H-149

This bill amends and clarifies certain education laws. Part A amends and clarifies requirements for the withdrawal of a municipality from a regional school unit and provides that annual audits must include a schedule of expenditures of federal funds. Part B:

1. Amends and clarifies allowable debt service costs for state-funded school construction projects and repeals obsolete language;

2. Clarifies when design and funding approval by the State Board of Education is granted;

3. Clarifies that a local school unit will be notified by the Commissioner of Education only after any approved vote has been considered by the State Board of Education; and

4. Clarifies statutory language requiring the compliance review of state-funded school construction projects.

Part C:

1. Revises the definition of "adult education" to provide that adult education programs must be provided through a career pathways and service system and to include adult workforce training and retraining and adult career and technical education in the list of adult education courses;

2. Provides that career and technical education regions may offer only adult career and technical education and adult workforce training and retraining courses and must perform intake and data management functions;

3. Removes career pathways learners from the list of learners served by adult workforce training and retraining;

4. Repeals the definition of "career pathways services" as a separate service as it has now been integrated as part of the overall definition of "adult education"; and

5. Includes college transition courses and adult workforce training and retraining among other administrative costs for the purpose of reimbursement.

Part D authorizes the Commissioner of Education to issue subpoenas for education records relevant to an investigation regarding the certification of educational personnel.

Committee Amendment "A" (H-149)

This amendment refines the provision in Part C of the bill to clarify that career and technical education regions may be eligible for reimbursement for adult career and technical education courses and adult workforce training and retraining courses. The amendment clarifies that career and technical education regions must meet the accountability requirements described in the Maine Revised Statutes, Title 20-A, section 8601-A, subsection 1, including the use of the adult education intake form and the adult education data management system.

Enacted Law Summary

Public Law 2013, chapter 167 amends and clarifies the following education laws.

1. It amends and clarifies requirements for the withdrawal of a municipality from a regional school unit;

2. It provides that annual audits must include a schedule of expenditures of federal funds.

3. It amends and clarifies provisions related to school construction projects, including:

   A. The allowable debt service costs for state-funded school construction projects and repeals obsolete language;

   B. When design and funding approval by the State Board of Education is granted for state-funded school construction projects;

   C. When a local school unit will be notified by the Commissioner of Education after an approved vote has been considered by the State Board of Education; and

   D. Refining statutory language requiring the compliance review of state-funded school construction projects.

4. It amends and clarifies provisions related to adult education programs, including:

   A. Revising the definition of "adult education" to provide that adult education programs must be provided through a career pathways and service system and to include adult workforce training and retraining and adult career and technical education in the list of adult education courses;

   B. Clarifying that career and technical education regions may be eligible for reimbursement for adult career and technical education courses and adult workforce training and retraining courses when they meet the accountability requirements described in the Maine Revised Statutes, Title 20-A, section 8601-A, subsection 1;

   C. Removing career pathways learners from the list of learners served by adult workforce training and retraining;

   D. Repealing the definition of "career pathways services" as a separate service as it has now been integrated as part of the overall definition of "adult education"; and

E. Incorporating college transition courses and adult workforce training and retraining among other administrative costs for the purpose of reimbursement.

5. It authorizes the Commissioner of Education to issue subpoenas for education records relevant to an investigation regarding the certification of educational personnel.

LD 521 **An Act To Change the Budget Approval Process for Alternative Organizational Structures** **VETO SUSTAINED**

Sponsor(s)	Committee Report	Amendments Adopted
BURNS MAKER	OTP	

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.

LD 528 **An Act To Require Parental Consent for a School To Conduct Mental Health or Behavioral Screening on a Student** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
FITZPATRICK BURNS	ONTP	

This bill requires a school administrative unit to obtain written consent from a student's parent or guardian before conducting any mental health or behavioral screening or testing of the student.

LD 529 **Resolve, Directing the Department of Education To Develop Safety Standards for School Access** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
HARVELL SAVIELLO	ONTP	

This resolve directs the Department of Education to develop safety standards for entryways in existing and new school construction and report these standards to the Joint Standing Committee on Education and Cultural Affairs by January 1, 2014.

LD 530 **An Act To Ensure That the Standard of a Student's Best Interest Is Applied to Superintendent Agreements for Transfer Students** **PUBLIC 337**

Sponsor(s)	Committee Report	Amendments Adopted
NELSON MILLETT	OTP-AM	H-316

This bill clarifies the standard to be applied by superintendents when considering the transfer of a student from one school administrative unit to another by incorporating the standard set forth in the Maine Revised Statutes, Title

20-A, section 2, which is that a student must be provided an opportunity to receive the benefits of a free public education.

Committee Amendment "A" (H-316)

This amendment strikes and replaces the bill to ensure that the standard of a student's best interest is applied to decisions made regarding superintendent agreements for transfer students. The amendment provides that certain procedures must be implemented when the request of a parent to transfer a student from one school administrative unit to another is not approved by the superintendents and the parent of the student appeals the superintendents' decision to the Commissioner of Education.

When the superintendents have not approved the transfer, the superintendents are required to provide the student's parent with a written description of the basis of their determination that the transfer is not in the student's best interest. The commissioner must review the superintendents' determination and communicate with the parent and the superintendents before making a decision on an appeal. The commissioner must provide the parent and the superintendents with a written description of the basis of the commissioner's determination that the transfer is or is not in the student's best interest.

If dissatisfied with the commissioner's decision, the parent or either superintendent may request an appeal within 10 calendar days to the State Board of Education. The state board is required to review the commissioner's determination and communicate with the commissioner, the parent and the superintendents before making a decision on the appeal. The decision must be made within 30 days of the request for an appeal and must provide the parent, the superintendents and the commissioner with a written description of the basis of the state board's determination that the transfer is or is not in the student's best interest. The state board's decision is final and binding.

Enacted Law Summary

Public Law 2013, chapter 337 ensures that the standard of a student's best interest is applied to decisions made regarding superintendent agreements for transfer students. The law provides that certain procedures must be implemented when the request of a parent to transfer a student from one school administrative unit to another is not approved by the superintendents and the parent of the student appeals the superintendents' decision to the Commissioner of Education.

When the superintendents have not approved the transfer, the superintendents are required to provide the student's parent with a written description of the basis of their determination that the transfer is not in the student's best interest. The commissioner must review the superintendents' determination and communicate with the parent and the superintendents before making a decision on an appeal. The commissioner must provide the parent and the superintendents with a written description of the basis of the commissioner's determination that the transfer is or is not in the student's best interest.

If dissatisfied with the commissioner's decision, the parent or either superintendent may request an appeal within 10 calendar days to the State Board of Education. The state board is required to review the commissioner's determination and communicate with the commissioner, the parent and the superintendents before making a decision on the appeal. The decision must be made within 30 days of the request for an appeal and must provide the parent, the superintendents and the commissioner with a written description of the basis of the state board's determination that the transfer is or is not in the student's best interest. The state board's decision is final and binding.

LD 531 **An Act To Allow Students To Audit Classes at University of Maine System Campuses** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
SANDERSON LACHOWICZ	ONTP	

This bill requires the University of Maine System to permit students to audit a class if space is available in the class. The university is required to charge a fee from $50 to $250 for auditing a class, and the student must pay the cost of materials and related fees for the class. An auditing student does not receive credit or grades for the class.

The committee sent a letter to the University of Maine System requesting that it seek to further expend its auditing programs to address the overall purposes of this bill; the letter requests a report to the committee in the Second Regular Session on actions taken by the university.

LD 532 **An Act To Amend the Laws Governing the Maine State Library** **PUBLIC 82**

Sponsor(s)	Committee Report	Amendments Adopted
NADEAU C LACHOWICZ	OTP-AM	H-73

This bill updates and modifies laws governing the Maine State Library.

1. It updates language regarding library hours and the taking of books.

2. It slightly modifies language regarding the relationship between the Department of Education's school library media section and the State Librarian: current law indicates that the department maintains the media section in cooperation with the State Librarian; the bill provides that the Librarian shall assist the media section in carrying on its activities.

3. It removes maintaining and providing a video tape library from the list of activities that the Department of Education must perform in its school library media section and adds to the list maintaining and providing an electronic library service and database library.

4. It repeals the provision of law that authorizes the State Librarian to provide bookmobile service.

5. It updates a provision of law relating to the State Librarian to make it gender neutral.

6. It decreases the amount of town histories or other books concerning the history of the State that the State Librarian must purchase from 25 copies to 2 copies. It also repeals the provision that requires the State Librarian to distribute the histories to school, state, institutional and public libraries, and it repeals the provision that allows the State Librarian to sell any surplus of the histories.

7. It repeals the provision of law that requires the State Librarian to make a gift of money or provide books to a municipality that is establishing a free library.

8. It provides that the State Librarian, rather than the Commissioner of the Department of Education, may designate research centers.

9. It removes a provision requiring the Commissioner of the Department of Education to establish policies governing regional library district consultants

10. It authorizes the State Librarian, rather than the Maine Library Commission, to apportion funds for support of regional library system.

11. It modifies the provision of law governing the confidentiality of public library records (identity of patron relative to use of library materials) to include all state and local public libraries; current law limits application to local public libraries to public municipal libraries (about half of local public libraries are not "municipal").

Committee Amendment "A" (H-73)

This amendment removes the section of the bill that modifies the relationship between the Maine State Library and the Department of Education with respect to the school library media section.

This amendment also adds a definition to the confidentiality section of law amended by the bill. The section governs the confidentiality of public library records that identify patrons relative to use of library materials; current law provides confidentiality for local public municipal libraries. The bill removes "municipal" so that all local public libraries are included. The amendment defines "public library" by reference to the definition of that term in the chapter of law governing the regional library system; the definition encompasses any library freely open to the public that serves the needs of all the residents of the area for which its governing body is responsible.

Enacted Law Summary

Public Law, chapter 82 updates and modifies laws governing the Maine State Library.

1. It updates language regarding library hours and the taking of books.

2. It removes maintaining and providing a video tape library from the list of activities that the Department of Education must perform in its school library media section and adds to the list maintaining and providing an electronic library service and database library.

3. It repeals the provision of law that authorizes the State Librarian to provide bookmobile service.

4. It updates a provision of law relating to the State Librarian to make it gender neutral.

5. It decreases the amount of town histories or other books concerning the history of the State that the State Librarian must purchase from 25 copies to 2 copies. It also repeals the provision that requires the State Librarian to distribute the histories to school, state, institutional and public libraries, and it repeals the provision that allows the State Librarian to sell any surplus of the histories.

6. It repeals the provision of law that requires the State Librarian to make a gift of money or provide books to a municipality that is establishing a free library.

7. It provides that the State Librarian, rather than the Commissioner of the Department of Education, may designate research centers.

8. It removes a provision requiring the Commissioner of the Department of Education to establish policies governing regional library district consultants

9. It authorizes the State Librarian, rather than the Maine Library Commission, to apportion funds for support of regional library system.

10. It modifies the provision of law governing the confidentiality of public library records (identity of patron

relative to use of library materials) to include all state and local public libraries; current law limits application to local public libraries to public municipal libraries (about half of local public libraries are not "municipal"). It defines "public library" by reference to the definition of that term in the chapter of law governing the regional library system; the definition encompasses any library freely open to the public that serves the needs of all the residents of the area for which its governing body is responsible.

LD 533 **An Act To Eliminate the Requirement That Local Funding Follow a Pupil to a Charter School** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MACDONALD W	ONTP	

This bill eliminates the requirement that a school administrative unit's local contribution to the per-pupil allocation follow a student to a public charter school and instead requires only that the State's contribution to the per-pupil allocation follow the student to a public charter school but allows the local contribution to follow a student attending a public charter school established solely to address the needs of at-risk pupils as defined in the Maine Revised Statutes, Title 20-A, section 2401. The bill also limits to 20% the State's contribution to the per-pupil allocation that follows a student to a virtual public charter school, except when the virtual public charter school is established solely to address the needs of at-risk pupils.

LD 595 **An Act To Exempt School Administrative Units That Do Not Directly Serve Children with Disabilities from Certain Reporting Requirements** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CHAPMAN	ONTP	

This bill provides that the Commissioner of Education may not require a school administrative unit to file reports regarding special education if the unit does not operate schools or if special education services for the unit's children with disabilities are provided by another school administrative unit that includes those children in its reports.

LD 609 **An Act To Increase Suicide Awareness and Prevention in Maine Public Schools** **PUBLIC 53**

Sponsor(s)	Committee Report	Amendments Adopted
GILBERT MILLETT	OTP-AM	H-86

This bill requires the Department of Education to adopt rules on standards for schools and school administrative units for suicide prevention education and training. The training and education will include suicide prevention awareness education for all personnel and more advanced suicide prevention and intervention training for at least 2 persons per school district.

Committee Amendment "A" (H-86)

This amendment strikes and replaces the bill. It adds a mandate preamble and provides that all of the requirements proposed in the bill for suicide prevention awareness education and suicide prevention and intervention training for school personnel are included in the Maine Revised Statutes, Title 20-A, section 4502. The amendment also provides that rules adopted by the Department of Education on standards for suicide awareness education and suicide prevention and intervention training for school personnel are routine technical rules, but that, beginning July 1, 2014, any subsequent changes to rules are major substantive rules.

Enacted Law Summary

Public Law 2013, chapter 53 requires the Department of Education to adopt rules on standards for schools and school administrative units for suicide prevention education and training. The training and education will include suicide prevention awareness education for all personnel and more advanced suicide prevention and intervention training for at least 2 persons per school district. The law also provides that rules adopted by the department on standards for suicide awareness education and suicide prevention and intervention training for school personnel are routine technical rules, but that, beginning July 1, 2014, any subsequent changes to rules are major substantive rules.

LD 615 **An Act To Protect School Administrative Units from a Sudden Decrease in Funding due to Reduced Enrollments** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MCCABE CAIN	ONTP	

This bill allows a school administrative unit to request reimbursement from the State when the unit has experienced a sudden and severe loss of funding due to the enrollment of students from that unit in public charter schools. The bill establishes criteria that a school administrative unit must meet to qualify for reimbursement. It also establishes a process by which school administrative units may petition the Commissioner of Education for reimbursement of a portion of the lost funds. The bill also establishes a reimbursement formula that the commissioner must use to calculate reimbursement amounts for qualifying school administrative units.

LD 623 **An Act To Promote the Attainment of Higher Education Degrees** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
POULIOT CUSHING	ONTP	

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

This bill proposes to adjust the disbursement of financial aid packages to provide an incentive for a student enrolled in a postsecondary institution to complete that student's degree. Instead of providing the total amount of financial aid up front, leading to the exhaustion of available aid prior to the completion of course work, this bill would spread the financial aid out over the course of a student's enrollment. The intent of the bill is to ensure that enough financial aid is available to allow a student who is within 15 credits of completing the necessary requirements for graduation to pay for those credits.

See Part J of Committee Amendment "A" to LD 90 for provisions related to the purposes of this bill.

LD 638 **An Act To Require That School Budget Referenda Be Held on the Same Day as Primary Elections** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
WHITTEMORE DUNPHY	ONTP	

This bill requires a regional school unit board to hold a regional school unit budget meeting no later than 30 days

before the date of the statewide primary or referendum election in June or the 2nd Tuesday in June if a statewide primary or referendum election is not held in June that year and requires the budget validation referendum to be held on the same date as the statewide primary or referendum election in June or on the 2nd Tuesday in June if a statewide primary or referendum election is not held in June that year. The bill changes the provisions governing absentee ballots for a budget validation referendum.

LD 665 **An Act To Facilitate the Transition to a Standards-based Educational System** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
KUSIAK	ONTP	

Current law provides that the date for implementation of awarding diplomas based on student demonstration of proficiency is extended one year for each year for which levels of general purpose aid for local schools falls below the levels provided in school year 2012-2013. This bill instead extends the implementation date one year for each year for which levels of general purpose aid for local schools falls below 55% of the total cost of funding public education from kindergarten to grade 12 pursuant to the Essential Programs and Services Funding Act.

LD 666 **Resolve, To Create a Working Group To Survey Maine Schools on the Costs and Benefits of Contracting for Energy Conservation Improvements** **DIED ON ADJOURNMENT**

Sponsor(s)	Committee Report	Amendments Adopted
GIFFORD THOMAS	OTP-AM	H-217

This bill requires approval in a local vote before a school administrative unit may spend any funds on a school construction project other than a small scale school construction project with a total cost of less than $2,000,000.

Committee Amendment "A" (H-217)

This amendment strikes the bill and replaces it with a resolve that directs the Department of Education to convene a working group to study the opportunities and challenges presented to school administrative units with respect to implementing energy savings programs, including entering into agreements for energy conservation improvements, and to report to the Joint Standing Committee on Education and Cultural Affairs by January 10, 2014. The joint standing committee is authorized to submit a bill to the Second Regular Session of the 126th Legislature.

LD 667 **An Act To Increase Funding to Schools** **PUBLIC 171**

Sponsor(s)	Committee Report	Amendments Adopted
MAKER ALFOND	OTP ONTP	H-125 MAKER

This bill amends the law that provides for a proportional share reduction in the amount of local share revenues that municipalities must raise under the Essential Programs and Services Funding Act when the State does not fund the 55% state share required by law. The bill phases out the proportional share reduction over a 3-year period from fiscal year 2014-15 to fiscal year 2016-17.

House Amendment "A" (H-125)

This amendment removes the emergency preamble and emergency clause and corrects a history.

Enacted Law Summary

Public Law 2013, chapter 171 amends the law that provides for a proportional share reduction in the amount of local share revenues that municipalities must raise under the Essential Programs and Services Funding Act when the State does not fund the 55% state share required by law. The law phases out the proportional share reduction over a 3-year period from fiscal year 2014-15 to fiscal year 2016-17.

LD 668 **An Act To Encourage the Teaching of Agricultural Studies in Schools** **PUBLIC 106**

Sponsor(s)	Committee Report	Amendments Adopted
DAUGHTRY JOHNSON C	OTP-AM	H-88

This bill requires agriculture studies to be taught in elementary and secondary schools in the State for essential instruction and graduation requirements. The bill requires that agriculture studies address the importance of agriculture in the State's history and development, the connections between the farm and daily life and the economics of agriculture and its importance to the State's economy. The bill also requires the Department of Education to consult with the Maine Agriculture in the Classroom Council in developing the parameters for essential instruction and graduation requirements for agriculture studies.

Committee Amendment "A" (H-88)

This amendment replaces the bill. This amendment authorizes agricultural studies to be taught in and infused or integrated into the curriculum of elementary and secondary schools, both public and private. Agricultural studies may address, but need not be limited to, the importance of agriculture in the State's history and development, the connections between the farm and daily life, the economics of agriculture and its importance to the State's economy, the importance of knowing where food comes from and the ecology of growing food and the importance of eating healthy food and its role in combating childhood obesity.

This amendment also directs that, to the extent existing resources allow, the Commissioner of Education, the Commissioner of Agriculture, Conservation and Forestry and the Maine Agriculture in the Classroom Council implement outreach efforts to ensure that schools and teachers are aware of the educational materials, resources and training relating to agricultural studies available pursuant to the Maine Revised Statutes, Title 7, chapter 8-D.

Enacted Law Summary

Public Law 2013, chapter 106 authorizes agricultural studies to be taught in and infused or integrated into the curriculum of elementary and secondary schools, both public and private. Agricultural studies may address, but need not be limited to, the importance of agriculture in the State's history and development, the connections between the farm and daily life, the economics of agriculture and its importance to the State's economy, the importance of knowing where food comes from and the ecology of growing food and the importance of eating healthy food and its role in combating childhood obesity.

This law directs that, to the extent existing resources allow, the Commissioner of Education, the Commissioner of Agriculture, Conservation and Forestry and the Maine Agriculture in the Classroom Council implement outreach efforts to ensure that schools and teachers are aware of the educational materials, resources and training relating to agricultural studies available pursuant to the Maine Revised Statutes, Title 7, chapter 8-D.

LD 669 **An Act Requiring School Administrative Units To Adopt School Volunteer Policies** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BEAULIEU LANGLEY	ONTP	

This bill requires each school board to adopt and implement by the beginning of the 2014-2015 school year policies governing the screening and assignment of school volunteers. The policies must be consistent with model policies developed by the Commissioner of Education. The model policies must be developed no later than July 1, 2014 by the commissioner in consultation with state and local law enforcement officials, school boards and appropriate school personnel.

LD 670 **Resolve, To Encourage the Use of Career Interest and Aptitude Tests in Higher Education** **VETO SUSTAINED**

Sponsor(s)	Committee Report	Amendments Adopted
BOLAND CUSHING	OTP-AM	H-244

This bill requires the Maine Community College System and the University of Maine System to allow a student to receive priority in course registration if the student takes and submits prior to course registration, in accordance with procedures approved by the respective system, a career interest test.

Committee Amendment "A" (H-244)

This amendment strikes and replaces the bill with a resolve that directs the Education Coordinating Committee to review options that would allow a student enrolled in a postsecondary education program at the Maine Community College System, the University of Maine System or the Maine Maritime Academy to receive priority in course registration if the student takes and submits a career interest test prior to course registration, in accordance with procedures approved by the Maine Community College System, the University of Maine System or the Maine Maritime Academy.

LD 671 **An Act To Protect Charter Schools by Requiring Them To Be Operated as Nonprofit Organizations** **VETO SUSTAINED**

Sponsor(s)	Committee Report	Amendments Adopted
DAUGHTRY MILLETT	OTP-AM ONTP	H-245

This bill requires that public charter schools and virtual public charter schools established in this State be operated as nonprofit organizations.

Committee Amendment "A" (H-245)

This amendment is the majority report of the Joint Standing Committee on Education and Cultural Affairs. The bill requires that public charter schools and virtual public charter schools established in this State be operated as nonprofit organizations. The amendment retains these provisions and revises the definition of "education service provider" to provide that an education service provider must be a nonprofit, nonreligious organization.

LD 672 **An Act Relating to Exemption from Immunization for Schoolchildren** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
GRAHAM GRATWICK	OTP-AM ONTP	

This bill requires that a school health care provider provide to the parent of a child excepted from the immunization requirements for schoolchildren in the State information about the benefits and risks of immunization and sign a statement that the information has been provided to the parent.

Committee Amendment "A" (H-400)

This amendment, which is the majority report of the Joint Standing Committee on Education and Cultural Affairs, clarifies that a school health advisor or a designee of a school health advisor must provide to the parent of a child excepted from the State's immunization requirements for schoolchildren information consisting of vaccine information statements prepared by the United States Department of Health and Human Services, Centers for Disease Control and Prevention about the benefits and risks of immunization and sign a statement that the information has been provided to the parent. It requires the Commissioner of Education to establish procedures to reimburse school administrative units for 90% of the cost of assembling vaccine information statements and sending them to parents of children excepted from the immunization requirements. It also adds an appropriations and allocations section.

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 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 673 **Resolve, To Increase Awareness of Food Allergies in Public Schools** **RESOLVE 42**

Sponsor(s)	Committee Report	Amendments Adopted
TREAT JOHNSON C	OTP-AM	H-158

This bill requires a school superintendent who receives documentation that a student has a food allergy to send a food allergy awareness information sheet to all parents of students at the school asking them not to bring or send with their students that type of food to school and a brochure to the parent of the allergic student containing information to educate the parent on coping with food allergies at schools.

Committee Amendment "A" (H-158)

This amendment replaces the bill with a resolve that directs the Department of Education to seek to increase awareness of the seriousness of student food allergies, the resources that are available to help schools identify, address and respond to student food allergies, including training for teachers, best practices and the applicable laws.

Enacted Law Summary

Resolve 2013, chapter 42 directs the Department of Education to seek to increase awareness of the seriousness of student food allergies, the resources that are available to help schools identify, address and respond to student food allergies, including training for teachers, best practices and the applicable laws.

LD 699 **An Act To Allow Public Schools To Offer Classes Limited to Students of a Single Gender**

ACCEPTED MAJORITY (ONTP) REPORT

Sponsor(s)	Committee Report	Amendments Adopted
TUTTLE	ONTP	
BOLAND	OTP-AM	

This bill adds single-gender classes to the pathways that may be used to provide learning opportunities for elementary and secondary school students in the State. The bill also specifies policies that elementary and secondary schools must adopt before offering single-gender classes. It also provides a definition of "single-gender class" in the Maine Revised Statutes, Title 20-A.

Committee Amendment "A" (S-27)

This amendment is the minority report and replaces the bill. This amendment provides that the Maine Human Rights Act does not prohibit single-sex classes that are permitted under the United States Department of Education regulations, 34 Code of Federal Regulations, Section 106.34(b).

LD 709 **An Act To Require Students To Receive Instruction in Cardiopulmonary Resuscitation and the Use of an Automated External Defibrillator prior to Graduation**

ONTP

Sponsor(s)	Committee Report	Amendments Adopted
DUTREMBLE	ONTP	

This bill requires that, as a condition of graduation from high school, beginning with the 2014-2015 school year, each student receive instruction and achieve proficiency in cardiopulmonary resuscitation and the use of an automated external defibrillator.

LD 715 **An Act To Improve Access to Career and Technical Schools**

CARRIED OVER

Sponsor(s)	Committee Report	Amendments Adopted
JOHNSON P	OTP-AM	

This bill provides for the reimbursement by the State of the actual transportation costs for career and technical education students who reside in a school administrative unit that is determined to be an isolated small unit pursuant to the provisions of the Essential Programs and Services Funding Act. Isolated small units must be reimbursed in the following fiscal year for the actual transportation costs for career and technical education students that are incurred in a fiscal year.

Committee Amendment "A" (H-223)

This amendment replaces the bill. The amendment provides that certain isolated small school administrative units are eligible for an adjustment under the school funding formula to reimburse the units for transportation costs expended for transporting students to and from a career and technical education center or a career and technical education region. To be eligible, a unit must receive the minimum state allocation based on the unit's special education costs. The reimbursement is based on actual net costs incurred during the base year under the funding

formula. The amendment includes an appropriations and allocations section.

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 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 723 **An Act To Ensure the Proper Treatment of Bullying Situations in Schools** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MCCLELLAN	ONTP	

This bill modifies the law governing school policies on bullying to require that:

1. Policies governing written documentation be developed and established by each school board in consultation with teachers;

2. The policies include procedures for investigating and attempting to resolve an allegation of bullying involving a person without any prior history of bullying, under which the incident, if it can be informally and satisfactorily resolved among the affected individuals, does not require written documentation; and

3. Within 90 days after the effective date of this legislation, the Commissioner of Education modify the commissioner's model policy to address bullying and cyberbullying to make it consistent with the provisions of this legislation and provide the modified model policy to each school administrative unit in the State and post it on the publicly accessible portion of the Department of Education's website along with any training and instructional materials related to the policy that the commissioner determines necessary.

LD 729 **An Act To Allow Charter Schools To Request Waivers from Certain Requirements** **PUBLIC 216**

Sponsor(s)	Committee Report	Amendments Adopted
MASON G	OTP-AM	S-137

This bill allows, upon approval by the public charter school's authorizer, a public charter school to request from the Commissioner of Education a waiver of a civil rights or a health and safety requirement. The bill provides that the commissioner may take into consideration the financial hardship of the public charter school in carrying out the requirement in making a determination.

Committee Amendment "A" (S-137)

This amendment strikes and replaces the bill to clarify that the request from a public charter school for a waiver of one or more statutory requirements applicable to the public charter school may not include a request for a waiver of requirements established in the Maine Revised Statutes, Title 20-A, section 2412, subsection 5 related to civil rights and health and safety, student assessment and accountability, conflicts of interest and public records and proceedings, criminal history record checks and fingerprinting and special education.

Enacted Law Summary

Public Law 2013, chapter 216 allows, upon approval by the public charter school's authorizer, a public charter school to request from the Commissioner of Education a waiver of requirement established in state law, except that a public charter school may not include a request for a waiver of requirements established in the Maine Revised

Statutes, Title 20-A, section 2412, subsection 5 related to civil rights and health and safety, student assessment and accountability, conflicts of interest and public records and proceedings, criminal history record checks and fingerprinting and special education.

LD 742 **An Act To Amend the Regional School Unit Budget Validation Process** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
VALENTINO	ONTP	

This bill amends the regional school unit budget validation process. Current law requires that, if the budget is not validated at the budget validation referendum, the process must be repeated until a budget is approved at a regional school unit budget meeting and validated at referendum and, if the budget is not approved and validated before July 1st of each year, then the latest budget approved at a regional school unit budget meeting and submitted to the voters for validation at a referendum in accordance with the Maine Revised Statutes, Title 20-A, section 1486 is automatically considered the budget for the ensuing year until a final budget is approved. This bill requires that, if the budget approved at the regional school unit budget meeting does not gain approval by voters at the budget validation referendum, the process must be repeated until a budget is validated at referendum, except that, when a regional school unit has conducted a minimum of 2 regional school unit budget meetings and 2 budget validation referenda prior to August 30th, the budget approved at the last regional school unit budget meeting becomes the budget for the fiscal year. If a regional school unit has not conducted 2 such cycles of budget meetings and referenda by August 30th, the regional school unit is required to conduct 2 complete budget approval cycles, if necessary, without a time limit, and, if the regional school unit conducts 2 full cycles of budget meetings and referenda and the budget is not validated at referendum, the budget approved at the last regional school unit budget meeting becomes the budget for the fiscal year.

LD 750 **An Act To Make the Completion of an Internship a Requirement for High School Graduation** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CHENETTE	ONTP	

This bill requires completion of an internship for high school graduation.

LD 751 **An Act To Limit the Effect of Standardized Tests on Teacher Evaluations** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MACDONALD W	ONTP	

This bill provides that no more than 30% of an educator's total educator effectiveness rating may be based on the results of standardized tests.

LD 772 **An Act To Implement the Recommendations of the Task Force on Franco-Americans Regarding the Reporting of Franco-American Ethnicity Data** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BOLDUC CLEVELAND	ONTP	

This bill requires the superintendent of each school administrative unit and the administrator of each private school to report to the Commissioner of Education the number of Franco-American students in their schools.

LD 773 **Resolve, To Enhance the Study of Franco-American History in Schools** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BOLDUC	ONTP	

This resolve directs the Commissioner of Education to include Franco-American studies in the content standards and performance indicators for teaching social studies in Maine schools and provides a one-time appropriation of $25,000 in fiscal year 2013-14.

LD 783 **An Act To Change the Voting Requirements for the Withdrawal of a Municipality from a Regional School Unit** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
MALABY BURNS	OTP-AM ONTP	

Under current law, until January 1, 2015, a municipality that wishes to withdraw from a regional school unit must approve that withdrawal by a majority vote, with the total number of votes cast at least equal to 50% of the total number of votes cast in that municipality for Governor in the last gubernatorial election. If the municipality is part of a school administrative district that was reformulated as a regional school unit pursuant to the school consolidation laws, a 2/3 approval is needed. Beginning January 1, 2015, any withdrawal must be approved by 2/3 of the voters, without any requirement regarding the total number of votes cast.

This bill allows a municipality to withdraw from a regional school unit by a majority vote and eliminates the requirement regarding the total number of votes cast. The bill requires that a facilitator to oversee negotiations be appointed if, after 90 days of its formation, the withdrawal committee that is selected by the municipality seeking to withdraw from the regional school unit fails to reach an agreement with the regional school unit.

Committee Amendment "A" (H-552)

This amendment, which is the majority report of the Joint Standing Committee on Education and Cultural Affairs, strikes the provision in the bill that requires that a facilitator to oversee negotiations must be appointed if, after 90 days of its formation, the withdrawal committee that is selected by the municipality seeking to withdraw from the regional school unit fails to reach an agreement with the regional school unit. The amendment also updates a section of law that was amended in Public Law 2013, chapter 167, Part A, section 2 to avoid a conflict. The amendment also adds an appropriations and allocations section.

House Amendment "A" To Committee Amendment "A" (H-561)

This amendment provides that if a municipality that is a member of a regional school unit withdraws from that regional school unit in accordance with the requirements set forth in the Maine Revised Statutes, Title 20-A, section 1466, subsection 9, any increase in administrative costs incurred by that municipality as a result of that withdrawal must be borne by that municipality.

This amendment was not adopted.

Senate Amendment "A" To Committee Amendment "A" (S-342)

This amendment incorporates the substance of House Amendment "A" to Committee Amendment "A" (H-561). In addition, this amendment retains until July 1, 2014, the existing law governing the number of votes required to withdraw from a regional school unit. This amendment provides that beginning July 1, 2014 a municipality may withdraw from a regional school unit by majority vote and eliminates the requirement regarding the total number of votes cast. This amendment also replaces the appropriations and allocations section in Committee Amendment "A."

This bill was recommitted to the Education and Cultural Affairs Committee and carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 791 **An Act To Improve Equity for Economically Disadvantaged Students Seeking To Transfer to an Approved Private School or a Public School** **PUBLIC 356**

Sponsor(s)	Committee Report	Amendments Adopted
DEVIN	OTP-AM	H-414
JOHNSON C	OTP-AM	

This bill provides that, if the Commissioner of Education decides to allow a student transfer that was not approved by the superintendents of the affected school administrative units, the commissioner is required to provide a written description of the basis of the commissioner's determination that the transfer is in the best interest of the student and the State is required to reimburse the receiving school administrative unit's actual costs for implementing the transfer order. The bill also provides that the commissioner's decision may be appealed by one or both of the superintendents to the State Board of Education.

Committee Amendment "A" (H-414)

This amendment, which is the majority report of the Joint Standing Committee on Education and Cultural Affairs, strikes and replaces the bill. It provides that a student may transfer from one school administrative unit to another under a so-called superintendents' agreement only if the receiving school administrative unit operates a public school that includes the grade level of the student whose parent requests the transfer.

Committee Amendment "B" (H-415)

This amendment, which is the minority report of the joint standing committee, strikes and replaces the bill to authorize the Commissioner of Education to reimburse families of economically disadvantaged students for tuition and transportation costs associated with attending approved private schools or public elementary or secondary schools in school administrative units other than those units in which those families reside.

Enacted Law Summary

Public Law 2013, chapter 356 provides that a student may transfer from one school administrative unit to another under a so-called superintendents' agreement only if the receiving school administrative unit operates a public school that includes the grade level of the student whose parent requests the transfer.

LD 792 **An Act To Ensure That Essential Programs and Services Targeted Funding Follows the Secondary Student** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
DILL SAVIELLO	ONTP	

This bill provides that a school administrative unit sending a secondary school student to another public school or a private school must pay to the receiving school, in addition to tuition, per-pupil amounts for cocurricular and extracurricular activities and targeted funds for implementation of a standards-based system and technology resources.

LD 821 **An Act To Allocate the Balance of Funds Not Expended by the Task Force on Franco-Americans** **P & S 8 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
POULIOT THIBODEAU	OTP-AM	H-50

This bill authorizes the Executive Director of the Legislative Council to retain $300 in the Task Force on Franco-Americans funding account and expend those funds to offset the costs associated with the Legislature's Franco-American Day.

This bill requires the Executive Director of the Legislative Council to pay $1,110.50 to the Franco-American Center at the University of Maine, which represents the balance of funds contributed by outside sources to support the work of the Task Force on Franco-Americans, but not expended by the task force, no later than November 1, 2013.

Committee Amendment "A" (H-50)

This amendment incorporates a fiscal note.

Enacted Law Summary

Private and Special Law 2013, chapter 8 authorizes the Executive Director of the Legislative Council to retain $300 in the Task Force on Franco-Americans funding account and expend those funds to offset the costs associated with the Legislature's Franco-American Day. It requires the Executive Director of the Legislative Council to pay $1,110.50 to the Franco-American Center at the University of Maine, which represents the balance of funds contributed by outside sources to support the work of the Task Force on Franco-Americans, but not expended by the task force, no later than November 1, 2013.

Private and Special Law 2013, chapter 8 was enacted as an emergency measure effective May 14, 2013.

LD 822 **An Act To Establish Invite Your Maine Legislator to School Month** **PUBLIC 103**

Sponsor(s)	Committee Report	Amendments Adopted
NELSON MILLETT	OTP-AM	H-87

This bill establishes a special week each year in which schools are encouraged to invite Legislators to visit to promote increased knowledge among students of the legislative process and to improve citizen interest and

participation in the legislative process.

Committee Amendment "A" (H-87)

This amendment strikes and replaces the bill to clarify the intent of the bill. This amendment establishes Invite Your Maine Legislator to School Month to encourage teachers and school administrators to invite Legislators to visit school classrooms and meet with teachers, school administrators and students to promote increased knowledge among Legislators of prekindergarten to grade 12 public education programs.

Enacted Law Summary

Public Law 2013, chapter 103 establishes Invite Your Maine Legislator to School Month to encourage teachers and school administrators to invite Legislators to visit school classrooms and meet with teachers, school administrators and students to promote increased knowledge among Legislators of prekindergarten to grade 12 public education programs.

LD 823 **An Act To Require Institutions of Higher Learning To Comply with the Federal Americans with Disabilities Act** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
SANDERSON MASON G	ONTP	

This bill requires all institutions of higher learning that receive state or federal funds to install on every door allowing access to a room in or area of its educational facilities to which a student or a member of the general public is permitted access a working automatic door opener operated by a wall-mounted electronic push-button device that meets standards adopted by the Maine Human Rights Commission.

LD 843 **An Act To Promote the Financial Literacy of High School Students** **PUBLIC 244**

Sponsor(s)	Committee Report	Amendments Adopted
POULIOT	OTP-AM	H-348
CAIN	OTP-AM	

Current law requires the Commissioner of Education to develop a program of technical assistance that promotes the importance of financial literacy and encourages school administrative units to implement an integrated model for instruction in personal finance that may be used in secondary schools as part of the instruction in social studies or mathematics. This bill amends the system of learning results to require each student to study and become proficient in personal finance, including instruction in purchasing, using credit, budgeting, saving and investing, banking, simple contracts, state and federal income taxes, personal insurance policies and renting or purchasing a home. The bill takes effect beginning with the 2014-2015 school year and requires all secondary schools to include the personal finance course as part of the mathematics instruction required to obtain a high school diploma.

Committee Amendment "A" (H-348)

This amendment, which is the majority report of the Joint Standing Committee on Education and Cultural Affairs, strikes and replaces the bill to add course work in personal finance as part of the required subject of social studies and history that must be provided to all high school students as part of the state requirements for awarding a high school diploma.

The amendment also requires the Commissioner of Education to review the content standards and performance indicators for the content area of social studies, including student achievement of proficiency in personal finance, during the 2015-2016 school year as part of the commissioner's 5-year review cycle of the content standards and

performance indicators required under the system of learning results.

Committee Amendment "B" (H-349)

This amendment, which is the minority report of the Joint Standing Committee on Education and Cultural Affairs, strikes and replaces the bill to require the Commissioner of Education to review the content standards and performance indicators for the content area of social studies, including student achievement of proficiency in personal finance, during the 2015-2016 school year as part of the commissioner's 5-year review cycle of the content standards and performance indicators required under the system of learning results.

Enacted Law Summary

Public Law 2013, chapter 244 adds course work in personal finance as part of the required subject of social studies and history that must be provided to all high school students as part of the state requirements for awarding a high school diploma. The law also requires the Commissioner of Education to review the content standards and performance indicators for the content area of social studies, including student achievement of proficiency in personal finance, during the 2015-2016 school year as part of the commissioner's 5-year review cycle of the content standards and performance indicators required under the system of learning results.

LD 862 **An Act To Assist York County Community College** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
TUTTLE	ONTP	

This bill provides ongoing General Fund appropriations of $2,000,000 per year beginning in fiscal year 2013-14 to the York County Community College.

LD 868 **An Act To Expand Funding for Early Childhood Education** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
LACHOWICZ STUCKEY	ONTP	

This bill amends the definitions of "elementary school" and "public preschool program" to include federally recognized Head Start agency programs in order to allow these programs to become eligible for federal E-rate funds.

LD 880 **An Act To Change the Process for Student Transfers from an Alternative Organizational Structure** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BURNS TURNER	ONTP	

This bill gives a local school committee of an alternative organizational structure the authority to approve student transfer requests.

LD 889 **An Act To Adjust Funding Forwarded from School Districts to Charter Schools** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BENNETT	ONTP	

This bill reduces the amount a school administrative unit in which a student who attends a public charter school resides must forward to that public charter school from 100% of the per-pupil allocation to 50% of the per-pupil allocation. It also provides that a school administrative unit is not required to send funds to a public charter school for certain students who were not enrolled in a public school before enrolling in a public charter school.

LD 905 **Resolve, Directing the Department of Education To Examine School Security** **RESOLVE 76 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
BRIGGS MILLETT	OTP-AM	H-227

This resolve directs the Department of Education to develop a plan that makes recommendations to school administrative units for security measures that can be taken to improve the security of school buildings and instructional information that can be given to administrators, teachers, students, parents and community leaders concerning proper procedures and measures to take in response to and preparation for an emergency or natural disaster.

Committee Amendment "A" (H-227)

This amendment changes the title and replaces the resolve. This amendment directs the Department of Education to gather information regarding the preparedness of schools to implement required emergency management plans and the present condition of school facilities in terms of facility security in the event of an emergency. The department, in consultation with security experts, is directed to evaluate school preparedness and facility security and develop recommendations for prudent measures that may be taken to improve preparedness and facility security. The department must report its findings and recommendations to the Joint Standing Committee on Education and Cultural Affairs by January 15, 2014, and the committee is authorized to report out a bill relating to the subject matter of the report to the Second Regular Session of the 126th Legislature.

This amendment also adds an emergency preamble and emergency clause to the bill, as well as an appropriations and allocations section.

Enacted Law Summary

Resolve 2013, chapter 76 directs the Department of Education to gather information regarding the preparedness of schools to implement required emergency management plans and the present condition of school facilities in terms of facility security in the event of an emergency. The department, in consultation with security experts, is directed to evaluate school preparedness and facility security and develop recommendations for prudent measures that may be taken to improve preparedness and facility security. The department must report its findings and recommendations to the Joint Standing Committee on Education and Cultural Affairs by January 15, 2014, and the committee is authorized to report out a bill relating to the subject matter of the report to the Second Regular Session of the 126th Legislature.

Resolve 2013, chapter 76 was finally passed as an emergency measure effective July 10, 2013.

LD 906 **An Act To Permit a School Administrative Unit Discretion Concerning Participation of Students from Charter Schools in School Extracurricular and Interscholastic Activities** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
MOONEN MILLETT	OTP-AM	

This bill allows a public charter school, at the discretion of the superintendent of the school administrative unit, to participate in school administrative unit-sponsored interscholastic and other activities and, at the discretion of the superintendent, a student of the public charter school to participate in a school's extracurricular activities.

Committee Amendment "A" (H-524)

This amendment provides that the superintendent of a school administrative unit may deny the request of a public charter school student to participate in an extracurricular or interscholastic activity only if the public charter school the student attends already provides that same activity or if the noncharter public school does not have the capacity to provide the student with the opportunity to participate in the activity. If approval for participation is withheld by the superintendent of the school administrative unit, the superintendent must provide a written explanation to the student or the student's parent or guardian stating the reason or reasons for the decision.

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 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 944 **Resolve, To Review the Impact of Unfunded Education Mandates and Evaluate the Efficacy of Education Laws** **RESOLVE 74 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
LANGLEY POULIOT	OTP-AM	S-295

This resolve directs the Commissioner of Education to establish a task force to review the effect of unfunded education mandates on school administrative units and career and technical regions in the State and to evaluate the efficacy of current education laws. The commissioner is directed to submit a report of the task force's findings and any suggested legislation to the Joint Standing Committee on Education and Cultural Affairs by January 10, 2014. The committee may submit a bill related to the report to the Second Regular Session of the 126th Legislature.

Committee Amendment "A" (S-295)

This amendment strikes and replaces the resolve to direct the Department of Education to conduct an analysis of current education laws and unfunded or underfunded federal or state education mandates that have resulted in an adverse impact on school administrative units and career and technical regions in the State. The department's analysis must include a summary of recent research and surveys conducted by state officials and pursuant to legislative studies and education stakeholder groups and must include an up-to-date list that identifies unfunded or underfunded federal or state education mandates, regulatory burdens and other education requirements that have resulted in an adverse impact on public schools in the State.

The amendment also directs the Commissioner of Education to establish a review committee to examine the list of unfunded education mandates, regulatory burdens and other education requirements identified under the department's analysis and to establish, by consensus, a list of priority recommendations regarding the unfunded or

underfunded education mandates, regulatory burdens and other education requirements that should be repealed or amended by the Legislature. The commissioner is directed to submit a report of the findings and conclusions of the review committee, including any suggested legislation to address the review committee's recommendations, to the Joint Standing Committee on Education and Cultural Affairs by January 10, 2014. The committee may submit a bill related to the report to the Second Regular Session of the 126th Legislature.

Enacted Law Summary

Resolve 2013, chapter 74 directs the Department of Education to conduct an analysis of current education laws and unfunded or underfunded federal or state education mandates that have resulted in an adverse impact on school administrative units and career and technical regions in the State. The department's analysis must include a summary of recent research and surveys conducted by state officials and pursuant to legislative studies and education stakeholder groups and must include an up-to-date list that identifies unfunded or underfunded federal or state education mandates, regulatory burdens and other education requirements that have resulted in an adverse impact on public schools in the State.

The resolve also directs the Commissioner of Education to establish a review committee to examine the list of unfunded education mandates, regulatory burdens and other education requirements identified under the department's analysis and to establish, by consensus, a list of priority recommendations regarding the unfunded or underfunded education mandates, regulatory burdens and other education requirements that should be repealed or amended by the Legislature. The commissioner is directed to submit a report of the findings and conclusions of the review committee, including any suggested legislation to address the review committee's recommendations, to the Joint Standing Committee on Education and Cultural Affairs by January 10, 2014. The committee may submit a bill related to the report to the Second Regular Session of the 126th Legislature.

Resolve 2013, chapter 74 was finally passed as an emergency measure effective July 3, 2013.

LD 959 **An Act To Require That Seed Money Generated at an Individual College of the Maine Community College System Be Returned to That College for the Purpose of Enhancement** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CAMPBELL R LANGLEY	ONTP	

This bill requires that seed money received as a result of the efforts of an individual college of the Maine Community College System be returned to and used to benefit that college.

LD 962 **An Act To Increase Access to Higher Education** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
CHIPMAN MILLETT	ONTP OTP-AM	

This bill establishes a merit-based scholarship program for eligible students who graduate from high school in Maine and who are admitted to one of the institutions of the University of Maine System or the Maine Community College System. Students must have graduated in the top 25% of their classes in high school and family income must be less than $30,000 a year. The scholarships are for the full or partial cost of tuition less any financial aid, awards or grants that reduce the level of tuition. Students must maintain a 3.0 grade point average in college in

order to remain eligible for the scholarship. This scholarship program will be administered by the Finance Authority of Maine. The Finance Authority of Maine, which is given routine technical rule-making authority, may adjust these eligibility requirements to control expenditures or increase participation in the program.

Committee Amendment "A" (H-133)

This amendment, which is the minority report of the Joint Standing Committee on Education and Cultural Affairs, modifies the Maine Merit Scholarship Program to replace income eligibility with eligibility based on expected family contribution. Expected family contribution is the standard that is used to determine financial need under various federal scholarship programs and under the Maine State Grant Program administered by the Finance Authority of Maine.

This amendment was not adopted.

LD 963 **An Act To Expand Access to Early Postsecondary Education** **HELD BY GOVERNOR**

Sponsor(s)	Committee Report	Amendments Adopted
NELSON	OTP-AM	H-545
LANGLEY		S-328 GOODALL

This bill makes the following changes to the early postsecondary education programs statutes:

1. It creates a permanent Commission on Expanding Early Postsecondary Access for High School Students;

2. It clarifies that adult education students, home school students and students from private schools are eligible for state subsidy for postsecondary courses. It also clarifies that a student may be eligible if the parents, school administrative unit and postsecondary institution approve;

3. It requires high schools to grant academic credit for postsecondary courses rather than allowing discretion;

4. It requires postsecondary institutions to provide information to students on the transferability of academic credit between postsecondary institutions;

5. It requires the Department of Education to pay 50% of tuition for up to 12 credit hours in an academic year rather than only the first 3 credit hours up to a possible 6-credit-hour maximum;

6. It adds instructors of postsecondary education courses that are offered in secondary schools to the list of personnel that are subject to the fingerprinting and background check requirements; and

7. It requires career and technical education centers to serve as sites for the administration of assessment tests to determine college-level academic skills.

The bill also requires the Department of Education and the Commission on Expanding Early Postsecondary Access for High School Students to establish and maintain a single publicly accessible website with information on early postsecondary education programs and research as well as hyperlinks to those programs and the research.

Committee Amendment "A" (H-545)

This amendment makes several changes to the bill:

1. It adds the definition of "secondary school student" to the definitions in the Maine Revised Statutes, Title 20-A,

chapter 208-A in order for the definition to apply to the entire chapter and clarifies that "secondary school student" includes a student enrolled in an adult education program or participating in an approved home instruction program;

2. It requires that in order to be eligible to receive state subsidy for postsecondary courses, a secondary school student must be a Maine resident;

3. It limits the total number of secondary school students enrolled in a postsecondary school course to no more than 1/3 of the total number of students enrolled in the course;

4. It requires the school administrative unit to inform a student enrolled in a postsecondary school course of the extent to which high school credit will be granted toward graduation requirements as a result of successfully completing the course;

5. In current law, the department pays 50% of the in-state tuition for the first 3 credit hours taken each semester. The amendment doubles the amount to 6 credits;

6. It reduces the percentage of total funding available that can be used to support secondary school students enrolled in summer term courses; and

7. It increases the membership of the Commission on Expanding Early Postsecondary Access for High School Students from 19 to 20.

Senate Amendment "A" To Committee Amendment "A" (S-328)

This amendment removes the Commission on Expanding Early Postsecondary Access for High School Students from the bill.

LD 994 **An Act To Change the State's Share of Education Costs Including Teacher Retirement Costs** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
SHERMAN	ONTP	

This bill provides that the total cost of teacher retirement, including the normal cost and the actual unfunded liability, must be funded through the state and local cost-sharing formula for funding public education from kindergarten to grade 12. The bill also changes the target for the state share of the total costs of education from 55% to 52%.

LD 995 **An Act To Establish a Moratorium on the Approval and Operation of Virtual Public Charter Schools** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
ALFOND	OTP	
MACDONALD W	ONTP	

This emergency 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 9 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 part-time students in grades 9 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, 2013 and authorizes the joint standing committee to report out a bill to the Second Regular Session of the 126th Legislature related to the recommendations included in this report.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1002 **An Act Regarding the Required Local Contribution in the School Funding Formula** **LEAVE TO WITHDRAW**

Sponsor(s)	Committee Report	Amendments Adopted
CAREY		

This bill modifies the provision of the essential programs and services school funding formula that provides that the state share of the total cost of funding public education from kindergarten to grade 12 is limited to the same proportion as the local school administrative unit raises of its required contribution to the total cost of education. The bill specifies that this limitation does not apply if a majority of the residents within that school administrative unit reside in municipalities eligible to receive funds from the Disproportionate Tax Burden Fund established under the State's municipal revenue sharing program.

LD 1003 **Resolve, To Establish the Commission To Study Accessibility and Affordability of Higher Education** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
TREAT CAIN	ONTP	

This resolve establishes the Commission To Study Accessibility and Affordability of Higher Education.

LD 1019 **An Act To Protect the State's Property Rights in Maine State Museum Research** **PUBLIC 205 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
KESCHL KATZ	OTP-AM	H-188

This bill exempts from the Freedom of Access Act historical research that includes an individual's personally identifiable information such as medical, psychiatric, employment, counseling or law enforcement records or information directly related to that individual's parent or child. The bill also exempts from the Freedom of Access

Act, unless authorized by the Maine State Museum's director, museum draft research, publications and exhibit materials that are not yet completed and publicly presented.

Committee Amendment "A" (H-188)

This amendment replaces the bill. This amendment:

1. Provides that draft research, publications and exhibit materials of the Maine State Museum are confidential and not public records until publication or presentation to the public or the Museum Director authorizes earlier release; and

2. Provides that personal information obtained by the Maine State Museum in the course of a historical research project is confidential and not a public record until the individual authorizes its release or dies. It also provides that the Museum Director may, at the request of the individual, designate that the information remain confidential for up to 25 years after the death of the individual in order to protect the privacy of the individual or the privacy of the parent or child of the individual.

Enacted Law Summary

Public Law 2013, chapter 205:

1. Provides that draft research, publications and exhibit materials of the Maine State Museum are confidential and not public records until publication or presentation to the public or the Museum Director authorizes earlier release; and

2. Provides that personal information obtained by the Maine State Museum in the course of a historical research project is confidential and not a public record until the individual authorizes its release or dies. It also provides that the Museum Director may, at the request of the individual, designate that the information remain confidential for up to 25 years after the death of the individual in order to protect the privacy of the individual or the privacy of the parent or child of the individual.

Public Law, chapter 205 was enacted as an emergency measure effective July 15, 2013.

LD 1027 **An Act To Provide an Improved Process for Voter Approval of Withdrawal from a Regional School Unit** **LEAVE TO WITHDRAW**

Sponsor(s)	Committee Report	Amendments Adopted
PARRY LANGLEY		

This bill amends the laws concerning withdrawal of a municipality from a regional school unit by:

1. Directing the Commissioner of Education to determine the terms of a withdrawal agreement if a withdrawal committee cannot reach agreement within 150 days after formation of the committee; and

2. Until January 1, 2015, allowing a revote at any time for approval of a withdrawal agreement if the agreement was defeated upon a municipal vote but received at least 45% of the votes cast.

LD 1036 **An Act To Amend the Social Work Education Loan Repayment Program** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
NELSON CRAVEN	OTP-AM ONTP	

This bill amends the Social Work Education Loan Repayment Program to allow the Finance Authority of Maine to provide debt relief directly to the applicant or to make loan repayments to the lender. This bill also increases the number of applicants who may be eligible for loan relief from 3 applicants to 40 applicants per year, decreases the maximum amount of debt relief to $1,000 and provides an ongoing appropriation of $20,000 per year.

Committee Amendment "A" (H-111)

This amendment is the majority report and clarifies that the Social Work Education Loan Repayment Program may provide repayments in the amount of up to $1,000 for each applicant each year.

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 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1055 **An Act To Create a Maine Financial Education Portal** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
POULIOT LANGLEY	ONTP	

This bill expands the financial literacy program operated by the Commissioner of Education, in consultation with the Finance Authority of Maine, the Office of Securities within the Department of Professional and Financial Regulation, Jobs for Maine's Graduates, organizations representing banks, credit unions and financial professionals and other interested organizations promoting personal finance initiatives, to require the development and maintenance of a publicly accessible website that serves as a portal to program information on financial literacy resources and services statewide.

LD 1056 **An Act To Require Local Voter Approval for Charter Schools** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CHENETTE	ONTP	

This bill requires that any approval of an application to establish a public charter school by the Maine Charter School Commission after the effective date of this legislation does not take effect unless submitted to and approved by the voters in an area wide referendum that includes the entire community proposed to be served by the public charter school, including all municipalities in which the public charter school would be authorized to engage in student recruitment.

LD 1057 **An Act Related to Public Funding of Charter Schools** **VETO SUSTAINED**

Sponsor(s)	Committee Report	Amendments Adopted
KUSIAK	OTP-AM OTP-AM	H-529

This bill is a concept draft pursuant to Joint Rule 208. The bill proposes to amend several funding requirements for public charter schools established in the Maine Revised Statutes, Title 20-A, chapter 112. The bill proposes that:

1. The Department of Education establish a new program budget account for funding the operation of public charter schools. Under current law, local school administrative units must provide funding for students who reside within the school administrative unit but who enroll in a public charter school. This bill proposes to require that the Commissioner of Education recommend an annual amount of state funding for students enrolled in public charter schools, but that funding that supports student enrollment or the operation of public charter schools may not come from state or local resources allocated through the General Purpose Aid for Local Schools program;

2. The amount of state funding provided by the Department of Education for a student enrolled in a public charter school may not exceed the combined level of federal, state and local per-pupil funding that would have been provided for the student had the student remained in attendance in the student's local school. Public charter schools may not discriminate among potential students who wish to attend the school based upon the combined level of federal, state and local per-pupil funding that would follow the student from the student's sending school administrative unit;

3. Virtual public charter schools may not receive state or local funding, except that state and local resources allocated through the General Purpose Aid for Local Schools program must be provided by the sending school administrative unit to the virtual public charter school for a student who experiences education disruption as defined in the Maine Revised Statutes, Title 20-A, section 5161, subsection 9 and who enrolls in a virtual public charter school; and

4. School administrative units not be responsible for the transportation costs for a student who resides within the school administrative unit but who enrolls in a public charter school, and school administrative units not be responsible for providing transportation for students who are enrolled in a public charter school and who also attend a career and technical education program that is supported by public funds raised by the school administrative unit. Public charter school students may access transportation to the career and technical education program only from a noncharter public secondary school or another location where career and technical education students gather to access transportation to the career and technical education program.

Committee Amendment "A" (H-529)

This amendment, which is the majority report of the Joint Standing Committee on Education and Cultural Affairs, establishes provisions to fund public charter schools that are authorized by the Maine Charter School Commission beginning in fiscal year 2014-15. The amendment establishes provisions that calculate the total allocation of funds to be provided under the General Purpose Aid for Local Schools program for public charter schools that are authorized by the commission.

The amendment also provides that, beginning in fiscal year 2014-15, the Commissioner of Education's recommendations for funding levels under the Essential Programs and Services Funding Act must include funding level computations for the total allocation of funds to public charter schools authorized by the commission. The amendment also provides that the commissioner may expend and disburse funds for the public charter schools authorized by the commission in accordance with provisions of the Maine Revised Statutes, Title 20-A, chapter 112

and Title 20-A, section 15683-B.

Committee Amendment "B" (H-530)

This amendment, which is the minority report of the Joint Standing Committee on Education and Cultural Affairs, establishes provisions to fund public charter schools that are authorized by the Maine Charter School Commission beginning in fiscal year 2014-15. The amendment establishes provisions that calculate the total allocation of funds to be provided under the General Purpose Aid for Local Schools program for public charter schools that are authorized by the commission.

The amendment also provides that, beginning in fiscal year 2014-15, the Commissioner of Education's recommendations for funding levels under the Essential Programs and Services Funding Act must include funding level computations for the total allocation of funds to public charter schools authorized by the commission in accordance with provisions of the Maine Revised Statutes, Title 20-A, section 15683-B.

LD 1083 **Resolve, Directing the Department of Education To Develop a Process To Provide Alternative Pathways To Learning for Certain High School Students** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MASON G	ONTP	

This resolve directs the Commissioner of Education to review the issues presented when secondary school students, after repeated school interventions and individualized, targeted efforts, continue to be habitually disruptive in the classroom. The resolve directs the commissioner to examine the impact of the presence of such students on the rest of the classroom and the school community and develop a process to identify secondary school students who, because of the students' recurring discipline issues, might benefit from exemption from the laws governing compulsory school attendance. The resolve directs the commissioner to identify potential options for alternative pathways to successful learning for such students, including but not limited to trade apprenticeships, internships and independent learning leading to high school equivalency certification, and examine ways to ensure that information regarding these alternative pathways is made available to such students.

LD 1093 **An Act To Clarify the Criteria of the Health Professions Loan Program as It Affects Physicians Practicing Neurology-psychiatry** **VETO SUSTAINED**

Sponsor(s)	Committee Report	Amendments Adopted
CRAVEN GRAHAM	OTP-AM	S-119

This bill is a concept draft pursuant to Joint Rule 208. The purpose of this bill is to clarify the criteria in the Health Professions Loan Program administered by the Finance Authority of Maine for designating underserved areas and populations and the criteria for designating eligibility of specialty physicians to practice in underserved areas to include neurologists-psychiatrists.

Committee Amendment "A" (S-119)

This amendment replaces the bill. This amendment specifies that neurology-psychiatry is an underserved specialty for purposes of loan forgiveness under the Health Professions Loan Program. This amendment makes the provision retroactive to January 1, 2012.

LD 1096 **An Act To Amend the Laws Governing Students Experiencing Education Disruption** **HELD BY GOVERNOR**

Sponsor(s)	Committee Report	Amendments Adopted
LANGLEY	OTP-AM	S-243 S-347 HILL

This bill makes the following changes to the laws governing students who experience an education disruption.

1. It redefines "education disruption" to eliminate disruption caused by homelessness or foster care and adds enrollment in three or more schools or educational programs in a single school year.

2. It modifies the standards for diplomas issued by the Department of Education to students who experience education disruption to require achievement of the content standards of the system of learning results only, eliminating the requirement the student meet any other standards that are set forth in the school work recognition plan or specified by the school attended by the student.

3. It modifies the process by which diplomas are issued by the Department of Education to provide that the student applies to the commissioner and supplies evidence of achievement, that the commissioner forms a review team to review the evidence and make recommendations to the commissioner and the commissioner then makes the final determination.

4. It modifies the law governing school work recognition plans. It designates a responsible school for preparing the school work recognition plan and certain other materials. It removes a provision allowing the plan to be developed through email or teleconferencing, a provision providing that a plan is not required if an existing plan such as an individualized education plan or a transition plan addresses school completion, and the requirement that the plan include any local diploma requirements beyond state learning results. It establishes the process and responsibility for school work recognition plans in cases where the disruption is caused by enrollment in 3 or more schools or educational programs in a single school year.

This bill also modifies the law governing excusable absences from compulsory attendance to include the new definition of "education disruption", thus eliminating from excusable absences those resulting from disruptions caused by homelessness or foster care and disruptions from an interim placement that results in an absence of less than 10 days.

Committee Amendment "A" (S-243)

This amendment:

1. Removes the provision of the bill that alters the law governing compulsory attendance and excused absences, leaving in place the current law;

2. Amends the bill's definition of "education disruption" to include homelessness and foster care placement and identifies the school in which the student is enrolled or entitled to enroll as the responsible school for developing a school work recognition plan; and

3. Repeals a provision of law that is replaced by new provisions included in the bill.

Senate Amendment "A" To Committee Amendment "A" (S-347)

This amendment adds a mandate preamble.

LD 1098 **An Act To Encourage Teacher Input in Education Policy** **LEAVE TO WITHDRAW**

Sponsor(s)	Committee Report	Amendments Adopted
PATRICK GILBERT		

This bill provides that teacher planning and preparation periods, class sizes and staffing levels are not educational policies that are not subject to collective bargaining.

LD 1100 **An Act To Update and Revise the Laws Governing the Maine Arts Commission** **PUBLIC 181**

Sponsor(s)	Committee Report	Amendments Adopted
MILLETT MAKER	OTP-AM	S-98

This bill modifies laws governing the Maine Arts Commission (MAC) as follows.

1. It removes language providing for the State Treasurer to the invest, in accordance with laws governing trust funds, any funds given to the MAC as endowment funds; it provides that the Director of the MAC, with the approval of the commission, may expend endowment principal and interest to further the educational objectives of the MAC's programs.

2. It repeals the Maine Student Artist Awards Program, the arts outreach program and the law establishing the Arts in Education Program.

3. It rewrites the general duties of the MAC under the Arts in Education subchapter to direct the MAC to provide leadership in developing and sustaining an agenda for arts education throughout the State in partnership with federal, state and local entities; lead efforts to make the arts a part of the core education for all students from kindergarten to grade 12 and to increase arts opportunities outside the school setting; conduct research on arts education for elementary and secondary schools; and operate arts education and outreach programs to combine the presentation of art with arts education.

It leaves in place the requirement that the MAC work with schools to identify common educational goals. It also repeals the following duties: to provide funding to 1/3 of the schools in the State each year on a 3-year rotating basis; to use professional artists in developing a process for achieving learning results; to invite school systems, through their superintendents, to participate in the program; to provide training, information and seed money to each local arts education committee composed of school personnel and residents of the school district to develop a 3-year plan to increase arts education opportunities; and to promote artist residencies, professional development for teachers, curriculum development and advocacy and information projects.

Committee Amendment "A" (S-98)

This amendment:

1. Retains current law, proposed to be repealed by the bill, that provides that funds, if given to the Maine Arts Commission as an endowment, must be invested by the Treasurer of State according to the laws governing the investment of trust funds. It also provides that endowment funds may be used only for the purposes for which the endowment is established in accordance with the intent of the donor; and

2. Retains current law that requires the Maine Arts Commission to establish the Arts in Education Program, but changes its name to the Arts Education Program and removes unnecessary descriptive language: this program is described in a section of law not amended by the bill.

Enacted Law Summary

Public Law 2013, chapter 181 modifies laws governing the Maine Arts Commission (MAC) as follows.

It provides that the Director of the MAC, with the approval of the commission, may expend endowment principal and interest to further the educational objectives of the MAC's programs as long as the endowment funds are used only for the purposes for which the endowment is established in accordance with the intent of the donor.

It repeals the Maine Student Artist Awards Program and the MAC's arts outreach program. It retains current law that requires the MAC to establish the Arts in Education Program, but changes its name to the Arts Education Program and removes unnecessary descriptive language.

It rewrites the general duties of the MAC under the Arts in Education subchapter to direct the MAC to provide leadership in developing and sustaining an agenda for arts education throughout the State in partnership with federal, state and local entities; lead efforts to make the arts a part of the core education for all students from kindergarten to grade 12 and to increase arts opportunities outside the school setting; conduct research on arts education for elementary and secondary schools; and operate arts education and outreach programs to combine the presentation of art with arts education.

It leaves in place the requirement that the MAC work with schools to identify common educational goals. It also repeals the following duties: to provide funding to 1/3 of the schools in the State each year on a 3-year rotating basis; to use professional artists in developing a process for achieving learning results; to invite school systems, through their superintendents, to participate in the program; to provide training, information and seed money to each local arts education committee composed of school personnel and residents of the school district to develop a 3-year plan to increase arts education opportunities; and to promote artist residencies, professional development for teachers, curriculum development and advocacy and information projects.

LD 1106 **An Act To Develop a Grant Program To Establish a Teacher-led School Model** **PUBLIC 303**

Sponsor(s)	Committee Report	Amendments Adopted
MOONEN LANGLEY	OTP	

This bill provides for the creation, submission, review and approval of innovation plans to establish teacher-led schools. The bill allows one or more public schools within a school administrative unit to initiate the creation of an innovation plan for the creation and operation of a teacher-led school for submission to its school board. The bill also permits a school board to initiate and collaborate with one or more of the public schools it operates to create an innovation plan. The bill provides that a school board may obtain waivers of laws, rules and local policy requirements from the Commissioner of Education that are considered necessary for a teacher-led school to implement an innovation plan. The bill also allows for grants from the Fund for the Efficient Delivery of Educational Services for the costs associated with establishing a teacher-led school.

Enacted Law Summary

Public Law 2013, chapter 303 provides for the creation, submission, review and approval of innovation plans to establish teacher-led schools. The law allows one or more public schools within a school administrative unit to initiate the creation of an innovation plan for the creation and operation of a teacher-led school for submission to its

school board. The law also permits a school board to initiate and collaborate with one or more of the public schools it operates to create an innovation plan. The law provides that a school board may obtain waivers of laws, rules and local policy requirements from the Commissioner of Education that are considered necessary for a teacher-led school to implement an innovation plan. The law also allows for grants from the Fund for the Efficient Delivery of Educational Services for the costs associated with establishing a teacher-led school.

LD 1123 **An Act To Allow the Town of Bancroft To Withdraw from Its Regional School Unit without Penalty** **LEAVE TO WITHDRAW**

Sponsor(s)	Committee Report	Amendments Adopted
LONG		

This bill exempts the Town of Bancroft from school reorganization requirements and associated penalties for withdrawal from its regional school unit because the Town of Bancroft has filed legislation with the Legislature for approval to deorganize.

LD 1128 **An Act To Provide for Greater Public Input and Local Control in the Chartering of Public Schools** **VETO SUSTAINED**

Sponsor(s)	Committee Report	Amendments Adopted
ALFOND	OTP-AM	S-227
MCCABE	OTP-AM	

This bill requires that any person, group or organization, prior to filing an application for a public charter school with the Maine Charter School Commission, must hold at least 3 public hearings in the region that would be affected by the operation of the public charter school. The organizers must also meet the following requirements:

1. Provide the public with the best estimates possible regarding the impact on funding, student enrollment, courses and teachers in both the public schools and the proposed public charter school;

2. Announce to the persons who attend a public hearing that they have the right to provide the Maine Charter School Commission with their opinions and concerns about the proposed plan to operate a public charter school in the region in which they reside;

3. Hold a vote to determine if the persons who attend a public hearing are in favor of the organizers' proposed plan to operate a public charter school in the region in which the persons reside; and

4. Provide the Maine Charter School Commission with an objective summary of the public comments presented at each public hearing, the discussions that occurred between organizers and the persons who attended the public hearings and the result of the vote held at the public hearings.

The bill provides that the Maine Charter School Commission may accept an application for a public charter school only if the organizers of the proposed public charter school meet each of the requirements and if the majority of the persons that attended the public hearings held by the organizers voted in favor of the proposed plan to operate a public charter school in the region.

Finally, the bill requires the Commissioner of Education to review the current funding laws and rules for public charter schools and to submit proposed legislation that provides options for funding public charter schools, including but not limited to establishing a new General Fund program account to pay for public charter schools and

establishing an adjustment to the state share of the total allocation or authorizing a miscellaneous cost for the General Purpose Aid for Local Schools program as set forth in the Maine Revised Statutes, Title 20-A, chapter 606-B so that the State allocates funds for operating public charter schools in a manner that results in all municipalities sharing the costs of public charter schools.

Committee Amendment "A" (S-227)

This amendment, which is the majority report of the Joint Standing Committee on Education and Cultural Affairs, amends the bill to provide that any person, group or organization, prior to filing an application for a public charter school with the Maine Charter School Commission, must hold at least one public hearing in the region that would be affected by the operation of the public charter school. The amendment strikes the provision in the bill that would have required organizers to hold a vote to determine if the persons who attend a public hearing are in favor of the organizers' proposed plan to operate a public charter school in the region. In addition to the remaining public hearing requirements included in the bill that must be met by organizers before the commission may accept the organizers' applications, the organizers must also meet the following requirements:

1. Send an invitation to each public hearing held by the organizers to the school board members of each of the school administrative units located in the catchment area that would be affected by the operation of the public charter school;

2. Invite written feedback from the local school boards located in the catchment area that would be affected by the operation of the public charter school, including the results of a nonbinding advisory vote held by the local school board on the question of whether the local school board members favor the organizers' proposed plan to operate a public charter school in the region; and

3. Provide the commission with an objective summary of the public comments presented at each public hearing, the discussions that occurred between the organizers and the persons who attended the public hearings, the feedback from the local school boards located in the catchment area that would be affected by the operation of the public charter school and the result of the nonbinding advisory votes held by local school boards located in the catchment area to determine if the local school board members are in favor of the organizers' proposed plan to operate a public charter school in the region. The amendment also strikes the provision in the bill that requires the Commissioner of Education to review the current funding laws and rules for public charter schools and to submit proposed legislation that provides options for funding public charter schools.

Committee Amendment "B" (S-228)

This amendment, which is the minority report of the Joint Standing Committee on Education and Cultural Affairs, strikes the bill title and the bill and replaces the bill with a resolve that directs the Maine Charter School Commission to review the provisions in statutes and rules related to the opportunities for public input in the public charter school application process, including the commission's procedures for reviewing and evaluating public charter school applications. The amendment provides that, prior to issuing a request for proposals after the effective date of this resolve, the commission must make changes that provide for additional opportunities for public input in the public charter school application process and the commission's procedures for reviewing and evaluating public charter school applications.

LD 1129 **An Act To Promote Innovation in Public Schools** **VETO SUSTAINED**

Sponsor(s)	Committee Report	Amendments Adopted
ALFOND MAKER	OTP-AM	S-291 H-548 MACDONALD W

This bill is a concept draft pursuant to Joint Rule 208. The bill proposes to require the Department of Education to establish a website by the spring of 2013 where various educational and teaching models can be reviewed by school districts and to develop an annual summer seminar where school districts can learn about different education and teaching models.

Committee Amendment "A" (S-291)

This amendment strikes and replaces the bill with a resolve that provides for the implementation of standards-based learning models across the State as a means to significantly improve the success rate of Maine students and to foster education opportunities and growth. The amendment directs the Department of Education to establish a website to post exemplary models and best practices of deeper learning educational models and resources that can enable school administrative units to transition to a standards-based system of education that includes proficiency-based standards for awarding a high school diploma. In addition, the Department of Education is required to hold a statewide conference no later than June 20, 2014 as a means of educating the entire State about standards-based or deeper learning models, as well as a series of teleconferences between October 20, 2013 and June 20, 2014 that will provide support for school systems throughout the State as they implement standards-based learning or deeper learning models.

House Amendment "A" To Committee Amendment "A" (H-548)

This amendment requires the Commissioner of Education to hold an annual conference for school board members, superintendents, school administrators, educators and others, in order to share best practices and showcase innovative approaches to teaching and learning and post materials from the conference on the department's publicly accessible website. The Department of Education is required to hold the statewide conferences from 2014 to 2018 about standards-based or deeper learning models. The amendment also directs the Department of Education to post on its publicly accessible website exemplary models and best practices of deeper learning educational models and resources that can enable school administrative units to transition to a standards-based system of education that includes proficiency-based standards for awarding a high school diploma. In addition, the department is required to hold a series of teleconferences between October 20, 2013 and June 20, 2014 that will provide support for school systems throughout the State as they implement standards-based learning or deeper learning models.

LD 1130 **An Act To Create a Virtual School Managed by the State** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CAIN MACDONALD W	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. The bill proposes to establish a state-managed virtual school, which would:

1. Be designed to allow the State to maintain direct oversight over and apply stringent quality controls to the management of the school;

2. Use current in-state talent and, to the extent possible, rely on content prepared and shared by teachers within the State;

3. Be designed to best deliver services to students and schools in the most cost-efficient manner; and

4. Focus on maximizing the delivery of course content and material to rural schools throughout the State.

LD 1131 **An Act To Improve Professional Development Opportunities for Teachers and Other Public School Employees**

ACCEPTED MAJORITY (ONTP) REPORT

Sponsor(s)	Committee Report	Amendments Adopted
CAIN	ONTP	
NELSON	OTP-AM	

This bill establishes the Fund for Professional Development in Education with an appropriation of $2,000,000 to support up to 50% of the cost of up to an additional 10 days annually of professional development for teachers and other education professionals. The fund is administered by the Commissioner of Education, who must approve funding if a school administrative unit demonstrates that the professional development for which funding is requested will improve teaching or educational services provided to students, the school administrative unit will provide at least 50% of the funding and the school administrative unit has entered into an agreement with the teachers regarding the timing and components of the professional development activities.

Committee Amendment "A" (S-192)

This amendment is the minority report of the committee. The amendment clarifies that before a school administrative unit enters into an agreement with teachers and other education professionals regarding the professional development activities for which funding is sought from the Commissioner of Education, the school administrative unit must consult with teachers and other education professionals regarding their needs and preferences for the professional development activities that will improve teaching and educational services provided to students.

LD 1132 **An Act To Achieve Economic Growth by Enhancing Science, Technology, Engineering and Mathematics Education and To Meet Workforce Needs**

PUBLIC 410

Sponsor(s)	Committee Report	Amendments Adopted
CAIN	OTP-AM	S-207
NELSON		S-366 HILL

This bill authorizes and provides funding for the Science, Technology, Engineering and Mathematics Council to establish the office of executive director to provide leadership and management expertise that will assist the council in achieving its goals.

Committee Amendment "A" (S-207)

This amendment strikes and replaces the bill to make the following changes to the Science, Technology, Engineering and Mathematics Council.

1. Like the bill, it authorizes the council to establish the office of executive director to provide leadership and management expertise to assist the council in meeting its goals, but further allows the council to enter into an agreement, to the extent that public and private funds are available, to contract with an executive director.

2. It adds the Maine Maritime Academy to the entities that jointly provide staff support to the council.

3. It authorizes the council to receive and expend funds from public and private sources to carry out the council's duties.

4. It reduces the General Fund appropriation from $250,000 to $50,000 in each year of the biennium and provides that funds do not lapse but are carried forward for the purposes of the council.

Senate Amendment "A" To Committee Amendment "A" (S-366)

This amendment strikes the appropriations and allocations section in Committee Amendment "A" and replaces it with one-time funds for the Science, Technology, Engineering and Mathematics Council to carry out the duties of the council and to establish the office of executive director.

Enacted Law Summary

Public Law 2013, chapter 410 authorizes the Science, Technology, Engineering and Mathematics Council to establish the office of executive director to provide leadership and management expertise that will assist the council in achieving its goals. The law accomplishes the following:

1. It allows the council to enter into an agreement, to the extent that public and private funds are available, to contract with an executive director;

2. It adds the Maine Maritime Academy to the entities that jointly provide staff support to the council;

3. It authorizes the council to receive and expend funds from public and private sources to carry out the council's duties; and

4. It provides one-time funding, in the amount of $5,000 in fiscal year 2013-14 and $50,000 in fiscal year 2014-15, to the council to carry out the duties of the council and to establish the office of executive director.

LD 1143 **An Act To Develop Young Readers** **DIED IN CONCURRENCE**

Sponsor(s)	Committee Report	Amendments Adopted
NELSON	OTP-AM	H-381
ALFOND	ONTP	S-350 HILL

The purpose of this bill is to facilitate the development of young readers by:

1. Requiring the Commissioner of Education to establish a program to encourage the early exposure of infants and children in the State to books and reading. The bill directs the commissioner to coordinate the Department of Education's efforts with those of any other agency of government, individual, group, foundation or corporation that has established a program to encourage early reading and authorizes the acceptance of any funds for these purposes from any other agency of government, individual, group, foundation or corporation; and

2. Requiring that beginning with the 2017-2018 school year, school units that offer kindergarten programs provide full-day kindergarten programs.

Committee Amendment "A" (H-381)

This amendment, which is the majority report of the Joint Standing Committee on Education and Cultural Affairs, changes the title of the bill and strikes the section of the bill that directs the Commissioner of Education to establish and coordinate an early reader program.

Senate Amendment "A" To Committee Amendment "A" (S-350)

This amendment adds a mandate preamble.

LD 1144 **An Act To Further Ensure Effective Teaching and School Leadership** **VETO SUSTAINED**

Sponsor(s)	Committee Report	Amendments Adopted
KUSIAK	OTP-AM ONTP	H-254

This bill makes several changes related to the implementation of the performance evaluation and professional growth system provisions established in the Maine Revised Statutes, Title 20-A, chapter 508.

1. It removes 2 of the data elements that the Department of Education is required to collect in order to evaluate the performance of educator preparation programs.

2. It requires the Department of Education to amend or adopt rules regarding the implementation procedures related to the qualifications and preparation that trained evaluators must have in order to participate in the performance evaluation of teachers and school principals.

3. It amends the provisions requiring targeted funds for implementing the performance evaluation and professional growth systems for teachers and principals to require that, beginning with the 2013-2014 school year, the Commissioner of Education provide state funding, outside of the funding provided to school administrative units through the general purpose aid for local schools program, to implement performance evaluation and professional growth systems for teachers and principals.

4. It provides that school administrative units are not required to implement the performance evaluation and professional growth systems for teachers and principals until the Legislature funds the state share of the total cost of funding public education from kindergarten to grade 12 at the 55% level required by the Essential Programs and Services Funding Act. It also provides that targeted educator evaluation funds may be provided only if general purpose aid for local schools exceeds the required 55% state share.

Committee Amendment "A" (H-254)

This amendment, which is the majority report of the Joint Standing Committee on Education and Cultural Affairs, makes 2 changes to the bill related to the performance evaluation and professional growth system provisions established in the Maine Revised Statutes, Title 20-A, chapter 508:

1. It removes the provision in the bill that provides that school administrative units would not be required to implement the performance evaluation and professional growth systems for teachers and principals until the Legislature funds the state share of the total cost of funding public education from kindergarten to grade 12 at the 55% level required by the Essential Programs and Services Funding Act; and

2. It removes the provision in the bill that provides that targeted educator evaluation funds would be provided only if general purpose aid for local schools exceeds the required 55% state share.

LD 1160 **An Act To Reduce Obesity among Schoolchildren** **DIED BETWEEN HOUSES**

Sponsor(s)	Committee Report	Amendments Adopted
MILLETT MACDONALD W	OTP-AM ONTP	S-255

This bill requires a student from kindergarten to grade 5 to participate in a minimum of 30 minutes of daily physical activity at school. A physical activity period may not be denied as punishment or discipline. The bill does not prohibit a teacher from restricting a student's participation in physical activity if that participation presents a danger to the student or to others or if the restriction is consistent with the student's individual education plan. A teacher may provide an alternative physical activity for a student behaving inappropriately during a physical activity period. The bill prohibits a public school from using food as a reward or punishment for a student's behavior or performance in kindergarten to grade 12.

Committee Amendment "A" (S-81)

This amendment, which is the majority report, provides that the prohibition on the use of food as a reward or punishment for behavior or performance of a student does not apply if such use is consistent with the student's individual education plan. This amendment also adds a mandate preamble to the bill.

Senate Amendment "A" To Committee Amendment "A" (S-121)

This amendment strikes the provisions in the bill and Committee Amendment "A" regarding the use of food as a reward or punishment.

Committee of Conference Amendment "A" (S-255)

This committee of conference amendment incorporates the changes made by Committee Amendment "A" and Senate Amendment "A" to Committee Amendment "A" and makes a change to the requirement that students participate in daily physical activity. It makes the following changes to the bill.

1. It adds a mandate preamble.

2. It requires students from kindergarten to grade 5 to participate in a minimum of 30 minutes of daily physical activity on average at school. The bill requires these students to participate in a minimum of 30 minutes of physical activity at school every day.

3. It strikes the provisions regarding the use of food as a reward or punishment.

LD 1184 **Resolve, Requiring Rulemaking Regarding Special Education Requirements and Review of School Administrative Units That Do Not Operate Any Schools** **RESOLVE 70**

Sponsor(s)	Committee Report	Amendments Adopted
DILL SAVIELLO	OTP-AM	H-399

This bill provides that the responsibility for compliance with special education requirements for children with disabilities resides with the school the student attends if the school administrative unit in which the student resides does not own, lease or otherwise operate any schools.

Committee Amendment "A" (H-399)

This amendment replaces the bill with a resolve. The amendment directs the Department of Education to amend its rules governing special education to establish a process for the department to review sending school units with respect to children with disabilities who reside within the sending school unit who attend a receiving school.

Enacted Law Summary

Resolve 2013, chapter 70 directs the Department of Education to amend its rules governing special education to

establish a process for the department to review sending school units with respect to children with disabilities who reside within the sending school unit who attend a receiving school.

LD 1185 **An Act To Enhance Efforts To Use Locally Produced Food in Schools** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
MCCABE ALFOND	OTP-AM	

This bill requires a school administrative unit to report on its use of local foods in its school meal programs. It requires the Department of Education to make the reporting available to the public and to publish a list of schools that meet benchmarks for increasing the use of local foods. It also requires the Department of Education to establish rules to implement the provisions.

Committee Amendment "A" (H-233)

This amendment provides that school administrative units must determine and report at least annually the percentage of food purchased, grown or otherwise acquired for use in its elementary schools and secondary schools that is grown, raised or caught in the State as well as the percentage of dairy products purchased for use in its elementary schools and secondary schools that is produced in the State. It also adds an effective date of July 1, 2014.

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 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1231 **An Act To Amend the Compulsory School Attendance Laws** **VETO SUSTAINED**

Sponsor(s)	Committee Report	Amendments Adopted
POULIOT CAIN	OTP-AM ONTP	H-432

This bill amends the laws related to compulsory school attendance in order to improve the enforcement of federal and state requirements pertaining to compulsory school attendance in the State. The bill:

1. Changes the law regarding compulsory school age by:

   A. Providing that a child who enrolls in a public day school before the child is 7 years of age is required to remain in attendance at a public day school or at an equivalent instruction alternative to attendance at a public day school in accordance with the Maine Revised Statutes, Title 20-A, section 5001-A, subsection 3; and

   B. Changing the age when a child may stop attending school from 17 to 18 years of age;

2. Directs the Commissioner of Education to provide guidance to school boards, superintendents, principals and other school officials pertaining to the enforcement of the compulsory school attendance laws that require children to be enrolled from 7 years of age to 18 years of age in a public school or an equivalent instruction alternative. The enforcement guidance provided must clarify that a child who enrolls in a school administrative unit before the child is 7 years of age as allowed under Title 20-A, section 5201, subsection 2, paragraph B is required to remain in attendance at a public school or at an equivalent instruction alternative in accordance with Title 20-A, section

5001-A; and

3. Directs the Commissioner of Education to provide guidance to school boards, superintendents, principals and other school officials regarding enforcement of federal and state laws related to student eligibility for certain federal and state welfare benefits and supplemental security income for children with disabilities.

Committee Amendment "A" (H-432)

This amendment, which is the majority report for the Joint Standing Committee on Education and Cultural Affairs, strikes and replaces the bill to change the compulsory school attendance laws to provide that a child who enrolls in a public day school before the child is 7 years of age is required to remain in attendance at a public day school or at an equivalent instruction alternative to attendance at a public day school unless the child's parent provides school officials with a written notice of intent to withdraw the child from school and a written assurance that the child will be enrolled in a school before the child reaches 7 years of age.

LD 1235 **An Act Regarding School Construction** **VETO SUSTAINED**

Sponsor(s)	Committee Report	Amendments Adopted
ALFOND	OTP-AM	S-239
MACDONALD W		S-312 MILLETT

This bill requires the State Board of Education to amend its rules regarding major capital school construction projects to allow a school administrative unit to begin the school construction planning process without being penalized on any of the Department of Education's school construction priority lists.

Committee Amendment "A" (S-239)

This amendment replaces the bill. The amendment requires the State Board of Education to adopt or amend the rules regarding major capital school construction projects to allow the top 20 school administrative units in the Department of Education's rating system used to develop any priority lists for funding school construction projects to begin the school construction planning process without being penalized under the rating system. The bill requires this without any limit. The amendment also strikes outdated provisions from the rule-making statute.

Senate Amendment "A" To Committee Amendment "A" (S-312)

This amendment:

1. Changes from 20 to 12 the number of school administrative units that may begin the school construction preplanning process without being penalized under the Department of Education's rating system;

2. Specifies that "school construction preplanning process" includes working with the department and the State Board of Education on a collaborative process with interested stakeholders and community members to develop a unified vision for the school construction project;

3. Specifies that costs associated with the development of conceptual drawings by an architect may be reimbursable as a project cost, consistent with department rules, for projects approved by the department; and

4. Provides that a school administrative unit that engages in school construction preplanning may not be accorded any preference in the development by the department of any future priority lists for funding school construction projects.

LD 1241 **An Act To Protect School Athletes from Head Injuries** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
LAJOIE CRAVEN	ONTP	

This bill requires all students participating in field hockey, lacrosse, snowboarding or skiing as part of an activity of an elementary or secondary school, beginning with the 2014-2015 school year, to wear protective headgear. This bill also requires the Commissioner of Education to convene a working group to study the injuries that occur to students participating in field hockey and lacrosse and determine measures, including the use of protective equipment, that may be taken to avoid injuries. The working group is required to report its findings to the Joint Standing Committee on Education and Cultural Affairs, which may submit legislation to the Second Regular Session of the 126th Legislature.

LD 1261 **An Act To Improve Access for Maine Students to Postsecondary Education** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
LIBBY N MILLETT	ONTP	

This bill provides a full tuition waiver at any campus of the Maine Community College System or the University of Maine System for Maine high school students who graduate in the top 10% of their graduating class and who meet financial need qualifications.

LD 1290 **An Act To Encourage High School Students To Complete Community Service** **PUBLIC 176**

Sponsor(s)	Committee Report	Amendments Adopted
CHENETTE VALENTINO	OTP-AM ONTP	H-148

This bill requires a high school student to complete community service as specified by the high school attended by the student in order to graduate.

Committee Amendment "A" (H-148)

This amendment replaces the bill. Current law provides that high school students must be allowed to demonstrate achievement of diploma standards by presenting multiple types of evidence. This amendment adds community service to the multiple types of evidence.

Enacted Law Summary

Public Law 2013, chapter 176 modifies a provision of law that provides that high school students must be allowed to demonstrate achievement of diploma standards by presenting multiple types of evidence. This law adds community service to the multiple types of evidence.

LD 1291 **An Act Regarding the Effect on Collective Bargaining Agreements of Failure To Validate a School Budget** **DIED BETWEEN HOUSES**

Sponsor(s)	Committee Report	Amendments Adopted
NEWENDYKE		

This bill was acted upon without reference to committee.

This bill provides that a public employer may not enter into a collective bargaining agreement that covers teachers employed by a school administrative unit unless the voters of the school administrative unit have approved the collective bargaining agreement as part of the process for approval of the budget for the school administrative unit.

LD 1300 **An Act To Promote and Expand Awareness of the Educational Opportunity Tax Credit** **PUBLIC 417**

Sponsor(s)	Committee Report	Amendments Adopted
GRANT	OTP-AM	H-238
ALFOND	OTP-AM	

This bill modifies the Job Creation Through Educational Opportunity Program. The bill:

1. Amends the educational opportunity tax credit for education loans. Under current law the credit is refundable if the student (opportunity program participant) obtains an associate degree or bachelor's degree in science, technology, engineering or mathematics (STEM). Under the bill, the STEM limitation is removed for participants who receive an associate degree. The bill also makes the credit refundable for employers; currently the credit is refundable only for the student participant;

2. Requires the Department of Education to contract with a private nonprofit corporation in the amount of at least $20,000 annually to market the program throughout the State, targeting high schools, postsecondary educational institutions and organizations of parents, teachers and other relevant audiences;

3. Requires the Department of Education annually to notify superintendents of schools about the program and requires the superintendents to publicize the availability of the program among parents, students and school staff;

4. Requires the Department of Labor to require that state and local workforce investment boards and the Competitive Skills Scholarship Program include in their plans and programs efforts to promote and increase awareness of the program; and

5. Requires the University of Maine, Maine Community College System and Maine Maritime Academy to provide information about the program as part of, but not limited to, federally required entrance and exit interviews of student and directs the Department of Education to encourage all other postsecondary educational institutions in the State to do same.

Committee Amendment "A" (H-238)

This amendment, which is the majority report, removes the provisions of the bill that modify the educational opportunity tax credit and modifies the provisions of the bill regarding promotion of the Job Creation Through Educational Opportunity Program. The amendment:

1. Requires the Department of Education to notify superintendents annually about the program and encourage the superintendents to publicize the availability of the program among students, parents and school staff;

2. Retains the requirement in the bill that the Department of Labor require that publicly funded workforce development programs, including state and local workforce investment boards and the Competitive Skills Scholarship Program, include within their plans and programs efforts to promote and increase awareness of the program;

3. Directs the Maine Community College System, the University of Maine System and the Maine Maritime Academy to make reasonable efforts to inform students about the program;

4. Directs the Finance Authority of Maine, instead of the Department of Education as in the bill, to contract with a private nonprofit corporation in the amount of at least $20,000 annually to market the program throughout the State; and

5. Adds an appropriations and allocations section.

Committee Amendment "B" (H-239)

This amendment, which is the minority report, removes the provisions of the bill that modify the educational opportunity tax credit and modifies the provisions of the bill regarding promotion of the Job Creation Through Educational Opportunity Program. The amendment requires the Department of Education, the Department of Labor and the Finance Authority of Maine to collaborate with postsecondary educational institutions, school superintendents and others to develop and implement efforts to promote and publicize the program. If, as a result of such collaboration, it is determined that it would be advantageous for the State to contract with a private nonprofit corporation to market the program, the Finance Authority of Maine may seek appropriate funding for such a contract and, upon receipt of sufficient funding, may contract with a private nonprofit corporation to market the program throughout the State.

Enacted Law Summary

Public Law 2013, chapter 417 modifies the Job Creation Through Educational Opportunity Program. Public Law 2013, chapter 417:

1. Requires the Department of Education to notify superintendents annually about the program and encourage the superintendents to publicize the availability of the program among students, parents and school staff;

2. Requires the Department of Labor to require that publicly funded workforce development programs, including state and local workforce investment boards and the Competitive Skills Scholarship Program, include within their plans and programs efforts to promote and increase awareness of the program;

3. Directs the Maine Community College System, the University of Maine System and the Maine Maritime Academy to make reasonable efforts to inform students about the program; and

4. Directs the Finance Authority of Maine to contract with a private nonprofit corporation in the amount of at least $20,000 annually to market the program throughout the State.

LD 1301 **An Act To Create the Maine Education Investment Board** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
NELSON LANGLEY	ONTP	

This bill establishes the Maine Education Investment Board. The board consists of the Commissioner of Education or the commissioner's designee, members of various sectors of the State's publicly supported educational entities and 2 public members. The board shall develop and enter into annual achievement compacts with the State's educational entities that receive public funds from the department and oversee the progress of the entities under those compacts to ensure that all public school students in this State reach the education outcomes established for the State from kindergarten to postsecondary education. The compacts must include strategies for streamlined transitions between grades and school systems, strategies to ensure that public school students meet the requirements for graduation and goals for high school and college graduation rates, strategies to ensure availability of high-quality career and technical education courses and fair measures for assessing teacher quality. The board shall also work on strategic projects assigned by the commissioner.

LD 1321 **An Act To Promote Healthy School Lighting** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BOLAND TUTTLE	ONTP	

This bill requires all public schools to install and maintain, for all new or replacement classroom lighting, lighting that meets color rendition standards adopted by rule by the Department of Education. Standards adopted by the department must ensure that the lighting has a color rendering index value of 90 or higher as determined in accordance with procedures and standards established by the International Commission on Illumination or as verified by the United States Department of Energy.

LD 1322 **An Act To Amend the Laws Governing the Withdrawal of a Municipality from a Regional School Unit** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
LUCHINI LANGLEY	ONTP	

This emergency bill provides for a process of so-called final offer arbitration as a means to resolving a dispute between a withdrawal committee and the directors of the regional school unit board regarding an agreement for withdrawal for a municipality that seeks to withdraw from a regional school unit. The bill requires that, in the event that a withdrawal committee and the directors of the regional school unit board are unable to reach agreement on the provisions of an agreement for withdrawal, the Commissioner of Education, in consultation with the parties, shall appoint an arbitrator to assist the parties in the settlement of the dispute related to the agreement for withdrawal between the parties.

Current law requires that the total number of votes cast for and against the withdrawal agreement must equal or exceed 50% of the municipal votes cast for a candidate for Governor in the last gubernatorial election. This bill eliminates that requirement while still maintaining the requirement that the withdrawal agreement is approved by a majority vote. Finally, the bill removes changes made by Public Law 2011, chapter 678, Part J that would have

reinstated the 2/3 vote requirement for approving a withdrawal agreement on January 1, 2015.

LD 1330 **An Act To Establish in Law a Method for Alternative Certification of Teachers** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
MASON G		

This bill establishes an alternative pathway to teacher certification. Under this bill, programs that prepare persons for alternative certification are certified by the Commissioner of Education. The programs must provide targeted course work in teaching, mentoring or student teaching experience, classroom preparation and student assessments. Graduates of these programs are eligible to obtain professional teacher certificates. The bill also requires the State Board of Education to establish minimum standards of performance for these programs and, by October 31, 2016, to develop minimum standards of performance for all teacher preparation programs.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1332 **An Act To Increase the College Graduation Rate in Maine** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BOYLE TIPPING-SPITZ	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to create a college scholarship fund for postsecondary students who have left school after making considerable progress towards completion of their undergraduate degrees and who are unable to return without financial assistance. The fund would be established and administered by the State, with initial funding of equal amounts from the State, universities in this State and the private sector.

LD 1346 **An Act To Ensure That Charter Schools Are Funded by the State** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CAMPBELL J LACHOWICZ	ONTP	

This bill establishes a moratorium on the authorization of new public charter schools until the State provides at least 55% of the total cost of funding public education from kindergarten to grade 12 as set out in the Essential Programs and Services Funding Act. The bill amends the current collective bargaining provisions in the public charter school laws to clarify that teachers employed by a public charter school authorized by the Maine Charter School Commission retain the choice of whether or not to establish a collective bargaining unit and whether or not to become a member of a collective bargaining unit established for the public charter school.

The bill also provides that teachers employed by a public charter school authorized by a local school board or a collaborative of local school boards may choose to bargain collectively as follows.

1. Teachers who are employees of a start-up public charter school have the same rights as other teachers in public education to organize and bargain collectively.

2. Teachers who are employees of a noncharter public school converting to a public charter school remain public employees for all purposes, unless a majority of teachers employed by the conversion public charter school vote to be represented in alternative ways.

3. Teachers who are employees of a start-up public charter school or a noncharter public school converting to a public charter school may collectively bargain as a separate bargaining unit or as part of an existing school administrative unit collective bargaining unit as determined by a majority of the teachers employed by the start-up public charter school or noncharter public school converting to a public charter school.

LD 1347 **An Act To Improve the School Administrative Unit Consolidation Laws by Allowing a Regional School Unit To Dissolve Itself** **LEAVE TO WITHDRAW**

Sponsor(s)	Committee Report	Amendments Adopted
PARRY		

This bill is a concept draft pursuant to Joint Rule 208. The bill proposes to improve the school administrative unit consolidation laws by allowing for the dissolution of a regional school unit at the end of any school year. The bill provides the following process for the dissolution of a regional school unit.

1. A member municipality of a regional school unit may petition to hold a vote on the dissolution of the regional school unit.

2. If a majority of the voters in the municipality approve the petition, the petition must be presented to the regional school unit board and the Commissioner of Education. The commissioner shall contact the regional school unit board, municipal officers of the participating municipalities and representatives of the group that filed the petition to establish a dissolution committee, which must prepare a dissolution agreement for submission to the voters of the member municipalities in the regional school unit.

3. Each member municipality of the regional school unit may independently decide whether the member municipality wants to participate in the referendum vote to dissolve the regional school unit.

4. A majority of the member municipalities within the regional school unit must approve the decision to hold the referendum vote on the question on the dissolution of the regional school unit.

5. The regional school unit may be dissolved only if a majority of voters in a majority of the member municipalities within the regional school unit votes to approve the referendum question to dissolve the regional school unit.

6. If a majority of voters in a majority of the member municipalities within the regional school unit votes to approve the referendum question on the dissolution of the regional school unit, the regional school unit must be dissolved and the board of directors of the regional school unit and a dissolution committee comprised of members representing each of the member municipalities in the regional school unit must develop and execute a dissolution agreement.

7. The dissolution agreement must provide for the disposition of all real and personal property and other monetary assets.

8. The dissolution agreement must address the outstanding indebtedness of the regional school unit as follows:

A. Outstanding indebtedness may not include debt service for school property, including real estate, facilities

and any other infrastructure debt that is the sole responsibility of a member municipality within the regional school unit; and

B. Except for the provisions in paragraph A, outstanding indebtedness must be apportioned to each member municipality of the regional school unit based on the percentage of resident students that each member municipality has of the total student resident count in the regional school unit.

9. The member municipalities of the dissolved regional school unit may not be penalized for dissolving the regional school unit.

10. The member municipalities of the dissolved regional school unit may join another existing regional school unit or alternative organizational structure or may form an alternative organizational structure with another school administrative unit or with other units.

11. A member municipality of the dissolved regional school unit that tuitions a majority of its resident students to another school administrative unit or a private school that is approved to receive publicly funded students is exempt from any requirements established for the minimum number of students under the school administrative unit consolidation law and may form its own municipal school unit. A municipal school unit formed under this exemption must continue to provide school choice to parents of students who reside in the member municipality.

LD 1349 **An Act To Amend the Appointment Process for the Maine Charter School Commission** **VETO SUSTAINED**

Sponsor(s)	Committee Report	Amendments Adopted
KORNFIELD	OTP-AM	H-454

This bill proposes to change the process by which public charter schools and virtual public charter schools are authorized. The bill designates the Legislature as the sole authorizer of public charter schools and virtual public charter schools in the State. It amends the duties of the Maine Charter School Commission to include recommending to the Legislature approval or denial of public charter school applications. The bill requires the commission to enter into charter contracts with charter schools authorized by the Legislature. It assigns oversight and monitoring of public charter schools to the commission and requires the commission to recommend to the authorizer that the contract of a public charter school or virtual public charter school be renewed or not renewed. The bill also makes the commission responsible for performance compliance.

Committee Amendment "A" (H-454)

This amendment changes the title of the bill and strikes and replaces the bill to change the process by which the four public members of the Maine Charter School Commission are nominated and appointed to the commission. The amendment shifts the authority for appointing the public members to the entire State Board of Education. The amendment also requires that the appointment of a public member to the commission is subject to review by the joint standing committee of the Legislature having jurisdiction over education matters and to confirmation by the Senate.

LD 1350 **An Act Regarding School Administrator Effectiveness** **DIED IN CONCURRENCE**

Sponsor(s)	Committee Report	Amendments Adopted
CAIN	OTP-AM	S-258
MACDONALD W	ONTP	S-358 HILL
	OTP-AM	

This bill requires school administrative units to develop and implement performance evaluation and professional growth systems for administrators. A performance evaluation and professional growth system must meet certain criteria, be consistent with rules adopted by the Department of Education and be approved by the department. Every year the school board must use the system to analyze the performance of the school administrative unit's administrators.

Committee Amendment "A" (S-258)

This amendment, which is the majority report of the Joint Standing Committee on Education and Cultural Affairs, strikes and replaces the bill. It provides that each school board shall implement a system to annually evaluate the performance and effectiveness of the superintendent. The system established by school boards must be consistent with nationally recognized principles and standards of professional practice.

Committee Amendment "B" (S-259)

This amendment, which is one of the minority reports of the Joint Standing Committee on Education and Cultural Affairs, makes the following changes to the bill.

1. It changes the definition of "administrator" to exclude a special education director or curriculum coordinator.

2. It removes language that provides that receipt of summative effectiveness ratings indicating that an administrator is ineffective for 2 consecutive years constitutes just cause for termination of an administrator's contract.

3. It removes language that provides that measurements of student learning and growth must be a significant factor in the determination of the rating of an administrator.

Senate Amendment "A" To Committee Amendment "A" (S-358)

This amendment adds a mandate preamble.

LD 1353 **An Act To Further Reduce Student Hunger** **HELD BY GOVERNOR**

Sponsor(s)	Committee Report	Amendments Adopted
ALFOND	OTP-AM	S-70
BECK		S-359 HILL

This bill requires, beginning with the 2013-2014 school year, that a School Administrative Unit (SAU) with at least one public school in which at least 50% of students qualified for a free or reduced-price lunch during the preceding school year to participate in the federal summer food service program during the following summer vacation or to opt out in accordance with the following:

1. If the SAU operates a summer educational or recreational program, the SAU must operate a federal summer food service program in the area served by that school on days that the school operates the summer educational or recreational program. The school administrative unit may collaborate with a service institution to operate the federal summer food service program;

2. If the SAU does not operate a summer educational or recreational program, the SAU must collaborate with a service institution (a public or private nonprofit school, a municipal or county government, a public or private nonprofit higher education institution or a private nonprofit summer camp) to operate a federal summer food service program, if there is a service institution that provides food service to children in the summer in the area served by the public school; and

3. An SAU may opt out of these requirements if the governing body of the SAU determines by vote, after notice and a public hearing, that it would be financially or logistically impracticable to operate a program. If the SAU chooses not to operate a program, it must notify parents of children in the SAU of its decision and the reasons for its decision.

Committee Amendment "A" (S-70)

This amendment removes the requirement that if a school administrative unit chooses not to operate a federal summer food service program, it must notify parents of children in the school administrative unit of its decision and the reasons for its decision.

Senate Amendment "A" To Committee Amendment "A" (S-359)

This amendment adds a mandate preamble.

LD 1361 **An Act To Strengthen the Teaching of Writing and Mathematics and Improve Maine High School Graduates' College and Career Readiness** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
NELSON		

The purpose of this bill is to strengthen the teaching of writing and mathematics in public schools in the State, to improve literacy and mathematics education and to improve Maine high school graduates' college and career readiness. The bill does the following.

1. It establishes a standards-based approach to assessing the proficiency and competency of new teachers and teachers seeking a renewal of a professional teacher certificate in order to prepare teachers and ensure that school administrative units are prepared to implement the Common Core State Standards in English language arts and mathematics.

2. It requires the Education Coordinating Committee to conduct a review of college placement tests, including the ACCUPLACER test, used by the University of Maine System, the Maine Community College System, the Maine Maritime Academy and secondary schools in the State to determine a high school graduate's college readiness.

3. It requires the Board of Trustees of the University of Maine System to establish graduation requirements that ensure that graduates of any baccalaureate degree program within the system can demonstrate writing competencies that are appropriate to the demands of careers that require a baccalaureate degree.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1366 **An Act To Require Public Schools To Offer Instruction Related to Cardiopulmonary Resuscitation and the Use of an Automated External Defibrillator**

VETO SUSTAINED

Sponsor(s)	Committee Report	Amendments Adopted
GRAHAM DUTREMBLE	OTP-AM	H-164

This bill requires that, as a condition of graduation from high school, beginning with the 2014-2015 school year, each student receive instruction and achieve proficiency in cardiopulmonary resuscitation and the use of an automated external defibrillator.

Committee Amendment "A" (H-164)

This amendment:

1. Removes the requirement that every student develop proficiency in cardiopulmonary resuscitation and the use of an automated external defibrillator as part of the system of learning results; and

2. 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 1394 **An Act To Make Parents More Aware of Eating Disorders**

ACCEPTED MAJORITY (ONTP) REPORT

Sponsor(s)	Committee Report	Amendments Adopted
TUTTLE MACDONALD W	ONTP OTP-AM	

This bill directs the Department of Education, seeking the assistance of the Department of Health and Human Services, school boards, school superintendents, the National Eating Disorders Association, the National Association of School Nurses and the Maine Chapter of the American Academy of Pediatrics, to develop and implement policies for providing parents educational information regarding eating disorders. A school board must annually provide parents of kindergarten to grade 12 students with educational information regarding eating disorders.

Committee Amendment "A" (S-66)

This amendment, which is the minority report, replaces the bill with a resolve that directs the Department of Education, through training programs it provides to school nurses and other school personnel, to disseminate information about the seriousness of student eating disorders and the resources that are available to help schools identify, address and respond to eating disorders.

LD 1412 **An Act To Create an Educational Collaborative Partnership To Implement a Program That Enables Career and Technical Education Students To Earn College Credits while Attending High School**

PUBLIC 318
EMERGENCY

Sponsor(s)	Committee Report	Amendments Adopted
LANGLEY CHAPMAN	OTP-AM	S-286

This bill establishes a collaborative of publicly supported educational institutions in the State, including career and technical education programs, a public secondary school, a private secondary school approved for the receipt of public funds under the Maine Revised Statutes, Title 20-A, chapter 117, subchapter 2 that enrolls 60% or more publicly funded students and public postsecondary institutions in the State, to implement a program that enables career and technical education students to earn college credits while attending high school. The program runs for 3 years, beginning with students in their junior year in high school, enabling students to earn an associate degree following one year of postsecondary education and saving students time and money in obtaining that degree.

The educational collaborative will develop and implement a cohort-based learning pathway that enables career and technical education students to earn academic credits during their junior and senior years of high school that are equivalent to about a year of college. The program includes opportunities for students to attend up to 3 summer career academies held at an area business, a career and technical education program or a public postsecondary education institution in the State. The students will then move into a degree program at a community college or university campus and graduate with an associate degree within one year after receiving their high school diplomas.

Committee Amendment "A" (S-286)

This amendment clarifies the provisions of the bill that authorize the establishment of collaborative partnerships of publicly supported educational institutions in the State, including career and technical education programs, publicly supported secondary schools and public postsecondary institutions in the State, to implement a program that enables career and technical education students to earn college credits while attending high school. The amendment refines the composition and the duties of the collaborative board in forming a dual enrollment career and technical education program, including providing oversight of collaborative agreements between the participating members of the collaborative partnership and contracting with service providers for providing technical assistance in developing and implementing dual enrollment programs. The amendment also clarifies the roles and responsibilities of the collaborative partnership in developing and implementing a cohort-based learning pathway that enables career and technical education students to earn academic credits during their junior and senior years of high school that are equivalent to about a year of college. The amendment also refines the student eligibility requirements for participation in the dual enrollment career and technical education program.

Enacted Law Summary

Public Law 2013, chapter 318 establishes a collaborative of publicly supported educational institutions in the State, including career and technical education programs, publicly supported secondary schools and public postsecondary institutions in the State, to implement a program that enables career and technical education students to earn college credits while attending high school. The program runs for 3 years, beginning with students in their junior year in high school, enabling students to earn an associate degree following one year of postsecondary education and saving students time and money in obtaining that degree.

The educational collaborative will develop and implement a cohort-based learning pathway that enables career and technical education students to earn academic credits during their junior and senior years of high school that are equivalent to about a year of college. The program includes opportunities for students to attend up to 3 summer career academies held at an area business, a career and technical education program or a public postsecondary education institution in the State. The students will then move into a degree program at a community college or

university campus and graduate with an associate degree within one year after receiving their high school diplomas.

Public Law 2013, chapter 318 was enacted as an emergency measure effective June 21, 2013.

LD 1431 **An Act To Support School Nutrition and Expand the Local Foods Economy** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
JOHNSON C HICKMAN		

This bill requires the Department of Agriculture, Conservation and Forestry and the Department of Education to administer programs to support the expansion and coordination of the use of fresh local foods in public school food service programs. The Department of Agriculture, Conservation and Forestry is directed to provide grants in 2 phases for the identification of local food suppliers and the establishment of local food hubs to connect local food producers with public school food service programs and facilitate the operation of local food programs in schools. The bill also directs 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. The bill also provides a bond issue in the amount of $12,000,000 to be used to develop up to 10 local food hubs.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1441 **An Act To Align the Formation of Governing Boards of Career and Technical Education Regions with That of Other Public Schools** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
CHAPMAN GRATWICK	ONTP OTP-AM	

This bill requires the members of the cooperative boards of career and technical education regions to be elected. Currently, members are appointed by the school boards of units within a region. This bill requires the State Board of Education to establish by rule election procedures and standards that the school boards of the units within each region must then choose among and adopt. The procedures and standards are required to be as similar as possible to those provided for the election of directors of school administrative districts. The bill provides for a transition period to allow for the adoption of rules by the state board, adoption of procedures by each region and the holding of the necessary elections.

Committee Amendment "A" (H-313)

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

LD 1481 **An Act To Ensure the Success of Maine Students** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BERRY	ONTP	

This bill establishes a moratorium on the authorization of new public charter schools until all of the following conditions are met:

1. The State provides at least 55% of the total cost of funding public education from kindergarten to grade 12 as defined by the Essential Programs and Services Funding Act; and

2. The State Board of Education finds that:

A. The research on public charter schools in the United States clearly and incontrovertibly demonstrates that public charter schools reliably improve education for students in a sustainable manner without increasing the cost to the statewide public education system and with no adverse effect on those students who are unable to attend a public charter school;

B. The existing public charter schools in Maine have improved education for students in a sustainable manner without increasing the cost to the statewide public education system and with no adverse effect on those students who are unable to attend a public charter school;

C. There is a clear and demonstrable need for additional public charter schools in Maine; and

D. The existing kindergarten to grade 12 public school facilities in Maine are entirely safe and conducive to learning.

LD 1502 **An Act To Expand Student Access to Certain Career Information and Opportunities**

ACCEPTED MAJORITY (ONTP) REPORT

Sponsor(s)	Committee Report	Amendments Adopted
FREDETTE	ONTP	
CUSHING	OTP-AM	

This bill requires school boards to allow implementation of the armed services vocational aptitude battery career exploration program developed by the United States Department of Defense. The program consists of aptitude testing, completion of a student interest inventory and use of career exploration guides and activities.

Committee Amendment "A" (H-312)

This amendment, which is the minority report of the Joint Standing Committee on Education and Cultural Affairs, incorporates a fiscal note.

LD 1503 **An Act To Ensure Student Access to Postsecondary Military Options**

DIED BETWEEN HOUSES

Sponsor(s)	Committee Report	Amendments Adopted
FREDETTE	ONTP	H-311
CUSHING	OTP-AM	S-365 HILL

This bill requires publicly supported secondary schools and secondary public charter schools to provide uniformed recruiters for the United States Armed Forces or the Maine National Guard the same access to secondary school students as other postsecondary and career recruiters.

Committee Amendment "A" (H-311)

This amendment, which is the minority report of the Joint Standing Committee on Education and Cultural Affairs, incorporates a fiscal note.

Senate Amendment "A" To Committee Amendment "A" (S-365)

This amendment adds a mandate preamble.

LD 1505 **An Act Regarding Insured Value Factor Payments for Public Tuition Students Attending a Private School** **PUBLIC 418**

Sponsor(s)	Committee Report	Amendments Adopted
VALENTINO	OTP-AM	S-293

This bill increases the insured value factor portion of the tuition rate that a private school may charge for public tuition students to 6% of the tuition rate in school year 2013-2014, to 8% of the tuition rate in school year 2014-2015 and to 10% of the tuition rate beginning in school year 2015-2016, which was the rate permitted prior to school year 2008-2009.

Committee Amendment "A" (S-293)

This amendment strikes and replaces the bill to increase the insured value factor portion of the tuition rate that a private school may charge for public tuition students to 6% of the tuition rate in school year 2014-2015. The amendment provides that, in subsequent school years, the insured value factor payment will be adjusted by a percentage equal to the change in the State's share of the total cost of funding education, but may not be less than 6% and not more than 10% of the tuition rate, unless the school administrative unit votes to pay an insured value factor that exceeds the amount permitted by no more than 5% of the private school's tuition rate.

Enacted Law Summary

Public Law 2013, chapter 418 increases the insured value factor portion of the tuition rate that a private school may charge for public tuition students to 6% of the tuition rate in school year 2014-2015. The law provides that, in subsequent school years, the insured value factor payment will be adjusted by a percentage equal to the change in the State's share of the total cost of funding education, but may not be less than 6% and not more than 10% of the tuition rate, unless the school administrative unit votes to pay an insured value factor that exceeds the amount permitted by no more than 5% of the private school's tuition rate.

LD 1510 **An Act To Ensure Statewide School Accountability and Improvement** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
JOHNSON P LANGLEY	ONTP OTP-AM	

Under current federal law, a struggling school is only identified and given help to improve if the school is funded under Title I of the federal No Child Left Behind Act of 2001. This bill creates a process for the Commissioner of Education to hold all schools accountable for student achievement and to work with schools to improve, regardless of whether they are so-called Title I schools.

The bill creates a statewide school accountability system by strengthening the existing school approval law. Under existing law, the commissioner is authorized to determine whether schools meet basic school approval standards, including the standard requiring all units to prepare and implement a comprehensive education plan aligned with the system of learning results, focused on the learning of all students and oriented to continuous improvement. This bill requires a school administrative unit that is identified as needing assistance to create a school improvement plan to correct any aspects of the school that do not comply with school approval standards in statute and rule. The bill sets forth specific strategies that may be included in a school improvement plan and calls for additional strategies if the school fails to improve after 2 years. It also provides school choice for students whose school loses basic school approval.

Committee Amendment "A" (H-558)

This amendment, which is the minority report of the Joint Standing Committee on Education and Cultural Affairs, amends the bill to make the following changes.

1. It removes the provisions that provide school choice for students whose school loses basic school approval.

2. It inserts a reference in the school assistance provisions amended by the bill to the provision that authorizes the Commissioner of Education to develop major substantive rules to implement the purposes of the laws regarding standards and assessment of student performance in the Maine Revised Statutes, Title 20-A, chapter 222.

3. It provides that a school administrative unit may file an appeal to the State Board of Education of a decision by the Department of Education to withdraw basic school approval due to the failure of the school administrative unit to participate in the development or implementation of a school improvement plan.

LD 1522 **An Act To Protect Children from Exposure on the Internet without Parental Consent** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
NADEAU C	ONTP OTP-AM	

This bill expands the restrictions on information regarding students that may be published by a public school on the Internet to include video and other images from which a student can be identified. The bill also extends the Internet restrictions that apply to public schools to apply to after-school programs, programs provided to students pursuant to an agreement with a public school and child care facilities.

Committee Amendment "A" (H-455)

This amendment, which is the minority report for the Joint Standing Committee on Education and Cultural Affairs, amends the bill to remove videos of students from the images from which a student can be identified that a public school is restricted from publishing on the Internet without first obtaining written parental consent to provide the image.

LD 1524 **An Act To Address the Burden Placed on Students as a Result of Requirements To Take Remedial Courses** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
COTTA	ONTP	

Under current law, the University of Maine System, the Maine Community College System and the Maine Maritime Academy are required to report on the number of remedial courses taken by students from each school administrative unit in the subjects of English language arts and mathematics. This bill requires those institutions to report the cost to the students of those remedial courses, by school administrative unit, and requires the Commissioner of Education to reduce state subsidy to the school administrative units and to pay those funds to the higher education institution. Those higher education institutions are required to use the funds to reduce or eliminate the cost of remedial courses to their students and to report to the Commissioner of Education and the Legislature how those funds were used to achieve the reduction or elimination of costs.

LD 1526 **An Act To Include Debt Service for Local School Construction Projects in the Required Local Share of Education Funding** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
LIBBY N KATZ	ONTP	

This bill includes in debt services for purposes of the school funding formula locally funded major capital projects for school construction that are not approved by the State Board of Education.

LD 1529 **An Act To Expand School Choice for Maine Students** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
MASON G JOHNSON P	ONTP OTP-AM	

This bill expands the publicly funded educational choices available to Maine students in several ways. It allows colleges and universities to authorize public charter schools and removes the 10-school limit on public charter schools authorized by the Maine Charter School Commission. The bill also allows private sectarian schools to receive public funds as long as they comply with standards applicable to other private schools.

The bill allows funding to be used to enable economically disadvantaged students to take advantage of school choice options available under current law. The funds may be used to pay for transportation and tuition for students who transfer to other public or private schools and to pay for room and board costs of a student attending a public charter school that is beyond a reasonable commuting distance from the student's home. Currently, this funding may be used only for students enrolled in the Maine Academy of Natural Sciences, which is designated as the State's Center of Excellence for At-risk Students.

Committee Amendment "A" (S-313)

This amendment, which is the minority report of the Joint Standing Committee on Education and Cultural Affairs, incorporates a fiscal note.

LD 1530 **An Act To Establish a Process for the Implementation of Universal Voluntary Prekindergarten Education** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
GOODALL BERRY		

This bill requires implementation of universal voluntary prekindergarten education by the 2017-2018 school year. The Commissioner of Education is required to establish a stakeholder group to work with the commissioner and interested parties to establish a plan to implement the requirement. The stakeholder group is required to develop standards for prekindergarten education programs, recommend uniform statewide procedures for screening children and assessing program performance and recommend best practices to coordinate early childhood education programs with child care providers. The commissioner is required to submit a report of the work of the stakeholder group to the Joint Standing Committee on Education and Cultural Affairs by January 15, 2014, and the committee is authorized to submit a bill to the Second Regular Session of the 126th Legislature regarding the report. The bill also clarifies the role of the State Board of Education with regard to prekindergarten education, changes the compulsory age for school attendance from 7 years of age to 5 years of age beginning July 1, 2016 and provides that funding provided to a school administrative unit for prekindergarten purposes may not be used for other purposes. The bill provides that the Commissioner of Education must provide implementation grants and provides funds for those grants and for a position in the Department of Education to oversee early childhood education programs.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1533 **An Act To Establish the Maine Online Learning Collaborative** **VETO SUSTAINED**

Sponsor(s)	Committee Report	Amendments Adopted
ALFOND	OTP-AM	S-302

This bill amends the laws governing the Maine Online Learning Program by:

1. Including an online learning provider's demonstrated experience in collaborating with schools to develop innovative practices related to online learning as a basis for approval of the online learning provider by the Department of Education;

2. Requiring an online learning provider to reapply for approval annually;

3. Allowing courses offered by online learning providers to be of varying lengths and worth varying amounts of credit;

4. Requiring an online learning provider to use surveys approved by the department to gauge the satisfaction of its students with the online learning provider and the courses offered by that online learning provider and the department to provide the results of these surveys to the Legislature; and

5. Establishing the Maine Online Learning Program Reimbursement Fund to provide funds to a school administrative unit for the cost of courses provided by an online learning provider to students in that school administrative unit. The bill establishes eligibility requirements, guaranteed reimbursement allocations, dollar amount limits and procedures for carrying over unused allocations. The fund is funded by a transfer of the balance of funds remaining in the Maine Learning Technology Fund.

Committee Amendment "A" (S-302)

This amendment adds an emergency preamble and an emergency clause to the bill and amends the laws governing the Maine Online Learning Program by adding 2 provisions to the goals of the program that would enable students to meet the standards of the system of learning results and that would augment the capacity of teachers who are certified in the State to provide high-quality online and blended learning experiences for students. The amendment strikes the provisions in the bill that propose to establish the Maine Online Learning Program Reimbursement Fund

and replaces the fund with provisions to authorize the Department of Education to establish the Maine Online Learning Collaborative, a partnership with a statewide consortium consisting of Maine school administrative units, public charter schools and approved private secondary schools that enroll 60% or more publicly funded students and other educational organizations to collaboratively develop a high-quality online learning program to commence in the 2014-2015 school year that provides students in grades 9 to 12 access to part-time digital learning through online and hybrid courses that are taught by Maine certified teachers. The amendment requires the Department of Education to develop approval criteria and a process for approving online learning providers to implement online learning programs with the Maine Online Learning Collaborative; and provides that the request for proposals must be reviewed and approved by the joint standing committee of the Legislature having jurisdiction over education and cultural affairs before the request for proposals is publicized by the department. The amendment also adds an appropriations and allocations section.

LD 1540 **An Act To Fix and Improve the System Used To Evaluate or Rate Public Schools in Maine** **DIED IN CONCURRENCE**

Sponsor(s)	Committee Report	Amendments Adopted
MILLETT MACDONALD W	OTP-AM ONTP	S-306

This bill is a concept draft pursuant to Joint Rule 208. The bill proposes to provide that if the Department of Education or any other state agency uses a system to evaluate or rate public schools:

1. The department or other state agency shall give notice to the public that such a system will be used, shall give an opportunity for the public and interested parties to provide input regarding the development of the system and shall convene a task force on the development and implementation of the system that includes but is not limited to representatives of the following stakeholder groups:

   A. Teachers;

   B. School boards;

   C. Superintendents;

   D. Parents; and

   E. Students;

2. The system must include:

   A. Accurate measures of student progress over at least 5 years;

   B. Rates of postsecondary school attendance and enlistment in the United States Armed Forces over at least 5 years;

   C. A peer group comparison that takes into account, but is not limited to, utilization of special education services, the number of students eligible for free or reduced-price meals, local and county unemployment data and median household income;

   D. School attendance rates;

   E. Graduation rates; and

F. Interviews with parents of students, members of governing boards of school administrative units, teachers and other education leaders about the overall school environment; and

3. The 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.

Committee Amendment "A" (S-306)

This amendment, which is the majority report for the Joint Standing Committee on Education and Cultural Affairs, strikes and replaces the concept draft with an emergency bill that proposes to accomplish the following initiatives:

1. It provides that, beginning with the 2014-2015 school year and only after the adoption of major substantive rules by the Department of Education, 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 Department of Education Rule Chapter 132: Learning Results: Parameters for Essential Instruction;

2. It provides that, until those rules are adopted, notwithstanding Title 20-A, section 6214 or any other provision of law, neither the department nor any other state agency may take any action based on the school grades reported on May 1, 2013 by the Commissioner of Education as part of a school performance grading system;

3. 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 program until the final adoption of department rules adopted in accordance with Title 20-A, section 6214, subsection 3. It also provides that this provision 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. It also provides that the rules must be consistent with the recommendations reported by the task force to develop a system to evaluate or rate the performance of public schools in the State;

4. 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 or rate the performance of public schools in this State;

5. 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 November 1, 2013 and authorizes the joint standing committee to report out a bill to the Second Regular Session of the 126th Legislature related to the recommendations included in this report; and

6. It provides that the department must file provisionally adopted major substantive rules by January 10, 2014 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 2014-2015 school year.

LD 1542 **Resolve, Regarding Legislative Review of Chapter 180: Performance Evaluation and Professional Growth Systems, a Late-filed Major Substantive Rule of the Department of Education**

DIED BETWEEN HOUSES

Sponsor(s)	Committee Report	Amendments Adopted
	OTP-AM	H-507
	OTP-AM	H-546 MACDONALD W
	OTP-AM	

This resolve provides for legislative review of Chapter 180: Performance Evaluation and Professional Growth Systems, a major substantive rule of the Department of Education that was filed outside the legislative rule acceptance period.

Committee Amendment "A" (H-507)

This amendment is the majority report of the Joint Standing Committee on Education and Cultural Affairs. The amendment provides that final adoption of Chapter 180: Performance Evaluation and Professional Growth Systems, a late-filed major substantive rule of the Department of Education, is authorized contingent upon the department's making specified changes to the proposed rule. The specific changes are related to the following provisions of the rule:

1. The section concerning the use of measures of student learning and growth that are considered to be a significant factor in determining the summative effectiveness rating of an educator;

2. The section concerning the determination of the teacher of record for specific students; and

3. The section concerning the requirement that school administrative units must collaborate with educators and other education stakeholders in developing, implementing and reviewing a performance evaluation and professional development system.

The amendment also provides that the Maine Educator Effectiveness Council is authorized to continue to meet to review specified unresolved issues related to Department of Education rule Chapter 180, and that the Commissioner of Education must submit a report on the work of the council, including recommendations regarding proposed changes to the education statutes or Chapter 180, to the Joint Standing Committee on Education and Cultural Affairs by December 6, 2013. The joint standing committee is authorized to introduce a bill related to the report to the Second Regular Session of the 126th Legislature.

Committee Amendment "B" (H-508)

This amendment is one of 2 minority reports of the Joint Standing Committee on Education and Cultural Affairs. The amendment provides that final adoption of Chapter 180: Performance Evaluation and Professional Growth Systems, a late-filed major substantive rule of the Department of Education, is authorized contingent upon the department's making specified changes to the proposed rule in the section concerning the determination of the teacher of record for specific students. The amendment also provides that the Maine Educator Effectiveness Council is authorized to continue to meet to review specified unresolved issues related to Department of Education rule Chapter 180, and that the Commissioner of Education must submit a report on the work of the council, including recommendations regarding proposed changes to the education statutes or Chapter 180, to the Joint Standing Committee on Education and Cultural Affairs by December 6, 2013. The joint standing committee is authorized to introduce a bill related to the report to the Second Regular Session of the 126th Legislature.

Committee Amendment "C" (H-509)

This amendment is one of 2 minority reports of the Joint Standing Committee on Education and Cultural Affairs.

The amendment provides that final adoption of Chapter 180: Performance Evaluation and Professional Growth Systems, a late-filed major substantive rule of the Department of Education, is authorized contingent upon the department's making specified changes to the proposed rule. The specific changes are related to the following provisions of the rule:

1. The section concerning the use of measures of student learning and growth that are considered to be a significant factor in determining the summative effectiveness rating of an educator;

2. The section concerning the determination of the teacher of record for specific students;

3. The section concerning the requirement that school administrative units must collaborate with educators and other education stakeholders in developing, implementing and reviewing a performance evaluation and professional development system; and

4. The section concerning the requirement that school administrative units must form a steering committee to review and refine the performance evaluation and professional development system.

The amendment also provides that the Maine Educator Effectiveness Council is authorized to continue to meet to review specified unresolved issues related to Department of Education rule Chapter 180, and that the Commissioner of Education must submit a report on the work of the council, including recommendations regarding proposed changes to the education statutes or Chapter 180, to the Joint Standing Committee on Education and Cultural Affairs by December 6, 2013. The joint standing committee is authorized to introduce a bill related to the report to the Second Regular Session of the 126th Legislature.

House Amendment "A" To Committee Amendment "A" (H-546)

This amendment amends Committee Amendment "A" to provide greater detail regarding the permissible elements of a professional evaluation and professional growth system; to provide that educator effectiveness ratings may not be used for a reduction in force or nonrenewal of a contract unless all educators in the school administrative unit have received a rating and to require that members of a local education association be part of the initial group of stakeholders collaborating to develop the professional evaluation and professional growth evaluation system.

LD 1551 **An Act Regarding the Board of Trustees of the Maine Public Broadcasting Corporation** **PUBLIC 367**
EMERGENCY

Sponsor(s)	Committee Report	Amendments Adopted
ALFOND	OTP-AM	S-263

This bill amends the law establishing the membership of the board of trustees of the Maine Public Broadcasting Corporation and requires the current board of trustees to amend the bylaws of the corporation by January 1, 2014 to establish the number, terms and qualifications of trustees of the corporation and the method and manner of their selection consistent with Maine nonprofit corporation laws. The members of the current board serve until the new board is selected.

Committee Amendment "A" (S-263)

This amendment adds an emergency preamble and emergency clause to the bill and provides that, beginning January 1, 2014, the membership of the board of trustees of the Maine Public Broadcasting Corporation must include one member representing the University of Maine System appointed by the Board of Trustees of the University of Maine System and one member to be appointed by the Governor, who is subject to review by the joint standing committee of the Legislature having jurisdiction over education and cultural affairs and to confirmation by the Senate. The amendment also provides that the chair of the board of trustees of the Maine Public Broadcasting Corporation must provide a report including the proposed changes to the bylaws related to the corporation's board of

trustees to the Joint Standing Committee on Education and Cultural Affairs by December 13, 2013.

Enacted Law Summary

Public Law 2013, chapter 367 amends the law establishing the membership of the board of trustees of the Maine Public Broadcasting Corporation and requires the current board of trustees to amend the bylaws of the corporation by January 1, 2014 to establish the number, terms and qualifications of trustees of the corporation. The law provides that, beginning January 1, 2014, the membership of the board of trustees of the Maine Public Broadcasting Corporation must include one member representing the University of Maine System appointed by the Board of Trustees of the University of Maine System and one member to be appointed by the Governor, who is subject to review by the joint standing committee of the Legislature having jurisdiction over education and cultural affairs and to confirmation by the Senate.

The law also provides that the chair of the board of trustees of the Maine Public Broadcasting Corporation must provide a report including the proposed changes to the bylaws related to the corporation's board of trustees to the Joint Standing Committee on Education and Cultural Affairs by December 13, 2013.

Public Law 2013, chapter 367 was enacted as an emergency measure effective June 26, 2013.

LD 1560 **An Act To Allow Further Review of the Report Defining Cost Responsibility for Deaf and Hard-of-hearing Students Receiving Services from the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf** **PUBLIC 347**

Sponsor(s)	Committee Report	Amendments Adopted

This bill is reported out by the Joint Standing Committee on Education and Cultural Affairs pursuant to Public Law 2011, chapter 683. The bill amends section 11 of that law to extend the deadline for the joint standing committee to report out a bill. The bill allows the joint standing committee to report out a bill related to the report presented pursuant to section 11 to the Second Regular Session of the 126th Legislature.

Enacted Law Summary

Public Law 2013, chapter 347 is reported out by the Joint Standing Committee on Education and Cultural Affairs pursuant to Public Law 2011, chapter 683. The law amends section 11 of that law to extend the deadline for the joint standing committee to report out a bill. The law allows the joint standing committee to report out a bill related to the report presented pursuant to section 11 to the Second Regular Session of the 126th Legislature.

LD 1566 **An Act Regarding School Budgets** **DIED IN CONCURRENCE**

Sponsor(s)	Committee Report	Amendments Adopted
MILLETT	OTP-AM ONTP	S-329

This bill permits a school board of a school administrative unit that requires a budget validation referendum to approve a budget to spend state funds that become available for fiscal year 2013-14 after the budget for the school administrative unit has been approved by the budget validation referendum without the need to submit the decision to an additional referendum.

Committee Amendment "A" (S-329)

This amendment is the majority report of the Joint Standing Committee on Education and Cultural Affairs. The amendment strikes and replaces the bill to provide that, for fiscal year 2013-14 only, after the budget for a school administrative unit for that fiscal year has been approved by a budget validation referendum and the school board of a school administrative unit declares that an emergency exists, it may call a special budget meeting for the purpose of obtaining the approval of the legislative body of the school administrative unit to expend the additional state funding or to reduce its warrant to the assessors of member municipalities for the collection of taxes to cover the municipalities' share of the school administrative unit's costs. The amendment also clarifies that the legislative body of a school administrative unit has the authority to decide how to expend additional state funding without the need to submit the decision made at a special budget meeting to an additional budget validation referendum.

LD 1573 **An Act To Extend the Authorization for the Maine Education Effectiveness Council** **VETO SUSTAINED**

Sponsor(s)	Committee Report	Amendments Adopted
ALFOND		

This bill was acted upon without reference to committee.

This bill authorizes the Maine Education Effectiveness Council to continue meeting, if it so desires, until 2 weeks after the convening of the Second Regular Session of the 126th Legislature.

Joint Standing Committee on Education and Cultural Affairs

SUBJECT INDEX

Administration, Department of Education, State Board, and School Governance

Enacted		
LD 244	An Act To Amend the Student Membership Criteria of the State Board of Education	PUBLIC 15 EMERGENCY
LD 485	An Act To Amend and Clarify Certain Education Laws	PUBLIC 167
LD 530	An Act To Ensure That the Standard of a Student's Best Interest Is Applied to Superintendent Agreements for Transfer Students	PUBLIC 337
LD 944	Resolve, To Review the Impact of Unfunded Education Mandates and Evaluate the Efficacy of Education Laws	RESOLVE 74 EMERGENCY
Not Enacted		
LD 301	An Act To Remove Unnecessary Agenda from the School Day	ONTP
LD 772	An Act To Implement the Recommendations of the Task Force on Franco-Americans Regarding the Reporting of Franco-American Ethnicity Data	ONTP
LD 1055	An Act To Create a Maine Financial Education Portal	ONTP
LD 1301	An Act To Create the Maine Education Investment Board	ONTP
LD 1502	An Act To Expand Student Access to Certain Career Information and Opportunities	MAJORITY (ONTP) REPORT
LD 1503	An Act To Ensure Student Access to Postsecondary Military Options	DIED BETWEEN HOUSES
LD 1530	An Act To Establish a Process for the Implementation of Universal Voluntary Prekindergarten Education	CARRIED OVER

Adult Education

Enacted		
LD 442	Resolve, To Ensure the Continued Accessibility and Affordability of a High School Equivalency Exam for Maine Residents	RESOLVE 49

Alternative Education, Charter Schools and School Choice

Enacted		
LD 61	An Act To Amend Standards for Participation in Certain Public School Services by Students Who Are Homeschooled	PUBLIC 400
LD 92	An Act Relating to Private School Student Participation in Public School Cocurricular, Interscholastic and Extracurricular Activities	PUBLIC 428
LD 439	An Act To Improve Maine's Charter School Laws	PUBLIC 272
LD 729	An Act To Allow Charter Schools To Request Waivers from Certain Requirements	PUBLIC 216
LD 791	An Act To Improve Equity for Economically Disadvantaged Students Seeking To Transfer to an Approved Private School or a Public School	PUBLIC 356

Alternative Education, Charter Schools and School Choice

Not Enacted

LD 233	**An Act To Require the Department of Education To Report on the Costs and Sources of Funding of Charter Schools**	**LEAVE TO WITHDRAW**
LD 481	**Resolve, To Review the Laws Governing the Funding of Virtual Public Charter Schools**	**CARRIED OVER**
LD 533	**An Act To Eliminate the Requirement That Local Funding Follow a Pupil to a Charter School**	**ONTP**
LD 671	**An Act To Protect Charter Schools by Requiring Them To Be Operated as Nonprofit Organizations**	**VETO SUSTAINED**
LD 880	**An Act To Change the Process for Student Transfers from an Alternative Organizational Structure**	**ONTP**
LD 889	**An Act To Adjust Funding Forwarded from School Districts to Charter Schools**	**ONTP**
LD 906	**An Act To Permit a School Administrative Unit Discretion Concerning Participation of Students from Charter Schools in School Extracurricular and Interscholastic Activities**	**CARRIED OVER**
LD 995	**An Act To Establish a Moratorium on the Approval and Operation of Virtual Public Charter Schools**	**CARRIED OVER**
LD 1056	**An Act To Require Local Voter Approval for Charter Schools**	**ONTP**
LD 1057	**An Act Related to Public Funding of Charter Schools**	**VETO SUSTAINED**
LD 1128	**An Act To Provide for Greater Public Input and Local Control in the Chartering of Public Schools**	**VETO SUSTAINED**
LD 1346	**An Act To Ensure That Charter Schools Are Funded by the State**	**ONTP**
LD 1349	**An Act To Amend the Appointment Process for the Maine Charter School Commission**	**VETO SUSTAINED**
LD 1481	**An Act To Ensure the Success of Maine Students**	**ONTP**
LD 1529	**An Act To Expand School Choice for Maine Students**	**MAJORITY (ONTP) REPORT**

Career and Technical Education

Enacted

LD 193	**An Act To Authorize InterCoast Career Institute To Grant the Degree of Associate Degree in Applied Science**	**P & S 14**
LD 370	**Resolve, To Create a Working Group To Identify Elementary School and Middle School Applied Learning Opportunities**	**RESOLVE 22**
LD 1412	**An Act To Create an Educational Collaborative Partnership To Implement a Program That Enables Career and Technical Education Students To Earn College Credits while Attending High School**	**PUBLIC 318 EMERGENCY**

Not Enacted

LD 464	**An Act To Change Compensation for Career and Technical Education Region Cooperative Board Meeting Attendance**	**CARRIED OVER**

Career and Technical Education

Not Enacted

LD 715	An Act To Improve Access to Career and Technical Schools	CARRIED OVER
LD 1441	An Act To Align the Formation of Governing Boards of Career and Technical Education Regions with That of Other Public Schools	MAJORITY (ONTP) REPORT

Cultural Affairs

Enacted

LD 160	An Act To Amend the Laws Pertaining to Archaeological Sites	PUBLIC 89
LD 532	An Act To Amend the Laws Governing the Maine State Library	PUBLIC 82
LD 1019	An Act To Protect the State's Property Rights in Maine State Museum Research	PUBLIC 205 EMERGENCY
LD 1100	An Act To Update and Revise the Laws Governing the Maine Arts Commission	PUBLIC 181
LD 1551	An Act Regarding the Board of Trustees of the Maine Public Broadcasting Corporation	PUBLIC 367 EMERGENCY

Curriculum, Instruction, Textbooks and Testing

Enacted

LD 178	Resolve, To Provide Consistency in Rules of the Department of Education Regarding Visual and Performing Arts Requirements for High School Graduation	RESOLVE 38
LD 668	An Act To Encourage the Teaching of Agricultural Studies in Schools	PUBLIC 106
LD 843	An Act To Promote the Financial Literacy of High School Students	PUBLIC 244
LD 1290	An Act To Encourage High School Students To Complete Community Service	PUBLIC 176

Not Enacted

LD 665	An Act To Facilitate the Transition to a Standards-based Educational System	ONTP
LD 669	An Act Requiring School Administrative Units To Adopt School Volunteer Policies	ONTP
LD 750	An Act To Make the Completion of an Internship a Requirement for High School Graduation	ONTP
LD 773	Resolve, To Enhance the Study of Franco-American History in Schools	ONTP
LD 963	An Act To Expand Access to Early Postsecondary Education	HELD BY GOVERNOR
LD 1096	An Act To Amend the Laws Governing Students Experiencing Education Disruption	HELD BY GOVERNOR
LD 1129	An Act To Promote Innovation in Public Schools	VETO SUSTAINED
LD 1143	An Act To Develop Young Readers	DIED IN CONCURRENCE

Curriculum, Instruction, Textbooks and Testing

Not Enacted		
LD 1361	An Act To Strengthen the Teaching of Writing and Mathematics and Improve Maine High School Graduates' College and Career Readiness	CARRIED OVER
LD 1510	An Act To Ensure Statewide School Accountability and Improvement	MAJORITY (ONTP) REPORT
LD 1540	An Act To Fix and Improve the System Used To Evaluate or Rate Public Schools in Maine	DIED IN CONCURRENCE

Education - Other

Enacted		
LD 466	An Act To Amend the Laws Governing Awarding a High School Diploma to Veterans	PUBLIC 281
LD 821	An Act To Allocate the Balance of Funds Not Expended by the Task Force on Franco-Americans	P & S 8 EMERGENCY
LD 822	An Act To Establish Invite Your Maine Legislator to School Month	PUBLIC 103
LD 1132	An Act To Achieve Economic Growth by Enhancing Science, Technology, Engineering and Mathematics Education and To Meet Workforce Needs	PUBLIC 410
Not Enacted		
LD 699	An Act To Allow Public Schools To Offer Classes Limited to Students of a Single Gender	MAJORITY (ONTP) REPORT
LD 868	An Act To Expand Funding for Early Childhood Education	ONTP
LD 1522	An Act To Protect Children from Exposure on the Internet without Parental Consent	MAJORITY (ONTP) REPORT

Health, Nutrition and Safety

Enacted		
LD 609	An Act To Increase Suicide Awareness and Prevention in Maine Public Schools	PUBLIC 53
Not Enacted		
LD 528	An Act To Require Parental Consent for a School To Conduct Mental Health or Behavioral Screening on a Student	ONTP
LD 672	An Act Relating to Exemption from Immunization for Schoolchildren	CARRIED OVER
LD 1160	An Act To Reduce Obesity among Schoolchildren	DIED BETWEEN HOUSES
LD 1185	An Act To Enhance Efforts To Use Locally Produced Food in Schools	CARRIED OVER
LD 1241	An Act To Protect School Athletes from Head Injuries	ONTP
LD 1321	An Act To Promote Healthy School Lighting	ONTP
LD 1353	An Act To Further Reduce Student Hunger	HELD BY GOVERNOR

Health, Nutrition and Safety

Not Enacted

LD 1366	An Act To Require Public Schools To Offer Instruction Related to Cardiopulmonary Resuscitation and the Use of an Automated External Defibrillator	VETO SUSTAINED
LD 1394	An Act To Make Parents More Aware of Eating Disorders	MAJORITY (ONTP) REPORT
LD 1431	An Act To Support School Nutrition and Expand the Local Foods Economy	CARRIED OVER

Online Learning Programs and Courses

Not Enacted

LD 1130	An Act To Create a Virtual School Managed by the State	ONTP
LD 1533	An Act To Establish the Maine Online Learning Collaborative	VETO SUSTAINED

Postsecondary Education Finance and Student Aid

Enacted

LD 112	An Act To Make Changes to the Educators for Maine Program	PUBLIC 7
LD 113	An Act To Make Changes to the Maine College Savings Program	PUBLIC 4
LD 351	An Act To Authorize the Provision of Insurance on Student Loans	PUBLIC 34 EMERGENCY
LD 1300	An Act To Promote and Expand Awareness of the Educational Opportunity Tax Credit	PUBLIC 417

Not Enacted

LD 384	An Act To Allow Spouses and Children of Veterans Killed in the Line of Duty To Receive the State Tuition Waiver	ONTP
LD 531	An Act To Allow Students To Audit Classes at University of Maine System Campuses	ONTP
LD 623	An Act To Promote the Attainment of Higher Education Degrees	ONTP
LD 862	An Act To Assist York County Community College	ONTP
LD 959	An Act To Require That Seed Money Generated at an Individual College of the Maine Community College System Be Returned to That College for the Purpose of Enhancement	ONTP
LD 962	An Act To Increase Access to Higher Education	MAJORITY (ONTP) REPORT
LD 1003	Resolve, To Establish the Commission To Study Accessibility and Affordability of Higher Education	ONTP
LD 1036	An Act To Amend the Social Work Education Loan Repayment Program	CARRIED OVER
LD 1093	An Act To Clarify the Criteria of the Health Professions Loan Program as It Affects Physicians Practicing Neurology-psychiatry	VETO SUSTAINED
LD 1261	An Act To Improve Access for Maine Students to Postsecondary Education	ONTP

Postsecondary Education Finance and Student Aid

Not Enacted		
LD 1332	An Act To Increase the College Graduation Rate in Maine	ONTP
LD 1524	An Act To Address the Burden Placed on Students as a Result of Requirements To Take Remedial Courses	ONTP

Postsecondary Education Governance and Coordination

Enacted		
LD 409	Resolve, To Establish a Veteran-to-farmer Training Pilot Program	RESOLVE 69
LD 422	An Act Regarding Enrollment and Graduation Rates of First-generation Higher Education Students	PUBLIC 166
Not Enacted		
LD 670	Resolve, To Encourage the Use of Career Interest and Aptitude Tests in Higher Education	VETO SUSTAINED

Safe Schools and Student Conduct

Enacted		
LD 243	Resolve, To Direct the Department of Education To Amend Its Rules Regarding Restraint of Students	RESOLVE 8 EMERGENCY
LD 673	Resolve, To Increase Awareness of Food Allergies in Public Schools	RESOLVE 42
LD 905	Resolve, Directing the Department of Education To Examine School Security	RESOLVE 76 EMERGENCY
Not Enacted		
LD 93	An Act To Require Public Secondary Schools To Offer a Course in Gun Safety and Handling	ONTP
LD 529	Resolve, Directing the Department of Education To Develop Safety Standards for School Access	ONTP
LD 709	An Act To Require Students To Receive Instruction in Cardiopulmonary Resuscitation and the Use of an Automated External Defibrillator prior to Graduation	ONTP
LD 723	An Act To Ensure the Proper Treatment of Bullying Situations in Schools	ONTP
LD 823	An Act To Require Institutions of Higher Learning To Comply with the Federal Americans with Disabilities Act	ONTP
LD 1083	Resolve, Directing the Department of Education To Develop a Process To Provide Alternative Pathways To Learning for Certain High School Students	ONTP

School Budgets

Not Enacted		
LD 383	An Act To Increase Public Awareness Regarding School Budget Elections	MAJORITY (ONTP) REPORT
LD 417	An Act To Ensure That All Voters Are Able To Vote in Regional School Unit Budget Elections	ONTP
LD 521	An Act To Change the Budget Approval Process for Alternative Organizational Structures	VETO SUSTAINED
LD 638	An Act To Require That School Budget Referenda Be Held on the Same Day as Primary Elections	ONTP

School Budgets

Not Enacted

LD 742	An Act To Amend the Regional School Unit Budget Validation Process	ONTP
LD 1291	An Act Regarding the Effect on Collective Bargaining Agreements of Failure To Validate a School Budget	DIED BETWEEN HOUSES
LD 1566	An Act Regarding School Budgets	DIED IN CONCURRENCE

School Construction, Facilities and Buses

Enacted

LD 91	An Act To Raise the School Construction Bond Cap	PUBLIC 44
LD 322	Resolve, Regarding Legislative Review of Portions of Chapter 61: State Board of Education Rules for Major Capital School Construction Projects, a Major Substantive Rule of the State Board of Education	RESOLVE 34 EMERGENCY

Not Enacted

LD 462	An Act To Dedicate Funds for Emergency Back-up Power for Schools	ONTP
LD 666	Resolve, To Create a Working Group To Survey Maine Schools on the Costs and Benefits of Contracting for Energy Conservation Improvements	DIED ON ADJOURNMENT
LD 1235	An Act Regarding School Construction	VETO SUSTAINED
LD 1526	An Act To Include Debt Service for Local School Construction Projects in the Required Local Share of Education Funding	ONTP

School District Reorganization

Not Enacted

LD 783	An Act To Change the Voting Requirements for the Withdrawal of a Municipality from a Regional School Unit	CARRIED OVER
LD 1027	An Act To Provide an Improved Process for Voter Approval of Withdrawal from a Regional School Unit	LEAVE TO WITHDRAW
LD 1123	An Act To Allow the Town of Bancroft To Withdraw from Its Regional School Unit without Penalty	LEAVE TO WITHDRAW
LD 1322	An Act To Amend the Laws Governing the Withdrawal of a Municipality from a Regional School Unit	ONTP
LD 1347	An Act To Improve the School Administrative Unit Consolidation Laws by Allowing a Regional School Unit To Dissolve Itself	LEAVE TO WITHDRAW

School Finance

Enacted

LD 130	An Act To Stabilize Education Funding by Reducing the Impact of Changes in Property Valuation	PUBLIC 203
LD 667	An Act To Increase Funding to Schools	PUBLIC 171

Not Enacted

School Finance

Not Enacted

LD 18	An Act To Fund Public Education for Kindergarten to Grade 12 at 55%	ONTP
LD 25	An Act To Exclude Certain State-funded Costs from the State Share of the Total Cost of Funding Public Education	CARRIED OVER
LD 56	An Act To Ensure Equity in School Costs Borne by Municipalities within Consolidated School Units	ONTP
LD 194	An Act To Ensure That a Curtailment in School Funding Is Shared by All Institutions	ONTP
LD 195	An Act To Fund Education by Providing Equal State Funding for Each Student	ONTP
LD 299	RESOLUTION, Proposing an Amendment to the Constitution of Maine To Require the State Share of Education Funding To Be at Least Fifty-five Percent of the Total Cost and One Hundred Percent of the Cost of Special Education	ONTP
LD 300	An Act To Protect School Administrative Units and Taxpayers	CARRIED OVER
LD 367	An Act To Repeal the Repeal Provision in the Law That Limits the Reduction of State Subsidy for Education	ONTP
LD 369	An Act To Redesign Maine's School Funding Model	CARRIED OVER
LD 615	An Act To Protect School Administrative Units from a Sudden Decrease in Funding due to Reduced Enrollments	ONTP
LD 792	An Act To Ensure That Essential Programs and Services Targeted Funding Follows the Secondary Student	ONTP
LD 994	An Act To Change the State's Share of Education Costs Including Teacher Retirement Costs	ONTP
LD 1002	An Act Regarding the Required Local Contribution in the School Funding Formula	LEAVE TO WITHDRAW

Special Education Programs and Finance

Enacted

LD 34	An Act To Implement the Recommendations of the Government Oversight Committee and the Office of Program Evaluation and Government Accountability Regarding Child Development Services	PUBLIC 338
LD 323	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 52 EMERGENCY
LD 1184	Resolve, Requiring Rulemaking Regarding Special Education Requirements and Review of School Administrative Units That Do Not Operate Any Schools	RESOLVE 70
LD 1560	An Act To Allow Further Review of the Report Defining Cost Responsibility for Deaf and Hard-of-hearing Students Receiving Services from the Maine Educational Center for the Deaf and Hard of Hearing and the Governor Baxter School for the Deaf	PUBLIC 347

Not Enacted

LD 595	An Act To Exempt School Administrative Units That Do Not Directly Serve Children with Disabilities from Certain Reporting Requirements	ONTP

Teachers and Administrators

Enacted

Teachers and Administrators

Enacted		
LD 1106	**An Act To Develop a Grant Program To Establish a Teacher-led School Model**	**PUBLIC 303**
Not Enacted		
LD 6	**An Act Regarding the Authority of a School Board To Elect a School Superintendent**	**VETO SUSTAINED**
LD 751	**An Act To Limit the Effect of Standardized Tests on Teacher Evaluations**	**ONTP**
LD 1098	**An Act To Encourage Teacher Input in Education Policy**	**LEAVE TO WITHDRAW**
LD 1131	**An Act To Improve Professional Development Opportunities for Teachers and Other Public School Employees**	**MAJORITY (ONTP) REPORT**
LD 1144	**An Act To Further Ensure Effective Teaching and School Leadership**	**VETO SUSTAINED**
LD 1330	**An Act To Establish in Law a Method for Alternative Certification of Teachers**	**CARRIED OVER**
LD 1350	**An Act Regarding School Administrator Effectiveness**	**DIED IN CONCURRENCE**
LD 1542	**Resolve, Regarding Legislative Review of Chapter 180: Performance Evaluation and Professional Growth Systems, a Late-filed Major Substantive Rule of the Department of Education**	**DIED BETWEEN HOUSES**
LD 1573	**An Act To Extend the Authorization for the Maine Education Effectiveness Council**	**VETO SUSTAINED**

Truants, Dropouts and Homeless Students

Not Enacted		
LD 1231	**An Act To Amend the Compulsory School Attendance Laws**	**VETO SUSTAINED**

Tuition Rates for Non-resident Students

Enacted		
LD 1505	**An Act Regarding Insured Value Factor Payments for Public Tuition Students Attending a Private School**	**PUBLIC 418**

STATE OF MAINE

126TH LEGISLATURE

FIRST REGULAR SESSION

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

JOINT STANDING COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

July 2013

STAFF:

SUSAN Z. JOHANNESMAN, LEGISLATIVE ANALYST

OFFICE OF POLICY AND LEGAL ANALYSIS

13 STATE HOUSE STATION

AUGUSTA, ME 04333

(207) 287-1670

MEMBERS:

SEN. JAMES A. BOYLE, CHAIR

SEN. GEOFFREY M. GRATWICK

SEN. THOMAS B. SAVIELLO

REP. JOAN W. WELSH, CHAIR

REP. DENISE P. HARLOW

REP. JANICE E. COOPER

REP. GAY M. GRANT

REP. PAUL D. MCGOWAN

REP. BERNARD L. A. AYOTTE

REP. RICKY D. LONG

REP. RICHARD H. CAMPBELL

REP. ROGER E. REED

REP. BENJAMIN M. CHIPMAN

LD 7 **An Act To Equalize the Premiums Imposed on the Sale of Motor Vehicle Oil** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
HARVELL	ONTP OTP-AM	

This bill amends the law relating to the waste motor oil revenue fund by equalizing the premium for all motor vehicle oil, regardless of the container size, at 35¢ per gallon.

Committee Amendment "A" (H-44)

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

This amendment was not adopted.

LD 28 **An Act To Reduce Air Pollution from Trains** **LEAVE TO WITHDRAW**

Sponsor(s)	Committee Report	Amendments Adopted
GERZOFSKY DION		

This bill prohibits the operation of diesel-powered locomotives in a manner that causes or contributes to air pollution in the State and prohibits the unnecessary idling of diesel-powered locomotives for longer than 30 minutes. It also directs the Department of Environmental Protection to submit to the United States Environmental Protection Agency a revision to the state implementation plan that incorporates these provisions, and delays the prohibition until 30 days after notification from the department that the United States Environmental Protection Agency has approved the revision.

LD 105 **An Act To Allow Motor Fuel Containing Five Percent Ethanol To Be Sold in the State** **DIED BETWEEN HOUSES**

Sponsor(s)	Committee Report	Amendments Adopted
TIMBERLAKE MASON G	ONTP OTP	

This bill allows a distributor, blender or retail dealer of gasoline in the State to sell, consign or distribute, in addition to any other gasoline offered, gasoline containing only 5% ethanol.

LD 115 **An Act To Join in a Prohibition on Motor Fuel Containing Corn-based Ethanol** **PUBLIC 249**

Sponsor(s)	Committee Report	Amendments Adopted
TIMBERLAKE MASON G	OTP ONTP	S-105 MASON G

This bill prohibits the sale of motor fuel that contains corn-based ethanol if at least two other New England states pass a similar prohibition.

Senate Amendment "A" (S-105)

This amendment changes the number of states required for the corn-based ethanol prohibition to take effect from two other New England states to ten states or a number of states with a collective population of 30,000,000.

Enacted Law Summary

Public Law 2013, chapter 249 prohibits the sale of motor fuel that contains corn-based ethanol if at least 10 states or a number of states with a collective population of 30,000,000 pass a similar prohibition.

LD 124 **An Act To Amend the Bottle Redemption Laws** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
SHERMAN	ONTP	

This bill allows the Department of Agriculture, Conservation and Forestry to license up to two redemption centers for a municipality with a population of no more than 5,000 upon approval by the governing body of the municipality. Currently, department rules allow only one redemption center to be licensed in a municipality with a population of 5,000 or less.

LD 141 **Resolve, Directing the Department of Environmental Protection To Develop Quantitative Odor Management Standards** **RESOLVE 43**

Sponsor(s)	Committee Report	Amendments Adopted
FREDETTE	OTP-AM	H-144
CUSHING	ONTP	S-89 SAVIELLO

This resolve requires the Department of Environmental Protection to adopt odor management standards that can be quantitatively measured for septage and wastewater treatment sludge processing facilities.

Committee Amendment "A" (H-144)

This amendment, which is the majority report of the committee, adds a date by which the Department of Environmental Protection is required to adopt rules under the resolve (March 15, 2014). The amendment also directs the department to submit a summary of the rules to the Joint Standing Committee on Environment and Natural Resources by March 30, 2014.

Senate Amendment "A" (S-89)

This amendment clarifies that the rules required by the resolve are directed at facilities that process wastewater treatment sludge from publicly owned treatment works and facilities that process septage.

Enacted Law Summary

Resolve 2013, chapter 43 requires the Department of Environmental Protection to adopt rules containing odor management standards that can be quantitatively measured for facilities that process wastewater treatment sludge from publicly owned treatment works and facilities that process septage. The department is required to adopt the rules by March 15, 2014 and to submit a summary of the rules to the Joint Standing Committee on Environment and Natural Resources by March 30, 2014.

LD 157 **An Act To Modify Administration of the Fund Insurance Review Board** **PUBLIC 22**

Sponsor(s)	Committee Report	Amendments Adopted
WELSH BOYLE	OTP	

This bill changes the duties of the Fund Insurance Review Board to require that the board will no longer consult with or contract for assistance with the Finance Authority of Maine but rather with the Department of Environmental Protection.

Enacted Law Summary

Public Law 2013, chapter 22 changes the duties of the Fund Insurance Review Board to require that the board will no longer consult with or contract for assistance with the Finance Authority of Maine but rather with the Department of Environmental Protection.

LD 261 **An Act To Provide That a Distributor, Blender or Retail Dealer of Motor Fuel May Not Be Required To Sell, Consign or Distribute Motor Fuel Containing Ten Percent or More Ethanol** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T	ONTP	

This bill provides that a distributor, blender or retail dealer of motor fuel may not be required to sell, consign or distribute motor fuel containing 10% or more ethanol.

LD 331 **Resolve, To Expand Economic Development in the Town of Orrington by Releasing Certain Riverfront Land from State-imposed Environmental Restrictions** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
CAMPBELL R YOUNGBLOOD		

This resolve directs the Department of Environmental Protection to release all department-imposed development restrictions on certain portions of the former HoltraChem Manufacturing Company site that are not targeted for cleanup and remediation under clean-up orders of the Commissioner of Environmental Protection and the Board of Environmental Protection.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 336 **An Act Relating to Clean Water Certification by the Department of Environmental Protection**

ACCEPTED MAJORITY (ONTP) REPORT

Sponsor(s)	Committee Report	Amendments Adopted
SHAW PLUMMER	ONTP OTP-AM	

This bill adds an additional step to the process for Department of Environmental Protection and Maine Land Use Planning Commission approval of water quality certifications for existing and proposed hydropower projects. The bill requires the department or commission to submit provisionally approved water quality certifications to the Legislature for review and approval by the joint standing committee of the Legislature having jurisdiction over environmental and natural resources matters and the Legislature. The review process is similar to legislative review of major substantive rules. The provisions of the bill apply retroactively to August 1, 2011.

Committee Amendment "A" (H-208)

This amendment, which is the minority report of the committee, replaces the bill. The amendment requires the Department of Environmental Protection to notify the public, municipalities, interested persons and applicable state agencies whenever the department accepts an application for a water quality certification for an existing or proposed hydropower project under the licensing jurisdiction of the Federal Energy Regulatory Commission, receives a substantial revision to an application or makes a substantial revision to a draft decision of the department. The amendment requires the department to hold a public meeting if one is requested and it directs the department to adopt major substantive rules to define "substantial revision." It also adds an appropriations and allocations section.

This amendment was not adopted.

LD 365 **An Act To Define "Contaminant" in the Laws Governing Toxic Chemicals in Children's Products**

ONTP

Sponsor(s)	Committee Report	Amendments Adopted
HAMPER SANDERSON	ONTP	

This bill amends the laws governing toxic chemicals in children's products to define the term "contaminant" as used in those laws.

LD 373 **An Act To Provide Clarity to Priority Chemical Reporting Requirements**

PUBLIC 232

Sponsor(s)	Committee Report	Amendments Adopted
HAMPER HARLOW	OTP	

This bill amends the current law regarding the reporting requirement for children's products that contain priority chemicals by requiring that manufacturers or distributors provide notice within 30 days to the Department of Environmental Protection when the product is sold in the State after the initial 180-day reporting period ends.

Enacted Law Summary

Public Law 2013, chapter 232 amends the current law regarding the reporting requirement for children's products that contain priority chemicals by requiring that manufacturers or distributors provide notice within 30 days to the Department of Environmental Protection when the product is sold in the State after the initial 180-day reporting period ends.

LD 432 **An Act To Amend the Gifting of Land Exemption under the Subdivision Laws** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
JOHNSON C HARLOW	ONTP	

This bill amends the subdivision law exemption for gifts to relatives by removing the requirement that the donor of the gifted property must have held the property for a continuous period of 5 years prior to the division by gift. The bill also provides that if property that is exempt from the subdivision law pursuant to the gifts to relatives exemption is transferred within 10 years of when the property was acquired by the donor, a lot is created for purposes of the subdivision law.

LD 437 **An Act To Amend the State General Permit Process for Tidal Power To Remove a Conflict with a Federal Permit Requirement** **PUBLIC 177**

Sponsor(s)	Committee Report	Amendments Adopted
THIBODEAU MAKER	OTP-AM	S-62

Currently, an applicant for a general permit for a tidal energy demonstration project must file an application with the Department of Environmental Protection that contains a copy of an environmental assessment issued by the Federal Energy Regulatory Commission that includes a finding of no significant environmental impact. This bill allows the department to accept an application prior to the FERC's issuance of a finding of no significant environmental impact. The bill also requires the department to notify an applicant within 60 days of its acceptance of the application for processing or within 30 days of the FERC's issuance of a finding of no significant environmental impact, whichever occurs later.

Committee Amendment "A" (S-62)

This amendment corrects terminology in the bill related to the Department of Environmental Protection's acceptance of an application for a general permit for a tidal energy demonstration project as complete for processing.

Enacted Law Summary

Public Law 2013, chapter 177 allows the Department of Environmental Protection to accept an application for a tidal energy demonstration project as complete for processing prior to the Federal Energy Regulatory Commission's issuance of a finding of no significant environmental impact. It also requires the department of notify an applicant within 60 days of its acceptance of the application as complete for processing or within 30 days of the FERC's issuance of a finding of no significant environmental impact, whichever occurs later.

LD 453 **An Act To Prohibit the Sale of Gasoline That Contains Corn-based Ethanol as an Additive at a Level Greater than 10 Percent by Volume** **PUBLIC 69**

Sponsor(s)	Committee Report	Amendments Adopted
LONG SAVIELLO	OTP-AM	H-56

This bill prohibits the sale of gasoline that contains ethanol as an additive at a level greater than 10% by volume, if at least 2 other New England states enact laws that prohibit such sales.

Committee Amendment "A" (H-56)

This amendment clarifies that the ethanol referred to in the bill is corn-based ethanol.

Enacted Law Summary

Public Law 2013, chapter 69 prohibits the sale of gasoline that contains corn-based ethanol as an additive at a level greater than 10% by volume, if at least 2 other New England states enact laws that prohibit such sales.

LD 470 **An Act Regarding Working Waterfront Projects** **PUBLIC 231**

Sponsor(s)	Committee Report	Amendments Adopted
WELSH MAZUREK	OTP-AM	H-302

This bill defines "working waterfront activity" and "working waterfront land" for the purpose of exempting working waterfront activities from certain provisions under the Natural Resources Protection Act. The bill also provides flexibility under the mandatory shoreland zoning laws for the clearing of land associated with working waterfront activities and project sites requiring remediation due to contamination.

Committee Amendment "A" (H-302)

This amendment replaces the bill. It amends the standards for clearing of vegetation in the laws governing shoreland zoning and provides exceptions to those standards. It amends the Natural Resources Protection Act by amending the definition in the bill of "working waterfront activity" and exempting from compensation requirements working waterfront activities on working waterfront land that is part of a brownfields program or a voluntary response action program.

Enacted Law Summary

Public Law 2013, chapter 231 amends the standards for clearing of vegetation in the laws governing shoreland zoning and provides exceptions to those standards. It amends the Natural Resources Protection Act by adding a definition of "working waterfront activity" and exempting from compensation requirements working waterfront activities on working waterfront land that is part of a brownfields program or a voluntary response action program.

LD 596 **An Act To Help Small Businesses and Promote Tourism by Allowing the Construction of a Deck over a River within a Downtown Revitalization Project** **PUBLIC 140**

Sponsor(s)	Committee Report	Amendments Adopted
PARRY DUTREMBLE	OTP-AM	H-137

This bill provides that construction of a platform or walkway or deck over a river or marshland may be exempt from the Department of Environmental Protection's rules relative to significant wildlife habitat under certain conditions, including if the affected municipal government finds that the platform, walkway or deck would not negatively affect any significant wildlife habitat and the project is approved by local referendum.

Committee Amendment "A" (H-137)

This amendment replaces the bill. The amendment allows the construction of a deck of up to 700 square feet in area over a river without meeting certain otherwise applicable water and wetland setback requirements if the proposed deck will be located within a downtown revitalization project and is either attached to or accessory to a use in a structure that was built prior to 1971.

Enacted Law Summary

Public Law 2013, chapter 140 allows the construction of a deck of up to 700 square feet in area over a river without meeting certain otherwise applicable water and wetland setback requirements if the proposed deck will be located within a downtown revitalization project and is either attached to or accessory to a use in a structure that was built prior to 1971.

LD 641 **An Act To Exempt Agriculture, Timber Harvesting and Public Employees from Certain Oversight in Shoreland Areas** **PUBLIC 242 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
SAVIELLO BLACK	OTP-AM	S-164

This bill provides for an exemption from the current law governing excavation activity in a shoreland zone. Current law requires an excavation contractor conducting excavation activity in a shoreland area to ensure that a person certified in erosion control practices is present at the site during earth-moving activity of one cubic yard or more. The bill provides that farmers using normal tilling practices are exempt from that requirement.

Committee Amendment "A" (S-164)

This amendment replaces the bill. It exempts persons engaged in agriculture or timber harvesting and certain municipal, state and federal employees from the law requiring that a person certified in erosion control practices be present during certain earth-moving activity in a shoreland area. It also adds a definition of "agriculture" to the laws governing mandatory shoreland zoning.

Enacted Law Summary

Public Law 2013, chapter 242 exempts persons engaged in agriculture or timber harvesting and certain municipal, state and federal employees from the law requiring that a person certified in erosion control practices be present during certain earth-moving activity in a shoreland area. It also adds a definition of "agriculture" to the laws governing mandatory shoreland zoning.

Public Law 2013, chapter 242 was enacted as an emergency measure effective June 12, 2013.

LD 642 **An Act To Exempt All-terrain Vehicle Trail Management from Storm Water Management Requirements** **PUBLIC 43**

Sponsor(s)	Committee Report	Amendments Adopted
SAVIELLO	OTP	

Current law exempts from review by the Department of Environmental Protection for a storm water permit a project that involves the development, construction and maintenance of the statewide snowmobile trail system as long as certain criteria are met. This bill extends that same exemption to all-terrain vehicle trails.

Enacted Law Summary

Current law exempts from review by the Department of Environmental Protection for a storm water permit a project

that involves the development, construction and maintenance of the statewide snowmobile trail system as long as certain criteria are met. Public Law 2013, chapter 43 extends that same exemption to all-terrain vehicle trails.

LD 674 **An Act To Clarify the Natural Resources Protection Act** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
LIBBY A COLLINS	ONTP	

This bill changes to 75 feet the setback for significant vernal pool habitat, high and moderate value inland waterfowl and wading bird habitat and shorebird nesting, feeding and staging areas. It also provides a mechanism to compensate landowners for the property value losses incurred as a result of more stringent setback or buffer zone regulations.

LD 694 **An Act To Clarify Solid Waste Policy Relating to State-owned Disposal Facilities** **PUBLIC 243**

Sponsor(s)	Committee Report	Amendments Adopted
CAIN DILL	OTP-AM	S-220

This bill:

1. Amends the declaration of policy in the laws governing waste management to provide that the Legislature finds that the highest and best use of a state-owned solid waste facility is for those permitted special wastes that cannot be handled by waste reduction, reuse and recycling;

2. Provides that a change in the type or volume of waste accepted by a facility requires approval by the Department of Environmental Protection and a public benefit determination;

3. Amends the laws governing public benefit determinations for solid waste disposal facilities; and

4. Applies to licenses or permits pending on the effective date of the Act.

Committee Amendment "A" (S-220)

This amendment replaces the bill. It provides that the Department of Environmental Protection may not process or act on an application for a new, modified or amended solid waste license for a solid waste disposal facility acquired by the State after January 1, 2007 until the facility has applied for and received a public benefit determination from the department. It provides that a solid waste disposal facility owned by the State before January 1, 2007 is deemed to hold a public benefit determination for the licensed disposal capacity at the facility on the effective date of the Act. In addition, for such facilities owned by the State before January 1, 2007, it authorizes the department to require an application for a modified public benefit determination if the department finds that a material change in the underlying facts or circumstances has occurred or is proposed. The amendment also clarifies that, regardless of the date of state ownership, the department may not process or act upon any application to expand a facility until the facility has applied for and received a public benefit determination.

Enacted Law Summary

Public Law 2013, chapter 243 provides that the Department of Environmental Protection may not process or act on an application for a new, modified or amended solid waste license for a solid waste disposal facility acquired by the State after January 1, 2007 until the facility has applied for and received a public benefit determination from the

department. It provides that a solid waste disposal facility owned by the State before January 1, 2007 is deemed to hold a public benefit determination for the licensed disposal capacity at the facility on the effective date of the Act. In addition, for such facilities owned by the State before January 1, 2007, it authorizes the department to require an application for a modified public benefit determination if the department finds that a material change in the underlying facts or circumstances has occurred or is proposed. It also clarifies that, regardless of the date of state ownership, the department may not process or act upon any application to expand a facility until the facility has applied for and received a public benefit determination.

LD 695 **An Act To Amend the Site Location of Development Laws** **PUBLIC 183**

Sponsor(s)	Committee Report	Amendments Adopted
BOYLE	OTP-AM	S-91
BLACK	OTP	
	ONTP	

This bill exempts from review under the laws governing site location of development new construction at or modification of an existing licensed development that is permitted if the additional disturbed area not to be revegetated does not exceed 20,000 square feet ground area in any calendar year and does not exceed 40,000 square feet ground area in total and the construction or modification does not involve a division of the parcel of land. The permittee is required to annually notify the Department of Environmental Protection of any new construction or modification undertaken during the previous 12 months. At the time of the annual notification, the permittee is required to provide to the department certified development plans for the new construction or modification that was undertaken pursuant to the exemption.

Committee Amendment "A" (S-91)

The bill exempts from review under the laws governing site location of development new construction at or modification of an existing licensed development that is permitted if the additional disturbed area not to be revegetated does not exceed 20,000 square feet ground area in any calendar year and does not exceed 40,000 square feet ground area in total and the construction or modification does not involve a division of the parcel of land. This amendment is the majority report of the committee and changes the square footage limits to 10,000 square feet ground area in any calendar year and 20,000 square feet ground area in total.

Enacted Law Summary

Public Law 2013, chapter 183 exempts from review under the laws governing site location of development new construction at or modification of an existing licensed development that is permitted if the additional disturbed area not to be revegetated does not exceed 10,000 square feet ground area in any calendar year and does not exceed 20,000 square feet ground area in total and the construction or modification does not involve a division of the parcel of land. The permittee is required to annually notify the Department of Environmental Protection of any new construction or modification undertaken during the previous 12 months. At the time of the annual notification, the permittee is required to provide to the department certified development plans for the new construction or modification that was undertaken pursuant to the exemption.

LD 735 **Resolve, Directing the Department of Environmental Protection To Add a Flame Retardant to the Lists of Chemicals of Concern and of High Concern** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
SAVIELLO	ONTP	

This resolve directs the Department of Environmental Protection to add chlorinated tris, which is a flame retardant chemical, to the list of chemicals of concern and the list of chemicals of high concern, pursuant to the Maine Revised Statutes, Title 38, sections 1693 and 1693-A, respectively, unless the Department of Health and Human Services, Maine Center for Disease Control and Prevention and the Department of Environmental Protection in concurrence with the Maine Center for Disease Control and Prevention, respectively, determines that chlorinated tris does not meet the statutory criteria.

LD 793 **An Act Clarifying the Department of Environmental Protection's Authority Relating to Compensation for Development Activity under the Natural Resources Protection Act** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
CAMPBELL R	ONTP OTP-AM	

This bill prohibits the Department of Environmental Protection from requiring one form of compensation for damages to wetlands or certain bird habitats resulting from a proposed development activity under the Natural Resources Protection Act if the applicant proposing the activity prefers an alternative form of compensation.

Committee Amendment "A" (H-143)

This amendment, which is the minority report of the committee, replaces the bill. The amendment clarifies that the Department of Environmental Protection may not require compensation in the form of restoration, enhancement, creation or preservation if an applicant provides a compensation fee and may not require a compensation fee if an applicant chooses to provide compensation in the form of restoration, enhancement, creation or preservation.

This amendment was not adopted.

LD 794 **An Act To Amend Setback Requirements and Standards Related to Species Migration under the Laws Regulating Development near Vernal Pools** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
CAMPBELL R BOYLE		

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to amend the laws regulating significant vernal pool habitat to account for species migration patterns. The bill proposes to change the area that is regulated as significant vernal pool habitat and the standards for development within the area regulated. Currently, pursuant to rules of the Department of Environmental Protection adopted pursuant to the Natural Resources Protection Act, the area regulated as significant vernal pool habitat includes the vernal pool depression and the area within a 250-foot radius of the spring or fall high-water mark of the depression.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 824 **Resolve, Directing the Department of Environmental Protection To Develop a Rural Land Use Development Process** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CAMPBELL J COLLINS	ONTP	

This resolve directs the Department of Environmental Protection to develop a rural land use development process that would exempt from state regulation the development in rural areas of certain land within significant wildlife habitat.

LD 825 **Resolve, To Study Climate Change and Implement the Recommendations of the Department of Environmental Protection Report on Climate Change** **VETO SUSTAINED**

Sponsor(s)	Committee Report	Amendments Adopted
NOON GRATWICK	OTP-AM ONTP	H-374

This resolve directs the Department of Environmental Protection to resume its study on climate change pursuant to Resolve 2009, chapter 16 and to submit a completed plan with necessary implementing legislation by February 27, 2015 to the joint standing committee of the Legislature having jurisdiction over environmental and natural resources matters. The joint standing committee is authorized to submit a bill to the First Regular Session of the 127th Legislature.

Committee Amendment "A" (H-374)

This amendment is the majority report of the committee and replaces the resolve. The amendment directs staff with planning expertise within the Department of Agriculture, Conservation and Forestry, within existing resources, to participate in a work group with other state agencies and interested parties to develop a plan to address high-priority recommendations provided in the report titled "People and Nature Adapting to a Changing Climate: Charting Maine's Course." The amendment directs the work group to submit a preliminary report by March 15, 2014 and a final report by January 15, 2015 to the joint standing committee of the Legislature having jurisdiction over environmental and natural resources matters. The joint standing committee is authorized to report out a bill to the First Regular Session of the 127th Legislature.

LD 844 **Resolve, To Require a Study of the Availability of Food Packaging without Bisphenol A** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
GIDEON CLEVELAND	ONTP	

This resolve requires the Department of Environmental Protection to determine practical and economically feasible food packaging alternatives that do not contain bisphenol A. The department is required to submit its findings to the Joint Standing Committee on Environment and Natural Resources, which may report out legislation to the Second Regular Session of the 126th Legislature in accordance with the department's recommendations.

LD 845 **An Act To Change the Classification of the Lower Androscoggin River** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
DAUGHTRY	ONTP OTP	

This bill changes from Class C to Class B the classification of the lower Androscoggin River from the Worumbo Dam in Lisbon Falls to a line formed by the extension of the Bath-Brunswick boundary across Merrymeeting Bay.

LD 877 **An Act To Establish Separate Geospatial Data Accounts for Use by the Maine Library of Geographic Information Board** **PUBLIC 122**

Sponsor(s)	Committee Report	Amendments Adopted
SAVIELLO KESCHL	OTP-AM ONTP	S-64 S-87 SAVIELLO

This bill establishes the Geospatial Data Reserve Fund. The fund will be used to continue projects established by the Maine Library of Geographic Information Board. Money in the fund used to purchase geospatial data must be matched by funding from other sources.

Committee Amendment "A" (S-64)

This amendment adds an appropriations and allocations section to the bill.

Senate Amendment "A" To Committee Amendment "A" (S-87)

This amendment eliminates the Geospatial Data Reserve Fund established by the bill. Instead, this amendment specifies that separate accounts must be established for use by the Office of Information Technology, Maine Library of Geographic Information Board. The amendment also replaces the appropriations and allocations section that appears in Committee Amendment "A."

Enacted Law Summary

Public Law 2013, chapter 122 establishes within the Office of Information Technology separate accounts to be administered by the Maine Library of Geographic Information Board. The funds will be used to continue projects established by the board. Money in the accounts used to purchase geospatial data must be matched by funding from other sources.

LD 902 **Resolve, Regarding Legislative Review of Portions of Chapter 882: Designation of Bisphenol A as a Priority Chemical and Regulation of Bisphenol A in Children's Products, a Major Substantive Rule of the Department of Environmental Protection** **RESOLVE 44 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
	OTP	

This resolve provides for legislative review of portions of Chapter 882: Designation of Bisphenol A as a Priority Chemical and Regulation of Bisphenol A in Children's Products, a major substantive rule of the Department of

Environmental Protection.

Enacted Law Summary

Resolve 2013, chapter 44 provides for legislative review of portions of Chapter 882: Designation of Bisphenol A as a Priority Chemical and Regulation of Bisphenol A in Children's Products, a major substantive rule of the Department of Environmental Protection.

Resolve 2013, chapter 44 was finally passed as an emergency measure effective June 4, 2013.

LD 907 **An Act To Encourage Recycling** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
STANLEY	ONTP	

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

This bill proposes to impose a fee of $15 per ton on the disposal of solid waste at solid waste disposal facilities and solid waste processing facilities. The fee is also imposed on the movement of solid waste from one solid waste facility to another solid waste facility. Under the bill, no category of solid waste may be exempted from the fee and the fee must be paid to the State. Revenue from the fee must be distributed as follows.

1. The first priority must be given to providing grants to municipalities for costs related to the fee:

   A. For recyclable materials, a municipality may receive grants equal to 1.3 times the fee paid by the municipality for disposal of the recyclable materials;

   B. For all other materials, a municipality may receive grants equal to the fee paid by the municipality for disposal of the materials; and

   C. The total grants awarded to municipalities may not exceed the total revenue collected from the $15 per ton fee.

2. Revenue in excess of municipal grants must be distributed to school districts. The amount distributed to each school district must be computed by dividing the revenue from the fee in excess of grants to municipalities by the total number of students in prekindergarten to 12th grade in the State and multiplying the quotient by the number of students in the school district.

LD 966 **An Act To Clarify an Exemption to the Municipal Subdivision Laws** **PUBLIC 126**

Sponsor(s)	Committee Report	Amendments Adopted
MORIARTY KATZ	OTP	

This bill amends the subdivision law exemption for transfers to abutting landowners. The bill provides that a parcel of land created by a division that is transferred to an owner abutting that parcel is not subject to municipal subdivision review and regulation.

Enacted Law Summary

Public Law 2013, chapter 126 amends the subdivision law exemption for transfers to abutting landowners. It provides that a parcel of land created by a division that is transferred to an owner abutting that parcel is not subject to municipal subdivision review and regulation.

LD 1028 **Resolve, Authorizing a Visual Impact Assessment of Roxbury Pond and Webb Lake** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BRIGGS PATRICK	ONTP	

This resolve directs the Department of Environmental Protection to authorize a visual impact assessment be done by an independent 3rd party to review the scenic and visual attributes of Roxbury Pond in the Town of Roxbury, Oxford County and Webb Lake in the Town of Weld, Franklin County.

LD 1050 **An Act Requiring the Labeling of Food Packaging That Contains Bisphenol A** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
DEVIN	ONTP OTP-AM	

This bill requires that products containing bisphenol A, or BPA, that are designed to hold or contain products that are ingested or consumed by humans must be labeled as containing BPA.

Committee Amendment "A" (H-210)

This amendment is the minority report of the committee. It adds an appropriations and allocations section.

This amendment was not adopted.

LD 1058 **Resolve, Directing the Department of Environmental Protection To Set the Motor Vehicle Fuel Volatility Level for the State** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
LIBBY A TUTTLE	ONTP	

This bill directs the Department of Environmental Protection to adopt rules to allow gasoline with a Reid Vapor Pressure of 9.0 psi to be sold in all counties of the State year-round.

LD 1059 **An Act To Protect Maine's Environment and Natural Resources Jeopardized by Mining** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
CHIPMAN	ONTP OTP-AM	

This bill repeals changes to the mining laws enacted in 2012 and scheduled to take effect June 1, 2014 and authorizes the Maine Land Use Planning Commission and the Department of Environmental Protection to adopt emergency rules as necessary.

Committee Amendment "A" (H-375)

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

This amendment was not adopted.

LD 1080 **An Act To Improve Efficiency in the Collection of Beverage Containers** **PUBLIC 275**

Sponsor(s)	Committee Report	Amendments Adopted
HAMPER	OTP-AM	S-116

This bill:

1. Requires that collections from redemption centers be made by a distributor or commingling group of distributors every 15 days and requires additional pickups to be made when the redemption center has more than 10,000 beverage containers from that distributor or group of distributors;

2. Establishes a process for audits of plastic bags containing beverage containers submitted for acceptance to a distributor; and

3. Provides that the licensing provisions apply to all licensed redemption centers, notwithstanding any other provision of law to the contrary.

Committee Amendment "A" (S-116)

This amendment strikes the provision in the bill that establishes a process for audits of plastic bags containing beverage containers submitted for acceptance to a distributor and adds a requirement that the Department of Agriculture, Conservation and Forestry adopt rules for conducting audits on containers presented to distributors by redemption centers as ready for redemption. The amendment strikes the provision in the bill relating to the counting of all redemption centers when calculating the number of centers in a municipality. The amendment retains the provisions in the bill requiring that collections from redemption centers be made every 15 days and additional pickups be made when the redemption center has more than 10,000 beverage containers. The amendment also adds an appropriations and allocations section to the bill.

Enacted Law Summary

Public Law 2013, chapter 275 requires that collections from redemption centers be made by a distributor or commingling group of distributors every 15 days and requires additional pickups to be made when the redemption center has more than 10,000 beverage containers from that distributor or group of distributors. It also requires the Department of Agriculture, Conservation and Forestry to adopt rules for conducting audits on containers presented to distributors by redemption centers as ready for redemption.

LD 1102 **An Act Regarding Reconstruction of Residential Structures on Sand Dunes** **PUBLIC 277 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
GOODALL WELSH	OTP-AM	S-132

This bill provides standards for the reconstruction in a frontal sand dune of an existing residential structure whose entire footprint is in a back dune on the same lot.

Committee Amendment "A" (S-132)

This amendment amends the bill's emergency preamble and replaces the rest of the bill. It repeals Public Law 2011, chapter 538, section 15 and directs the Department of Environmental Protection to repeal rules adopted pursuant to that law. The bill provides statutory standards for certain reconstruction in a coastal sand dune. The amendment strikes the statutory standards proposed in the bill and instead authorizes the department to adopt new rules and identifies the standards the department must use in that rulemaking.

Enacted Law Summary

Public Law 2013, chapter 277 repeals Public Law 2011, chapter 538, section 15 and directs the Department of Environmental Protection to repeal rules adopted pursuant to that law. Chapter 277 also authorizes the department to adopt new rules and identifies the standards the department must use in that rulemaking.

Public Law 2013, chapter 277 was enacted as an emergency measure effective June 18, 2013.

LD 1121 **An Act To Promote the Production of Maine Beverages** **PUBLIC 259**

Sponsor(s)	Committee Report	Amendments Adopted
JONES	OTP-AM	H-397

This bill expands the exemption from the returnable beverage container laws for small brewers and small bottlers of water to all manufacturers of beverages who produce no more than 50,000 gallons of product.

Committee Amendment "A" (H-397)

This amendment, which replaces the bill, retains in the returnable beverage container laws the exemptions for small bottlers and brewers and adds an exemption for small manufacturers.

Enacted Law Summary

Public Law 2013, chapter 259 retains in the returnable beverage container laws the exemptions for small bottlers of water and small brewers and adds an exemption for manufacturers who produce no more than 50,000 gallons of product in a calendar year.

LD 1135 **An Act To Provide Consistency in the Regulation of Motorized Recreational Gold Prospecting** **PUBLIC 260**

Sponsor(s)	Committee Report	Amendments Adopted
BLACK SAVIELLO	OTP-AM	H-373

This bill exempts motorized recreational gold prospecting from the permit requirements of the Natural Resources Protection Act. It identifies criteria that must be met in order to undertake the activity without a permit. The bill directs the Department of Environmental Protection and the Maine Land Use Planning Commission to each adopt rules identifying specific waters in which the activity is not allowed.

Committee Amendment "A" (H-373)

This amendment changes the horsepower and hose size of the equipment that may be used in motorized recreational gold prospecting. It strikes the provision of the bill that identifies waters where motorized recreational gold prospecting is prohibited and replaces it with authorization for the Department of Environmental Protection and the Department of Agriculture, Conservation and Forestry, Maine Land Use Planning Commission to adopt rules identifying specific waters in which the activity is not allowed. The amendment also authorizes the Joint Standing Committee on Environment and Natural Resources to report out a bill related to motorized recreational gold prospecting to the Second Regular Session of the 126th Legislature.

Enacted Law Summary

Public Law 2013, chapter 260 exempts motorized recreational gold prospecting from the permit requirements of the Natural Resources Protection Act if specified criteria are met. It authorizes the Department of Environmental Protection and the Department of Agriculture, Conservation and Forestry, Maine Land Use Planning Commission to adopt rules identifying specific waters in which the activity is not allowed. It also authorizes the Joint Standing Committee on Environment and Natural Resources to report out a bill related to motorized recreational gold prospecting to the Second Regular Session of the 126th Legislature.

LD 1178 **An Act To Encourage the Use of Biofuels in the State** **PUBLIC 124**

Sponsor(s)	Committee Report	Amendments Adopted
SAVIELLO	OTP ONTP	

This bill requires that a seller of biomass-based diesel blend or biodiesel blend provide documentation of the amount of biofuel in the blended products at the time of sale. It provides that a transferee of these blended products is not liable for failing to verify the accuracy of the information included in any transfer document or for any other liability arising from the transferee's reliance on such information.

Enacted Law Summary

Public Law 2013, chapter 124 requires that a seller of biomass-based diesel blend or biodiesel blend provide documentation of the amount of biofuel in the blended products at the time of sale. It provides that a transferee of these blended products is not liable for failing to verify the accuracy of the information included in any transfer document or for any other liability arising from the transferee's reliance on such information.

LD 1181 **An Act To Further Strengthen the Protection of Pregnant Women and Children from Toxic Chemicals** **VETO SUSTAINED**

Sponsor(s)	Committee Report	Amendments Adopted
GOODALL	OTP-AM	S-310
EVES	OTP-AM	S-353 HILL

This bill amends the laws governing toxic chemicals in children's products. The bill defines "contaminant" and adds a publication of an authoritative state agency to the definition of "credible scientific evidence." The bill

requires the Commissioner of Environmental Protection to name 2 additional priority chemicals annually beginning January 1, 2014, unless the criteria for such designation is not met. The bill requires reporting of chemical use for chemicals of high concern in children's products. The bill requires assessments of safer alternatives to priority chemicals in children's products by manufacturers or distributors. The bill repeals the exemption of food and beverage packaging not intended for children under 3 years of age. The bill authorizes the Board of Environmental Protection to require product labeling if it cannot make the findings necessary to prohibit sale of a children's product containing a priority chemical. The bill requires the department to amend its existing priority chemical rules to require alternatives assessments for reported uses of nonylphenol ethoxylates, and to require reporting of bisphenol A use in food can packaging.

Committee Amendment "A" (S-310)

This amendment is the majority report of the committee and replaces the bill. The amendment does the following.

1. It adds a publication of an authoritative state agency to the definition of "credible scientific evidence."

2. It authorizes the Department of Environmental Protection to specify by rule the practical quantification limit for a chemical based on standard industry practice and credible scientific evidence.

3. It establishes a process for considering revisions to the lists of chemicals of concern, chemicals of high concern and priority chemicals.

4. It authorizes the Department of Environmental Protection to adopt rules to require reporting of chemical use for chemicals of high concern in children's products.

5. It authorizes the Department of Environmental Protection to contract for an independent alternatives assessment for priority chemicals without first requesting one from manufacturers or distributors of children's products.

6. It requires manufacturers and distributors of food and beverage products with annual sales greater than $1,000,000,000 to report their use of priority chemicals in containers and packaging to the Department of Environmental Protection by January 1, 2014 and annually thereafter.

7. It directs the Department of Environmental Protection to establish a 30-day period each year during which persons may submit information on the topic of toxic chemicals in children's products.

8. It requires the annual publication of the list of chemicals of high concern on the Department of Environmental Protection's publicly accessible website.

9. It authorizes the Department of Environmental Protection to publish on the department's publicly accessible website a list of children's products that do not contain priority chemicals or chemicals of high concern.

10. It directs the Department of Environmental Protection to consult with the Department of Health and Human Services, Maine Center for Disease Control and Prevention by January 3, 2014 to review information regarding chemicals in children's products and consider appropriate actions. It also authorizes the Joint Standing Committee on Environment and Natural Resources to report out a bill relating to a briefing by the department on the laws governing toxic chemicals in children's products.

11. It adds an appropriations and allocations section.

Committee Amendment "B" (S-311)

This amendment is the minority report of the committee and replaces the bill. The amendment does the following.

1. It authorizes the Department of Environmental Protection to specify by rule an alternatives analysis threshold for

a chemical for the purpose of determining the de minimis level of the chemical.

2. It establishes a process for considering revisions to the lists of chemicals of high concern and priority chemicals.

3. It establishes a process for petitioning for removal of a chemical from the list of chemicals of high concern.

4. It authorizes the Department of Environmental Protection to contract for an independent alternatives assessment for priority chemicals without first requesting one from manufacturers or distributors of children's products.

5. It directs the Department of Environmental Protection to establish a 30-day period each year during which persons may submit information on the topic of toxic chemicals in children's products.

6. It requires the annual publication of the list of chemicals of high concern on the Department of Environmental Protection's publicly accessible website.

7. It directs the Department of Environmental Protection to consult with the Department of Health and Human Services, Maine Center for Disease Control and Prevention by January 3, 2014 to review information regarding chemicals in children's products and consider appropriate actions. It also authorizes the Joint Standing Committee on Environment and Natural Resources to report out a bill relating to a briefing by the department on the laws governing toxic chemicals in children's products.

8. It adds an appropriations and allocations section.

This amendment was not adopted.

Senate Amendment "A" To Committee Amendment "A" (S-353)

This amendment eliminates the fiscal impact of Committee Amendment "A" on the Department of Environmental Protection by:

1. Deleting the mandate that the department respond to petitions from industry to establish alternative reporting thresholds for chemicals in products;

2. Deleting the mandate that the department respond to information submitted in support of adding chemicals to the lists of chemicals of concern, chemicals of high concern and priority chemicals;

3. Deleting the mandate that the department expand its education and assistance program and consult with the Maine Center for Disease Control and Prevention to review available information and consider further actions on chemicals in children's products;

4. Preventing the department from exercising its expanded discretionary authority before July 1, 2015 to adopt rules to require manufacturers and distributors to report to the State on their use of chemicals of high concern in children's products;

5. Limiting the scope of reporting of priority chemicals in food and beverage packaging to only the largest manufacturers by deleting "distributors" from the reporting requirements; and

6. Requiring the department to carry out the remaining provisions of the bill within existing resources and through use of its existing authority to assess fees on product manufacturers and distributors.

LD 1186 **An Act To Allow Removal of Trees for Shoreline Stabilization Adjacent to Coastal Wetlands under the Natural Resources Protection Act** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CAMPBELL R MASON G	ONTP	

This bill provides an exemption to the permitting requirements of the Natural Resources Protection Act. It allows for the cutting or clearing of a shrub, tree or other woody vegetation without a permit if the shrub, tree or other woody vegetation has the condition of being naturally uprooted or partially uprooted and this condition threatens sedimentation in or the stability or erosion of a shoreline of a coastal wetland.

LD 1212 **An Act To Prohibit Coal Tar Pavement Products** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
DAUGHTRY MILLETT	ONTP OTP	

This bill prohibits the sale and use of coal tar pavement products.

LD 1292 **An Act To Minimize the Use of Plastic Bags** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
MCGOWAN	ONTP OTP-AM	

This bill requires a retailer to assess a 10¢ 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-246)

This amendment is the minority report of the committee. It changes from 10¢ to 5¢ the surcharge the bill requires a retailer to assess for a plastic bag designed for one-time use and distributed to a customer at the point of retail sale. The amendment also adds an appropriations and allocations section.

This amendment was not adopted.

LD 1302 **An Act To Amend the Maine Metallic Mineral Mining Act To Protect Water Quality** **DIED BETWEEN HOUSES**

Sponsor(s)	Committee Report	Amendments Adopted
MCCABE	OTP-AM	
WOODBURY	OTP-AM	

This bill makes changes to the Maine Metallic Mineral Mining Act.

1. It prohibits the Department of Environmental Protection from issuing a permit for surface or open pit mining in a sulfide ore body unless the applicant has previously operated a mining operation that meets certain conditions. It also requires the department to submit a report to the joint standing committee of the Legislature having jurisdiction over metallic mineral mining matters recommending whether or not the prohibition should be repealed. The report must be submitted within 3 months after the department has issued a permit for surface or open pit mining of a sulfide ore body.

2. It amends the approval criteria related to water quality by requiring that discharges of pollutants from the mining operation will not violate applicable water quality standards and it prohibits the issuance of a permit if the mining operation will result in the contamination of groundwater or surface water requiring treatment beyond 10 years after cessation of mining operations.

3. It amends the standards for monitoring groundwater.

4. It requires financial assurance to be fulfilled through creation of a trust fund.

Committee Amendment "A" (H-304)

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

1. Includes a definition of "activity unit";

2. Provides that a mining area may include more than one activity unit;

3. Requires that compliance monitoring wells be located as close as physically practicable to an activity unit being monitored for groundwater contamination;

4. Removes a directive to the Department of Environmental Protection to establish standards for monitoring groundwater as close as practicable to any mining area that may pose a threat to groundwater;

5. Amends approval criteria to provide that discharges to groundwater may occur within an activity unit. It strikes the current law that provides that discharges to groundwater may occur within a mining area, but such discharges may not result in contamination of groundwater beyond each mining area;

6. Requires an application to include assurance that the mining operation will meet all state and federal environmental requirements without requiring water treatment beyond 10 years after closure;

7. Adds to the approval criteria to require that the department find the mining operation is designed to meet all state and federal environmental requirements without requiring water treatment beyond 10 years after closure;

8. Requires an application to include a waste rock management plan;

9. Adds to the approval criteria to require that the department find the mining operation is designed to ensure that waste rock is not used in the construction of roads;

10. Requires an application to include information related to the number and types of jobs expected to be created;

11. For an application for a mining operation in a sulfide ore body, requires an application to include information related to 3 responsible mining operations;

12. Requires an application to include an estimate of the costs to close the mining operation, including estimated costs sufficient for the department to undertake the activities and measures specified in the financial assurance requirements, and a 3rd-party verification of the adequacy of the estimate;

13. Amends the financial assurance provisions to require that financial assurance must be provided before any construction may begin;

14. Provides that the financial assurance instruments must provide the total amount of the required financial assurance upon demand of the State to cover the costs for activities necessary for the investigation, monitoring, closure, treatment, remediation, reclamation, operation and maintenance and any other necessary environmental protection measures;

15. Requires a permittee to provide the department with notice prior to the expiration of a financial assurance instrument and the renewal and execution of an instrument; and

16. Requires the establishment of a standby trust fund, except when a trust is the financial assurance instrument used.

This amendment was not adopted.

Committee Amendment "B" (H-305)

This amendment is the minority report of the committee and replaces the bill. The amendment authorizes the Department of Environmental Protection to use outside parties to review applications for mining permits. It requires an applicant to submit a mining operations closure plan that demonstrates to the satisfaction of the department that applicable environmental requirements will be met without requiring more than 30 years of active water treatment for water discharged from the site. It specifies that a waste rock management plan must be submitted with an application.

This amendment was not adopted.

LD 1308 **An Act To Establish a Stewardship Program for Architectural Paint** **PUBLIC 395**

Sponsor(s)	Committee Report	Amendments Adopted
SAVIELLO	OTP-AM	S-270
	ONTP	S-296 SAVIELLO

This bill establishes a product stewardship program for architectural paints sold in the State. Under the program, consumers are able to return their unused architectural paint to designated locations throughout the State for recycling and proper disposal. The collection, transportation and recycling of paint is managed by architectural paint manufacturers or a designated representative organization. The program is financed by a stewardship assessment on architectural paint sold in the State.

Committee Amendment "A" (S-270)

This amendment is the majority report of the committee. It amends provisions in the bill related to paint stewardship plans, approval of paint stewardship plans, a paint stewardship assessment and operation of a paint stewardship program. The changes include:

1. Provisions authorizing the Commissioner of Environmental Protection to approve a plan that does not meet the geographic coverage requirement in the bill;

2. Provisions related to universal waste requirements;

3. Additional annual reporting requirements;

4. Provisions for proprietary information to be designated as confidential. The provisions provide that proprietary information submitted to the Department of Environmental Protection must be handled by the department in the same manner as confidential information is handled under the Maine Revised Statutes, Title 38, section 1310-B. Although section 1310-B, in part, governs the handling of confidential hazardous waste information, the reference to section 1310-B in the amendment is not intended to limit the applicability of the confidentiality provisions in the amendment to hazardous waste information but to provide a process for how proprietary information is to be handled; and

5. An exemption from requirements in other laws related to product stewardship programs.

The amendment also adds an appropriations and allocations section.

Senate Amendment "A" To Committee Amendment "A" (S-296)

This amendment specifies that the annual fee set by the Department of Environmental Protection for the paint stewardship program must cover the actual costs of the program, including administration. This amendment also caps the fee at the greater of $82,000 per year and 1% of total program costs. The amendment also replaces the appropriations and allocations section in Committee Amendment "A."

Enacted Law Summary

Public Law 2013, chapter 395 establishes a product stewardship program for architectural paints sold in the State. Under the program, consumers are able to return their unused architectural paint to designated locations throughout the State for recycling and proper disposal. The collection, transportation and recycling of paint is managed by architectural paint manufacturers or a designated representative organization. The program is financed by a stewardship assessment on architectural paint sold in the State.

LD 1324 **An Act To Protect Local Communities When a Mining Project Is Terminated**

ACCEPTED MAJORITY (ONTP) REPORT

Sponsor(s)	Committee Report	Amendments Adopted
KRUGER	ONTP OTP-AM	

This bill returns to the Mining Oversight Fund the purposes of corrective action that were removed in amendments to the laws governing the fund, which was originally called the Mining Corrective Action Fund, that take effect in 2014, to assist municipalities remediating environmental problems that occur at mine sites following termination of mining operations.

Committee Amendment "A" (H-303)

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

This amendment was not adopted.

LD 1335 **An Act To Implement Recommendations of the Department of Environmental Protection Concerning Product Stewardship in Maine** **PUBLIC 315**

Sponsor(s)	Committee Report	Amendments Adopted
	OTP-AM	H-470

This bill is reported out by the Joint Standing Committee on Environment and Natural Resources pursuant to the Maine Revised Statutes, Title 38, section 1773. The bill incorporates the recommendations of the Department of Environmental Protection. The Joint Standing Committee on Environment and Natural Resources has not taken a position on the substance of the recommendations or the bill. The committee is reporting the bill out for the sole purpose of turning the department's proposal into a printed bill that can be referred to the committee for an appropriate public hearing and subsequent processing in the normal course. The committee is taking this action to ensure clarity and transparency in the legislative review of the department's proposal. The bill establishes a framework for the implementation of product stewardship programs. The bill provides that a product stewardship program established for products designated by the Legislature for inclusion in a product stewardship program must be established and implemented in accordance with the provisions of the bill.

The bill also makes changes to the law concerning the recycling of cellular telephones. It repeals the requirement that retailers that sell cellular telephones accept used cellular telephones from any person. It also removes reporting requirements that ended in February 2013.

Committee Amendment "A" (H-470)

This amendment changes the reporting dates for reports related to the thermostat collection and recycling program and the mercury-added lamp recycling program and authorizes the department to include the reports in the product stewardship report in the bill. The amendment clarifies the provision in the bill related to the confidentiality of proprietary information that provides that proprietary information submitted to the Department of Environmental Protection must be handled by the department in the same manner as confidential information is handled under the Maine Revised Statutes, Title 38, section 1310-B. Although section 1310-B, in part, governs the handling of confidential hazardous waste information, the reference to section 1310-B in the amendment is not intended to limit the applicability of the confidentiality provisions in the amendment to hazardous waste information but to provide a process for how the proprietary information is to be handled. The amendment also strikes the provisions in the bill that repeal the requirement for retailers to collect used cell phones and a related report and instead requires the report to be included with the product stewardship report in the bill.

Enacted Law Summary

Public Law 2013, chapter 315 establishes a framework for the implementation of product stewardship programs. It provides that a product stewardship program established for products designated by the Legislature for inclusion in a product stewardship program must be established and implemented in accordance with the provisions of chapter 315. It also changes the reporting dates for reports related to the thermostat collection and recycling program and the mercury-added lamp recycling program and authorizes the department to include those reports and a report related to the collection system for used cellular telephones in the product stewardship report required pursuant to chapter 315.

LD 1340 **An Act To Ensure Maine's Preparedness for Hazardous Oil Spills** **PUBLIC 349**

Sponsor(s)	Committee Report	Amendments Adopted
TIPPING-SPITZ BOYLE	OTP-AM ONTP	H-301

This bill amends the laws governing the Maine Coastal and Inland Surface Oil Clean-up Fund to:

1. Require a person transporting crude oil by rail or highway to pay an assessment of 3¢ per barrel of crude oil being transported; currently, the assessment is imposed only on a person transporting refined oil; and

2. Authorize the Commissioner of Environmental Protection, through rulemaking, to impose a surcharge of up to 50% of the assessment if the balance in the fund is reduced to $2,000,000 or less and the surcharge is necessary to avoid a shortfall. The surcharge remains in place until the balance in the fund reaches $5,000,000.

Committee Amendment "A" (H-301)

This amendment is the majority report of the committee. It strikes the provision in the bill that authorizes the Commissioner of Environmental Protection to impose a surcharge of up to 50% of the assessment paid on the transportation and transfer of oil in the State.

Enacted Law Summary

Public Law 2013, chapter 349 amends the laws governing the Maine Coastal and Inland Surface Oil Clean-up Fund to require a person transporting crude oil by rail or highway to pay an assessment of 3¢ per barrel of crude oil being transported; currently, the assessment is imposed only on a person transporting refined oil.

LD 1359 **An Act To Update and Simplify Maine Gasoline Requirements** **PUBLIC 221**
EMERGENCY

Sponsor(s)	Committee Report	Amendments Adopted
TUTTLE	OTP-AM	S-107

This bill, beginning January 1, 2014, requires a retailer who sells gasoline in York, Cumberland, Sagadahoc, Androscoggin, Kennebec, Knox or Lincoln County to sell only reformulated gasoline in those counties. It also directs the Department of Environmental Protection to study the feasibility of the use of a single type of gasoline throughout the State and report to the Joint Standing Committee on Environment and Natural Resources by December 4, 2013. The committee may report out a bill on the subject matter of the department's report to the Second Regular Session of the 126th Legislature.

Committee Amendment "A" (S-107)

This amendment adds an emergency preamble and clause. The amendment changes, from January 1, 2014 to May 1, 2014, the date on and after which retailers who sell gasoline in 7 southern counties may sell only reformulated gasoline, and makes a technical change to the section number to remove a conflict with recently enacted law. The amendment retains the requirement that the Department of Environmental Protection study the feasibility of the use of a single type of gasoline throughout the State.

Enacted Law Summary

Public Law 2013, chapter 221, beginning May 1, 2014, requires a retailer who sells gasoline in York,

Cumberland, Sagadahoc, Androscoggin, Kennebec, Knox or Lincoln County to sell only reformulated gasoline in those counties. It also directs the Department of Environmental Protection to study the feasibility of the use of a single type of gasoline throughout the State and report to the Joint Standing Committee on Environment and Natural Resources by December 4, 2013. The committee may report out a bill on the subject matter of the department's report to the Second Regular Session of the 126th Legislature.

Public Law 2013, chapter 221 was enacted as an emergency measure effective June 11, 2013.

LD 1362 **Resolve, To Establish a Moratorium on the Transportation of Tar Sands** **VETO SUSTAINED**

Sponsor(s)	Committee Report	Amendments Adopted
CHIPMAN GRATWICK	OTP-AM	H-428 H-543 CHIPMAN

This resolve establishes a 2-year moratorium on the transportation of petroleum products derived from bituminous sands, also known as tar sands, and directs the Department of Environmental Protection to study the potential effects on the State of the transportation of petroleum products derived from bituminous sands, including the effects on the health and safety of the public and the environment and the potential cost of remediation of an oil spill.

Committee Amendment "A" (H-428)

This amendment replaces the resolve. Currently, the Department of Environmental Protection is conducting a department-initiated review of the environmental and public health and safety risks associated with unrefined bituminous tar sands oil. This amendment requires the department to continue that review and specifies areas upon which the review must be focused. The department is directed to report by January 31, 2014 on the progress of the review to the Joint Standing Committee on Environment and Natural Resources, and the joint standing committee is authorized to submit a bill to the Second Regular Session of the 126th Legislature. The amendment also adds an appropriations and allocations section.

House Amendment "A" To Committee Amendment "A" (H-543)

This amendment provides that the Department of Environmental Protection shall continue its current review of the handling and transportation of unrefined bituminous tar sands oil and changes the elements that are subject to review. The amendment provides that the department provide a briefing to the Joint Standing Committee on Environment and Natural Resources rather than a report. The amendment also strikes the appropriations and allocations section in Committee Amendment "A."

LD 1363 **Resolve, To Ensure Landfill Capacity and Promote Recycling** **RESOLVE 46**

Sponsor(s)	Committee Report	Amendments Adopted
CHIPMAN PATRICK	OTP-AM ONTP	H-182

This bill amends the definition of waste generated in the State by providing that residue and bypass must have been generated from waste that originated in the State to be considered waste generated in the State. The bill also allows municipalities to enact ordinances with respect to solid waste facilities that contain standards that are stricter than state law. The bill also imposes a one-year moratorium on the issuance of licenses for expanded landfills. It directs the Department of Environmental Protection to study and identify best practices to reduce the amount of solid waste disposed in landfills, increase recycling of solid waste and generate revenue from recycling for municipalities. The department is required to report its findings to the Joint Standing Committee on Environment and Natural

Resources.

Committee Amendment "A" (H-182)

This amendment is the majority report of the committee and replaces the bill with a resolve. The amendment imposes a moratorium on the issuance of licenses to expand solid waste disposal facilities that are landfills until after April 30, 2014. The moratorium applies to applications filed after the effective date of the legislation.

Enacted Law Summary

Resolve 2013, chapter 46 imposes a moratorium on the issuance of licenses to expand solid waste disposal facilities that are landfills until after April 30, 2014. The moratorium applies to applications filed after the effective date of chapter 46.

LD 1427 **An Act To Establish a Resource and Development Coordinating Council** **VETO SUSTAINED**

Sponsor(s)	Committee Report	Amendments Adopted
BOYLE PEOPLES	OTP ONTP	

This bill establishes the Resource and Development Coordinating Council to promote interagency coordination of the State's activities regarding natural resource management, land use and development and to identify and coordinate the resolution of policy and program conflicts among government agencies. The council submits a report every 2 years to the Governor and the joint standing committee of the Legislature having jurisdiction over natural resources matters.

LD 1430 **An Act To Clarify the Permitted Use of Aquatic Pesticides** **PUBLIC 193**

Sponsor(s)	Committee Report	Amendments Adopted
SAVIELLO	OTP ONTP	

This bill addresses a federal court decision under which all discharges of pesticides to waters of the United States are now required to obtain a National Pollutant Discharge Elimination System permit. Previously certain discharges of pesticides were exempt as long as the application of the pesticide was managed in accordance with the Federal Insecticide, Fungicide and Rodenticide Act. This bill allows the Department of Environmental Protection to issue permits for certain discharges of pesticides to waters where discharges are currently generally prohibited: Class AA, A, SA and GPA waters, tributaries of Class GPA waters and waters having a drainage area of less than 10 square miles. The discharges of pesticides that may be approved under this bill are discharges that are:

1. Unintended and an incidental result of the spraying of pesticides;

2. Applied in compliance with federal labeling restrictions; and

3. Applied in compliance with statute, Board of Pesticides Control rules and best management practices.

Enacted Law Summary

Public Law 2013, chapter 193 allows the Department of Environmental Protection to issue permits for certain discharges of pesticides to waters where discharges are currently generally prohibited: Class AA, A, SA and GPA waters, tributaries of Class GPA waters and waters having a drainage area of less than 10 square miles. The

discharges of pesticides that may be approved under this bill are discharges that are:

1. Unintended and an incidental result of the spraying of pesticides;

2. Applied in compliance with federal labeling restrictions; and

3. Applied in compliance with statute, Board of Pesticides Control rules and best management practices.

LD 1483 **An Act To Promote and Enhance State Policy To Preserve and Support Existing Methods of Disposal of Municipal Solid Waste** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
CAIN STANLEY		

The purpose of this bill is to assist in the stabilization of the statutorily established solid waste management hierarchy, to promote and strengthen the waste management system in the State and to enhance the continued operation of the existing waste processing incineration facilities located in the State. This bill directs the Department of Environmental Protection to:

1. Impose on each licensed landfill a solid waste stabilization assessment on all solid waste, including, but not limited to, household and commercially sourced solid waste and all other material deposited at the licensed landfill;

2. Deposit solid waste stabilization assessment funds in a solid waste stabilization account within the Maine Solid Waste Management Fund;

3. Disburse the funds from the solid waste stabilization account through periodic payments to qualified municipalities and recycling and composting programs located in the State; and

4. Develop a process to maximize the use of existing incineration facilities in the State and increase the amount of Maine-sourced solid waste that is processed at those facilities annually and report its recommendations to the Joint Standing Committee on Energy, Utilities and Technology by January 1, 2014.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1490 **An Act To Amend the Mandatory Shoreland Zoning Laws** **PUBLIC 320**

Sponsor(s)	Committee Report	Amendments Adopted
SHERMAN	OTP-AM OTP-AM ONTP	S-211

This bill makes the following changes to the laws governing mandatory shoreland zoning.

1. It changes the laws regulating the circumstances under which nonconforming structures in the shoreland zone may be expanded.

2. It changes the basis of measurement for the "height of a structure" from the downhill side of the structure to the uphill side of the structure.

3. It provides for exemptions from the current law governing excavation activity in a shoreland zone.

4. It eliminates the requirement that a code enforcement officer report essential transactions to the Department of Environmental Protection.

5. It amends the standards governing clearing of vegetation to create consistency between the statutory provisions and rules and provides an exemption from certain standards for remediation activities in specific shoreland zoning districts.

6. It adds definitions of "agriculture" and "footprint" and changes other definitions.

Committee Amendment "A" (S-211)

This amendment is the majority report of the committee.

1. It strikes the change to the definition of "height of a structure" proposed in the bill.

2. It amends the definition of "structure" to exclude poles, wiring and other aerial equipment normally associated with telephone or electrical utility lines.

3. It amends the standards related to the clearing of vegetation in the laws governing shoreland zoning and provides exceptions to those standards.

Committee Amendment "B" (S-212)

This amendment is the minority report of the committee. This report differs from the majority report in that it does not strike the change to the definition of "height of a structure" that is proposed in the bill.

1. It amends the definition of "structure" to exclude poles, wiring and other aerial equipment normally associated with telephone or electrical utility lines.

2. It amends the standards related to the clearing of vegetation in the laws governing shoreland zoning and provides exceptions to those standards.

This amendment was not adopted.

Enacted Law Summary

Public Law 2013, chapter 320 makes the following changes to the laws governing mandatory shoreland zoning.

1. It changes the laws regulating the circumstances under which nonconforming structures in the shoreland zone may be expanded.

2. It provides for exemptions from the current law governing excavation activity in a shoreland zone.

3. It eliminates the requirement that a code enforcement officer report essential transactions to the Department of Environmental Protection.

4. It amends the standards governing clearing of vegetation to create consistency between the statutory provisions and rules and provides an exemption from certain standards for remediation activities in specific shoreland zoning districts.

5. It adds definitions of "agriculture" and "footprint" and changes other definitions.

LD 1497 **An Act To Make Minor Changes and Corrections to Statutes Administered by the Department of Environmental Protection** **PUBLIC 300**

Sponsor(s)	Committee Report	Amendments Adopted
WELSH	OTP-AM OTP	H-300

This bill makes the following changes to the laws administered by the Department of Environmental Protection.

1. It removes references to the Land and Water Resources Council.

2. It removes a requirement that notice of environmental agency adjudicatory proceedings must include issuance of press releases and public service radio and television announcements.

3. It corrects references in statute to the "Maine Fuel Board."

4. It repeals a statutory reporting requirement of the Technical and Environmental Assistance Program that is administered by the Office of Pollution Prevention. The reporting requirement that is repealed is a requirement to prepare reports periodically on the status of the program for distribution to the public, the Legislature and other appropriate federal and state agencies.

5. It provides that air emission license fees must be assessed to support activities for "air quality control" instead of for "the Bureau of Air Quality Control."

6. Under the provision of law dealing with annual air emissions license fees, rock crushers regulated under a general permit from the department are subject to an annual fee not to exceed the minimum license fee otherwise established under the air emissions license statute. This bill extends that provision to all licensees regulated under a general permit, not just rock crushers.

7. It changes the cap for personal services under the Ground Water Oil Clean-up Fund to $4,500,000.

8. It clarifies that routine technical rulemaking establishing testing protocols and measurement methods related to emission standards for mercury is undertaken by the department in conformance with section 341-H.

9. It changes the date for implementing the low sulfur distillate fuel requirements from January 1 2016 to July 1, 2016.

10. It changes certain solid waste management reporting requirements of the department from biennial reports to annual reports and includes the reports in the annual solid waste generation and disposal capacity report.

11. It removes a reference to the Technical and Environmental Assistance Program in a directive for the department to assist municipalities with managing solid waste. It removes a grant preference for municipalities that participate in a household hazardous waste collection region. It repeals preferences for municipalities that participate in a household hazardous waste collection region.

Committee Amendment "A" (H-300)

This amendment is the majority report of the committee and provides that disbursements from the Ground Water Oil Clean-up Fund for personal services may not exceed $4,500,000 per year as adjusted by the Consumer Price Index. The bill capped personal services at $4,500,000.

Enacted Law Summary

Public Law 2013, chapter 300 makes the following changes to the laws administered by the Department of Environmental Protection.

1. It removes references to the Land and Water Resources Council.

2. It removes a requirement that notice of environmental agency adjudicatory proceedings must include issuance of press releases and public service radio and television announcements.

3. It corrects references in statute to the "Maine Fuel Board."

4. It repeals a statutory reporting requirement of the Technical and Environmental Assistance Program that is administered by the Office of Pollution Prevention. The reporting requirement that is repealed is a requirement to prepare reports periodically on the status of the program for distribution to the public, the Legislature and other appropriate federal and state agencies.

5. It provides that air emission license fees must be assessed to support activities for "air quality control" instead of for "the Bureau of Air Quality Control."

6. Under the provision of law dealing with annual air emissions license fees, rock crushers regulated under a general permit from the department are subject to an annual fee not to exceed the minimum license fee otherwise established under the air emissions license statute. Chapter 300 extends that provision to all licensees regulated under a general permit, not just rock crushers.

7. It provides that disbursements from the Ground Water Oil Clean-up Fund for personal services may not exceed $4,500,000 per year as adjusted by the Consumer Price Index.

8. It clarifies that routine technical rulemaking establishing testing protocols and measurement methods related to emission standards for mercury is undertaken by the department in conformance with section 341-H.

9. It changes the date for implementing the low sulfur distillate fuel requirements from January 1 2016 to July 1, 2016.

10. It changes certain solid waste management reporting requirements of the department from biennial reports to annual reports and includes the reports in the annual solid waste generation and disposal capacity report.

11. It removes a reference to the Technical and Environmental Assistance Program in a directive for the department to assist municipalities with managing solid waste. It removes a grant preference for municipalities that participate in a household hazardous waste collection region. It repeals preferences for municipalities that participate in a household hazardous waste collection region.

LD 1528 **Resolve, To Provide for Livable, Affordable Neighborhoods** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
CAMPBELL R BOYLE		

The purpose of this resolve is to encourage the preservation of and the development of livable, affordable neighborhoods. This resolve requires:

1. The Department of Transportation to review recommendations for roadway projects in urban areas that apply concepts and principles in the design of urban thoroughfares that emphasize walkable communities in order to

facilitate the restoration of the multiple functions of urban streets and to develop recommendations regarding the incorporation of the concepts and principles into the Sensible Transportation Act. The department is directed to submit its recommendations, together with any necessary implementing legislation, to the Joint Standing Committee on Transportation by December 4, 2013;

2. The Department of Agriculture, Conservation and Forestry to develop a conservation development model designed to encourage the productive use of rural lands, provide traditional resource-based industries with opportunities for value-added business, provide rural towns with the financial ability to sustain local services and keep those who work the land free of conflicts with advancing suburban development. The department is directed to submit its recommendations, together with any necessary implementing legislation, to the Joint Standing Committee on Agriculture, Conservation and Forestry by December 4, 2013; and

3. The Department of Agriculture, Conservation and Forestry to develop a compact village development model designed to promote relatively high residential density with mixed land uses to serve as an alternative to low-density sprawl. The department is directed to submit its recommendations, together with any necessary implementing legislation, to the Joint Standing Committee on Agriculture, Conservation and Forestry by December 4, 2013.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

Joint Standing Committee on Environment and Natural Resources

SUBJECT INDEX

Air quality

Not Enacted

LD 28	**An Act To Reduce Air Pollution from Trains**	**LEAVE TO WITHDRAW**

Aquatic pesticides

Enacted

LD 1430	**An Act To Clarify the Permitted Use of Aquatic Pesticides**	**PUBLIC 193**

Beverage containers

Enacted

LD 1080	**An Act To Improve Efficiency in the Collection of Beverage Containers**	**PUBLIC 275**
LD 1121	**An Act To Promote the Production of Maine Beverages**	**PUBLIC 259**

Not Enacted

LD 124	**An Act To Amend the Bottle Redemption Laws**	**ONTP**

Climate change

Not Enacted

LD 825	**Resolve, To Study Climate Change and Implement the Recommendations of the Department of Environmental Protection Report on Climate Change**	**VETO SUSTAINED**

Coal tar

Not Enacted

LD 1212	**An Act To Prohibit Coal Tar Pavement Products**	**MAJORITY (ONTP) REPORT**

Department of Environmental Protection

Enacted

LD 1497	**An Act To Make Minor Changes and Corrections to Statutes Administered by the Department of Environmental Protection**	**PUBLIC 300**

Not Enacted

LD 331	**Resolve, To Expand Economic Development in the Town of Orrington by Releasing Certain Riverfront Land from State-imposed Environmental Restrictions**	**CARRIED OVER**

Energy

Enacted

LD 437	**An Act To Amend the State General Permit Process for Tidal Power To Remove a Conflict with a Federal Permit Requirement**	**PUBLIC 177**

Not Enacted

Energy

Not Enacted

LD 1028	Resolve, Authorizing a Visual Impact Assessment of Roxbury Pond and Webb Lake	ONTP

Geographic information

Enacted

LD 877	An Act To Establish Separate Geospatial Data Accounts for Use by the Maine Library of Geographic Information Board	PUBLIC 122

Land use

Not Enacted

LD 1427	An Act To Establish a Resource and Development Coordinating Council	VETO SUSTAINED
LD 1528	Resolve, To Provide for Livable, Affordable Neighborhoods	CARRIED OVER

Metallic mineral mining

Not Enacted

LD 1059	An Act To Protect Maine's Environment and Natural Resources Jeopardized by Mining	MAJORITY (ONTP) REPORT
LD 1302	An Act To Amend the Maine Metallic Mineral Mining Act To Protect Water Quality	DIED BETWEEN HOUSES
LD 1324	An Act To Protect Local Communities When a Mining Project Is Terminated	MAJORITY (ONTP) REPORT

Natural Resources Protection Act

Enacted

LD 596	An Act To Help Small Businesses and Promote Tourism by Allowing the Construction of a Deck over a River within a Downtown Revitalization Project	PUBLIC 140
LD 1102	An Act Regarding Reconstruction of Residential Structures on Sand Dunes	PUBLIC 277 EMERGENCY
LD 1135	An Act To Provide Consistency in the Regulation of Motorized Recreational Gold Prospecting	PUBLIC 260

Not Enacted

LD 674	An Act To Clarify the Natural Resources Protection Act	ONTP
LD 793	An Act Clarifying the Department of Environmental Protection's Authority Relating to Compensation for Development Activity under the Natural Resources Protection Act	MAJORITY (ONTP) REPORT
LD 794	An Act To Amend Setback Requirements and Standards Related to Species Migration under the Laws Regulating Development near Vernal Pools	CARRIED OVER
LD 824	Resolve, Directing the Department of Environmental Protection To Develop a Rural Land Use Development Process	ONTP
LD 1186	An Act To Allow Removal of Trees for Shoreline Stabilization Adjacent to Coastal Wetlands under the Natural Resources Protection Act	ONTP

Oil - Waste motor oil

Not Enacted

Oil - Waste motor oil

Not Enacted

LD 7	An Act To Equalize the Premiums Imposed on the Sale of Motor Vehicle Oil	MAJORITY (ONTP) REPORT

Oil/Fuel

Enacted

LD 115	An Act To Join in a Prohibition on Motor Fuel Containing Corn-based Ethanol	PUBLIC 249
LD 453	An Act To Prohibit the Sale of Gasoline That Contains Corn-based Ethanol as an Additive at a Level Greater than 10 Percent by Volume	PUBLIC 69
LD 1178	An Act To Encourage the Use of Biofuels in the State	PUBLIC 124
LD 1340	An Act To Ensure Maine's Preparedness for Hazardous Oil Spills	PUBLIC 349
LD 1359	An Act To Update and Simplify Maine Gasoline Requirements	PUBLIC 221 EMERGENCY

Not Enacted

LD 105	An Act To Allow Motor Fuel Containing Five Percent Ethanol To Be Sold in the State	DIED BETWEEN HOUSES
LD 261	An Act To Provide That a Distributor, Blender or Retail Dealer of Motor Fuel May Not Be Required To Sell, Consign or Distribute Motor Fuel Containing Ten Percent or More Ethanol	ONTP
LD 1058	Resolve, Directing the Department of Environmental Protection To Set the Motor Vehicle Fuel Volatility Level for the State	ONTP
LD 1362	Resolve, To Establish a Moratorium on the Transportation of Tar Sands	VETO SUSTAINED

Product stewardship

Enacted

LD 1308	An Act To Establish a Stewardship Program for Architectural Paint	PUBLIC 395
LD 1335	An Act To Implement Recommendations of the Department of Environmental Protection Concerning Product Stewardship in Maine	PUBLIC 315

Shoreland zoning

Enacted

LD 470	An Act Regarding Working Waterfront Projects	PUBLIC 231
LD 641	An Act To Exempt Agriculture, Timber Harvesting and Public Employees from Certain Oversight in Shoreland Areas	PUBLIC 242 EMERGENCY
LD 1490	An Act To Amend the Mandatory Shoreland Zoning Laws	PUBLIC 320

Site Location of Development

Enacted

LD 695	An Act To Amend the Site Location of Development Laws	PUBLIC 183

Solid waste

Enacted

Solid waste

Enacted

LD 694	An Act To Clarify Solid Waste Policy Relating to State-owned Disposal Facilities	PUBLIC 243
LD 1363	Resolve, To Ensure Landfill Capacity and Promote Recycling	RESOLVE 46

Not Enacted

LD 907	An Act To Encourage Recycling	ONTP
LD 1292	An Act To Minimize the Use of Plastic Bags	MAJORITY (ONTP) REPORT
LD 1483	An Act To Promote and Enhance State Policy To Preserve and Support Existing Methods of Disposal of Municipal Solid Waste	CARRIED OVER

Storm water

Enacted

LD 642	An Act To Exempt All-terrain Vehicle Trail Management from Storm Water Management Requirements	PUBLIC 43

Subdivisions

Enacted

LD 966	An Act To Clarify an Exemption to the Municipal Subdivision Laws	PUBLIC 126

Not Enacted

LD 432	An Act To Amend the Gifting of Land Exemption under the Subdivision Laws	ONTP

Toxic chemicals

Enacted

LD 373	An Act To Provide Clarity to Priority Chemical Reporting Requirements	PUBLIC 232
LD 902	Resolve, Regarding Legislative Review of Portions of Chapter 882: Designation of Bisphenol A as a Priority Chemical and Regulation of Bisphenol A in Children's Products, a Major Substantive Rule of the Department of Environmental Protection	RESOLVE 44 EMERGENCY

Not Enacted

LD 365	An Act To Define "Contaminant" in the Laws Governing Toxic Chemicals in Children's Products	ONTP
LD 735	Resolve, Directing the Department of Environmental Protection To Add a Flame Retardant to the Lists of Chemicals of Concern and of High Concern	ONTP
LD 844	Resolve, To Require a Study of the Availability of Food Packaging without Bisphenol A	ONTP
LD 1050	An Act Requiring the Labeling of Food Packaging That Contains Bisphenol A	MAJORITY (ONTP) REPORT
LD 1181	An Act To Further Strengthen the Protection of Pregnant Women and Children from Toxic Chemicals	VETO SUSTAINED

Wastewater

Enacted

LD 141	Resolve, Directing the Department of Environmental Protection To Develop Quantitative Odor Management Standards	RESOLVE 43

Water - groundwater

Enacted

LD 157	**An Act To Modify Administration of the Fund Insurance Review Board**	**PUBLIC 22**

Water quality

Not Enacted

LD 336	**An Act Relating to Clean Water Certification by the Department of Environmental Protection**	**MAJORITY (ONTP) REPORT**
LD 845	**An Act To Change the Classification of the Lower Androscoggin River**	**MAJORITY (ONTP) REPORT**

EUT

STATE OF MAINE

126TH LEGISLATURE

FIRST REGULAR SESSION

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

JOINT STANDING COMMITTEE ON ENERGY, UTILITIES AND TECHNOLOGY

July 2013

MEMBERS:

SEN. JOHN J. CLEVELAND, CHAIR
SEN. TROY DALE JACKSON
SEN. EDWARD M. YOUNGBLOOD

REP. BARRY J. HOBBINS, CHAIR
REP. ROBERTA B. BEAVERS
REP. DIANE RUSSELL
REP. SARA GIDEON
REP. DEANE RYKERSON
REP. RYAN D. TIPPING-SPITZ
REP. LARRY C. DUNPHY
REP. AARON F. LIBBY
REP. LANCE EVANS HARVELL
REP. MELVIN NEWENDYKE

STAFF:
JEAN GUZZETTI, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

LD 4 **Resolve, Regarding Legislative Review of Chapter 675: Infrastructure Surcharge and Capital Reserve Accounts, a Major Substantive Rule of the Public Utilities Commission** **RESOLVE 9 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
	OTP-AM	H-7

This resolve provides for legislative review of Chapter 675: Infrastructure Surcharge and Capital Reserve Accounts, a major substantive rule of the Public Utilities Commission. The major substantive rule sets the requirements and procedures for establishing and monitoring the creation of capital reserve accounts and the use of an infrastructure replacement surcharge by a water utlility. Specifically, the rule addresses the maximum amount of funds that can be collected, the authorized uses of the funds and the reporting requirements of water utilities that establish these types of mechanisms to fund infrastructure improvements. These rules were the final product of multi-step process:

1. P.L. 2011, chapter 106 directed the Public Utilities Commission to convene a work group to study the funding of infrastructure improvements for water utilities;

2. On January 15, 2012, the commission submitted a report summarizing the findings of that work group to the Joint Standing Committee on Energy, Utilities and Technology; and

3. In P.L. 2011, chapter 602, the Legislature enacted policies to establish these funding mechanisms and directed the commission to adopt major substantive rules.

Committee Amendment "A" (H-7)

This amendment authorizes the adoption of Chapter 675: Infrastructure Surcharge and Capital Reserve Accounts, a major substantive rule of the Public Utilities Commission only if the commission amends the rule to clarify some language regarding the maximum amounts of the infrastructure surcharge, to use consistent terms regarding attributing funds and to provide that the Office of the Public Advocate, the Public Utilities Commission's advisory staff and the water utility can agree in advance of the infrastructure surcharge filing on the current cost of debt and the return on equity and capital structure to be used.

Enacted Law Summary

Resolve 2013, chapter 9 authorizes the adoption of Chapter 675: Infrastructure Surcharge and Capital Reserve Accounts, a major substantive rule of the Public Utilities Commission only if the commission amends the rule to clarify language regarding the maximum amounts of the infrastructure surcharge, to use consistent terms regarding attributing funds and to provide that the Office of the Public Advocate, the Public Utilities Commission's advisory staff and the water utility can agree in advance of the infrastructure surcharge filing on the current cost of debt and the return on equity and capital structure to be used.

Resolve 2013, chapter 9 was finally passed as an emergency measure effective April 16, 2013.

LD 38 **Resolve, Regarding Legislative Review of Chapter 201: Provider of Last Resort Service Quality, a Major Substantive Rule of the Public Utilities Commission** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted

This resolve provides for legislative review of Chapter 201: Provider of Last Resort Service Quality, a major substantive rule of the Public Utilities Commission.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

The committee sent a letter to the Public Utilities Commission requesting the commission to meet with stakeholders to seek to develop modifications to the proposed rules that better address the various issues that stakeholders have raised.

LD 60 **An Act To Reduce the Number of Public Safety Answering Points** **LEAVE TO WITHDRAW**

Sponsor(s)	Committee Report	Amendments Adopted
SIROCKI		

Current law requires the Public Utilities Commission, Emergency Services Communication Bureau to establish a total of between 16 and 24 public safety answering points. This bill reduces to 2 the total number of public safety answering points. This bill was withdrawn by the sponsor.

LD 81 **An Act To Amend the Charter of the Ogunquit Sewer District** **P & S 3 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
HILL MCGOWAN	OTP-AM	S-5

This bill resolves a conflict in the charter of the Ogunquit Sewer District created when the charter was amended by Private and Special Law 2011, chapter 24 to add language regarding sinking funds for the retirement of obligations made by the district, however, that private and special law did not repeal already existing language from 1963 regarding sinking funds. This bill resolves the conflict by repealing that 1963 provision.

Committee Amendment "A" (S-5)

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

Enacted Law Summary

Private and Special Law, chapter 3 resolves a conflict in the charter of the Ogunquit Sewer District created when the charter was amended by Private and Special Law 2011, chapter 24 to add language regarding sinking funds for the retirement of obligations made by the district, however, Private and Special Law 2011, chapter 24 did not repeal already existing language from 1963 regarding sinking funds. This law resolves the conflict by repealing that 1963 provision.

Private and Special Law 2013, chapter 3 was enacted as an emergency measure effective April 9, 2013.

LD 94 **An Act To Prohibit Wireless Smart Meter Opt-out Fees** **INDEF PP**

Sponsor(s)	Committee Report	Amendments Adopted
BOLAND		

This bill was acted upon without reference to committee.

This bill prohibits a transmission and distribution utility from charging a customer a fee or a higher rate for declining the installation of a wireless smart meter or using a meter other than a wireless smart meter.

The concepts raised in this bill are addressed in LD 826, An Act to Eliminate the Opt-out Charges for Smart Meters. LD 826 was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 114 **An Act To Amend the Charter of the Portland Water District** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
SHAW SAVIELLO	ONTP	

This bill requires the Portland Water District to charge the same rate for the use of water to its customers that reside in the Town of Standish as it charges its customers that reside in towns that are part of the territory supplied by the district and members of the district.

LD 131 **Resolve, Directing the Public Utilities Commission To Examine Measures To Mitigate the Effects of Geomagnetic Disturbances and Electromagnetic Pulse on the State's Transmission System** **RESOLVE 45 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
BOLAND PATRICK	OTP-AM	H-121

This bill requires a person submitting a petition to the Public Utilities Commission for the purposes of receiving a certificate of public convenience and necessity for building a transmission line to include a description of design measures to be used that limit electromagnetic field levels and ensure the protection of the transmission and distribution system against damage from an electromagnetic pulse or a geomagnetic storm. The bill also requires the commission to consider electromagnetic field levels, electromagnetic pulse protections and geomagnetic storm protections when determining the public need for a transmission line.

This bill adds similar requirements for the deciding authority, when determining whether an energy infrastructure proposal is in the long-term interest of the State, to consider electromagnetic field levels and electromagnetic pulse and geomagnetic storm dangers.

The bill directs the Public Utilities Commission, in consultation with the Department of Environmental Protection and within six months of the effective date of this Act, to adopt routine technical rules to identify effective design measures to limit electromagnetic field levels and ensure the protection of the transmission and distribution system against damage from an electromagnetic pulse or a geomagnetic storm.

Finally, the bill requires any transmission line currently under construction upon the effective date of the rules to incorporate design measures to limit electromagnetic field levels and ensure the protection of the transmission and distribution system against damage from an electromagnetic pulse or a geomagnetic storm.

Committee Amendment "A" (H-121)

This amendment replaces the bill with a resolve directing the Public Utilities Commission to conduct an examination of the vulnerabilities of the State's transmission infrastructure to the potential negative impacts of a geomagnetic disturbance or electromagnetic pulse capable of disabling, disrupting or destroying a transmission and distribution system and to identify potential mitigation measures. The commission is also required to monitor efforts by regional and federal organizations to address this issue and report to the Joint Standing Committee on Energy, Utilities and Technology by January 20, 2014. The committee may submit a bill to the Second Regular Session of the 126th Legislature based on the report. The amendment adds an emergency preamble and clause to the bill.

Enacted Law Summary

Resolve 2013, chapter 45 directs the Public Utilities Commission to conduct an examination of the vulnerabilities of the State's transmission infrastructure to the potential negative impacts of a geomagnetic disturbance or electromagnetic pulse capable of disabling, disrupting or destroying a transmission and distribution system and to identify potential mitigation measures. The commission is also required to monitor efforts by regional and federal organizations to address this issue and report to the Joint Standing Committee on Energy, Utilities and Technology by January 20, 2014. The committee may submit a bill to the Second Regular Session of the 126th Legislature based on the report.

Additionally, the committee sent a letter to the Public Utilities Commission requesting that an interim report be submitted to the committee by June 20, 2013 that contains a preliminary list of the sources that the commission will reference during the study, any pertinent information that the commission would like to share with the committee and a description of the commission's approach or process to complete the full study.

Resolve 2013, chapter 45 was finally passed as an emergency measure effective June 10, 2013.

LD 175 **An Act To Update the Laws Governing Energy Efficiency Building Performance Standards** **PUBLIC 120**

Sponsor(s)	Committee Report	Amendments Adopted
CLEVELAND HOBBINS	OTP-AM	S-47

This bill changes the definition of ASHRAE standards and repeals definitions dealing with the energy efficiency building performance standards to reflect the changes made by the enactment of the Maine Uniform Building and Energy Code.

The bill also directs the Public Utilities Commission to repeal rules that established the standards that comprised the Maine Model Building Energy Code.

Committee Amendment "A" (S-47)

This amendment removes the definition of "ASHRAE standards" from the bill and repeals the definition of "ASHRAE Standard 62-2001" in the Energy Efficiency Building Performance Standards Act because the use of terms "ASHRAE standards" and "ASHREA Standard 62-2001" are only in sections of the law proposed to be repealed by this bill.

Enacted Law Summary

Public Law 2013, chapter 120 repeals definitions dealing with the energy efficiency building performance standards to reflect the changes made by the enactment of the Maine Uniform Building and Energy Code. It also directs the Public Utilities Commission to repeal rules that established the standards that comprised the Maine Model Building Energy Code.

LD 179 **An Act To Amend the Anson and Madison Water District Charter** **P & S 5**

Sponsor(s)	Committee Report	Amendments Adopted
DUNPHY CLEVELAND	OTP-AM	H-22

This bill amends the Anson and Madison Water District charter by changing the date on which the terms of the trustees expire from November 15th to the date of the respective annual town meetings. The bill also strikes language that required the trustees of the Anson and Madison Water District, upon dissolution of the Madison Water District and the Anson Water District, to submit legislation to the Legislature to repeal the charters of the Madison Water District and the Anson Water District.

Committee Amendment "A" (H-22)

This amendment adds provisions that repeal the Anson Water District charter and the Madison Water District charter effective September 1, 2014.

Enacted Law Summary

Private and Special Law 2013, chapter 5 amends the Anson and Madison Water District charter by changing the date on which the terms of the trustees expire from November 15th to the date of the respective annual town meetings. The bill also strikes language that requires the trustees of the Anson and Madison Water District, upon dissolution of the Madison Water District and the Anson Water District, to submit legislation to the Legislature to repeal the charters of the Madison Water District and the Anson Water District and instead automatically repeals those charters effective September 1, 2014.

LD 196 **An Act Regarding the Implementation of the Quality Assurance Program for Public Safety Answering Points** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
BEAVERS CLEVELAND		

This bill directs the Public Utilities Commission, Emergency Services Communication Bureau to implement the public safety answering point quality assurance program established in 2010 through the use of one or more 3rd-party vendors and ensure that the financing of that program is accomplished with resources other than increased assessments to the municipalities subscribing to or providing the public safety answering point services.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 215 **An Act To Protect Landlords When Tenants Fail To Pay Utility Bills** **PUBLIC 250**

Sponsor(s)	Committee Report	Amendments Adopted
MALABY CUSHING	OTP-AM	H-457

This bill provides that a landlord may pay a deposit to a utility to protect the landlord's property from the termination or disconnection of utility service due to nonpayment of utility bills by a tenant. The deposit may be used to continue service and the landlord is authorized to recover costs from the tenant. The bill also provides that a tenancy may be terminated upon seven days' written notice if the landlord can show that the tenant's failure to pay utility bills has resulted in the disconnection of utility service.

Committee Amendment "A" (H-457)

This amendment replaces the bill. It requires, upon request of a landlord, a transmission and distribution utility to enter into an agreement with that landlord with respect to a residential rental property receiving transmission and distribution service in the name of that landlord's tenant to automatically transfer the service to the name of the landlord if the service would otherwise be disconnected.

Enacted Law Summary

Public Law 2013, chapter 250 requires, upon the request of a landlord, a transmission and distribution utility to enter into an agreement with that landlord with respect to a residential rental property receiving transmission and distribution service in the name of that landlord's tenant to automatically transfer the service to the name of the landlord if the service would otherwise be disconnected.

LD 219 **An Act To Establish a Long-term Funding Source for the Department of Inland Fisheries and Wildlife** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
SHAW DUTREMBLE	ONTP	

This bill provides that 10% of all revenues derived from the use of state-owned land and assets for energy infrastructure development pursuant to the Maine Revised Statutes, Title 35-A, section 122, up to a total of $5,000,000 in any fiscal year and adjusted for inflation, must be deposited in a special fund and allocated to the Department of Inland Fisheries and Wildlife to support the operations of that department.

The committee voted this bill ought-not-to pass but addressed the issue of revenues derived from the use of state-owned land and assets for energy infrastructure development pursuant to the Maine Revised Statutes, Title 35-A, section 122 in committee bill LD 1559, An Act to Reduce Energy Costs, Increase Energy Efficiency, Promote Electric System Reliability and Protect the Environment.

LD 247 **An Act To Amend the Law Governing Appeals of Final Agency Action on Applications Concerning Wind Energy Development** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
VALENTINO	ONTP	

Current law grants exclusive jurisdiction to the Law Court over appeals of final action by the Board of Environmental Protection or the Commissioner of Environmental Protection on applications for expedited wind energy development, general permits for tidal energy demonstration projects and general permits for offshore wind energy demonstration projects. Under this bill, a person aggrieved by any order or decision of the board or commissioner on an application for an expedited wind energy development may instead appeal to the Superior Court.

The committee voted this bill ought-not-to-pass in deference to LD 1119, An Act to Establish Superior Court as the Forum in Which Appeals of Agency Decisions Must Be Taken, which was referred to the Joint Standing Committee on Judiciary, which raised the same issues raised in this bill.

LD 248 **An Act To Encourage Workforce Development in the Heating, Ventilation, Air Conditioning, Efficiency and Energy Conservation Trades and Reduce Carbon Dioxide Emissions** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
GERZOFSKY BEAVERS	ONTP	

This bill adds as another category of carbon dioxide emissions offset projects funded by the Regional Greenhouse Gas Initiative Trust Fund education and training programs for workforce development in the trades of heating, ventilation, air conditioning, efficiency and energy conservation.

LD 275 **Resolve, To Require the Emergency Services Communication Bureau To Expand the Existing Quality Assurance System** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
SAVIELLO HARVELL		

This resolve directs the Public Utilities Commission, Emergency Services Communication Bureau to expand its quality assurance system to include fire and police call processing and dispatching and also to expand its emergency medical dispatch structured protocol system to include equivalent fire and police protocols and to authorize necessary 9-1-1 funding.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 302 **Resolve, Directing the Public Utilities Commission To Review Certain Electricity Distribution Charges Assessed on Businesses** **RESOLVE 20**

Sponsor(s)	Committee Report	Amendments Adopted
GUERIN	OTP-AM	H-58

This resolve requires the Public Utilities Commission to review the 25-kilowatt distribution charge assessed against businesses that use 25 kilowatts or more of electricity at any time in a 12-month period to determine whether it is equitable and justifiable to remove this charge for a business for a month in which the business does not use 25 kilowatts or more of electricity if the business did not use 25 kilowatts or more of electricity in the same month in the previous year. The Public Utilities Commission is required to report its findings to the Joint Standing

Committee on Energy, Utilities and Technology no later than December 4, 2013. The Joint Standing Committee on Energy, Utilities and Technology may report out legislation on the subject matter of the report to the Second Regular Session of the 126th Legislature.

Committee Amendment "A" (H-58)

This amendment, which replaces the resolve, more specifically defines the scope of the study proposed in the resolve and moves the reporting deadline from December 4, 2013 to January 15, 2014.

Enacted Law Summary

Resolve 2013, chapter 20 directs the Public Utilities Commission to submit a report to the Joint Standing Committee on Energy, Utilities and Technology regarding the demand charges places on the medium rate class by investor-owned transmission and distribution utilities. The report must include information regarding how a utility determines whether a business should be in the medium rate class, the impact of demand charges on seasonal businesses, new customers and business innovation and recommended changes to a utility's terms and conditions to make demand charges more just and reasonable. The Public Utilities Commission shall submit the report to the Joint Standing Committee on Energy, Utilities and Technology no later than January 15, 2014.

LD 303 **An Act To Authorize the Public Advocate To Publish and Distribute Consumer Information** **PUBLIC 79**

Sponsor(s)	Committee Report	Amendments Adopted
MACDONALD W	OTP-AM ONTP	H-46

This bill authorizes the Public Advocate to publish information and advice for consumers in the State concerning services such as telecommunications, electricity and gas delivery and supply and municipal drinking water services.

Committee Amendment "A" (H-46)

This amendment allows the Public Advocate to publish information in any electronic format and removes the references to advice and municipal drinking water.

Enacted Law Summary

Public Law 2013, chapter 79 authorizes the Public Advocate to publish in any electronic format information for consumers in the State concerning services such as telecommunications, electricity delivery and supply and gas delivery and supply.

LD 304 **An Act To Amend the Representation on the Telecommunications Relay Services Advisory Council** **PUBLIC 40**

Sponsor(s)	Committee Report	Amendments Adopted
COOPER	OTP	

This bill removes the member on the Telecommunications Relay Services Advisory Council representing a cellular or wireless service provider and replaces the member with a member representing an Internet telecommunications relay service provider that provides service to customers in the State.

Enacted Law Summary

Public Law 2013, chapter 40 removes the member on the Telecommunications Relay Services Advisory Council representing a cellular or wireless service provider and replaces the member with a member representing an Internet

telecommunications relay service provider that provides service to customers in the State.

LD 372 **An Act To Transfer the Responsibilities of the Department of Public Safety, Maine Communications System Policy Board to the Bureau of Consolidated Emergency Communications** **PUBLIC 19**

Sponsor(s)	Committee Report	Amendments Adopted
YOUNGBLOOD KESCHL	OTP	

This bill transfers the powers and duties of the Department of Public Safety, Maine Communications System Policy Board to the Bureau of Consolidated Emergency Communications within that department.

Enacted Law Summary

Public Law 2013, chapter 19 transfers the powers and duties of the Department of Public Safety, Maine Communications System Policy Board to the Bureau of Consolidated Emergency Communications within that department.

LD 385 **An Act To Improve Wind Energy Development Permitting** **PUBLIC 325**

Sponsor(s)	Committee Report	Amendments Adopted
BEAVERS	OTP-AM	H-521
JACKSON T	OTP-AM	

This bill improves the permitting process for wind energy development by providing for public comment and the opportunity for the public to request a hearing and by permitting an intervenor to request an adjudicatory proceeding. The bill provides that wind energy development constitutes a significant adverse effect on the natural environment if proposed in a fir-heartleaved birch subalpine forest natural vegetation community. The bill also requires that a wind energy permit must require best practical mitigation to reduce impacts on scenic, wildlife and other resources.

Committee Amendment "A" (H-521)

This amendment is the majority report and replaces the bill. The amendment modifies the permitting process for grid-scale wind energy developments by providing for public comment and the opportunity for the public to request a hearing and by permitting an intervenor to request an adjudicatory hearing. The amendment provides a rebuttable presumption that wind energy development constitutes a significant adverse effect on natural resources if proposed in a Bicknell's Thrush habitat 25 acres or larger in which Bicknell's Thrush have been documented. The amendment also requires that a grid-scale wind energy development permit application must contain options for best practical mitigation to reduce impacts on scenic or wildlife resources.

Committee Amendment "B" (H-522)

This amendment is the minority report and replaces the bill. It requires that wind energy must provide a tangible benefit of lower electricity rates for ratepayers in this State and adds a new definition of "cumulative scenic impact" to allow for rulemaking to address potential cumulative impacts related to multiple wind energy generating facilities. It changes the size of the area in which an analysis of visual impact must be undertaken from 3 and 8 miles as in current law to 8 and 15 miles. Additionally, it creates a rebuttable presumption of unreasonable adverse effect on the scenic character of an area if the generating facility is located within 15 miles of Acadia National Park, the Appalachian Trail, a federally designated wilderness area, Baxter State Park or the Allagash Wilderness Waterway.

Enacted Law Summary

Public Law 2013, chapter 325 modifies the permitting process for grid-scale wind energy developments by providing for public comment and the opportunity for the public to request a hearing and by permitting an intervenor to request an adjudicatory hearing. It provides a rebuttable presumption that wind energy development constitutes a significant adverse effect on natural resources if proposed in a Bicknell's Thrush habitat 25 acres or larger in which Bicknell's Thrush have been documented. The public law also requires that a grid-scale wind energy development permit application must contain options for best practical mitigation to reduce impacts on scenic or wildlife resources.

LD 441 **Resolve, Directing the Public Utilities Commission To Develop a Plan To Reform Regulation of Consumer-owned Water Utilities** **RESOLVE 47**

Sponsor(s)	Committee Report	Amendments Adopted
HASKELL DION	OTP-AM	S-94

This resolve directs the Public Utilities Commission to develop a plan to reform water regulation and report to the Joint Standing Committee on Energy, Utilities and Technology no later than December 31, 2013. The Joint Standing Committee on Energy, Utilities and Technology may report out a bill to reform water regulation to the Second Regular Session of the 126th Legislature. It also directs the commission to seek to process any filings submitted by water utilities for exemptions under the laws governing utilities with as much deliberate speed as possible, within the constraints of existing resources.

Committee Amendment "A" (S-94)

This amendment replaces the resolve and directs the Public Utilities Commission to develop a plan to reform regulation of consumer-owned water utilities. It changes the date for the commission to report to the Joint Standing Committee on Energy, Utilities and Technology from December 31, 2013 to January 31, 2014. It also directs the commission to continue to process any filings submitted by consumer-owned water utilities for exemptions under the laws governing utilities with as much deliberate speed as possible, within the constraints of existing resources.

Enacted Law Summary

Resolve 2013, chapter 47 directs the Public Utilities Commission to develop a plan to reform regulation of consumer-owned water utilities and to submit the plan to the Joint Standing Committee on Energy, Utilities and Technology by January 31, 2014. The commission is directed to continue to process any filings submitted by consumer-owned water utilities for exemptions under the laws governing utilities with as much deliberate speed as possible, within the constraints of existing resources.

LD 616 **An Act To Amend the Expedited Permitting Area for Wind Energy Development under the Jurisdiction of the Maine Land Use Planning Commission** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
DUNPHY	OTP-AM	
SHERMAN	OTP-AM	
	ONTP	

This bill amends unallocated language in Public Law 2007, chapter 661, "An Act To Implement Recommendations of the Governor's Task Force on Wind Power Development," to remove Carrying Place Township, Concord Township, Highland Plantation, Lexington Township and Pleasant Ridge Plantation from the expedited permitting

area for the purposes of that Act and directs the Maine Land Use Planning Commission to amend its rules accordingly.

Committee Amendment "A" (H-527)

This amendment, which is the majority report of the committee, requires the Maine Land Use Planning Commission to adopt major substantive rules to establish a process to remove a specific location from the expedited permitting area for certain wind energy development under the Maine Revised Statutes, Title 35-A, chapter 34-A. This amendment prohibits the Department of Environmental Protection from accepting an application for a permit for an expedited wind energy development under certain circumstances in Carrying Place Township, Concord Township, Highland Plantation, Lexington Township and Pleasant Ridge Plantation until after the process for removal of a specified place from the expedited permitting area is established by the Maine Land Use Planning Commission. The amendment adds an appropriations and allocations section.

Committee Amendment "B" (H-528)

This amendment, which is the minority report of the committee, replaces the bill. It requires the Maine Land Use Planning Commission to adopt major substantive rules to establish a process to remove a specific location from the expedited permitting area for certain wind energy development under the Maine Revised Statutes, Title 35-A, chapter 34-A. It specifies that the process must include a petition and limits the removal to places that are adjacent to locations that are not within the expedited permitting area and requires that the removal of the place not compromise the fulfillment of the State's wind energy policies. The amendment also adds an appropriations and allocations section.

The bill was committed back to the Joint Standing Committee on Energy, Utilities and Technology. The bill was then carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145 as amended by H-B (H-580) and H-C (H-582).

LD 646 **An Act To Remove the 100-megawatt Limit on Renewable Sources of Energy** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
YOUNGBLOOD DUNPHY		

This bill removes the 100-megawatt maximum capacity limit for a source of electrical generation to qualify as a renewable resource for purposes of meeting the State's renewable resource portfolio requirement.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 675 **An Act To Amend the Charter of the Veazie Sewer District** **P & S 13**
EMERGENCY

Sponsor(s)	Committee Report	Amendments Adopted
GUERIN	OTP-AM	H-138

This bill amends the territory of the Veazie Sewer District by including all of the Town of Veazie that lies between the Penobscot River and Interstate 95.

Committee Amendment "A" (H-138)

This amendment requires the Veazie Sewer District to conduct the election of its trustees in the same manner and at

the same date and time as the Town of Veazie elects its municipal officers and repeals the requirement that the election be held at an annual meeting. This amendment allows the trustees to establish a regular meeting schedule and establishes notice requirements for special and emergency meetings. This amendment authorizes the trustees of the Veazie Sewer District to set the date by which nomination papers must be made available to prospective candidates and the date by which completed nomination papers must be filed. The amendment also establishes a process for the recall of a member of the board of trustees.

Many of the concepts in this amendment were presented as a sponsor's amendment at the public hearing.

Enacted Law Summary

Private and Special Law 2013, chapter 13 amends the territory of the Veazie Sewer District by including all of the Town of Veazie that lies between the Penobscot River and Interstate 95. This bill requires the Veazie Sewer District to conduct the election of its trustees in the same manner and at the same date and time as the Town of Veazie elects its municipal officers and repeals the requirement that the election be held at an annual meeting. This bill allows the trustees to establish a regular meeting schedule and establishes notice requirements for special and emergency meetings. This bill authorizes the trustees of the Veazie Sewer District to set the date by which nomination papers must be made available to prospective candidates and the date by which completed nomination papers must be filed. The bill also establishes a process for the recall of a member of the board of trustees.

Private and Special Law 2013, chapter 13 was enacted as an emergency measure effective May 24, 2013.

LD 676 **Resolve, To Direct the Public Utilities Commission To Review Telecommunications Services in Northern Oxford County** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CROCKETT PATRICK	ONTP	

This resolve directs the Public Utilities Commission to review telecommunications services in northern Oxford County, including investigating whether there exists an anticompetitive concentration of market share by one or more telecommunications service providers that has resulted in a degradation of service to the customers of the providers.

The committee voted this resolve ought-not-to-pass at the request of the sponsor.

LD 697 **An Act To Increase Maine's Energy Competitiveness** **INDEF PP**

Sponsor(s)	Committee Report	Amendments Adopted
KATZ KRUGER	OTP-AM	S-292

This bill allows transmission and distribution utilities and gas utilities to provide grants and loans, including loans with on-bill financing, for customers converting to alternative energy sources.

The committee incorporated the concepts presented in this bill into LD 1559, An Act to Reduce Energy Costs, Increase Energy Efficiency, Promote Electric System Reliability and Protect the Environment.

Committee Amendment "A" (S-292)

This amendment strikes and replaces the provisions in the bill. The amendment authorizes the Public Utilities Commission to extend the number of customers who may participate in the pilot program for efficient electric heat

pumps and extend the length of the pilot period, allows more flexibility in the manner in which incentives are provided to customers and clarifies that nothing in the legislation related to the pilot program is intended to limit any currently existing authority of the Public Utilities Commission to establish special rates with respect to customers participating in the pilot program, as long as the costs of the pilot program are recovered only from customers participating in the program.

The committee incorporated the concepts presented in this amendment into LD 1559, An Act to Reduce Energy Costs, Increase Energy Efficiency, Promote Electric System Reliability and Protect the Environment.

LD 774 **Resolve, Regarding a Fire and Police Protocols Pilot Program for E-9-1-1 Call Processing** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
HOBBINS CLEVELAND	ONTP	

This resolve gives the Public Utilities Commission the authority to conduct pilot programs at public safety answering points to examine the benefits of and resources needed to implement a statewide fire and police protocols program for E-9-1-1 call processing in the State's public safety answering points. The resolve also requires the Public Utilities Commission to submit a report to the joint standing committee of the Legislature having jurisdiction over utility matters by December 31, 2014 regarding any pilot program conducted. The resolve also authorizes the joint standing committee of the Legislature having jurisdiction over utility matters to submit a bill to the First Regular Session of the 127th Legislature.

The committee voted this bill ought-not-to-pass. It sent a letter to the Public Utilities Commission asking for more information on the proposed pilot program and stated that it intends to consider the pilot program in the context of the other bills related to E-9-1-1 and Public Safety Answering Points that the committee voted to carry-over to any special or regular session of the 126th Legislature. Please see LD 196, An Act Regarding the Implementation of the Quality Assurance Program for Public Safety Answering Points and LD 275 Resolve, To Require the Emergency Services Communication Bureau to Expand the Existing Quality Assurance Program for more information.

LD 795 **An Act To Amend the Net Energy Billing Program To Allow Participation by Certain Municipal Entities** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
LONGSTAFF LACHOWICZ	ONTP	

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

This bill proposes to amend the net energy billing program established by rule by the Public Utilities Commission to allow a municipal or quasi-municipal entity with a renewable energy facility that generates no more than 800 kilowatts to participate in the program.

The committee voted this bill ought-not-to-pass, but carried over a number of bills related to renewable energy policies and plans to include net energy billing in its consideration of those bills. The bills that the committee carried over are: LD 646, An Act to Remove the 100-megawatt Limit on Renewable Sources of Energy, LD 1085, An Act to Establish the Renewable Energy Feed-in Tariff, LD 1252, An Act to Improve Maine's Economy and Energy Security with Solar and Wind Energy and LD 1278, An Act to Ensure Equitable Support for Long-term Energy Contracts.

LD 796 **Resolve, To Enhance Economic Development by Encouraging Businesses Adjacent to Electric Power Generators To Obtain Power Directly** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
CAMPBELL R TUTTLE		

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

This resolve proposes to establish a stakeholder group to identify barriers to and incentives for the direct purchase of electricity by businesses adjacent to electricity-generating facilities, with the intent that the direct purchase of the electricity will decrease total electricity costs to the businesses. The stakeholder group may be chaired by a representative of the Public Utilities Commission, the Office of the Public Advocate or the Governor's Energy Office. Stakeholders may include representatives from the Public Utilities Commission, the Office of the Public Advocate, the Governor's Energy Office, the Department of Economic and Community Development, municipalities, business associations, transmission and distribution utilities, electricity generators and up to two Legislators appointed by the presiding officers. Other than the two Legislators appointed by the presiding officers, the members of the stakeholder group may be appointed by the Public Utilities Commission, the Office of the Public Advocate or the Governor's Energy Office.

The stakeholder group would examine the effects of exit fees, limitations on authority to construct electric transmission lines and the need for backup service from transmission and distribution utilities on the ability of a business to purchase electricity directly from an electricity-generating facility adjacent to the business's property. Additionally, the stakeholder group may consider the feasibility of designating businesses located adjacent to electricity-generating facilities as Pine Tree Development Zone businesses, regardless of the type of business, in order to encourage development in those locations so that the businesses may take advantage of the benefits provided in the Maine Revised Statutes, Title 35-A, section 3210-E. The stakeholder group would be required to report to the Joint Standing Committee on Energy, Utilities and Technology by January 15, 2014 the findings and recommendations of the stakeholder group, including any suggested legislation. The committee would be authorized to report out a bill relating to the report to the Second Regular Session of the 126th Legislature.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

The committee sent a letter to the Public Utilities Commission requesting a report on the progress of a rate design case planned to be initiated at the commission during the interim. That case may affect this policy. The committee requested that the report be submitted by December 10, 2013 and that the report include any information that might be relevant to the committee's consideration of LD 796, especially any changes to rate design standards that may incentivize the direct purchase of electricity by a business from an adjacent electricity generator. The committee is also expressed interest in information relating to any changes in the way that stand-by fees are levied.

LD 797 **An Act To Strengthen Basic Telephone Service** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
DAUGHTRY	ONTP	

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

This bill proposes to strengthen basic telephone service in order to ensure that all consumers have access to a certain minimum level of telecommunications service that is reliable, affordable and adequate to meet the needs of consumers.

The committee voted this bill ought-not-to-pass at the request of the sponsor.

LD 826 **An Act To Eliminate the Opt-out Charges for Smart Meters** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
BEAVERS JACKSON T		

This bill prohibits a transmission and distribution utility from charging a customer a fee or a higher rate for declining the installation or for the removal of a wireless smart meter. If a customer declines the installation of a wireless smart meter, the transmission and distribution utility may decrease the number of times the electromechanical meter is read, but may not read the meter less frequently than once every 12 months, and may establish a rate collection method that is based upon the average electricity consumption of the customer.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 827 **An Act To Increase Access to Natural Gas** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
DUNPHY WHITTEMORE	ONTP	

This bill requires a gas utility organized under the Maine Revised Statutes, Title 35-A, section 2101 for the purposes named in that section that is authorized to supply gas in a geographic area as of March 1, 2013 but is not serving customers in that area and will not guarantee to serve those customers within 12 months of a request to serve customers in that area to allow another gas utility to interconnect to its existing pipes and requires the gas utility to provide wholesale service to that interconnecting gas utility for the purpose of serving customers in that area.

LD 863 **Resolve, To Reduce Greenhouse Gases and Consumer Energy Costs** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
YOUNGBLOOD	ONTP	

This resolve directs the Department of Environmental Protection and the Public Utilities Commission to work together to develop a new regional greenhouse gas initiative offset category for fuel switching and further directs the Department of Environmental Protection and the Public Utilities Commission to promote this category with other regional greenhouse gas initiative states. The Department of Environmental Protection is required to provisionally adopt major substantive rules regarding the offset category and submit them to the Legislature by March 1, 2015.

The committee incorporated the concepts presented in this bill into LD 1559, An Act to Reduce Energy Costs, Increase Energy Efficiency, Promote Electric System Reliability and Protect the Environment.

LD 876 **Resolve, To Establish a Working Group To Study Issues Relating to Broadband Infrastructure Deployment** **RESOLVE 28**

Sponsor(s)	Committee Report	Amendments Adopted
JOHNSON C THERIAULT	OTP-AM	S-41

This resolve directs the ConnectME Authority to establish a working group to identify technical, legal, funding and jurisdictional challenges to the deployment of broadband conduit for fiber-optic communications and to develop solutions necessary to achieve and facilitate the deployment of broadband infrastructure. The resolve directs the authority to submit a written report of findings and recommendations to the Joint Standing Committee on Energy, Utilities and Technology and the Joint Standing Committee on Transportation no later than February 1, 2014. The resolve gives the Joint Standing Committee on Energy, Utilities and Technology and the Joint Standing Committee on Transportation authority to submit either individually or jointly a bill to the Second Regular Session of the 126th Legislature relating to the subject matter of the report.

Committee Amendment "A" (S-41)

This amendment adds the Public Advocate and a representative of the Maine State Chamber of Commerce as members of the working group. It expands the scope of the duties to include consideration of dig-once policies to encourage broadband build-out to unserved areas of the State and removes the authority for the Joint Standing Committee on Transportation to submit legislation.

Enacted Law Summary

Resolve 2013, chapter 28 directs the ConnectME Authority to establish a working group to identify technical, legal, funding and jurisdictional challenges to the deployment of broadband conduit for fiber-optic communications and to develop solutions necessary to achieve and facilitate the deployment of broadband infrastructure. The resolve directs the authority to submit a written report of findings and recommendations to the Joint Standing Committee on Energy, Utilities and Technology and the Joint Standing Committee on Transportation no later than February 1, 2014. The resolve gives the Joint Standing Committee on Energy, Utilities and Technology authority to submit a bill to the Second Regular Session of the 126th Legislature relating to the subject matter of the report.

LD 885 **An Act To Remove Obsolete Provisions of the Electric Industry Restructuring Laws** **PUBLIC 116**

Sponsor(s)	Committee Report	Amendments Adopted
CLEVELAND HOBBINS	OTP-AM	S-52

This bill repeals provisions of the electric industry restructuring laws that:

1. Require electric utilities to issue unbundled bills to consumers that state the cost of the electricity separately from the cost of the transmission and distribution of that electricity;

2. Establish a consumer education program, and a funding mechanism for that program, regarding the implementation of retail competition in the State's retail electricity markets and its impact on consumers. The program was time limited and has concluded. The Public Utilities Commission is directed to transfer any remaining balance in the Public Utilities Commission Consumer Education Fund to the General Fund; and

3. Require each investor-owned utility to prepare a plan for providing transition services and benefits for employees who were employed by the utility on January 1, 1998 and are laid off due to retail competition, which is defined as,

absent other just cause, a layoff that occurs after March 1, 2000 and before December 31, 2001. This provision is no longer necessary since that date has been reached.

Committee Amendment "A" (S-52)

This amendment retains a provision of law repealed in the bill that requires generation service and transmission and distribution service charges to appear separately on an electricity bill and directs any funds remaining in the Public Utilities Commission Consumer Education Fund to be transferred to the Office of the Public Advocate for the purposes of consumer education.

Enacted Law Summary

Public Law 2013, chapter 116 repeals provisions of the electric industry restructuring laws that:

1. Establish a consumer education program, and a funding mechanism for that program, regarding the implementation of retail competition in the State's retail electricity markets and its impact on consumers. The program was time limited and has concluded. The Public Utilities Commission is directed to transfer any remaining balance in the Public Utilities Commission Consumer Education Fund to the Office of Public Advocate for the purposes of consumer education relating to the electricity industry; and

2. Require each investor-owned utility to prepare a plan for providing transition services and benefits for employees who were employed by the utility on January 1, 1998 and are laid off due to retail competition, which is defined as, absent other just cause, a layoff that occurs after March 1, 2000 and before December 31, 2001. This provision is no longer necessary since that date has been reached.

LD 894 **An Act To Provide Customers with Itemized Bills** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MONAGHAN-DERRIG VALENTINO	ONTP	

This bill requires each provider of cable television, phone or Internet services to annually furnish by the United States Postal Service to each of its customers with an account address in this State an itemized bill that includes an explanation of all charges, fees and taxes applicable to the customer's account.

LD 927 **An Act To Further Energy Independence for the State** **PUBLIC 415**

Sponsor(s)	Committee Report	Amendments Adopted
MCGOWAN	OTP-AM	H-554

This bill requires a new comprehensive state energy plan to be drafted by the Governor's Energy Office and a new climate action plan to be drafted by the Department of Environmental Protection. This bill establishes new fossil fuel reduction, energy efficiency and renewable energy goals. This bill encourages, and in some cases requires, consultation between the Governor's Energy Office, the Efficiency Maine Trust, the Department of Environmental Protection, the joint standing committee of the Legislature having jurisdiction over natural resources matters and the joint standing committee of the Legislature having jurisdiction over energy matters in the drafting of the plans or reporting out of legislation in response to the plans.

Committee Amendment "A" (H-554)

This amendment consolidates various reporting requirements of the Governor's Energy Office into two primary

reports, the annual report under the Maine Revised Statutes, Title 2, section 9, subsection 3, paragraph C-1 and the biennial update to the comprehensive state energy plan under Title 2, section 9, subsection 3, paragraph C.

Enacted Law Summary

Public Law 2013, chapter 415 consolidates various reporting requirements of the Governor's Energy Office into two primary reports, the annual report under the Maine Revised Statutes, Title 2, section 9, subsection 3, paragraph C-1 and the biennial update to the comprehensive state energy plan under Title 2, section 9, subsection 3, paragraph C.

LD 948 **An Act To Promote the Installation of Masonry Stoves** **PUBLIC 157**

Sponsor(s)	Committee Report	Amendments Adopted
JOHNSON C MCCABE	OTP-AM	S-51

This bill provides that renewable energy installations under "the Property Assessed Clean Energy Act" include masonry stoves.

Committee Amendment "A" (S-51)

This amendment clarifies that masonry stoves and wood pellet systems are types of biomass systems.

Enacted Law Summary

Public Law 2013, chapter 157 makes it explicit that a masonry stove is a type of biomass system that is considered a renewable energy installation under "the Property Assessed Clean Energy Act."

LD 950 **An Act To Establish the Electromagnetic Field Safety Act** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
SANDERSON		

This bill requires that, beginning October 1, 2013, all new transmission line and electrical installations capable of carrying 5,000 volts or more of electricity must be set back at least 300 feet from residential homes, residential care facilities, hospitals, schools, licensed daycare facilities, playgrounds, youth centers, religious facilities and youth camps.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

The committee sent a letter to the Public Utilities Commission requesting specific information regarding electromagnetic fields and transmission lines be submitted to the committee by November 30, 2013.

LD 964 **An Act To Encourage Community-based Renewable Energy** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
FREDETTE CUSHING	ONTP	

This bill amends the Community-based Renewable Energy Act to remove the requirement that a program participant be located within the service territory of an investor-owned transmission and distribution utility with whom it contracts.

The committee voted this bill ought-not-to-pass, but carried over a number of bills related to renewable energy policies and plans to include community-based renewable energy in its consideration of those bills. The bills that the committee carried over are: LD 646, An Act to Remove the 100-megawatt Limit on Renewable Sources of Energy, LD 1085, An Act to Establish the Renewable Energy Feed-in Tariff, LD 1252, An Act to Improve Maine's Economy and Energy Security with Solar and Wind Energy and LD 1278, An Act to Ensure Equitable Support for Long-term Energy Contracts.

LD 965 **An Act To Improve Maine's Underground Facility Damage Prevention Program** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
BEAULIEU CLEVELAND		

This bill establishes the Dig Safe Advisory Board, which will collaborate with the Public Utilities Commission for the purpose of improving the protection of underground facilities. The bill also requires that persons who own underground facilities and who are not members of the underground facility damage prevention system register their facilities with the Public Utilities Commission and provide the commission with current 24-hour contact information for purposes of notification regarding excavations.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1004 **An Act To Clarify Voting Procedures for Standard Water Districts** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
HOBBINS		

This bill clarifies voting procedures for standard water districts. Currently, standard district charters and charter amendments approved by the Legislature and the Maine Revised Statutes, Title 35-A, sections 6410, 6413 and 6413-A use language to the effect that referendum elections or trustee elections must be conducted in accordance with the laws relating to municipal elections without explicitly stating that the secret ballot method of voting is to be used. This bill clarifies that secret ballot voting in accordance with Title 30-A, section 2528 is the method to be used to enact or amend a standard district charter by referendum, to elect trustees or to establish or amend a debt limit by referendum, even if a municipality in which the standard district is located has not accepted this method of voting.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1012 **An Act Regarding Automated Calls** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BEAULIEU	ONTP	

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

This bill proposes to strengthen the complaint process, enforcement and penalties regarding the laws involving telephone solicitations, particularly automated telephone solicitations for political candidates or issues or by nonprofit organizations.

LD 1013 **An Act To Create the Children's Wireless Protection Act** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
BOLAND COLLINS		

This bill provides that a retailer may not sell at retail in this State a cellular telephone unless the cellular telephone and its packaging bear a warning label relating to the potential health effects associated with nonthermal effects of cellular telephone radiation. It requires the manufacturer of the cellular telephone to provide the warning labels to the retailer at no cost to the retailer. The bill also requires that any safety notification supplied by a cellular telephone manufacturer must have the language of the safety notification plainly visible on the outside of the product package or, if using a label, the label must be plainly visible on the outside of the package. This bill also requires the retailer 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. A violation of this provision is a violation of the Maine Unfair Trade Practices Act.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1026 **An Act To Amend the Charter of the Ashland Water and Sewer District** **P & S 10**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T NADEAU A	OTP-AM	S-69

This bill gives the Ashland Water and Sewer District the authority to impose a lien on the property of an individual, firm or corporation for nonpayment of assessments established by the district for service used by the individual, firm or corporation.

Committee Amendment "A" (S-69)

This amendment imposes a lien on the property of an individual, firm or corporation for nonpayment of assessments established by the Ashland Water and Sewer District for service used by the individual, firm or corporation, subject to approval through a local referendum.

Enacted Law Summary

Private and Special Law 2013, chapter 10 imposes a lien on the property of an individual, firm or corporation for nonpayment of assessments established by the Ashland Water and Sewer District for service used by the individual, firm or corporation, subject to approval through a local referendum.

LD 1060 **An Act To Address Rising Electric Transmission Rates** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
NEWENDYKE		

This bill requires that the Public Utilities Commission may not issue a certificate of public convenience and necessity for the construction of a transmission line unless a description of the need for the proposed transmission line is provided; an analysis of nontransmission alternatives is conducted by an independent 3rd party selected by the Public Utilities Commission; the projected cost of the proposed transmission line is compared to the projected cost of feasible nontransmission alternatives based on total projected costs, regardless of who pays; preference is given to lower-cost alternatives; cleaner alternatives are given preference over alternatives that rely on fossil fuels; the Public Utilities Commission makes specific findings as to whether alternatives can address the identified need at lower total cost; and all cost-effective energy efficiency and demand response resources are being acquired in the applicable service territory of the utility that has proposed the project. This bill requires that, when the commission determines that the nontransmission alternatives can address the need at lower total cost but represent a larger increased cost to ratepayers of the State than the proposed transmission line, the commission make reasonable efforts to achieve an agreement among the states within the New England independent system operator region to allocate the cost of the nontransmission alternatives among the ratepayers of the region using the allocation method used for transmission lines or another allocation method that results in lower increased cost to ratepayers of the State.

This bill also requires that lower-voltage projects that are capable of operating at less than 69 kilovolts and projected to cost in excess of $20,000,000 must be reviewed and approved by the Public Utilities Commission before erection of the transmission line. The bill also establishes standards the Public Utilities Commission must use to review a lower-voltage project.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1061 **An Act To Regulate Meteorological Data-gathering Towers in Maine** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
DUNPHY	ONTP	

This bill requires applicants for wind energy permits to submit to the permitting municipality, the Maine Land Use Planning Commission or the Department of Environmental Protection a detailed summary of the data from each meteorological tower the applicant used in evaluating the suitability of a site for a wind energy development. The bill also requires municipalities, the Maine Land Use Planning Commission and the Department of Environmental Protection to provide certain notifications relating to permits for the construction or installation of a meteorological tower. The required notifications include notice to landowners within 8 miles of the tower, publication in daily and weekly newspapers and posting on the Internet.

LD 1085 **An Act To Establish the Renewable Energy Feed-in Tariff** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
JOHNSON C		

This bill requires the Public Utilities Commission to establish a renewable energy resources feed-in tariff program to encourage the rapid and sustainable development of renewable energy resources and technology for environmentally healthy generation of electricity. It requires that utilities purchase renewably produced electricity from all qualified suppliers. It sets the rate that electric utilities must pay for such power. It requires that utilities enter into a standard contract with all renewable energy suppliers for a set term. It establishes for the Public Utilities Commission management and oversight responsibilities.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1115 **Resolve, Directing the Public Utilities Commission To Convene a Stakeholder Group To Study Reimbursement for Installation of Utility Poles** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CROCKETT	ONTP	

This resolve directs the Public Utilities Commission to convene a stakeholder group to study the issues surrounding reimbursement for the installation of utility poles and to report its findings, including suggested legislation, to the Joint Standing Committee on Energy, Utilities and Technology no later than January 1, 2014.

LD 1145 **An Act To Help Homeowners Reduce Heating Costs through Energy Efficiency** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CHAPMAN	ONTP	

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

This bill proposes to extend resources to the Efficiency Maine Trust to facilitate coordination of services, such as weatherization, heat pumping, heating oil efficiency programs and other energy conservation strategies.

LD 1146 **An Act To Encourage the Use of Renewable Energy** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
DORNEY BOYLE	ONTP	

This bill adds specific requirements for the Public Utilities Commission regarding net energy billing. The requirements specify that net energy billing credits do not expire, that the credits are transferable, that there is no

ownership requirement to qualify for net energy billing, that there is no limit on the number of meters that may be net metered against an eligible facility and that eligible facilities may have a generating capacity of up to 2 megawatts.

The committee voted this bill ought-not-to-pass, but carried over a number of bills related to renewable energy policies and plans to include net energy billing in its consideration of those bills. The bills that the committee carried over are: LD 646, An Act to Remove the 100-megawatt Limit on Renewable Sources of Energy, LD 1085, An Act to Establish the Renewable Energy Feed-in Tariff, LD 1252, An Act to Improve Maine's Economy and Energy Security with Solar and Wind Energy and LD 1278, An Act to Ensure Equitable Support for Long-term Energy Contracts.

LD 1147 **An Act To Protect Maine's Scenic Character** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
HAYES	REF TO EUT/OTP-AM OTP-AM	

This bill makes several changes to the scenic impact provisions of the laws governing expedited permitting of grid-scale wind energy development enacted in 2008. It offers the possibility of protecting scenic resources that have been identified as significant by municipalities in their comprehensive plans and the scenic resources of certain great ponds on which there are commercial sporting camps; increases from 8 miles to 15 miles the jurisdictional distance for requiring visual impact assessments; and creates a rebuttable presumption that proposed grid-scale wind energy development projects within 15 miles of Acadia National Park, Baxter State Park, the Appalachian Trail, a federally designated wilderness area or the Allagash Wilderness Waterway will have an unreasonable adverse effect on a scenic resource. It requires the Department of Environmental Protection to consider the cumulative impacts of development when permitting grid-scale wind energy development projects under the laws governing expedited permitting of grid-scale wind energy development. It requires the Department of Environmental Protection to undertake rulemaking with respect to required decommissioning plans and directs updates of the great ponds studies done in 1987 and 1989.

Committee Amendment "A" (H-550)

This amendment replaces the bill. It adds a new definition of "cumulative scenic impact or effect" to address potential cumulative impacts related to multiple wind energy generating facilities that are observed from a scenic resource of state or national significance. It changes the size of the area in which an analysis of visual impact must be undertaken from 3 and 8 miles currently to 8 and 15 miles. It creates a rebuttable presumption of unreasonable adverse effect on scenic character if the generating facility is located within 15 miles of Acadia National Park, the Appalachian Trail, a federally designated wilderness area, Baxter State Park or the Allagash Wilderness Waterway.

This amendment was reported out by the Joint Standing Committee on Environment and Natural Resources. The bill was committed to the Joint Standing Committee on Energy, Utilities and Technology.

The bill was then carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145 as amended by H-B (H-580) and H-C (H-582).

LD 1187 **An Act To Create the Maine Energy Cost Reduction Authority** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
FREDETTE CLEVELAND	ONTP	

This bill establishes the Maine Energy Cost Reduction Authority for the purpose of entering into contracts to procure and resell natural gas pipeline capacity and electric energy and capacity, to identify and designate corridors for the construction of natural gas transmission pipelines and to enter into long-term contracts for the use of natural gas pipeline corridors through the development of natural gas pipelines.

The committee incorporated the concepts presented in this bill into LD 1559, An Act to Reduce Energy Costs, Increase Energy Efficiency, Promote Electric System Reliability and Protect the Environment.

LD 1242 **An Act To Dissolve the Anson Water District** **LEAVE TO WITHDRAW**

Sponsor(s)	Committee Report	Amendments Adopted
DUNPHY		

This bill dissolves the Anson Water District on September 1, 2014.

LD 1243 **An Act Regarding Next Generation 9-1-1 and Making Changes in Surcharge Remittance for Certain Telecommunications Service Providers** **PUBLIC 119**

Sponsor(s)	Committee Report	Amendments Adopted
HOBBINS CLEVELAND	OTP	

This bill expands the scope of E-9-1-1 services to include emerging communications technologies. This bill changes the E-9-1-1 surcharge remittance period from monthly to quarterly for local exchange telephone utilities, cellular or wireless telecommunications service providers and interconnected voice over Internet protocol service providers whose average monthly surcharge remittance payment for the prior calendar year is less than $5,000 and allows the Emergency Services Communication Bureau to expend funds on emerging communications technologies.

Enacted Law Summary

Public Law 2013, chapter 119 expands the scope of E-9-1-1 services to include emerging communications technologies. This law changes the E-9-1-1 surcharge remittance period from monthly to quarterly for local exchange telephone utilities, cellular or wireless telecommunications service providers and interconnected voice over Internet protocol service providers whose average monthly surcharge remittance payment for the prior calendar year is less than $5,000 and allows the Emergency Services Communication Bureau to expend funds on emerging communications technologies.

LD 1251 **An Act To Lower Costs to Municipalities and Reduce Energy Consumption through Increased Competition in the Municipal Street Light Market** **INDEF PP**

Sponsor(s)	Committee Report	Amendments Adopted
NELSON MAZUREK	OTP-AM	H-472

This bill requires electricity transmission and distribution utilities to provide 3 options for municipal street lighting programs: the utility-provided services option, the municipally owned, utility-installed option and the municipally owned, installed and maintained option. Under these various options, the bill provides for how a municipality may be charged for the utility infrastructure services provided, how the location of street and area lighting will be provided on the utility poles, at what rates or by what methods the electricity delivery charges may be assessed and how a municipality may transition from one option to another during the course of any year.

The committee incorporated the concepts presented in this bill into LD 1559, An Act to Reduce Energy Costs, Increase Energy Efficiency, Promote Electric System Reliability and Protect the Environment.

Committee Amendment "A" (H-472)

This amendment strikes and replaces the provisions of the bill. The amendment requires electricity transmission and distribution utilities to provide new options for municipal street lighting programs and provides for how a municipality may be charged for the utility infrastructure services provided, how the location of street and area lighting will be provided, at what rates or by what methods the electricity delivery charges may be assessed and how a municipality may transition from one option to another during the course of any year.

The committee incorporated the concepts presented in this amendment into LD 1559, An Act to Reduce Energy Costs, Increase Energy Efficiency, Promote Electric System Reliability and Protect the Environment.

LD 1252 **An Act To Improve Maine's Economy and Energy Security with Solar and Wind Energy** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
MORRISON GRATWICK		

This bill reinstates the solar and wind energy rebate program, which provided rebates for the purchase of certain solar and wind energy equipment, until June 30, 2018. The program had expired December 31, 2010. This bill also increases the limit on the total amount of renewable capacity allowed under the community-based renewable energy pilot program from 50 megawatts to 60 megawatts and requires the Public Utilities Commission to reserve 10 megawatts in that program for solar-powered generating systems. The bill increases the limit on the contract price the commission can authorize for eligible solar-power generation and indexes the price limit to the Consumer Price Index. It also extends the repeal date for the Community-based Renewable Energy Act from December 31, 2015 to December 31, 2017. The bill requires the commission to submit to the Legislature by January 15, 2014 a report on options for establishing a solar carve-out, or solar set-aside, an amount of energy purchased that must be solar, within the State's renewable portfolio standard.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1262 **An Act To Reduce Energy Costs** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
FREDETTE	ONTP	

This bill establishes the Energy Cost Reduction Oversight Board.

This bill gives the Finance Authority of Maine the authority to issue revenue obligation securities to finance an energy cost-reduction contract.

This bill gives the Director of the Governor's Energy Office the authority to submit energy cost-reduction contract proposals to procure natural gas pipeline capacity or to lease the use of property, lands or waters of the State for the purposes of gas, water or electricity transmission corridors to the Energy Cost Reduction Oversight Board and the Public Utilities Commission for approval.

This bill establishes the standards for the Energy Cost Reduction Oversight Board and the Public Utilities Commission to approve an energy cost-reduction contract.

This bill requires the Director of the Governor's Energy Office to notify the Legislature when an energy cost-reduction contract proposal is submitted to the Public Utilities Commission for approval.

This bill gives the Public Utilities Commission authority to direct an investor-owned transmission and distribution utility, a natural gas utility and a natural gas pipeline utility to assess ratepayers for the cost of an energy cost-reduction contract, the bonds associated with an energy cost-reduction contract and the administration of an energy cost-reduction contract.

This bill establishes the Energy Cost Reduction Trust Fund, to be administered by the Public Utilities Commission, to receive the revenue or profits generated from energy cost-reduction contracts and directs those funds towards initiatives to reduce energy costs for ratepayers.

This bill exempts energy cost-reduction contracts for the resale of natural gas pipeline capacity from the competitive bid requirements of the State Purchasing Agent.

This bill gives the Public Utilities Commission authority to investigate the exercise of market power by a gas utility, natural gas pipeline utility and any person who owns rights to natural gas pipeline capacity.

This bill authorizes the Public Utilities Commission to adopt rules to implement the provisions of this legislation.

The committee incorporated the concepts presented in this bill into LD 1559, An Act to Reduce Energy Costs, Increase Energy Efficiency, Promote Electric System Reliability and Protect the Environment.

LD 1278 **An Act To Ensure Equitable Support for Long-term Energy Contracts** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
YOUNGBLOOD CAMPBELL R		

This bill ensures that consumers of investor-owned transmission and distribution utilities in the State equitably share in the costs and direct benefits of long-term capacity resource contracts and community-based renewable energy projects. The bill provides that eligible costs and benefits related to these contracts are determined annually based on a forecast and reconciled the following year. The recovery mechanism established in this bill applies to existing long-term contracts and replaces any other recovery mechanism currently in place.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1293 **An Act To Create the Presque Isle Utilities District** **P & S 15**

Sponsor(s)	Committee Report	Amendments Adopted
WILLETTE SHERMAN	OTP-AM	H-458

This bill combines the Presque Isle Sewer District and the Presque Isle Water District to create the Presque Isle Utilities District.

Committee Amendment "A" (H-458)

This amendment clarifies that the Presque Isle Utilities District is authorized to conduct its business in a way that is consistent with applicable federal, state and local law. This amendment corrects cross-references and clarifies the transition provisions regarding the terms of trustees. This amendment gives explicit authority to the existing sewer district and water district to transfer their assets and liabilities to the new utilities district and makes it clear that the transfer of assets and liabilities of the water district must be approved by the Public Utilities Commission. This amendment requires legislation to be submitted to repeal the charters of the Presque Isle Sewer District and the Presque Isle Water District once they are dissolved for the purposes of creating the Presque Isle Utilities District.

Enacted Law Summary

Private and Special Law 2013, chapter 15 combines the Presque Isle Sewer District and the Presque Isle Water District to create the Presque Isle Utilities District and requires legislation to be submitted to repeal the charters of the Presque Isle Sewer District and the Presque Isle Water District once they are dissolved for the purposes of creating the Presque Isle Utilities District.

LD 1323 **An Act Regarding Wind Power Siting in the Unorganized Territory** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
HAYES	REF TO EUT/OTP-AM OTP-AM	

This bill provides that before the Department of Environmental Protection may approve a proposal for a grid-scale wind energy development in the unorganized or deorganized area of the State, the Maine Land Use Planning Commission must certify that the area where the development will be located has been zoned for planned development and removes a legislative finding regarding wind energy development in the unorganized and deorganized areas of the State.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

Committee Amendment "A" (H-549)

This amendment is the minority report of the committee and replaces the bill. It repeals the provision of law specifying that an expedited wind energy development is a use requiring a permit but not a special exception. It repeals the requirement that the Department of Agriculture, Conservation and Forestry, Maine Land Use Planning Commission make expedited wind energy development a use allowed with a permit in expedited permitting areas. The effect of the repeals is to require that, in order for a wind energy development in the unorganized or deorganized area of the State to receive a permit from the Department of Environmental Protection or the Maine Land Use Planning Commission, the development must be located in a subdistrict in which it is an allowed use. It also replaces a legislative finding regarding wind energy development in the unorganized and deorganized areas of

the State and requires the Maine Land Use Planning Commission to amend its rules regarding allowed uses.

This amendment adds an appropriations and allocations section.

This amendment was reported out by the Joint Standing Committee on Environment and Natural Resources. The bill was committed to the Joint Standing Committee on Energy, Utilities and Technology.

The bill was then carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145 as amended by H-B (H-580) and H-C (H-582).

LD 1325 **Resolve, To Place a Temporary Suspension on Permitting of Certain Expedited Grid-scale Wind Energy Developments** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
KAENRATH	ONTP OTP	

This resolve establishes a temporary suspension on the expedited permitting of specified grid-scale wind energy developments and establishes the Panel to Review the Permitting of Expedited Wind Energy Development to review the recommendations of the report issued in March 2012 by the Governor's Office of Energy Independence and Security entitled "Maine Wind Energy Development Assessment: Report and Recommendations." The panel is directed to evaluate specifically the 25 separate recommendations contained in the report and to develop recommendations regarding implementation of each of the recommendations and to include in its report any recommendations to extend or terminate early the temporary suspension.

LD 1336 **An Act To Dissolve the Lisbon Water Department** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CRAFTS MASON G	ONTP	

This bill dissolves the Lisbon Water Department.

The committee voted this bill ought-not-to-pass but carried over LD 1396, An Act to Create the Lisbon Water District and intends to include the concepts presented in this bill in its consideration of LD 1396.

LD 1342 **An Act To Authorize the Public Advocate To Mediate Disputes Related to Rates for Sewer Service** **VETO SUSTAINED**

Sponsor(s)	Committee Report	Amendments Adopted
TREAT FLOOD	OTP-AM	H-352

This bill gives the Public Utilities Commission authority to investigate rate changes of sewer districts and sanitary districts, jointly referred to as "sewer utilities," if the commission receives a petition that meets certain criteria requesting it to do so. If the commission receives a valid petition, the rate must be suspended, investigated, reviewed and changed in accordance with the Maine Revised Statutes, Title 35-A, section 310. The bill includes a process for

sewer utilities to challenge the validity of the petition. The bill gives the commission authority to adopt rules regarding rate regulation.

Committee Amendment "A" (H-352)

This amendment replaces the bill. It authorizes the Public Advocate to mediate between a sewer district and its customers with respect to a proposed rate change if 15% of the customers or 1,000 customers, whichever is less, petition the Public Advocate to mediate.

LD 1348 **An Act To Encourage School Administrative Units To Increase Their Energy Savings** **PUBLIC 366**

Sponsor(s)	Committee Report	Amendments Adopted
DORNEY	OTP-AM ONTP	H-353

This bill authorizes the Efficiency Maine Trust to develop an energy program targeted to kindergarten to grade 12 schools, including charter schools.

Committee Amendment "A" (H-353)

This amendment adds private schools to the list of the types of schools that may take advantage of the school energy savings program at the Efficiency Maine Trust. It expands the types of payments that the Efficiency Maine Trust may receive from schools, removes the rule-making requirement and clarifies that funds that may be available from the United States Department of Agriculture are for school districts with a population of less than 20,000 people.

Enacted Law Summary

Public Law 2013, chapter 366 directs the Efficiency Maine Trust, to the extent funds are available, to develop a program to provide energy savings improvements to kindergarten through grade 12 schools. The program may provide incentives and technical support for energy audits and provide financial assistance to schools, including, but not limited to, through loan programs.

LD 1375 **An Act To Enhance Maine's Economy and Environment** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
PATRICK	ONTP	

Part A of this bill repeals the Public Utilities Commission's authority to direct electric transmission and distribution utilities to enter into long-term contracts. It repeals the requirement that grid-scale wind energy developments provide tangible benefits to host communities and repeals the State's wind energy generation goals. It directs the Commissioner of Environmental Protection to develop protocols to accept public complaints related to wind energy developments and directs the Department of Environmental Protection to develop a process for a neutral party to conduct a public hearing on any wind energy development that generates significant public interest. The public hearing must be held before the department may approve an application or issue a permit related to a wind energy development. Part A includes provisions to decrease the visual impact of wind turbines at night. It also fixes cross-references.

Part B of this bill establishes a property value guarantee program to ensure that a landowner whose real property is located within 8 miles of the base of a wind turbine is compensated for any reduction in property value resulting from the proximity of the wind turbine. A wind energy development owner or operator is required to notify landowners within an 8-mile radius of a planned wind turbine of the property value guarantee program. Landowners

may choose to enter into a property value guarantee agreement with the wind energy development owner or operator under which the wind energy development owner or operator must pay the difference in property value if the landowner's real property is sold within 10 years of entering into the agreement for less than the asking price that is either agreed to by the parties or determined by appraisal. A landowner who receives compensation for the location of the wind turbine directly from the wind energy development owner or operator is not eligible to participate in the program unless the wind energy development owner or operator waives the disqualification.

Part B of the bill requires sellers of residential real property to disclose to the purchasers whether the property to be sold is located within the State's expedited wind energy development permitting area or to provide information regarding an existing permit or a pending permit application for a grid-scale wind energy development within 8 miles of the property.

Part B of the bill provides a compensation provision for landowners whose property values have diminished due to the location of wind turbines permitted before the effective date of the new program.

LD 1386 **An Act To Allocate Net Revenue from Energy Corridor Leases on the Maine Turnpike for Purposes of Energy and Environmental Conservation** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
HOBBINS	ONTP	

Current law requires that net revenue from the lease of an energy corridor on the Maine Turnpike's right-of-way be deposited in the Efficiency Maine Trust. This bill instead requires 10% of the net revenue to be deposited in the Efficiency Maine Trust and requires the balance to be used by the Maine Turnpike Authority for environmental and energy conservation initiatives either for the Maine Turnpike or for the State's broader transportation sector in joint projects with the Department of Transportation as currently allowed for in the turnpike's enabling act.

The committee voted this bill ought-not-to-pass but addressed the issue of revenues derived from the use of state-owned land and assets for energy infrastructure development pursuant to the Maine Revised Statutes, Title 35-A, section 122 in committee bill LD 1559, An Act to Reduce Energy Costs, Increase Energy Efficiency, Promote Electric System Reliability and Protect the Environment.

LD 1396 **An Act To Create the Lisbon Water District** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T BEAVERS		

This bill creates the Lisbon Water District.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1403 **Resolve, To Require the Public Utilities Commission To Amend Its Rules Regarding Net Energy Billing** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
WELSH GERZOFSKY	ONTP	

This resolve directs the Public Utilities Commission to amend its rules regarding net energy billing to resolve inconsistencies in the rules adopted for net energy billing for small generators and the rules adopted regarding net energy billing authorized by statute by:

1. Increasing the eligible size for net energy billing to 1,000 kilowatts or less from the 660-kilowatt level;

2. Allowing third-party ownership of individual or multiple facilities;

3. Specifying that third-party-owned facilities are not competitive electricity providers;

4. Allowing groups of customers to participate in net energy billing without sharing ownership of the generating facility; and

5. Requiring a statement on contracts and agreements that the sale or delivery of kilowatt-hours of electricity to net energy billing customers is not subject to sales tax.

The committee voted this bill ought-not-to-pass, but carried over a number of bills related to renewable energy policies and plans to include net energy billing in its consideration of those bills. The bills that the committee carried over are: LD 646, An Act to Remove the 100-megawatt Limit on Renewable Sources of Energy, LD 1085, An Act to Establish the Renewable Energy Feed-in Tariff, LD 1252, An Act to Improve Maine's Economy and Energy Security with Solar and Wind Energy and LD 1278, An Act to Ensure Equitable Support for Long-term Energy Contracts.

LD 1425 **An Act To Create Affordable Heating Options for Maine Residents and Reduce Business Energy Costs** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
DUNPHY	ONTP	

This bill amends the Efficiency Maine Trust laws by including energy cost reduction as a central mission of the trust. Specifically, it allows all energy sources to be eligible for funding to lower the cost of energy for Maine residents. In addition, the bill reduces electricity rates for industrial consumers by redirecting cap-and-trade auction revenue to reduce electricity rates. The bill provides additional flexibility for funding through an assessment that addresses all energy challenges in the State. Finally, the bill amends the regional greenhouse gas initiative laws and makes modifications to the structure of the Efficiency Maine Trust Board.

The committee incorporated some of the concepts presented in this bill into LD 1559, An Act to Reduce Energy Costs, Increase Energy Efficiency, Promote Electric System Reliability and Protect the Environment.

LD 1426 **An Act To Improve Maine's Economy and Lower Energy Costs through Energy Efficiency** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BOYLE RUSSELL	ONTP	

This bill changes the structure of the assessment imposed by the Public Utilities Commission for electric efficiency and conservation programs. The bill repeals the base rate of .145¢ per kilowatt hour and instead requires the commission to ensure that all electric ratepayers procure all energy efficiency resources found by the commission to be cost-effective, reliable and achievable and allows the commission to impose any order on transmission and distribution utilities necessary to achieve the energy efficiency savings.

The bill establishes a voluntary heating fuels efficiency and weatherization payment imposed on the transfer of a barrel of #2 heating oil or kerosene or the equivalent amount of propane. The voluntary payment is collected at the wholesale level and may not exceed 2% of the average retail price paid for a gallon of #2 heating oil or its equivalent in the previous year. The Efficiency Maine Trust may not collect the voluntary payment unless it is imposed on 90% of the fuel supplied to the State. The amount of the voluntary payment is set by the fuel dealers; this action is specifically excluded from any state law prohibiting price fixing or collusion. The voluntary payment is deposited in the Heating Fuels Efficiency and Weatherization Fund and is matched by an equivalent transfer by the Efficiency Maine Trust from the Regional Greenhouse Gas Initiative Trust Fund.

The bill prohibits transmission and distribution utilities and natural gas utilities from recovering costs from ratepayers for grants offered to a customer for fuel conversion of the customer's primary heating or cooling system and allows the utility to use shareholder funds for grants or loans for fuel conversions under certain circumstances.

The bill requires that, during 2014, 2015 and 2016, at least 65% of the Regional Greenhouse Gas Initiative Trust Fund must be allocated for measures, investments and arrangements that reduce electricity consumption, and not more than 35% must be allocated for fossil fuel conservation measures, investments and arrangements. The bill decreases the percentage of revenue generated from the use of energy efficiency corridors owned by the Department of Transportation that is deposited into the Secondary Road Program Fund from 90% to 20% and increases the percentage of revenue deposited in the energy infrastructure benefits fund from 10% to 80%.

The committee incorporated some of the concepts presented in this bill into LD 1559, An Act to Reduce Energy Costs, Increase Energy Efficiency, Promote Electric System Reliability and Protect the Environment.

LD 1434 **An Act To Clarify the Laws Governing Noise from Wind Turbines** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
JONES		

This bill requires unregulated wind energy developments that buy and sell electricity to meet the same sound level standards that wind energy developments permitted under the Maine Revised Statutes, Title 38, chapter 3, subchapter 1, article 6 must meet.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1442 **An Act To Establish a Pilot Natural Gas District in Maine** **P & S 17 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
NADEAU C LACHOWICZ	OTP-AM	H-419

This bill establishes the Kennebec Valley Gas District, which is a pilot natural gas utility district.

The bill also requires the Public Utilities Commission to study and make recommendations to the joint standing committee of the Legislature having jurisdiction over utility matters by December 2, 2015, regarding the need for further enactment of legislation to facilitate or promote the purposes of the establishment of municipal natural gas utility districts in the State.

Committee Amendment "A" (H-419)

This amendment replaces the bill. This amendment establishes the Kennebec Regional Gas District to assist and help coordinate with the provision of natural gas from third-party suppliers or distributors of natural gas to the citizens, organizations and businesses of the district, including through grants, loans or other financial assistance; to assist in aggregating customers for the purpose of procuring natural gas supply to customers within the district who elect to participate in such aggregation; to provide grants, loans or other financial assistance to residential and commercial customers in the district to obtain natural gas or to assist such customers with natural gas conversions; to own, operate or assist in the development or operation of one or more facilities that use natural gas to cogenerate electric power and other useful energy; and to manage the district.

Enacted Law Summary

Private and Special Law 2013, chapter 17 establishes the Kennebec Regional Gas District to assist and help coordinate with the provision of natural gas from third-party suppliers or distributors of natural gas to the citizens, organizations and businesses of the district, including through grants, loans or other financial assistance; to assist in aggregating customers for the purpose of procuring natural gas supply to customers within the district who elect to participate in such aggregation; to provide grants, loans or other financial assistance to residential and commercial customers in the district to obtain natural gas or to assist such customers with natural gas conversions; to own, operate or assist in the development or operation of one or more facilities that use natural gas to cogenerate electric power and other useful energy; and to manage the district.

Private and Special Law 2013, chapter 17 was enacted an emergency measure effective June 29, 2013.

LD 1456 **An Act To Promote Local or Community-based Generation Projects** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BOLAND	ONTP	

This bill:

1. Requires that all meters installed by an electric transmission and distribution utility be electromechanical;

2. Requires that electric transmission and distribution utilities have neutral wires with the capacity to return 150% of excess power to the grid and that the wires return existing power at a rate that is greater than 95%. The commission is required to certify that transmission and distribution utilities meet this standard for neutral wires;

3. Creates a new class of electricity generators, small renewable generators, for the purposes of requiring a standard-offer service provider to purchase the electricity generated from the small renewable generators at rates higher than market value for the first 15 to 25 years that the generator is connected to the grid; and

4. Directs the Public Utilities Commission to develop a set of recommendations including tax and regulatory incentives to encourage the development of decentralized microgrids or community-based or neighborhood-based clean energy generation facilities using solar, wind and geothermal energy as nontransmission alternatives.

LD 1457 **An Act To Amend the Charter of the South Berwick Sewer District** **P & S 11**

Sponsor(s)	Committee Report	Amendments Adopted
EVES HILL	OTP	

This bill amends the charter of the South Berwick Sewer District by changing the annual meeting to the first Monday in March instead of the 2nd Monday in March and increasing the compensation for trustees from $150 per year to $350 per year and the compensation for the chair from $250 per year to $500 per year.

Enacted Law Summary

Private and Special Law 2013, chapter 11 amends the charter of the South Berwick Sewer District by changing the annual meeting to the first Monday in March instead of the 2nd Monday in March and increasing the compensation for trustees from $150 per year to $350 per year and the compensation for the chair from $250 per year to $500 per year.

LD 1468 **An Act To Authorize a General Fund Bond Issue To Establish the High-efficiency Biomass, Pellet or Wood Boiler Rebate Program and the Home Heating Conversion Fund** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T HOBBINS	OTP-AM ONTP	

This bill establishes the High-efficiency Biomass Pellet Boiler Rebate Program, administered by the Efficiency Maine Trust, to give rebates to owners or occupants of buildings who install high-efficiency wood pellet boilers or heating systems in the buildings. The rebates are paid from the Home Heating Conversion Fund, administered by the Efficiency Maine Trust, which also provides funds to replace outdoor wood boilers that do not meet air quality standards as determined by the Department of Environmental Protection. The Home Heating Conversion Fund is funded by $20,000,000 in revenue bonds issued by the Efficiency Maine Trust and paid for by the sale of sustainably harvested timber from public reserved lands.

Committee Amendment "A" (S-253)

This amendment replaces the bill. This amendment:

1. Establishes three goals relating to the use of revenue from the State's public reserved lands: to support the harvest of timber from the public reserved lands up to the sustainable yield on a year-to-year basis, to support land management and public access to public reserved lands and to support certain heating system programs;

2. In fiscal year 2013-14 allocates $200,000 and in fiscal year 2014-15 allocates $345,000 from the Public Reserved Lands Management Fund to the Department of Agriculture, Conservation and Forestry, Division of Parks and

Public Lands to fund the building of infrastructure for land management and public access opportunities;

3. In fiscal year 2013-14 allocates $500,000 and in fiscal year 2014-15 allocates $1,000,000 from the Public Reserved Lands Management Fund to the Department of Agriculture, Conservation and Forestry to fund a program, to be developed by the department, to provide funding assistance to the owners or occupants of residential buildings in this State to install high-efficiency, biomass-fueled, central heating systems or boilers as a primary heating source or to replace outdoor wood boilers that do not meet air quality standards established by the United States Environmental Protection Agency. Eligible systems under the program must have an efficiency rating of at least 80%;

4. Directs the Efficiency Maine Trust to establish a program to expand affordable residential heating options using funds allocated to the trust from the Public Reserved Lands Management Fund. The program must provide funding assistance for new heating system installations and improvements that will significantly reduce residential energy costs and greenhouse gas emissions, as determined by the trust. Consistent with the purposes of the program, the program must provide funding assistance to systems on a technology-neutral basis. In providing assistance under the program, the trust must consider tax or grant subsidies from the Federal Government. The trust may develop specific programs for regions of the State where options for home heating have the highest costs; and

5. Beginning in fiscal year 2015-16 and biennially thereafter requires the Director of the Division of Parks and Public Lands within the Department of Agriculture, Conservation and Forestry to determine the amount of funds needed to support the harvest of timber from the public reserved lands up to the sustainable yield on a year-to-year basis and to support land management and public access to public reserved lands. In fiscal year 2015-16, that amount must include $450,000 to fund the building of infrastructure for land management and public access opportunities. Any funds in excess of that amount must be identified by the Department of Agriculture, Conservation and Forestry in the revenue estimated as available to be allocated to the Efficiency Maine Trust. The director also is directed to provide an annual 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 the Efficiency Maine Trust identifying the excess funds that may be allocated to the Efficiency Maine Trust.

Senate Amendment "A" (S-301)

This amendment replaces the bill. This amendment authorizes a General Fund bond issue to fund the High-efficiency Biomass Boiler Rebate Program to be administered by the Efficiency Maine Trust. The funds provided by this bond issue, in the amount of $10,000,000, will be used to provide rebates through the Home Heating Conversion Fund for an owner or occupant of a building who installs a high-efficiency, biomass central heating system or boiler.

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 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1471 **An Act Authorizing the Board of Environmental Protection To Modify a License for a Wind Energy Development** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
KESCHL LANGLEY	ONTP	

This bill ensures that reductions in the sound level limits adopted by rule by the Department of Environmental Protection for the routine operation of wind energy developments are applied to previously approved wind energy developments. This bill directs the Board of Environmental Protection to modify an existing license for a wind energy development to implement sound level standards that were adopted by rule subsequent to the approval of the

wind energy development.

LD 1472 **An Act To Provide for Economic Development with Offshore Wind Power and To Reduce Energy Costs, Increase Energy Efficiency, Promote Electric System Reliability and Protect the Environment** **PUBLIC 378**

Sponsor(s)	Committee Report	Amendments Adopted
KRUGER CAIN	OTP-AM	H-525 S-321 YOUNGBLOOD

This bill adds offshore wind energy developments and associated manufacturing as a targeted technology for support from the Maine Technology Institute.

This bill adds offshore wind energy developments and associated manufacturing as an eligible project to receive financial assistance from the Finance Authority of Maine.

This bill provides for a $5,000,000 tax credit for ownership of offshore wind energy developments. This bill directs the Public Utilities Commission to implement a portfolio requirement that will guarantee the sale of any energy generated by an offshore wind energy development when the cost of that energy is substantially equal to market value.

This bill directs the Public Utilities Commission to identify specific criteria for issuing a certificate of public convenience and necessity for an offshore wind energy development and to submit a bill to the Second Regular Session of the 126th Legislature to establish the criteria in statute.

Committee Amendment "A" (H-525)

This amendment removes the portions of the bill related to the Maine Technology Institute, the renewable portfolio standard and tax credits. It authorizes the Public Utilities Commission to issue a second solicitation for deep-water offshore wind projects under the provisions of Public Law 2009, chapter 615 if the original recipient of the contract does not move forward in development for any reason.

Senate Amendment "D" To Committee Amendment "A" (S-321)

This amendment requires the Public Utilities Commission to conduct a second round of competitive solicitation for deep-water offshore wind energy pilot projects and provides that the University of Maine deep-water offshore wind energy pilot project is eligible to apply for designation as a pilot project. This amendment requires that, in order to be included in the review of proposals, such additional proposals must be received before September 1, 2013, and that the commission make every effort to finalize a contract.

Enacted Law Summary

Public Law 2013, chapter 378 explicitly states that offshore wind energy developments and associated manufacturing projects are eligible to receive financial assistance from the Finance Authority of Maine.

This public law requires the Public Utilities Commission to conduct a second round of competitive solicitation for deep-water offshore wind energy pilot projects and provides that the University of Maine deep-water offshore wind energy pilot project is eligible to apply for designation as a pilot project. This amendment requires that, in order to be included in the review of proposals, such additional proposals must be received before September 1, 2013, and that the commission make every effort to finalize a contract.

LD 1479 **An Act To Clarify Telecommunications Regulation Reform** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted

This bill limits the amount of funds a provider of last resort service can receive from the state universal service fund. The bill establishes a procedure for the Public Utilities Commission to conduct an emergency rate case in response to a petition for a temporary increase in rates.

This bill provides that the Public Utilities Commission may not reassign the provider of last resort service obligation without the consent of the current service provider unless that provider is unable to provide the service in accordance with state law. This bill provides that the rate charged to customers for provider of last resort service must be uniform throughout the State for a service provider, must be within 2 standard deviations of the national average and may not be set at a level that will jeopardize the receipt of federal funding to support telecommunications services.

This bill amends the section of law related to the assessment to fund the Public Utilities Commission and the Office of the Public Advocate to include all utilities that were included prior to the enactment of Public Law 2011, chapter 623. It expands the assessment to include a person that provides voice over Internet protocol service over facilities that it, or an affiliated company, owns or leases, regardless of whether that service provider paid the assessment prior to March 1, 2012.

This bill is reported out by the Joint Standing Committee on Energy, Utilities and Technology pursuant to Public Law 2011, chapter 623, Part A, section 25 and Part D, section 7. As required by the public law, the Public Utilities Commission submitted to the committee a report to create a framework for establishing rates for provider of last resort service and a report regarding assessments paid by voice service providers on January 15, 2013.

The Joint Standing Committee on Energy, Utilities and Technology has not taken a position on the substance of this bill and by reporting this bill out the committee is not suggesting and does not intend to suggest that it agrees or disagrees with any aspect of this bill. The committee is reporting the bill out for the sole purpose of turning the issues raised in the Public Utilities Commission's reports into a printed bill that can be referred to the committee for an appropriate public hearing and subsequent processing in the normal course. The committee is taking this action to ensure clarity and transparency in the legislative review of the framework for setting the rates for provider of last resort service.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

This amendment, which is the majority report, replaces the bill. It clarifies provisions regarding the collection of the assessment on public utilities and qualified telecommunications providers to fund the Public Utilities Commission under the Maine Revised Statutes, Title 35-A, section 116. It removes the requirement that providers of radio paging service contribute to the universal service fund. It prohibits the Public Utilities Commission from reassigning the provider of last resort obligation unless the current service provider is unable or unwilling to provide the service or has substantially failed or is likely to fail in providing the service. It establishes that a provider of provider of last resort service may file for a general rate increase under Title 35-A, chapter 3 and provides criteria for those rates. It allows the commission to approve a temporary rate increase for a provider of provider of last resort service with more than 75,000 working access lines through an expedited rate case or through a determination made 60 days into an investigation as a result of a filing for a general rate increase. This amendment allows the commission to provide no more than $6,000,000 in universal service fund support to a provider of provider of last resort service with more than 75,000 access lines.

This amendment, which is the minority report, replaces the bill. This amendment clarifies provisions regarding the assessments collected from public utilities and qualified telecommunications providers to fund the Public Utilities Commission pursuant to the Maine Revised Statutes, Title 35-A, section 116. This amendment removes the requirement of the bill that all providers of voice over Internet protocol service that provide the service over facilities that the provider or an affiliated company owns or leases pay the assessment under section 116. This amendment removes the requirement that providers of radio paging service contribute to the universal service fund. This amendment removes the prohibition on commission reassignment of the provider of last resort obligation. This amendment adds specific records regarding cost allocation to the documents that must be filed for an expedited rate case.

LD 1501 **An Act To Apply the Precautionary Principle to Decision Making in Certain State Agencies** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
BOLAND	ONTP OTP-AM	

This bill requires the Public Utilities Commission and the Department of Environmental Protection to employ the precautionary principle in their decision-making process regarding a review of proposed action in matters of environmental safety and public health. The precautionary principle must be used in cases in which, after a review of the best scientific information available, there are reasonable grounds for concern that a proposed action will have potentially dangerous effects on the environment or human, animal or plant health although scientific uncertainty exists regarding these potentially dangerous effects. In cases in which the precautionary principle must be used, its use requires the burden of proof to be placed on the proponent of the proposed action to show that the proposed action presents no appreciable risk of harm to the environment or human, animal or plant health.

Committee Amendment "A" (H-460)

This amendment is the minority report of the committee and replaces the bill. This amendment provides that, in an adjudicatory proceeding initiated after the effective date of this legislation, if the Public Utilities Commission determines, after a review of the best scientific information available, there are reasonable grounds for concern that a proposed action that is the subject of the adjudicatory proceeding will result in serious or irreversible damage to the environment or human, animal or plant health, the commission may require, as a condition of approval of the proposed action, that all cost-effective measures be taken to prevent that damage.

LD 1507 **An Act To Include Useful Thermal Energy as a Renewable Energy Source** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T	ONTP	

This bill provides that renewable energy credits may be based on renewable energy derived from geothermal, solar thermal or biomass thermal sources that can be metered, that is delivered to an end user in the form of direct heat, steam, hot water or other thermal form and that is used for heating, cooling, humidity control, process use or other thermal end use, the energy requirements for which nonrenewable fuel or electricity would be otherwise consumed. The bill requires the Public Utilities Commission by rule to provide a methodology for measurement of useful thermal energy and valuation of that energy for purposes of calculating renewable energy credits.

The committee voted this bill ought-not-to-pass, but carried over a number of bills related to renewable energy

policies and plans to include the potential to incentivize useful thermal energy as a renewable energy source in its consideration of those bills. The bills that the committee carried over are: LD 646, An Act to Remove the 100-megawatt Limit on Renewable Sources of Energy, LD 1085, An Act to Establish the Renewable Energy Feed-in Tariff, LD 1252, An Act to Improve Maine's Economy and Energy Security with Solar and Wind Energy and LD 1278, An Act to Ensure Equitable Support for Long-term Energy Contracts.

LD 1517 **An Act To Amend the Laws Governing Decision-making Authority Regarding Energy Infrastructure Corridors** **PUBLIC 360**

Sponsor(s)	Committee Report	Amendments Adopted
HARVELL	OTP-AM	H-459

This bill makes the following changes to the laws governing the Interagency Review Panel.

1. It adds as members of the panel the Governor's senior economic advisor and the Director of the Governor's Office of Policy and Management within the Executive Department or the director's designee.

2. It eliminates one of the public members of the panel.

3. It requires that a decision by the panel regarding an energy infrastructure corridor proposal be approved by the Governor before the State may enter into a binding contract with respect to the proposal.

4. It specifies that payments for appraisal costs collected from potential developers of an energy infrastructure corridor must be deposited in the energy infrastructure benefits fund.

This bill also changes the date on which the section of law governing energy infrastructure corridors is scheduled to be repealed from July 30, 2015 to July 30, 2017.

Committee Amendment "A" (H-459)

The bill removes a public member from the Interagency Review Panel; this amendment restores that member. The bill proposes to add the Governor's senior economic advisor to the panel; this amendment replaces this member with the Public Advocate. The amendment also provides that appraisal costs collected from potential developers may be used not only for the costs of appraisal services but also to reimburse members of the review panel for expenses.

Enacted Law Summary

Public Law 2013, chapter 360 makes the following changes to the laws governing the Interagency Review Panel.

1. It adds as members of the panel the Public Advocate and the Director of the Governor's Office of Policy and Management within the Executive Department or the director's designee.

2. It requires that a decision by the panel regarding an energy infrastructure corridor proposal be approved by the Governor before the State may enter into a binding contract with respect to the proposal.

3. It specifies that payments for appraisal costs collected from potential developers of an energy infrastructure corridor may be used not only for the costs of appraisal services but also to reimburse members of the review panel for expenses.

This bill also changes the date on which the section of law governing energy infrastructure corridors is scheduled to be repealed from July 30, 2015 to July 30, 2017.

LD 1532 **An Act To Provide Model Language for Standard Sewer District Charters** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted

This bill creates a model standard sewer district charter in statute. It includes standard language for the common provisions included in a sewer district charter. It also includes the mandatory requirements of the Maine Revised Statutes, Title 38, chapter 12, except the requirement that a new sewer district be formed under the Sanitary District Enabling Act and that a proposed amendment to extend the boundaries of a sewer district be approved by referendum before the amendment is presented to the Legislature.

This bill repeals Title 38, chapter 12. The bill also fixes cross-references.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1537 **An Act To Promote the Delivery of Natural Gas to Central Maine** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
FREDETTE	ONTP	

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

This bill proposes to promote the delivery of natural gas to the central Maine region.

LD 1553 **An Act To Maintain Competition among Electricity Suppliers Serving Northern Maine** **PUBLIC 346**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T WILLETTE	OTP	

This bill provides that the limitations on how much electricity an affiliated competitive provider may sell within the service territory of the distribution utility with which it is affiliated do not apply to competitive electricity service or standard-offer service in the service territory or any portion of the service territory of a distribution utility that is located in an area administered by the independent system administrator for northern Maine unless the Public Utilities Commission finds that the level of competitive electricity service and standard-offer service competition in the area administered by the independent system administrator for northern Maine is substantially similar to the level of competitive electricity service and standard-offer service competition in the area of the State that is within the New England independent system operator control area.

Enacted Law Summary

Public Law 2013, chapter 346 provides that the limitations on how much electricity an affiliated competitive provider may sell within the service territory of the distribution utility with which it is affiliated do not apply to competitive electricity service or standard-offer service in the service territory or any portion of the service territory of a distribution utility that is located in an area administered by the independent system administrator for northern

Maine unless the Public Utilities Commission finds that the level of competitive electricity service and standard-offer service competition in the area administered by the independent system administrator for northern Maine is substantially similar to the level of competitive electricity service and standard-offer service competition in the area of the State that is within the New England independent system operator control area.

LD 1559 **An Act To Reduce Energy Costs, Increase Energy Efficiency, Promote Electric System Reliability and Protect the Environment** **PUBLIC 369 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
		H-350 FREDETTE

This bill is reported by the Joint Standing Committee on Energy, Utilities and Technology pursuant to Joint Order 2013, H.P. 1125.

PART A

This Part changes the structure of the assessment imposed by the Public Utilities Commission for electric efficiency and conservation programs. The bill repeals the base rate of .145¢ per kilowatt hour effective July 1, 2015, and instead requires the commission to ensure that transmission and distribution utilities have sufficient revenue from rates to provide for the procurement for the benefit of ratepayers of all energy efficiency resources found by the commission to be cost-effective, reliable and achievable and allows the commission to impose any order on transmission and distribution utilities necessary to achieve the energy efficiency savings.

This Part decreases the percentage of revenue generated from the use of energy efficiency corridors owned by the Department of Transportation that is deposited into the Secondary Road Program Fund from 90% to 20% and increases the percentage of revenue deposited in the energy infrastructure benefits fund from 10% to 80%.

This Part directs that funds received by transmission and distribution utilities pursuant to Maine Yankee litigation be paid 55% to the Efficiency Maine Trust and 45% to ratepayers pursuant to an order of the commission allocating the funds for the maximum benefit to the Maine economy.

This Part allocates 35% of Regional Greenhouse Gas Initiative proceeds to residential fuel switching, as approved by the Efficiency Maine Trust, 50% to electric savings and thermal savings for commercial and industrial facilities and 15% to the Public Utilities Commission to be disbursed to transmission and distribution utilities for the maximum benefit to the State's economy.

This Part approves a pending long-term contract for energy efficiency resources as recommended by the Public Utilities Commission.

PART B

This Part gives the Public Utilities Commission the authority until December 31, 2018 to execute an energy cost reduction contract to procure natural gas pipeline capacity for the purpose of increasing the flow of natural gas into New England by 2,000,000,000 cubic feet per day.

This Part establishes the standards for the Public Utilities Commission to execute an energy cost reduction contract.

This Part requires consultation with the Office of the Public Advocate and the Governor's Energy Office when the Public Utilities Commission hires a consultant to assist in developing the terms of an energy cost reduction contract. An energy cost reduction contract may not be executed without approval from the Governor. The cost of the contract may not exceed $75,000,000 annually. The Public Utilities Commission may direct a transmission and

distribution utility, a natural gas utility and a natural gas pipeline utility to assess ratepayers for the cost of an energy cost reduction contract and the cost of the administration of an energy cost reduction contract.

This Part authorizes the Public Utilities Commission to establish and collect a volumetric fee for use of natural gas by Maine consumers for natural gas not provided to the consumers by a natural gas utility or natural gas pipeline utility.

This Part establishes the Energy Cost Reduction Trust Fund, to be administered by the Public Utilities Commission, to receive the revenue from the resale of natural gas pipeline capacity and to direct those funds toward initiatives to reduce energy costs for ratepayers.

This Part exempts energy cost reduction contracts and the resale of natural gas pipeline capacity from the competitive bid requirements of the State Purchasing Agent.

This Part gives the Public Utilities Commission authority to investigate the exercise of market power by a gas utility, natural gas pipeline utility and any person who owns rights to natural gas pipeline capacity.

This Part authorizes the Public Utilities Commission to adopt rules to implement the provisions of the Part.

PART C

This Part prohibits the Public Utilities Commission from issuing a certificate of public convenience and necessity for the construction of a transmission line unless a description of the need for the proposed transmission line is provided, an analysis of nontransmission alternatives is conducted by an independent 3rd party selected by the Public Utilities Commission and the projected cost of the proposed transmission line is compared to the projected cost of feasible nontransmission alternatives based on total projected costs. Preference must be given to lower-cost alternatives with fewer greenhouse gas emissions. The Public Utilities Commission must make specific findings as to whether nontransmission alternatives can address the identified transmission need at a lower total cost than the proposed transmission line. This Part requires that, until December 31, 2015, when the commission determines that nontransmission alternatives can address the need at a lower total cost but represent a larger increased cost to ratepayers of the State than the proposed transmission line, the commission must make reasonable efforts to achieve an agreement among the states within the New England independent system operator region to allocate the cost of the nontransmission alternatives among the ratepayers of the region using the allocation method used for transmission lines or another allocation method that results in lower increased cost to ratepayers of the State.

This Part also requires that lower-voltage projects that are capable of operating at less than 69 kilovolts and projected to cost in excess of $20,000,000 must be reviewed and approved by the Public Utilities Commission before construction of the transmission project and establishes the standards for approval.

PART D

This Part amends the Regional Greenhouse Gas Initiative Act of 2007 to provide consistency with regional targets, directs the Department of Environmental Protection and the Public Utilities Commission to work together to modify a current regional greenhouse gas initiative offset category to allow for fuel switching and further directs the Department of Environmental Protection and the Public Utilities Commission to promote this modification with other regional greenhouse gas initiative states.

PART E

This Part requires electricity transmission and distribution utilities to provide new options for municipal street lighting programs and provides for how a municipality may be charged for the utility infrastructure services provided, how the location of street and area lighting will be provided, at what rates or by what methods the

electricity delivery charges may be assessed and how a municipality may transition from one option to another during the course of any year.

PART F

This Part directs the Public Utilities Commission to consider economic efficiency when designing rates.

PART G

This Part authorizes the Public Utilities Commission to extend the number of customers who may participate in the pilot program for efficient electric heat pumps and extend the length of the pilot period, allows more flexibility in the manner in which incentives are provided to customers and clarifies that nothing in the legislation related to the pilot program is intended to limit any currently existing authority of the Public Utilities Commission to establish special rates with respect to customers participating in the pilot program, as long as the costs of the pilot program are recovered only from customers participating in the program.

PART H

This Part authorizes the Public Utilities Commission to issue a 2nd solicitation for deep-water offshore wind projects under the provisions of Public Law 2009, chapter 615 if the original recipient of the contract does not move forward in development for any reason.

House Amendment "A" (H-350)

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

Enacted Law Summary

Public Law 2013, chapter 369 is the result of a bill that was reported by the Joint Standing Committee on Energy, Utilities and Technology pursuant to Joint Order 2013, H.P. 1125.

PART A

This Part changes the structure of the assessment imposed by the Public Utilities Commission for electric efficiency and conservation programs. It repeals the base rate of .145¢ per kilowatt hour effective July 1, 2015, and instead requires the commission to ensure that transmission and distribution utilities have sufficient revenue from rates to provide for the procurement for the benefit of ratepayers of all energy efficiency resources found by the commission to be cost-effective, reliable and achievable and allows the commission to impose any order on transmission and distribution utilities necessary to achieve the energy efficiency savings.

This Part decreases the percentage of revenue generated from the use of energy efficiency corridors owned by the Department of Transportation that is deposited into the Secondary Road Program Fund from 90% to 20% and increases the percentage of revenue deposited in the energy infrastructure benefits fund from 10% to 80%.

This Part directs that funds received by transmission and distribution utilities pursuant to Maine Yankee litigation be paid 55% to the Efficiency Maine Trust and 45% to ratepayers pursuant to an order of the commission allocating the funds for the maximum benefit to the Maine economy.

This Part allocates 35% of Regional Greenhouse Gas Initiative proceeds to residential fuel switching, as approved by the Efficiency Maine Trust, 50% to electric savings and thermal savings for commercial and industrial facilities and 15% to the Public Utilities Commission to be disbursed to transmission and distribution utilities for the maximum benefit to the State's economy.

This Part approves a pending long-term contract for energy efficiency resources as recommended by the Public

Utilities Commission.

PART B

This Part gives the Public Utilities Commission the authority until December 31, 2018 to execute an energy cost reduction contract to procure natural gas pipeline capacity for the purpose of increasing the flow of natural gas into New England by 2,000,000,000 cubic feet per day.

This Part establishes the standards for the Public Utilities Commission to execute an energy cost reduction contract.

This Part requires consultation with the Office of the Public Advocate and the Governor's Energy Office when the Public Utilities Commission hires a consultant to assist in developing the terms of an energy cost reduction contract. An energy cost reduction contract may not be executed without approval from the Governor. The cost of the contract may not exceed $75,000,000 annually. The Public Utilities Commission may direct a transmission and distribution utility, a natural gas utility and a natural gas pipeline utility to assess ratepayers for the cost of an energy cost reduction contract and the cost of the administration of an energy cost reduction contract.

This Part authorizes the Public Utilities Commission to establish and collect a volumetric fee for use of natural gas by Maine consumers for natural gas not provided to the consumers by a natural gas utility or natural gas pipeline utility.

This Part establishes the Energy Cost Reduction Trust Fund, to be administered by the Public Utilities Commission, to receive the revenue from the resale of natural gas pipeline capacity and to direct those funds toward initiatives to reduce energy costs for ratepayers.

This Part exempts energy cost reduction contracts and the resale of natural gas pipeline capacity from the competitive bid requirements of the State Purchasing Agent.

This Part gives the Public Utilities Commission authority to investigate the exercise of market power by a gas utility, natural gas pipeline utility and any person who owns rights to natural gas pipeline capacity.

This Part authorizes the Public Utilities Commission to adopt rules to implement the provisions of the Part.

This Part prohibits the Public Utilities Commission from issuing a certificate of public convenience and necessity for the construction of a transmission line unless a description of the need for the proposed transmission line is provided, an analysis of nontransmission alternatives is conducted by an independent 3rd party selected by the Public Utilities Commission and the projected cost of the proposed transmission line is compared to the projected cost of feasible nontransmission alternatives based on total projected costs. Preference must be given to lower-cost alternatives with fewer greenhouse gas emissions. The Public Utilities Commission must make specific findings as to whether nontransmission alternatives can address the identified transmission need at a lower total cost than the proposed transmission line. This Part requires that, until December 31, 2015, when the commission determines that nontransmission alternatives can address the need at a lower total cost but represent a larger increased cost to ratepayers of the State than the proposed transmission line, the commission must make reasonable efforts to achieve an agreement among the states within the New England independent system operator region to allocate the cost of the nontransmission alternatives among the ratepayers of the region using the allocation method used for transmission lines or another allocation method that results in lower increased cost to ratepayers of the State.

This Part also requires that lower-voltage projects that are capable of operating at less than 69 kilovolts and projected to cost in excess of $20,000,000 must be reviewed and approved by the Public Utilities Commission before construction of the transmission project and establishes the standards for approval.

PART D

This Part amends the Regional Greenhouse Gas Initiative Act of 2007 to provide consistency with regional targets, directs the Department of Environmental Protection and the Public Utilities Commission to work together to modify a current regional greenhouse gas initiative offset category to allow for fuel switching and further directs the Department of Environmental Protection and the Public Utilities Commission to promote this modification with other regional greenhouse gas initiative states.

PART E

This Part requires electricity transmission and distribution utilities to provide new options for municipal street lighting programs and provides for how a municipality may be charged for the utility infrastructure services provided, how the location of street and area lighting will be provided, at what rates or by what methods the electricity delivery charges may be assessed and how a municipality may transition from one option to another during the course of any year.

PART F

This Part directs the Public Utilities Commission to consider economic efficiency when designing rates.

PART G

This Part authorizes the Public Utilities Commission to extend the number of customers who may participate in the pilot program for efficient electric heat pumps and extend the length of the pilot period, allows more flexibility in the manner in which incentives are provided to customers and clarifies that nothing in the legislation related to the pilot program is intended to limit any currently existing authority of the Public Utilities Commission to establish special rates with respect to customers participating in the pilot program, as long as the costs of the pilot program are recovered only from customers participating in the program.

PART H

This Part authorizes the Public Utilities Commission to issue a 2nd solicitation for deep-water offshore wind projects under the provisions of Public Law 2009, chapter 615 if the original recipient of the contract does not move forward in development for any reason. This section of law was further amended by LD 1472.

Public Law 2013, chapter 369 was enacted as an emergency measure effective June 26, 2013.

LD 1562 **An Act To Amend the Charter of the Alfred Water District** **P & S 16**
EMERGENCY

Sponsor(s)	Committee Report	Amendments Adopted
TUTTLE	OTP-AM	S-289

This bill amends the charter of the Alfred Water District by requiring a vacancy in the board of trustees to be filled by appointment by the remaining trustees.

Committee Amendment "A" (S-289)

This amendment limits the appointment of a trustee to fill a vacancy on the board of trustees of the Alfred Water District to circumstances other than the normal expiration of a term. The appointed trustee may serve until the next municipal election.

Enacted Law Summary

Private and Special Law 2013, chapter 16 allows the remaining trustees to appoint a new trustee to fill a vacancy on the board of trustees of the Alfred Water District due to circumstances other than the normal expiration of a term. The appointed trustee may serve until the next municipal election.

Private and Special Law 2013, chapter 16 was enacted as an emergency measure effective June 21, 2013.

Joint Standing Committee on Energy, Utilities and Technology

SUBJECT INDEX

Agency Matters -- PUC/OPA/OEIS

Enacted		
LD 303	An Act To Authorize the Public Advocate To Publish and Distribute Consumer Information	PUBLIC 79

Dig Safe

Not Enacted		
LD 965	An Act To Improve Maine's Underground Facility Damage Prevention Program	CARRIED OVER

E911

Enacted		
LD 372	An Act To Transfer the Responsibilities of the Department of Public Safety, Maine Communications System Policy Board to the Bureau of Consolidated Emergency Communications	PUBLIC 19
LD 1243	An Act Regarding Next Generation 9-1-1 and Making Changes in Surcharge Remittance for Certain Telecommunications Service Providers	PUBLIC 119
Not Enacted		
LD 60	An Act To Reduce the Number of Public Safety Answering Points	LEAVE TO WITHDRAW
LD 196	An Act Regarding the Implementation of the Quality Assurance Program for Public Safety Answering Points	CARRIED OVER
LD 275	Resolve, To Require the Emergency Services Communication Bureau To Expand the Existing Quality Assurance System	CARRIED OVER
LD 774	Resolve, Regarding a Fire and Police Protocols Pilot Program for E-9-1-1 Call Processing	ONTP

Electricity

Enacted		
LD 131	Resolve, Directing the Public Utilities Commission To Examine Measures To Mitigate the Effects of Geomagnetic Disturbances and Electromagnetic Pulse on the State's Transmission System	RESOLVE 45 EMERGENCY
LD 215	An Act To Protect Landlords When Tenants Fail To Pay Utility Bills	PUBLIC 250
LD 302	Resolve, Directing the Public Utilities Commission To Review Certain Electricity Distribution Charges Assessed on Businesses	RESOLVE 20
LD 885	An Act To Remove Obsolete Provisions of the Electric Industry Restructuring Laws	PUBLIC 116
LD 1553	An Act To Maintain Competition among Electricity Suppliers Serving Northern Maine	PUBLIC 346
Not Enacted		
LD 94	An Act To Prohibit Wireless Smart Meter Opt-out Fees	INDEF PP
LD 697	An Act To Increase Maine's Energy Competitiveness	INDEF PP

Electricity

Not Enacted		
LD 796	Resolve, To Enhance Economic Development by Encouraging Businesses Adjacent to Electric Power Generators To Obtain Power Directly	CARRIED OVER
LD 826	An Act To Eliminate the Opt-out Charges for Smart Meters	CARRIED OVER
LD 950	An Act To Establish the Electromagnetic Field Safety Act	CARRIED OVER
LD 964	An Act To Encourage Community-based Renewable Energy	ONTP
LD 1060	An Act To Address Rising Electric Transmission Rates	CARRIED OVER
LD 1146	An Act To Encourage the Use of Renewable Energy	ONTP
LD 1251	An Act To Lower Costs to Municipalities and Reduce Energy Consumption through Increased Competition in the Municipal Street Light Market	INDEF PP
LD 1278	An Act To Ensure Equitable Support for Long-term Energy Contracts	CARRIED OVER
LD 1403	Resolve, To Require the Public Utilities Commission To Amend Its Rules Regarding Net Energy Billing	ONTP
LD 1456	An Act To Promote Local or Community-based Generation Projects	ONTP

Energy

Enacted		
LD 927	An Act To Further Energy Independence for the State	PUBLIC 415
LD 1517	An Act To Amend the Laws Governing Decision-making Authority Regarding Energy Infrastructure Corridors	PUBLIC 360
LD 1559	An Act To Reduce Energy Costs, Increase Energy Efficiency, Promote Electric System Reliability and Protect the Environment	PUBLIC 369 EMERGENCY
Not Enacted		
LD 219	An Act To Establish a Long-term Funding Source for the Department of Inland Fisheries and Wildlife	ONTP
LD 863	Resolve, To Reduce Greenhouse Gases and Consumer Energy Costs	ONTP
LD 1386	An Act To Allocate Net Revenue from Energy Corridor Leases on the Maine Turnpike for Purposes of Energy and Environmental Conservation	ONTP
LD 1426	An Act To Improve Maine's Economy and Lower Energy Costs through Energy Efficiency	ONTP

Energy Conservation

Enacted		
LD 948	An Act To Promote the Installation of Masonry Stoves	PUBLIC 157
LD 1348	An Act To Encourage School Administrative Units To Increase Their Energy Savings	PUBLIC 366
Not Enacted		
LD 248	An Act To Encourage Workforce Development in the Heating, Ventilation, Air Conditioning, Efficiency and Energy Conservation Trades and Reduce Carbon Dioxide Emissions	ONTP
LD 1145	An Act To Help Homeowners Reduce Heating Costs through Energy Efficiency	ONTP

Energy Conservation

Not Enacted

LD 1425	An Act To Create Affordable Heating Options for Maine Residents and Reduce Business Energy Costs	ONTP
LD 1468	An Act To Authorize a General Fund Bond Issue To Establish the High-efficiency Biomass, Pellet or Wood Boiler Rebate Program and the Home Heating Conversion Fund	CARRIED OVER

Miscellaneous - Utilities and Energy

Enacted

LD 175	An Act To Update the Laws Governing Energy Efficiency Building Performance Standards	PUBLIC 120

Not Enacted

LD 1115	Resolve, Directing the Public Utilities Commission To Convene a Stakeholder Group To Study Reimbursement for Installation of Utility Poles	ONTP
LD 1501	An Act To Apply the Precautionary Principle to Decision Making in Certain State Agencies	MAJORITY (ONTP) REPORT

Natural Gas

Enacted

LD 1442	An Act To Establish a Pilot Natural Gas District in Maine	P & S 17 EMERGENCY

Not Enacted

LD 827	An Act To Increase Access to Natural Gas	ONTP
LD 1187	An Act To Create the Maine Energy Cost Reduction Authority	ONTP
LD 1262	An Act To Reduce Energy Costs	ONTP
LD 1537	An Act To Promote the Delivery of Natural Gas to Central Maine	ONTP

Renewable Resources

Not Enacted

LD 646	An Act To Remove the 100-megawatt Limit on Renewable Sources of Energy	CARRIED OVER
LD 795	An Act To Amend the Net Energy Billing Program To Allow Participation by Certain Municipal Entities	ONTP
LD 1085	An Act To Establish the Renewable Energy Feed-in Tariff	CARRIED OVER
LD 1252	An Act To Improve Maine's Economy and Energy Security with Solar and Wind Energy	CARRIED OVER
LD 1507	An Act To Include Useful Thermal Energy as a Renewable Energy Source	ONTP

Telecommunications

Enacted

LD 304	An Act To Amend the Representation on the Telecommunications Relay Services Advisory Council	PUBLIC 40
LD 876	Resolve, To Establish a Working Group To Study Issues Relating to Broadband Infrastructure Deployment	RESOLVE 28

Not Enacted

Telecommunications

Not Enacted

LD 38	Resolve, Regarding Legislative Review of Chapter 201: Provider of Last Resort Service Quality, a Major Substantive Rule of the Public Utilities Commission	CARRIED OVER
LD 676	Resolve, To Direct the Public Utilities Commission To Review Telecommunications Services in Northern Oxford County	ONTP
LD 797	An Act To Strengthen Basic Telephone Service	ONTP
LD 894	An Act To Provide Customers with Itemized Bills	ONTP
LD 1012	An Act Regarding Automated Calls	ONTP
LD 1013	An Act To Create the Children's Wireless Protection Act	CARRIED OVER
LD 1479	An Act To Clarify Telecommunications Regulation Reform	CARRIED OVER

Water/Sewer - Charters

Enacted

LD 81	An Act To Amend the Charter of the Ogunquit Sewer District	P & S 3 EMERGENCY
LD 179	An Act To Amend the Anson and Madison Water District Charter	P & S 5
LD 675	An Act To Amend the Charter of the Veazie Sewer District	P & S 13 EMERGENCY
LD 1026	An Act To Amend the Charter of the Ashland Water and Sewer District	P & S 10
LD 1293	An Act To Create the Presque Isle Utilities District	P & S 15
LD 1457	An Act To Amend the Charter of the South Berwick Sewer District	P & S 11
LD 1562	An Act To Amend the Charter of the Alfred Water District	P & S 16 EMERGENCY

Not Enacted

LD 114	An Act To Amend the Charter of the Portland Water District	ONTP
LD 1242	An Act To Dissolve the Anson Water District	LEAVE TO WITHDRAW
LD 1336	An Act To Dissolve the Lisbon Water Department	ONTP
LD 1396	An Act To Create the Lisbon Water District	CARRIED OVER

Water/Sewer - General

Enacted

LD 4	Resolve, Regarding Legislative Review of Chapter 675: Infrastructure Surcharge and Capital Reserve Accounts, a Major Substantive Rule of the Public Utilities Commission	RESOLVE 9 EMERGENCY
LD 441	Resolve, Directing the Public Utilities Commission To Develop a Plan To Reform Regulation of Consumer-owned Water Utilities	RESOLVE 47

Not Enacted

Water/Sewer - General

Not Enacted

LD 1004	An Act To Clarify Voting Procedures for Standard Water Districts	CARRIED OVER
LD 1342	An Act To Authorize the Public Advocate To Mediate Disputes Related to Rates for Sewer Service	VETO SUSTAINED
LD 1532	An Act To Provide Model Language for Standard Sewer District Charters	CARRIED OVER

Wind Energy

Enacted

LD 385	An Act To Improve Wind Energy Development Permitting	PUBLIC 325
LD 1472	An Act To Provide for Economic Development with Offshore Wind Power and To Reduce Energy Costs, Increase Energy Efficiency, Promote Electric System Reliability and Protect the Environment	PUBLIC 378

Not Enacted

LD 247	An Act To Amend the Law Governing Appeals of Final Agency Action on Applications Concerning Wind Energy Development	ONTP
LD 616	An Act To Amend the Expedited Permitting Area for Wind Energy Development under the Jurisdiction of the Maine Land Use Planning Commission	CARRIED OVER
LD 1061	An Act To Regulate Meteorological Data-gathering Towers in Maine	ONTP
LD 1147	An Act To Protect Maine's Scenic Character	CARRIED OVER
LD 1323	An Act Regarding Wind Power Siting in the Unorganized Territory	CARRIED OVER
LD 1325	Resolve, To Place a Temporary Suspension on Permitting of Certain Expedited Grid-scale Wind Energy Developments	MAJORITY (ONTP) REPORT
LD 1375	An Act To Enhance Maine's Economy and Environment	ONTP
LD 1434	An Act To Clarify the Laws Governing Noise from Wind Turbines	CARRIED OVER
LD 1471	An Act Authorizing the Board of Environmental Protection To Modify a License for a Wind Energy Development	ONTP

HHS

STATE OF MAINE

126TH LEGISLATURE

FIRST REGULAR SESSION

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

JOINT STANDING COMMITTEE ON HEALTH AND HUMAN SERVICES

July 2013

STAFF:

JANE ORBETON, SENIOR ANALYST

ANNA BROOME, LEGISLATIVE ANALYST

OFFICE OF POLICY AND LEGAL ANALYSIS

13 STATE HOUSE STATION

AUGUSTA, ME 04333

(207) 287-1670

&

CHRISTOPHER NOLAN

OFFICE OF FISCAL AND PROGRAM REVIEW

5 STATE HOUSE STATION

AUGUSTA, ME 04333

(207) 287-1635

MEMBERS:

SEN. MARGARET M. CRAVEN, CHAIR

SEN. COLLEEN M. LACHOWICZ

SEN. JAMES M. HAMPER

REP. RICHARD R. FARNSWORTH, CHAIR

REP. JANE P. PRINGLE*

REP. PETER C. STUCKEY

REP. KATHERINE W. CASSIDY

REP. ANN E. DORNEY

REP. DREW M. GATTINE

REP. DEBORAH J. SANDERSON

REP. RICHARD S. MALABY

REP. HEATHER W. SIROCKI

REP. CAROL A. MCELWEE

REP. HENRY JOHN BEAR

*Rep. Jane P. Pringle temporarily appointed for the duration of the absence of Rep. Matthew Peterson on the Health and Human Services Committee

LD 3 **Resolve, Regarding Legislative Review of Portions of the MaineCare Benefits Manual, Chapter III, Section 21: 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 15 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
	OTP	

This resolve provides for legislative review of portions of the MaineCare Benefits Manual, Chapter III, Section 21: 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 2013, chapter 15 authorizes portions of the MaineCare Benefits Manual, Chapter III, Section 21: 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 2013, chapter 15 was finally passed as an emergency measure effective May 10, 2013.

LD 8 **Resolve, Directing the Department of Health and Human Services To Provide Coverage under the MaineCare Program for Home Support Services for Adults with Intellectual Disabilities or Autistic Disorder** **RESOLVE 24**

Sponsor(s)	Committee Report	Amendments Adopted
CHASE HAMPER	OTP-AM	H-68

This resolve directs the Department of Health and Human Services to amend its rules for the MaineCare program with respect to support services for adults with intellectual disabilities or autistic disorder to provide that the teaching of home life skills is a covered service. The rules are designated as routine technical rules.

Committee Amendment "A" (H-68)

This amendment replaces the resolve. It requires the Department of Health and Human Services to request approval from the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to amend the Section 29 waiver of the MaineCare program in Chapter 101, MaineCare Benefits Manual, Chapters II and III to allow the Department of Health and Human Services to add home support as a covered service. Upon approval by the Centers for Medicare and Medicaid Services, the Department of Health and Human Services is required to adopt rules to amend the rules on the MaineCare program in Chapter 101, MaineCare Benefits Manual, Chapter II, Section 29 and Chapter III, Section 29 to add home support as a covered service. Rules to amend Chapter II, Section 29 are designated routine technical rules and rules to amend Chapter III, Section 29 are designated major substantive rules as defined in Title 5, chapter 375, subchapter 2-A. Services under the Section 29 program remain capped at an aggregate amount of $23,771 per year after home support is added.

Enacted Law Summary

Resolve 2013, chapter 24 requires the Department of Health and Human Services to request approval from the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services to amend the

Section 29 waiver of the MaineCare program in Chapter 101, MaineCare Benefits Manual, Chapters II and III to allow the Department of Health and Human Services to add home support as a covered service. Upon approval by the Centers for Medicare and Medicaid Services, the Department of Health and Human Services is required to adopt rules to amend the rules on the MaineCare program in Chapter 101, MaineCare Benefits Manual, Chapter II, Section 29 and Chapter III, Section 29 to add home support as a covered service. Rules to amend Chapter II, Section 29 are designated routine technical rules and rules to amend Chapter III, Section 29 are designated major substantive rules as defined in Title 5, chapter 375, subchapter 2-A. Services under the Section 29 program remain capped at an aggregate amount of $23,771 per year after home support is added.

See also LD 969.

LD 20 **Resolve, Directing the Department of Health and Human Services To Review the Need for and the Costs of Services That Enable Populations Who Are Elderly or Have Disabilities To Live Independently**

HELD BY GOVERNOR

Sponsor(s)	Committee Report	Amendments Adopted
CRAVEN GATTINE	OTP	S-331 HILL

This bill provides additional General Fund appropriations of $1,500,000 in each of fiscal years 2013-14 and 2014-15 for the Department of Health and Human Services to fully fund the independent support services program, also known as the homemaker services program. This appropriation is intended to eliminate the waiting list for the independent support services program.

Senate Amendment "A" (S-331)

This amendment replaces the bill with a resolve and directs the Department of Health and Human Services to begin by December 1, 2013 reviewing and analyzing the need for services for instrumental activities of daily living among Maine's populations who are elderly or who have disabilities, the costs of providing services, the potential for savings and projections of need. This amendment directs the Department of Health and Human Services based on its review of costs and potential savings to submit by January 1, 2014 an inquiry to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services regarding the feasibility of obtaining a Medicaid waiver or a state plan amendment to enable the State to provide coverage for instrumental activities of daily living under the MaineCare program. If in response to the inquiry the Centers for Medicare and Medicaid Services indicates that it is feasible to obtain a Medicaid waiver or state plan amendment to enable the State to provide coverage for instrumental activities of daily living, the Department of Health and Human Services must apply for the necessary waiver or submit the state plan amendment by July 1, 2014.

LD 22 **An Act To Promote Equity in Business Opportunity for Tobacco Specialty Stores**

ACCEPTED MAJORITY (ONTP) REPORT

Sponsor(s)	Committee Report	Amendments Adopted
HAMPER VILLA	ONTP OTP-AM	

Current law allows the on-premises service, preparation and consumption of food and drink in tobacco specialty stores only if those stores were licensed for such services prior to January 1, 2007.

This bill removes the prohibition on the acquisition of such licenses by tobacco specialty stores subsequent to January 1, 2007.

Committee Amendment "A" (S-34)

This amendment is the minority report of the committee and replaces the bill. It allows a tobacco specialty store to be licensed as a cigar lounge and to be licensed to sell alcoholic beverages. A tobacco specialty store that is 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.

LD 23 **An Act To Lower the Cost of Copies of Medical Records** **PUBLIC 32**

Sponsor(s)	Committee Report	Amendments Adopted
HASKELL FARNSWORTH	OTP	

This bill reduces the maximum amount that a hospital may charge for copies of medical records for the first page from $10 to $5.

Enacted Law Summary

Public Law 2013, chapter 32 reduces the maximum amount that a hospital may charge for copies of medical records for the first page from $10 to $5.

See also LD 1500, enacted as Public Law 2013, chapter 158.

LD 29 **An Act To Provide Support Services to Adults with Intellectual Disabilities or Autistic Disorder** **DIED ON ADJOURNMENT**

Sponsor(s)	Committee Report	Amendments Adopted
FLOOD SANBORN	OTP	

This bill provides a General Fund appropriation of $1,000,000 in fiscal years 2013-14 and 2014-15 for the Department of Health and Human Services to serve individuals on the waiting list for services under the MaineCare Benefits Manual, Chapter II, Section 29, Support Services for Adults with Intellectual Disabilities or Autistic Disorder. It also provides corresponding Federal Expenditures Fund allocations.

See also Public Law 2013, chapter 368, the biennial budget, pages 266 and 359.

LD 30 **An Act To Provide Home and Community Services for Individuals with Intellectual Disabilities or Autism** **DIED ON ADJOURNMENT**

Sponsor(s)	Committee Report	Amendments Adopted
FLOOD SANBORN	OTP	

This bill provides a General Fund appropriation of $1,000,000 in fiscal years 2013-14 and 2014-15 for the Department of Health and Human Services to serve individuals on the waiting list for services under the MaineCare Benefits Manual, Chapter II, Section 21, Home and Community Benefits for Members with Intellectual Disabilities

or Autistic Disorder. It also provides corresponding Federal Expenditures Fund allocations.

See also Public Law 2013, chapter 368, the biennial budget, page 357.

LD 62 **Resolve, Directing the Department of Health and Human Services To Increase Reimbursement Rates for Adult Day Services** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
MALABY MILLETT	OTP-AM	

This bill provides additional General Fund appropriations of $130,000 in fiscal year 2013-14 and $330,000 in fiscal year 2014-15 for the Department of Health and Human Services to fund respite services in the adult day services program. This appropriation is intended to increase funding for this program to $450,000 in fiscal year 2013-14 and to $650,000 in fiscal year 2014-15.

Committee Amendment "A" (H-372)

This amendment replaces the bill with a resolve. It requires the Department of Health and Human Services to increase reimbursement rates for adult day services programs within Chapter 101: MaineCare Benefits Manual, Chapter II, Sections 19 and 26 and Chapter 5: Office of Elder Services Policy Manual, Sections 61 and 63 to $12 an hour beginning October 1, 2013. It also adds an appropriations and allocations section.

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 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 77 **An Act To Require Health Care Practitioners To Distribute Free Samples of Medication in Certain Circumstances** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BEAUDOIN	ONTP	

This bill requires health care practitioners to distribute free samples of medication to a patient in order to test the reaction of the patient and the effectiveness in treatment of the patient's disease or condition. The requirement to distribute free samples depends on availability, appropriateness and timeliness.

LD 78 **An Act To Expand Transitional Assistance for Families** **PUBLIC 97**

Sponsor(s)	Committee Report	Amendments Adopted
BEAUDOIN	OTP-AM	H-69

This bill expands transitional benefits for families that lose eligibility for assistance under the Temporary Assistance for Needy Families program and the MaineCare program because of increased income and for certain working families that receive supplemental nutrition assistance as follows.

1. For families that were eligible for MaineCare because their income was below 150% of the federal poverty level, it expands the upper limit of financial eligibility for transitional Medicaid from 185% to 200% of the federal poverty guidelines, extends the time period during which payment of premiums for transitional Medicaid is not

required from six to nine months and, for families whose ineligibility is due to increased child support, extends the period of eligibility for transitional Medicaid from four to six months.

2. For families that lose eligibility for Temporary Assistance for Needy Families due to employment, it expands transitional transportation benefits from 12 to 18 months.

3. For families that lose eligibility for Temporary Assistance for Needy Families due to increased earnings or increased hours of work, it expands financial eligibility for transitional child care services from 250% to 300% of the federal poverty guidelines.

4. For certain working families that receive supplemental nutrition assistance, it expands transitional food assistance from $50 per month to $75 per month.

Committee Amendment "A" (H-69)

This amendment replaces the bill. The amendment allows the Department of Health and Human Services to make transitional transportation benefits available to families in which one or both adults are working and who, although they remain financially eligible for Temporary Assistance for Needy Families benefits, request that their benefits be terminated. The amendment directs the department to adopt rules on transitional transportation assistance for families who lose eligibility for benefits under the TANF program due to increased employment income. The amended rules must allow those families up to one year after termination from TANF assistance to apply for transitional transportation assistance. The rules are designated as routine technical rules.

Enacted Law Summary

Public Law 2013, chapter 97 allows the Department of Health and Human Services to make transitional transportation benefits available to families in which one or both adults are working and who, although they remain financially eligible for Temporary Assistance for Needy Families benefits, request that their benefits be terminated. The law directs the department to adopt rules on transitional transportation assistance for families who lose eligibility for benefits under the TANF program due to increased employment income. The amended rules must allow those families up to one year after termination from TANF assistance to apply for transitional transportation assistance. The rules are designated as routine technical rules.

LD 87 **An Act To Improve Community Mental Health Treatment** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
CRAVEN FARNSWORTH	OTP-AM ONTP	

This bill requires the Department of Health and Human Services to develop programs to provide services and housing to persons with chronic mental illness. The programs must be designed to ensure psychiatric rehabilitation and to improve the rehabilitation and recovery of persons with chronic mental illness. The programs must provide medically necessary health and mental health services to persons with chronic mental illness in the least restrictive setting that is consistent with the person's choice and individual treatment plan and within the person's chosen community and provide housing options to persons with chronic mental illness including a person's home or group residential setting or another configuration according to the person's choice.

Committee Amendment "A" (S-33)

This amendment is the majority report of the committee. The amendment replaces the term "psychiatric rehabilitation" with "rehabilitation and recovery." The amendment adds to the law amended in the bill, which is a general policy statement, language regarding the Department of Health and Human Services providing services that are appropriate to a person's needs, consistent with a person's choices and geographically accessible. The

amendment also adds an appropriations and allocations section.

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 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 88 **An Act To Update the Maine HIV Advisory Committee** **PUBLIC 108**

Sponsor(s)	Committee Report	Amendments Adopted
CRAVEN FARNSWORTH	OTP-AM ONTP	S-32

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

This bill proposes to review and update the structure and duties of the Maine HIV Advisory Committee, as established in the Maine Revised Statutes, Title 5, section 12004-I, subsection 42 and detailed in Title 5, section 19202.

Committee Amendment "A" (S-32)

This amendment strikes and replaces the bill. It changes the deadline for the annual report of the Maine HIV Advisory Committee from January 31st to March 1st. The amendment changes the membership on the Maine HIV Advisory Committee so that it includes two Legislators, five representatives of state agencies, four persons living with HIV/AIDS, two representatives of populations most affected by HIV/AIDS in the State, two providers of HIV-related services, two representatives of the public health community and two additional members chosen by the membership.

Enacted Law Summary

Public Law 2013, chapter 108 changes the deadline for the annual report of the Maine HIV Advisory Committee from January 31st to March 1st. The law changes the membership on the Maine HIV Advisory Committee so that it includes two Legislators, five representatives of state agencies, four persons living with HIV/AIDS, two representatives of populations most affected by HIV/AIDS in the State, two providers of HIV-related services, two representatives of the public health community and two additional members chosen by the membership.

LD 95 **Resolve, To Create the Task Force on the Prevention of Sexual Abuse of Children** **INDEF PP**

Sponsor(s)	Committee Report	Amendments Adopted
MAKER HASKELL	OTP-AM	H-79

This resolve establishes the Task Force on the Prevention of Sexual Abuse of Children, which is directed to study issues regarding child sexual abuse in Maine and to recommend policies to address those issues. The policies may include age-appropriate curricula for school children from prekindergarten to grade five and methods to increase teacher, student and parent awareness of the issues regarding child sexual abuse. The task force is also directed to submit a report to the Joint Standing Committee on Health and Human Services, and the joint standing committee is authorized to introduce a bill to the Second Regular Session of the 126th Legislature based on that report.

Committee Amendment "A" (H-79)

This amendment incorporates a fiscal note.

LD 123 **Resolve, Directing the Department of Health and Human Services To Clarify the Processes Regarding Registration of Recovery Agencies for Tissue and Organ Donation** **RESOLVE 58**

Sponsor(s)	Committee Report	Amendments Adopted
CRAVEN KRUGER	OTP-AM	S-149

This bill enacts the Anatomical Recovery Organization Act to require a person or entity that performs anatomical recovery in this State to register as an anatomical recovery organization. The bill provides penalties for performing anatomical recovery without having registered. The bill requires records to be kept on the receipt, use, processing, transplantation, transfer and disposal of all human bodies and body parts. The bill authorizes the department to adopt routine technical rules to implement the chapter.

Committee Amendment "A" (S-149)

This amendment replaces the bill with a resolve. It requires the Department of Health and Human Services, Maine Center for Disease Control and Prevention to examine the current processes for registration for recovery agencies engaged in tissue and organ donation and determine if the current policies and processes in the office of the Chief Medical Examiner and the department meet the statutory requirements under the Revised Uniform Anatomical Gift Act. The department must consult with the office of the Chief Medical Examiner, the office within the Department of the Secretary of State that issues driver's licenses, the coordinator of the Maine Organ Donor Registry within the office of the Secretary of State, the Organ Donation Advisory Council, the New England Organ Bank and other interested parties including funeral directors. The department must report its findings, recommendations and suggested legislation to the Joint Standing Committee on Health and Human Services no later than January 1, 2014.

Enacted Law Summary

Resolve 2011, chapter 58 requires the Department of Health and Human Services, Maine Center for Disease Control and Prevention to examine the current processes for registration for recovery agencies engaged in tissue and organ donation and determine if the current policies and processes in the office of the Chief Medical Examiner and the department meet the statutory requirements under the Revised Uniform Anatomical Gift Act. The department must consult with the office of the Chief Medical Examiner, the office within the Department of the Secretary of State that issues driver's licenses, the coordinator of the Maine Organ Donor Registry within the office of the Secretary of State, the Organ Donation Advisory Council, the New England Organ Bank and other interested parties including funeral directors. The department must report its findings, recommendations and suggested legislation to the Joint Standing Committee on Health and Human Services no later than January 1, 2014.

LD 132 **Resolve, To Provide Organic Infant Formula through the Maine Women, Infants and Children Program** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
HAMANN	ONTP	

This resolve requires the Department of Health and Human Services to amend its rules for the Maine Women, Infants and Children Program on contracting with the manufacturer of infant formula to make organic infant formula available to participants. It requires the Maine Women, Infants and Children Program to offer organic infant formula, as the sole product or as a choice, if the organic formula meets federal and state program requirements and is available for a cost that is equal to or less than infant formula that is not organic. It specifies that the rules are to be routine technical rules.

LD 145 **Resolve, Regarding the Presence of the Department of Health and Human Services in Urban and Rural Areas** **RESOLVE 23**

Sponsor(s)	Committee Report	Amendments Adopted
FREDETTE KATZ	OTP-AM	H-70

This bill requires the Department of Health and Human Services to establish in each county of the State at least one office with appropriate staff to provide child protective services.

Committee Amendment "A" (H-70)

This amendment replaces the bill with a resolve and changes the title. The amendment directs the Department of Health and Human Services to review the distribution of offices of the department and the means by which the department provides necessary departmental presence and staffing to residents of the State in urban and rural areas. The amendment directs the department to consider the needs of all residents, both young and old, and the reasons residents are visiting the department. The amendment directs the department to consider traditional office-based services, part-time and donated office space, delivery of services by mobile means and by having personnel visit with residents in their homes and new options created by advancements in technology. The amendment directs the department to report by January 1, 2014 to the Joint Standing Committee on Health and Human Services on the results of the review and the options for and costs of improved service delivery. The report must include the costs and benefits of several options and the recommendations of the department.

Enacted Law Summary

Resolve 2013, chapter 23 directs the Department of Health and Human Services to review the distribution of offices of the department and the means by which the department provides necessary departmental presence and staffing to residents of the State in urban and rural areas. The resolve directs the department to consider the needs of all residents, both young and old, and the reasons residents are visiting the department. The resolve directs the department to consider traditional office-based services, part-time and donated office space, delivery of services by mobile means and by having personnel visit with residents in their homes and new options created by advancements in technology. The resolve directs the department to report by January 1, 2014 to the Joint Standing Committee on Health and Human Services on the results of the review and the options for and costs of improved service delivery. The report must include the costs and benefits of several options and the recommendations of the department.

LD 162 **An Act To Repeal the Maine Certificate of Need Act of 2002** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
MALABY CUSHING	ONTP OTP-AM	

Under current law, before introducing additional health care services and procedures in a market area, a person must apply for and receive a certificate of need from the Department of Health and Human Services. This bill eliminates that requirement.

Committee Amendment "A" (H-366)

This amendment is the minority report of the committee. This amendment establishes a prior approval process for health care facility projects that will require funding from or will increase costs to the MaineCare program. "Health care facility" is defined as a hospital, psychiatric hospital, nursing facility, intermediate care facility for persons

with intellectual disabilities, end-stage renal disease facility, rehabilitation facility, residential care facility, ambulatory surgical facility, independent radiological service center, independent cardiac catheterization center or cancer treatment center. The Department of Health and Human Services is directed to take into consideration the qualifications and experience of an applicant for prior approval, the economic feasibility of the proposed project, the public need for the project and compliance with standards for budget neutrality with respect to the MaineCare program. The prior approval process must include an opportunity for public comment and may include public information meetings, public hearings and notification, as specified by rule. Unused and reserved beds in a facility are exempt from the prior approval process. A fund is established to receive unused funding previously used for a facility bed funded under the MaineCare program and to assign that funding for use for new beds in underserved areas or for underserved populations. The department is authorized to adopt routine technical rules, except that rules regarding fees are major substantive rules. The amendment also adds an appropriations and allocations section.

LD 164 **An Act To Provide MaineCare Reimbursement for Pastoral Counselors** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
SAVIELLO	ONTP	

This bill requires the Department of Health and Human Services to provide reimbursement under the MaineCare program for services provided by a licensed pastoral counselor beginning January 1, 2014.

LD 180 **An Act Concerning the Use of Tobacco Settlement Funds for Children's Health Care** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
PLANTE LACHOWICZ	OTP-AM ONTP	

This bill amends the law on the Fund for a Healthy Maine to require that funding for children's health care not be reduced in order to address a budget deficit.

Committee Amendment "A" (H-10)

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

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 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 181 **Resolve, To Require Hospitals To Provide Information Regarding Testing for Krabbe Disease for Parents of Infants** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
HARVELL	ONTP	

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, 2013.

LD 197 **An Act To Improve Health Services to Schools** **PUBLIC 78**

Sponsor(s)	Committee Report	Amendments Adopted
GRAHAM BURNS	OTP-AM ONTP	H-75

This bill allows a family or pediatric nurse practitioner to serve as a health care provider in a school.

Committee Amendment "A" (H-75)

This amendment is the majority report of the committee. This amendment renames school physicians, including family or pediatric nurse practitioners, school health advisors and clarifies that school health advisors may not act outside the scope of practice applicable to the school health advisor. The amendment removes from the bill a provision on local health officer duties.

Enacted Law Summary

Public Law 2013, chapter 78 renames school physicians, including family or pediatric nurse practitioners, school health advisors and clarifies that school health advisors may not act outside the scope of practice applicable to the school health advisor.

LD 198 **An Act To Clarify Physicians' Delegation of Medical Care** **PUBLIC 33**

Sponsor(s)	Committee Report	Amendments Adopted
DORNEY	OTP	

This bill clarifies that a physician or surgeon may delegate to the physician's or surgeon's employees or support staff certain activities relating to medical care and treatment without being present on the premises at the time the activities are performed.

Enacted Law Summary

Public Law 2013, chapter 33 clarifies that a physician or surgeon may delegate to the physician's or surgeon's employees or support staff certain activities relating to medical care and treatment without being present on the premises at the time the activities are performed.

LD 230 **An Act To Establish the Commission on Health Care Cost and Quality** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
GRAHAM LACHOWICZ	OTP-AM ONTP	

This bill establishes the Commission on Health Care Cost and Quality to monitor the accessibility, cost and quality of health care in the State. The bill also reestablishes the State Health Plan and requires the commission to develop the plan on a biennial basis.

Committee Amendment "A" (H-76)

This amendment is the majority report of the committee. This amendment reduces the membership on the Commission on Health Care Cost and Quality from 20 to 13 members and corrects the schedule for staggered appointments. This amendment adds to the duties of the commission the duty to work in cooperation with the Department of Health and Human Services and the Department of Health and Human Services, Maine Center for Disease Control and Prevention to implement the federal Centers for Medicare and Medicaid Services state innovation model grant. This amendment allows funding to be provided by the state innovation model grant for the commission to coordinate with the department on health care innovation and reform. The amendment also adds an appropriations and allocations section.

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 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 252 **An Act Regarding Registration and Correction of Death Information on Death Certificates** **PUBLIC 31**

Sponsor(s)	Committee Report	Amendments Adopted
CRAVEN SIROCKI	OTP	

This bill adds the Office of the Chief Medical Examiner as a certifier of cause of death on a death certificate to accommodate the electronic death registration system. It also permits the Office of the Chief Medical Examiner to electronically submit amendments to the death certificate using the electronic death registration system.

Enacted Law Summary

Public Law 2013, chapter 31 adds the Office of the Chief Medical Examiner as a certifier of cause of death on a death certificate to accommodate the electronic death registration system. It also permits the Office of the Chief Medical Examiner to electronically submit amendments to the death certificate using the electronic death registration system.

LD 253 **An Act Regarding Registration of Fetal Deaths** **PUBLIC 14**

Sponsor(s)	Committee Report	Amendments Adopted
CRAVEN SIROCKI	OTP	

This bill allows a fetal death certificate to be filed with the State Registrar of Vital Statistics as well as with the municipal clerk. The bill also authorizes a hospital or an institution to prepare a fetal death certificate with medical information provided by a physician or other person in attendance.

Enacted Law Summary

Public Law 2013, chapter 14 allows a fetal death certificate to be filed with the State Registrar of Vital Statistics as well as with the municipal clerk. It also authorizes a hospital or an institution to prepare a fetal death certificate with medical information provided by a physician or other person in attendance.

LD 256 **An Act To Amend the Laws Governing Recipients of Temporary Assistance for Needy Families** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BEAUDOIN	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to amend the current law dealing with recipients of Temporary Assistance for Needy Families. The bill will require recipients of Temporary Assistance for Needy Families to work with town officials and municipal officers to seek meaningful employment and will require recipients of such benefits to work or volunteer in order to continue to receive benefits.

LD 257 **An Act To Protect Newborns Exposed to Drugs or Alcohol** **PUBLIC 192**

Sponsor(s)	Committee Report	Amendments Adopted
MALABY	OTP-AM	H-234
CRAVEN	OTP-AM	

This bill provides greater detail regarding the timing and process under which notifications must be made to the Department of Health and Human Services by health care providers regarding infants from birth to 12 months of age who exhibit signs of fetal exposure to drugs or alcohol. Following receipt of such a notification, the department is required to prepare a plan for the safe care of the infant. The bill repeals requirements that the department investigate every notification to determine abuse or neglect.

Committee Amendment "A" (H-234)

This amendment is the majority report of the committee and replaces the bill. The amendment amends current law on reporting to the Department of Health and Human Services by a health care provider involved in the delivery or care of an infant with prenatal exposure to drugs as follows:

1. The amendment changes "reports" to the department to "notifications" to the department and changes "suffering from withdrawal symptoms" to "demonstrating withdrawal symptoms that require medical monitoring or care beyond standard newborn care";

2. The amendment repeals the requirement that the department investigate all reports and authorizes the department to investigate as it determines to be necessary to protect an infant for whom the department has received notification; and

3. The amendment defines "fetal alcohol spectrum disorders" and adds it to the conditions of an infant that require notification to the department.

Committee Amendment "B" (H-235)

This amendment is the minority report of the committee and replaces the bill. The amendment amends current law on reporting to the Department of Health and Human Services by a health care provider involved in the delivery or care of an infant with prenatal exposure to drugs as follows:

1. The amendment changes "reports" to the department to "notifications" to the department and changes "suffering from withdrawal symptoms" to "demonstrating withdrawal symptoms";

2. The amendment repeals the requirement that the department investigate all reports and authorizes the department

to investigate as it determines to be necessary to protect an infant for whom the department has received notification; and

3. The amendment defines "fetal alcohol spectrum disorders" and adds it to the conditions of an infant that require notification to the department.

Enacted Law Summary

Public Law 2013, chapter 192 amends current law on reporting to the Department of Health and Human Services by a health care provider involved in the delivery or care of an infant with prenatal exposure to drugs as follows:

1. The law changes "reports" to the department to "notifications" to the department and changes "suffering from withdrawal symptoms" to "demonstrating withdrawal symptoms that require medical monitoring or care beyond standard newborn care";

2. The law repeals the requirement that the department investigate all reports and authorizes the department to investigate as it determines to be necessary to protect an infant for whom the department has received notification; and

3. The law defines "fetal alcohol spectrum disorders" and adds it to the conditions of an infant that require notification to the department.

LD 272 **An Act To Reduce Youth Cancer Risk** **VETO SUSTAINED**

Sponsor(s)	Committee Report	Amendments Adopted
GRATWICK COOPER	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 276 **Resolve, To Improve Access to Oral Health Care for MaineCare Recipients** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
CAIN CAREY	OTP-AM	

This resolve increases MaineCare dental reimbursement rates for 20 preventive, diagnostic and restorative dental procedures to the 10th percentile.

Committee Amendment "A" (S-197)

This amendment removes a reference to dental procedure D1203 and inserts in its place a reference to dental procedure D1208 in the list of preventive, diagnostic and restorative dental procedures in the resolve since D1203 is an obsolete reference. The amendment adds an appropriations and allocations section.

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 126th Legislature by joint order H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 305 **An Act To Eliminate Institute Councils for Mental Health Institutions** **PUBLIC 132**

Sponsor(s)	Committee Report	Amendments Adopted
DORNEY HAMPER	OTP	

The purpose of this bill is to eliminate obsolete language in the statutes. This bill repeals the laws establishing institute councils for the Riverview Psychiatric Center and Dorothea Dix Psychiatric Center and fixes cross-references accordingly.

Enacted Law Summary

Public Law 2013, chapter 132 repeals the laws establishing institute councils for the Riverview Psychiatric Center and Dorothea Dix Psychiatric Center and fixes cross-references accordingly.

LD 325 **An Act To Repeal Provisions of the Law That Apply or Refer to State Facilities for Persons with Intellectual Disabilities** **PUBLIC 21**

Sponsor(s)	Committee Report	Amendments Adopted
FARNSWORTH HAMPER	OTP	

This bill repeals the provisions of law that apply or refer to state-run facilities for persons with intellectual disabilities, including laws that allow for voluntary admission, involuntary admission and judicial commitment of persons with intellectual disabilities to state-run facilities. The State closed the last of its facilities for persons with intellectual disabilities in response to the 1994 community consent decree, Consumer Advisory Board et al. v. Glover, 989 F.2d 65, 68 (1st Cir. 1993).

Enacted Law Summary

Public Law 2013, chapter 21 repeals the provisions of law that apply or refer to state-run facilities for persons with intellectual disabilities, including laws that allow for voluntary admission, involuntary admission and judicial commitment of persons with intellectual disabilities to state-run facilities. The State closed the last of its facilities for persons with intellectual disabilities in response to the 1994 community consent decree, Consumer Advisory Board et al. v. Glover, 989 F.2d 65, 68 (1st Cir. 1993).

LD 330 **An Act To Require All Lodging Places To Be Licensed by the State** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
PATRICK PETERSON	ONTP	

Current law requires lodging places to be licensed by the Department of Health and Human Services; lodging houses may be licensed by the municipality under the direction of state law. Private homes when not more than five rooms are let, rooms and cottages where not more than three rooms or cottages are let and fraternity and sorority houses affiliated with educational institutions are exempt from licensing by the State. Lodging houses with fewer than five lodgers are exempt from municipal licensing. The dormitories of charitable, educational or philanthropic institutions and houses used in emergency situations are exempt from both state and municipal licensing.

This bill removes the exemptions from state licensing of lodging places, private homes and inns, requiring them all to be licensed by the State, and repeals the authority of a municipality to license lodging houses since it will now be done by the State. Fraternity and sorority houses affiliated with educational institutions, dormitories of charitable, educational or philanthropic institutions and houses used in emergency situations remain exempt from state licensing.

LD 337 **An Act To Require That Burn Injuries and Wounds Be Reported to the Office of the State Fire Marshal** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
LAJOIE DUTREMBLE	ONTP	

This bill establishes a requirement that health care practitioners report to the Office of the State Fire Marshal within the Department of Public Safety certain burn injuries and wounds. The bill authorizes the Office of the State Fire Marshal to adopt routine technical rules as required for reporting. The bill provides criminal and civil immunity for persons who report in good faith, abrogates the health care practitioner-patient privilege for the purposes of reporting, provides a rebuttable presumption of good faith and clarifies that a report made pursuant to the law is an exception to certain confidentiality requirements for the purposes of the Maine Revised Statutes, Title 22, section 1711-C, subsection 6, paragraph F-1.

LD 338 **Resolve, Directing the Department of Health and Human Services To Adopt Rules Governing the Use of Certain Antipsychotic Drugs by Children Enrolled in MaineCare** **RESOLVE 17**

Sponsor(s)	Committee Report	Amendments Adopted
MALABY LACHOWICZ	OTP-AM	H-51

This resolve directs the Department of Health and Human Services to amend its rules governing the use of atypical antipsychotic drugs by children enrolled in MaineCare to require that the prescriber of a drug beyond the recommended period provide documented justification and perform a timely assessment and ongoing monitoring of metabolic and neurologic variables in accordance with the American Academy of Child and Adolescent Psychiatry's Practice Parameter for the Use of Atypical Antipsychotic Medications in Children and Adolescents.

Committee Amendment "A" (H-51)

This amendment clarifies that the Department of Health and Human Services must adopt rules pertaining to the use of atypical antipsychotic medications by a child under 17 years of age enrolled in MaineCare. The department does not currently have rules pertaining to the use of atypical antipsychotic medications by a child under 17 years of age enrolled in MaineCare. Rules adopted are designated major substantive rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

Enacted Law Summary

Resolve 2013, chapter 17 directs the Department of Health and Human Services to adopt rules governing the use of atypical antipsychotic drugs by children enrolled in MaineCare to require that the prescriber of a drug beyond the recommended period provide documented justification and perform a timely assessment and ongoing monitoring of metabolic and neurologic variables in accordance with the American Academy of Child and Adolescent Psychiatry's Practice Parameter for the Use of Atypical Antipsychotic Medications in Children and Adolescents. Rules adopted are designated major substantive rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

LD 374 **An Act To Eliminate the Child Support Collecting Fee Charged to a Person Who Has Never Received Assistance under a State Program** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
TUTTLE	ONTP	

This bill provides that the State may not impose a fee for collection of child support on an individual who never received assistance under a state program if the individual would have been eligible for such assistance.

LD 386 **An Act To Reduce Tobacco-related Illness and Lower Health Care Costs in MaineCare** **HELD BY GOVERNOR**

Sponsor(s)	Committee Report	Amendments Adopted
SANBORN LANGLEY	OTP-AM	H-247 S-337 HILL

This bill requires the provision of tobacco cessation treatment for MaineCare members who are 18 years of age or older or are pregnant. It provides for comprehensive evidence-based coverage in accordance with the United States Preventive Services Task Force and the United States Public Health Service clinical practice guideline on treating tobacco use and dependence. The bill requires coverage without copayments or other cost sharing and directs the Department of Health and Human Services to pursue opportunities for federal reimbursement of the cost of coverage.

Committee Amendment "A" (H-247)

This amendment adds an appropriations and allocations section to the bill.

Senate Amendment "A" To Committee Amendment "A" (S-337)

This amendment removes the emergency preamble and emergency clause and reduces the funding to reflect funding provided in the unified budget bill.

LD 387 **Resolve, To Direct the Department of Health and Human Services To Study the Ongoing Need for Rental Subsidies to Provider Agencies** **VETO SUSTAINED**

Sponsor(s)	Committee Report	Amendments Adopted
FARNSWORTH CRAVEN	OTP-AM	H-95

This resolve directs the Department of Health and Human Services to study the issues surrounding the home and community-based waiver program under the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services and locate funding to better provide services that allow program participants to meet basic needs for shelter and nourishment.

Committee Amendment "A" (H-95)

This amendment directs the Department of Health and Human Services to work within available resources with community partners, including the Maine Association for Community Service Providers, to study the issues regarding rental subsidies to determine which MaineCare members receive rental subsidies, how other states

provide rental subsidies to service providers for individuals with intellectual disabilities and within which state and federal guidelines and programs the rental subsidies to service providers for individuals with intellectual disabilities are provided. It requires the Department of Health and Human Services to collect and use available data within available resources. The requirement to report and the reporting date from the original resolve are unchanged.

LD 388 **Resolve, To Improve the Participation Rate of Prescribers in the Controlled Substances Prescription Monitoring Program** **RESOLVE 25 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
DORNEY	OTP-AM	H-71

This bill provides for an alternative to the current mandatory participation provision for prescribers in the Controlled Substances Prescription Monitoring Program consisting of automatic enrollment at the time of licensure or renewal or the issuance of a certificate of registration by the United States Department of Justice, Drug Enforcement Administration.

Committee Amendment "A" (H-71)

This resolve replaces the bill. It requires the Substance Abuse Services Commission to develop a process to increase registration in the Controlled Substances Prescription Monitoring Program through professional licensing boards and to develop strategies to promote the use of the program by prescribers. The Substance Abuse Services Commission is required to report its findings, recommendations and any suggested legislation to the Joint Standing Committee on Health and Human Services by January 1, 2014. The amendment also adds an emergency preamble and emergency clause.

Enacted Law Summary

Resolve 2013, chapter 25 requires the Substance Abuse Services Commission to develop a process to increase registration in the Controlled Substances Prescription Monitoring Program through professional licensing boards and to develop strategies to promote the use of the program by prescribers. The Substance Abuse Services Commission is required to report its findings, recommendations and any suggested legislation to the Joint Standing Committee on Health and Human Services by January 1, 2014.

Resolve 2013, chapter 25 was finally passed as an emergency measure effective May 20, 2013.

LD 389 **An Act To Bring Fairness to General Assistance Programs by Changing the Method of Municipal Reimbursement** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
PARRY SAVIELLO	ONTP	

This bill changes the reimbursement of general assistance to municipalities so that they receive either a 50% reimbursement rate from the Department of Health and Human Services or a block grant equal to $3.00 multiplied by the population of the municipality, whichever is the greater. It repeals the requirement that municipalities incurring net general assistance costs in excess of .0003 of the municipality's most recent state valuation receive a 90% reimbursement rate but maintains this reimbursement rate for the Indian tribes.

LD 390 **An Act To Restore MaineCare Coverage for Ambulatory Surgical Center Services** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
COOPER GRATWICK	OTP-AM	

This bill restores funding for MaineCare coverage for ambulatory surgical center services.

Committee Amendment "A" (H-215)

This amendment removes from the emergency preamble the word "inpatient," which was included in the bill in error. This amendment restores reimbursement that was eliminated in state fiscal year 2012-13. This amendment switches the funding in the bill from the General Fund to the Fund for a Healthy Maine and adds a requirement that the Department of Health and Human Services adopt routine technical rules regarding the reimbursement of ambulatory surgical centers to take effect July 1, 2013.

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 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 434 **Resolve, Regarding Safer Workplaces for Home Care and Home Health Workers** **VETO SUSTAINED**

Sponsor(s)	Committee Report	Amendments Adopted
CRAVEN FARNSWORTH	OTP-AM	S-198

This bill requires home health care providers to provide safe working conditions for their employees, including checking the sex offender registry for information on a client before sending an employee to the home of the client.

Committee Amendment "A" (S-198)

This amendment replaces the bill with a resolve. The amendment incorporates the concepts contained in Legislative Document 1165 of the 126th Legislature, "An Act To Improve the Safety of Workers Who Provide Direct Mental Health and Social Services." The amendment directs the Department of Health and Human Services and the Department of Labor to convene a broadly representative work group to develop a set of guidelines that helps home care workers, home health workers and home care and home health agencies to better assess workplace risks. The amendment directs the work group to examine ways in which specific information about potential threats at service locations can be better communicated to the workers who serve clients in those locations and to consider a centralized recording of all incidents of workplace violence, a written workplace violence prevention and crisis response plan and training for home care workers and home health workers. The amendment directs the departments to report to the Joint Standing Committee on Health and Human Services by January 1, 2014.

LD 447 **An Act To Increase Patient Choice in Health Care Facilities and Health Care Settings** **PUBLIC 214**

Sponsor(s)	Committee Report	Amendments Adopted
PATRICK BRIGGS	OTP-AM	S-122

This bill requires the disclosure of information to a patient who is being discharged from a hospital to a nursing facility, hospice provider or home health agency regarding the patient's health care options. It requires information sharing among physicians, nursing facilities, hospice providers, home health agencies and hospitals to facilitate this disclosure. It requires the information to include business connections among hospitals, nursing facilities, hospice providers and home health agencies and physicians. The bill also requires the Department of Health and Human Services to amend its rules on medical directors in nursing facilities to make the rules consistent with federal requirements and designates the rules as routine technical rules.

Committee Amendment "A" (S-122)

This amendment replaces the bill. The amendment adds hospital swing beds, acute rehabilitation care and hospice providers to the list of providers covered by the Maine Revised Statutes, Title 22, section 1831. The amendment requires distribution of a standardized list of licensed providers and physicians in the relevant settings and notice of patient rights and of how to contact the long-term care ombudsman program. The amendment requires the Department of Health and Human Services to amend its rules on medical directors in nursing facilities to include among the responsibilities of the medical director ongoing guidance in the development and implementation of resident care policies, including review and revision of existing policies. The amended rules must require that the facility, including a facility that is corporately owned, be able to show that its development, review and approval of resident care policies or procedures include the opportunity for the medical director's input.

Enacted Law Summary

Public Law 2013, chapter 214 adds hospital swing beds, acute rehabilitation care and hospice providers to the list of providers covered by the Maine Revised Statutes, Title 22, section 1831. The law requires distribution of a standardized list of licensed providers and physicians in the relevant settings and notice of patient rights and of how to contact the long-term care ombudsman program. The law requires the Department of Health and Human Services to amend its rules on medical directors in nursing facilities to include among the responsibilities of the medical director ongoing guidance in the development and implementation of resident care policies, including review and revision of existing policies. The amended rules must require that the facility, including a facility that is corporately owned, be able to show that its development, review and approval of resident care policies or procedures include the opportunity for the medical director's input.

LD 460 **An Act To Protect Newborn Infants from Critical Congenital Heart Disease** **PUBLIC 397**
EMERGENCY

Sponsor(s)	Committee Report	Amendments Adopted
BECK CRAVEN	OTP-AM ONTP	H-515 H-535 MALABY

This bill requires a health care facility that provides birthing and newborn care services and is licensed by the Department of Health and Human Services to perform pulse oximetry to screen for congenital heart disease in a newborn in its care no sooner than 24 hours after the birth of that newborn.

Committee Amendment "A" (H-515)

This amendment is the majority report of the committee. This amendment changes the title and the emergency preamble and replaces the bill. This amendment adds screening for critical congenital heart disease to the mandatory newborn infant screening law. This amendment requires the entity responsible for the screening to report to the Department of Health and Human Services information on the testing including, but not limited to, the number of infants born, the number screened, the type of screening tool used and the results of the screening. The amendment requires the Department of Health and Human Services to review and report to the Joint Standing Committee on Health and Human Services by April 1, 2014 on options for making available to infants born other than in hospitals, birthing centers and other birthing services screening for critical congenital heart disease.

House Amendment "A" To Committee Amendment "A" (H-535)

This amendment removes from Committee Amendment "A" the requirements that the Department of Health and Human Services review options for making available to newborn infants screening for critical congenital heart disease and that the department report the results of its review to the Joint Standing Committee on Health and Human Services by April 1, 2014.

Enacted Law Summary

Public Law 2013, chapter 397 adds screening for critical congenital heart disease to the mandatory newborn infant screening law. The law requires the entity responsible for the screening to report to the Department of Health and Human Services information on the testing including but not limited to, the number of infants born, the number screened, the type of screening tool used and the results of the screening.

Public Law 2013, chapter 397 was enacted as an emergency measure effective July 2, 2013.

LD 468 **An Act To Protect Public Health at Public Institutions of Higher Education** **VETO SUSTAINED**

Sponsor(s)	Committee Report	Amendments Adopted
CHIPMAN CRAVEN	OTP-AM ONTP	H-77

This bill prohibits smoking on the grounds of any campus of the University of Maine System, the Maine Community College System or the Maine Maritime Academy.

Committee Amendment "A" (H-77)

This amendment is the majority report of the committee. This amendment provides an effective date of August 1, 2014 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 480 **An Act To Establish Fees under the Maine Medical Use of Marijuana Act** **PUBLIC 394**

Sponsor(s)	Committee Report	Amendments Adopted
SANDERSON HAMPER	OTP-AM	H-512

This bill sets fees and the range of fees in the Maine medical marijuana program, provides for payment of the cost of obtaining criminal history record information about certain registered primary caregivers and principal officers, board members and employees of registered dispensaries and lowers fees for a fiscal year if the fees paid in the

prior year exceed program expenses for that year.

Committee Amendment "A" (H-512)

This amendment replaces the bill. The amendment strikes the application and renewal fees for a medical use of marijuana registry identification card for a qualifying patient. It requires that a registered dispensary file notice and pay a fee when it changes the location of the dispensary or the location at which it cultivates marijuana. The amendment organizes the fees payable to the medical use of marijuana program into one subsection of law, establishes a fee for out-of-date cards and a laboratory testing fee and establishes the range within which the Department of Health and Human Services must establish fees by adopting routine technical rules. The amendment clarifies that registered primary caregivers and the principal officers, board members and employees of registered dispensaries must undergo annual criminal history record checks. The amendment provides for review of the balance in the Medical Use of Marijuana Fund and provides for adjustment of the annual fees charged to registered caregivers and registered dispensaries.

Enacted Law Summary

Public Law 2013, chapter 394 repeals the application and renewal fees for a medical use of marijuana registry identification card for a qualifying patient. The law requires that a registered dispensary file notice and pay a fee when it changes the location of the dispensary or the location at which it cultivates marijuana. The law organizes the fees payable to the medical use of marijuana program into one subsection of law, establishes a fee for out-of-date cards and a laboratory testing fee and establishes the range within which the Department of Health and Human Services must establish fees by adopting routine technical rules. The law clarifies that registered primary caregivers and the principal officers, board members and employees of registered dispensaries must undergo annual criminal history record checks. The law provides for review of the balance in the Medical Use of Marijuana Fund and provides for adjustment of the annual fees charged to registered caregivers and registered dispensaries.

LD 487 **Resolve, To Establish MaineCare Eligibility for Young Adults Who Were Formerly in Foster Care** **VETO SUSTAINED**

Sponsor(s)	Committee Report	Amendments Adopted
DORNEY	OTP-AM ONTP OTP-AM	H-99

This resolve directs the Department of Health and Human Services to submit to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services an application for a waiver under the Medicaid program to allow MaineCare to cover a young adult 19 to 25 years of age who was on the date of the young adult's 19th birthday in the custody of the State pursuant to the Maine Revised Statutes, Title 22, chapter 1071.

Committee Amendment "A" (H-99)

This amendment is the majority report of the committee. This amendment replaces the resolve and directs the Department of Health and Human Services to undertake an identification and outreach initiative for young adults who were formerly in foster care, to enroll those eligible in MaineCare and to provide them with a card indicating that the coverage begins on January 1, 2014.

Committee Amendment "B" (H-100)

This amendment is the minority report of the committee. This amendment replaces the resolve and adds emergency language. This amendment establishes eligibility for MaineCare funded entirely from the General Fund beginning July 1, 2013 to December 31, 2013 for certain young adults who were formerly in foster care. This amendment funds that MaineCare coverage from the General Fund.

See also Public Law 2013, chapter 368, page 358, which provides funding for MaineCare coverage for children in the foster care program through age 25 as required by the federal Patient Protection and Affordable Care Act.

LD 488 **Resolve, Directing the Department of Health and Human Services To Develop a Process To Provide Additional Home-based and Community-based Services in the MaineCare Program** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
CHENETTE LACHOWICZ	OTP-AM	

This bill provides that Department of Health and Human Services coverage for services to a member who is served under one of the home-based and community-based care waiver programs in MaineCare must be at least 95% of what it would otherwise cost to provide such services to the member if the member were served in a nursing facility.

Committee Amendment "A" (H-325)

This amendment replaces the resolve. It requires the Department of Health and Human Services to develop a process in the MaineCare home-based and community-based waiver program for the elderly and the disabled to provide additional services for up to 25 unduplicated participants per year whose annual cap on services may exceed the current cap as long as the department determines that the additional services are medically necessary, are likely to delay or prevent the institutionalization of the person and are not likely to result in the cost of the services exceeding the estimated costs of comparable services in a nursing facility. The department is required to develop the process, which requires the approval of the federal Department of Health and Human Services Centers for Medicare and Medicaid Services, by October 1, 2013.

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 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 496 **Resolve, To Ensure That Standards for Performance-based Contracts for Individuals with Intellectual Disabilities Include All Employment Options** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
FLOOD	ONTP	

This resolve directs the Department of Health and Human Services to continue working with provider agencies to develop standards to ensure consideration of all employment options, including subminimum wage options, under the MaineCare waiver program for individuals who are designated as unemployable. The resolve requires the department to report to the joint standing committee of the Legislature having jurisdiction over health and human services matters before implementing new standards.

LD 499 **An Act To Promote Dental Care for Low-income Populations** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
HARLOW	OTP-AM	

This bill provides funding for the dental clinic operated in Portland by Riverview Psychiatric Center. Specifically it provides funding for one part-time Physician III position and one Customer Representative Associate II - Human Services position and associated All Other funding for the dental clinic. These positions and funding are proposed for elimination in the Governor's proposed biennial budget for 2014-2015.

Committee Amendment "A" (H-18)

This amendment incorporates a fiscal note.

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 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 507 **Resolve, Directing the Department of Health and Human Services To Amend Its Rules To Improve the Oral Health Education of Children**

ACCEPTED MAJORITY (ONTP) REPORT

Sponsor(s)	Committee Report	Amendments Adopted
GRATWICK MASTRACCIO	ONTP OTP	

This resolve requires the Department of Health and Human Services to amend its rules to require a child care provider to assist children in brushing their teeth as a part of a daily curriculum.

LD 515 **An Act Regarding the Annual Service Fee for Child Support Services Provided by the Department of Health and Human Services**

ONTP

Sponsor(s)	Committee Report	Amendments Adopted
MASON G CRAFTS	ONTP	

This bill requires the Department of Health and Human Services to pay the $25 annual fee required by the federal Deficit Reduction Act of 2005, Public Law 109-171, for the assistance of the department in the collection of child support for certain families.

This bill reverses an initiative enacted in Public Law 2011, chapter 477.

LD 517 **An Act To Restore Funding for Head Start**

DIED IN CONCURRENCE

Sponsor(s)	Committee Report	Amendments Adopted
TUTTLE FREDETTE	ONTP OTP-AM	

This bill provides a General Fund appropriation of $2,000,000 in fiscal year 2013-14 and fiscal year 2014-15 for the Department of Health and Human Services to restore funding for Head Start services that was eliminated during fiscal year 2012-13.

Committee Amendment "A" (S-199)

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

LD 520 **An Act To Protect Maine Consumers from Predatory Medical Pricing** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
PATRICK	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to establish standardized pricing for health care procedures in order to protect Maine consumers from predatory pricing.

LD 534 **An Act To Improve Care Coordination for Persons with Mental Illness** **PUBLIC 326**

Sponsor(s)	Committee Report	Amendments Adopted
PRINGLE GRATWICK	OTP-AM ONTP	H-341

This bill provides an exception to the health care information confidentiality laws that protect mental health information for the purposes of care management and coordination of care.

Committee Amendment "A" (H-341)

This amendment is the majority report of the committee. This amendment amends the bill regarding disclosure of protected health care information for care management or coordination of care purposes to require a person who discloses information without authorization to make a reasonable effort to notify the individual or the authorized representative of the individual of the disclosure.

Enacted Law Summary

Public Law 2013, chapter 326 amends the law regarding disclosure of protected health care information for the purposes of care management and care coordination. The law requires a person who discloses information without authorization for care management or care coordination purposes to make a reasonable effort to notify the individual or the authorized representative of the individual of the disclosure.

LD 535 **An Act To Promote Greater Flexibility in the Provision of Long-term Care Services** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
HUBBELL LANGLEY		

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.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 536 **An Act To Improve the Efficiency of Use of MaineCare Funds** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
TIPPING-SPITZ CRAVEN	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to amend the law and direct the Department of Health and Human Services to amend its rules to ensure that a person who has applied for MaineCare coverage is discharged from the hospital to a rehabilitation facility promptly as appropriate to that person's medical condition. The purpose of the bill will be to ensure appropriate care in the appropriate setting and to decrease inappropriate hospital use.

LD 537 **An Act To Help Maine Residents Receive Private Health Care Insurance** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
PARRY HAMPER	ONTP OTP-AM	

This bill provides that, as a condition of eligibility for MaineCare, individuals must apply for enrollment in an employer's group health plan. The bill makes clear that the employer's group health plan is the primary coverage and any MaineCare benefits are secondary.

Committee Amendment "A" (H-367)

This amendment is the minority report of the committee. This amendment strikes the bill but retains and reallocates the provision prohibiting an individual from accepting anything of value in exchange for not enrolling in the individual's employer's group health plan.

LD 538 **An Act To Align Costs Recognized for Transfer of Nursing Facilities and Residential Care Facilities with Ordinary Commercial and Government Contracting Standards** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
SANDERSON HAMPER	OTP-AM ONTP	

This bill provides that, to align treatment of long-term care providers with other government contractors and typical private transactions, MaineCare depreciation recapture from sellers of nursing facilities and residential care facilities does not apply to any sales on or after July 1, 2012.

Committee Amendment "A" (H-516)

This amendment is the majority report of the committee. This amendment provides a new methodology under the MaineCare program for calculating recapture of depreciation upon the sale of a nursing facility. The amendment requires the Department of Health and Human Services to apply for a state plan amendment to enable the use of the new methodology and makes the effective date of the provision of law that establishes the new methodology contingent upon the approval by the United States Department of Health and Human Services, Centers for Medicare

and Medicaid Services of the state plan amendment. The amendment also provides a new methodology for recapturing depreciation upon the sale of residential care facilities for which reimbursement for room and board costs, including depreciation, is provided by the Department of Health and Human Services. The methodology is similar to the methodology used for nursing facilities.

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 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 539 **An Act To Ensure Parity in the Ability To Counsel Patients** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
FARNSWORTH LACHOWICZ	ONTP	

This bill adds licensed clinical professional counselors to the list of persons who may provide counseling to a minor in connection with the minor's decision regarding pregnancy.

LD 579 **Resolve, To Clarify and Improve the Eligibility Process for Services for Persons with Intellectual Disabilities or Autism** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
WELSH HAMPER	ONTP	

This resolve directs the Department of Health and Human Services to undertake a process to update the criteria for eligibility for services for persons with intellectual disabilities or autism. The resolve directs the department to convene a stakeholder group to develop a guide to the application and eligibility process. The resolve directs the department to adopt routine technical rules relating to the department's intellectual disabilities complex case committee. The resolve designates both sets of rules as routine technical rules and requires adoption of the rules by January 1, 2014.

LD 597 **An Act To Inform Persons of the Options for the Treatment of Lyme Disease** **PUBLIC 340**

Sponsor(s)	Committee Report	Amendments Adopted
BRIGGS	OTP-AM	H-184
CRAVEN	OTP-AM	H-453 BRIGGS

This bill directs the Maine Center for Disease Control and Prevention to include on its publicly accessible website information about different alternatives for the treatment of Lyme disease. The bill also requires the center to include information about treatment guidelines recommended by the Infectious Diseases Society of America, which represents physicians, scientists and other health care professionals who specialize in infectious diseases, and the International Lyme and Associated Diseases Society, an international nonprofit multidisciplinary medical society. The bill directs the center to work with health care professionals to inform patients about different alternatives for the treatment of Lyme disease.

Committee Amendment "A" (H-184)

This amendment, which is the majority report of the committee, replaces the bill. It requires any health care

provider that orders a laboratory test for the presence of Lyme disease to inform the patient that a negative test for Lyme disease does not necessarily mean that Lyme disease is not present and that if symptoms continue, the patient should contact a health care provider and inquire about the appropriateness of retesting or additional treatment. The amendment also requires the Department of Health and Human Services, Maine Center for Disease Control and Prevention to include information on Lyme disease diagnosis and treatment on its publicly accessible website that informs users about the difficulty of diagnosing and treating Lyme disease, that some doctors and patients believe longer doses of antibiotics may be helpful and beneficial, that antibiotic use can lead to the development of drug-resistant organisms and that information on treatment alternatives for Lyme disease is available through certain websites.

Committee Amendment "B" (H-185)

This amendment, which is the minority report of the committee, replaces the bill. It requires the Department of Health and Human Services, Maine Center for Disease Control and Prevention to include on its publicly accessible website information that informs users about the difficulty of diagnosing and treating Lyme disease, that scientific studies suggest longer doses of antibiotics are not helpful but that some doctors and patients believe they are helpful and beneficial, that antibiotic use can lead to the development of drug-resistant organisms and that information on treatment alternatives for Lyme disease is available through Internet search engines. This amendment was not adopted.

House Amendment "B" To Committee Amendment "A" (H-378)

This amendment removes the provision that requires any health care provider that orders a laboratory test for the presence of Lyme disease to inform the patient that a negative test for Lyme disease does not necessarily mean that Lyme disease is not present and that if symptoms continue, the patient should contact a health care provider and inquire about the appropriateness of retesting or additional treatment. This amendment was not adopted.

House Amendment "C" To Committee Amendment "A" (H-453)

This amendment requires a health care provider to give a patient a copy of the results of a Lyme disease test rather than informing the patient that a negative test does not necessarily mean that Lyme disease is not present. It also requires the Maine Center for Disease Control include information on its website about negative test results and expands the list of information resources that must be included on the website.

Enacted Law Summary

Public Law 2013, chapter 340 requires a health care provider to give a patient a copy of the results of a Lyme disease test. It also requires the Department of Health and Human Services, Maine Center for Disease Control and Prevention to include the following information on its publicly accessible website regarding Lyme disease and treatment:

1. Lyme disease may be difficult to treat and diagnose;

2. Some doctors and patients believe longer doses of antibiotics may be helpful and beneficial;

3. Antibiotic use can lead to the development of drug-resistant organisms;

4. A negative result for a Lyme disesase test does not necessarily mean that Lyme disease is not present; and

5. Information on treatment alternatives for Lyme disease is available through certain websites.

LD 598 **Resolve, Directing All Relevant Agencies of State Government To Work in Concert with a Plan To End and Prevent Homelessness To Ensure That Resources Are Available To End Homelessness in the State** **VETO SUSTAINED**

Sponsor(s)	Committee Report	Amendments Adopted
BRIGGS CRAVEN	OTP-AM ONTP	H-342

This resolve requires all relevant state agencies, including the Department of Health and Human Services, the Department of Labor, the Department of Corrections, the Department of Education and the Maine State Housing Authority, to work with advocates and organizations serving the homeless population in the State to direct resources to eradicate homelessness in the State within four years.

Committee Amendment "A" (H-342)

This amendment, which is the majority report of the committee, removes the requirement for state agencies to align their budgets in concert with "Maine's Plan to End & Prevent Homelessness" but retains the requirement for state agencies to work to align their resources and efforts in concert with the plan. The amendment also clarifies that state agencies are to focus their resources with the immediate goal of reducing the rate of homelessness.

LD 610 **Resolve, To Review and Amend the Rules Regarding Hospital Charity Care Guidelines** **VETO SUSTAINED**

Sponsor(s)	Committee Report	Amendments Adopted
SANDERSON CUSHING	OTP-AM	H-236

This resolve requires the Department of Health and Human Services to amend Chapter 150 of its rules pertaining to mandatory charity care policies to permit hospitals to impose the asset test for MaineCare in effect as of January 1, 2013 and to establish the federal poverty limit eligibility threshold at 133% for individuals eligible for federal premium tax credits to purchase insurance through exchanges.

Committee Amendment "A" (H-236)

This amendment replaces the resolve. The amendment requires the Department of Health and Human Services to convene a working group and provisionally adopt rules to amend the hospital charity care guidelines by February 1, 2015. The amendment directs the working group to examine the use of an asset test. The amendment requires reports to the joint standing committee of the Legislature having jurisdiction over health and human services matters by April 1, 2014 and February 1, 2015. The amendment states the intention of the Legislature that the charity care rules in effect on January 1, 2013 remain in effect until any proposed major substantive rules come into effect.

LD 625 **Resolve, Regarding Temporary Campgrounds** **RESOLVE 55**

Sponsor(s)	Committee Report	Amendments Adopted
MASON G TIMBERLAKE	OTP-AM	S-134

This bill exempts from licensing as a campground a commercial lot permitted by the municipality as a racetrack or for another mass public gathering purpose and any camping is incidental to the purpose and the owner or renter of

the lot does not charge a fee beyond the attendance fee for a person to camp overnight on the lot.

Committee Amendment "A" (S-134)

This amendment replaces the bill with a resolve directing the Department of Health and Human Services, Maine Center for Disease Control and Prevention's division of environmental health to review the regulation of camping on premises on which the owner is hosting an event when that camping is temporary in nature and open only to participants and spectators of the event. The amendment directs the department to report the results of its review and any recommended legislation or rulemaking to the Joint Standing Committee on Health and Human Services by January 1, 2014. The amendment removes the emergency preamble and emergency clause.

Enacted Law Summary

Resolve 2013, chapter 55 directs the Department of Health and Human Services, Maine Center for Disease Control and Prevention's division of environmental health to review the regulation of camping on premises on which the owner is hosting an event when that camping is temporary in nature and open only to participants and spectators of the event. The resolve directs the department to report the results of its review and any recommended legislation or rulemaking to the Joint Standing Committee on Health and Human Services by January 1, 2014.

LD 629 **An Act To Restore Eligibility and Funding for Drug Programs for the Elderly and Disabled** **DIED ON ADJOURNMENT**

Sponsor(s)	Committee Report	Amendments Adopted
TUTTLE FARNSWORTH	OTP-AM ONTP	S-25

In Public Law 2011, chapter 657, Part HH, the Commissioner of Health and Human Services was directed to seek a waiver to reduce income eligibility levels for the Medicare savings program by 10%. The reduction of income eligibility levels was contingent on the grant of the waiver by the federal Centers for Medicare and Medicaid Services; the waiver was granted. This bill instructs the Commissioner of Health and Human Services to submit an application to restore income eligibility levels for the Medicare savings program to the levels they were before the waiver was granted and makes the increase contingent upon the approval of the federal Centers for Medicare and Medicaid Services. This bill also makes adjustments to appropriations and allocations to reflect the increase in the eligibility levels.

Committee Amendment "A" (S-25)

This amendment is the majority report of the committee. The amendment incorporates a fiscal note.

LD 633 **An Act To Grant the Commissioner of Health and Human Services and the Commissioner's Designees the Independent Authority To Issue Adjudicatory Subpoenas** **PUBLIC 202**

Sponsor(s)	Committee Report	Amendments Adopted
HAMPER SANDERSON	OTP	

This bill grants to the Commissioner of Health and Human Services and the commissioner's designees the independent authority to issue administrative subpoenas for adjudicatory proceedings, consistent with statutory authority given to other agencies.

Enacted Law Summary

Public Law 2013, chapter 202 grants to the Commissioner of Health and Human Services and the commissioner's designees the independent authority to issue administrative subpoenas for adjudicatory proceedings, consistent with statutory authority given to other agencies.

LD 634 **An Act Regarding Permits for Final Disposition of Dead Human Bodies** **PUBLIC 20**

Sponsor(s)	Committee Report	Amendments Adopted
CRAVEN SANDERSON	OTP	

This bill adds the State Registrar of Vital Statistics as a source for obtaining the disposition permit required for transportation, burial, cremation or other disposal of a dead human body after a body is disinterred or removed from a vault or tomb. Currently, the law allows only municipal clerks to issue disposition permits when a body is disinterred or removed. The bill also requires a person in charge of burial grounds or a crematory to add the date that body was disposed of on the disposition permit and return the permit to the registrar or the clerk of the municipality.

Enacted Law Summary

Public Law 2013, chapter 20 adds the State Registrar of Vital Statistics as a source for obtaining the disposition permit required for transportation, burial, cremation or other disposal of a dead human body after a body is disinterred or removed from a vault or tomb. It also requires a person in charge of burial grounds or a crematory to add the date that body was disposed of on the disposition permit and return the permit to the registrar or the clerk of the municipality.

LD 650 **Resolve, To Require the Department of Health and Human Services To Seek a Federal Waiver of Certain Requirements Regarding Contracting for Transportation Services under MaineCare** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
TUTTLE CHASE	ONTP	

This resolve requires the Department of Health and Human Services to request a federal waiver from the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services. The application must seek approval for the Department of Health and Human Services to award nonprofit regional transportation providers in the State with contracts for MaineCare nonemergency transportation without the required involvement of a broker to separate the requests for trips from those who provide them. The department is required to submit the application for a waiver by October 1, 2013.

LD 678 **An Act To Allow Random Drug Testing for Recipients of Certain Public Benefits** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BEAUDOIN CUSHING	ONTP	

Current law allows the drug testing of a person receiving Temporary Assistance for Needy Families, or TANF, program benefits if the person has been convicted of a drug-related felony within the past 20 years. If the drug test is positive for illegal drugs, a second test may be requested by the person and the suspension of TANF program

benefits may be avoided if the person enrolls in a substance abuse treatment program.

This bill repeals that law and instead allows the random drug testing of a person receiving MaineCare benefits, TANF program benefits or general assistance and requires the suspension of those benefits if the person tests positive for use of an illegal drug. The benefits may resume once the person does not test positive for use of an illegal drug.

LD 710 **Resolve, Requiring the Department of Health and Human Services To Adopt an Alternative MaineCare Nonemergency Transportation System to the Current Risk-based Prepaid Ambulatory Health Plan** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
COLLINS CHASE	ONTP	

This resolve requires the Department of Health and Human Services to adopt an alternative MaineCare nonemergency transportation system to the current risk-based prepaid ambulatory health plan. The department shall examine the transportation models presented by the federal Department of Health and Human Services, Centers for Medicare and Medicaid Services and adopt one of the models that is not a risk-based prepaid ambulatory health plan. The current contracts issued under the risk-based system remain in place, but at the end of the contract period new requests for proposals must comply with the newly adopted system.

LD 711 **An Act To Facilitate Patient Education** **PUBLIC 336**

Sponsor(s)	Committee Report	Amendments Adopted
LACHOWICZ GATTINE	OTP-AM	S-200

This bill exempts a registered nurse educator who provides post prescription training to a patient or caregiver in a patient's place of residence from the laws governing the licensure of home health care providers.

Committee Amendment "A" (S-200)

This amendment replaces the bill. The amendment repeals an outdated provision of law, enacts a definition of "registered nurse educator" and excludes registered nurse educators from the provisions of the Maine Revised Statutes, Title 22, chapter 419, which concerns home health services and the licensure of home health care providers.

Enacted Law Summary

Public Law 2013, chapter 336 repeals an outdated provision of law, enacts a definition of "registered nurse educator" and excludes registered nurse educators from the provisions of the Maine Revised Statutes, Title 22, chapter 419, which concerns home health services and the licensure of home health care providers.

LD 716 **Resolve, To Review and Make Recommendations on Appropriate Prescribing of Certain Medications for Children with Attention Deficit Hyperactivity Disorder That Are Reimbursed under the MaineCare Program** **RESOLVE 68**

Sponsor(s)	Committee Report	Amendments Adopted
MALABY	OTP-AM	H-368

This bill directs the Department of Health and Human Services to adopt a program regarding prescription medications for children that consists of a prescription medication protocol, monitoring and prior authorization for reimbursement under the MaineCare program. The program must ensure that children have access to medically needed prescription medications in compliance with the requirements of this bill and the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services.

Committee Amendment "A" (H-368)

This amendment replaces the bill with a resolve and changes the title. The amendment establishes a work group to review the use of certain medications prescribed to children for the treatment of attention deficit hyperactivity disorder and reimbursed through the MaineCare program and to make any recommendations for improvements in access to behavioral health and psychiatric services and for improvements in prescribing practices as determined to be appropriate by the work group. The amendment directs the Department of Health and Human Services to report its findings and recommendations to the Joint Standing Committee on Health and Human Services not later than January 15, 2014.

Enacted Law Summary

Resolve 2013, chapter 68 establishes a work group to review the use of certain medications prescribed to children for the treatment of attention deficit hyperactivity disorder and reimbursed through the MaineCare program and to make any recommendations for improvements in access to behavioral health and psychiatric services and for improvements in prescribing practices as determined to be appropriate by the work group. The resolve directs the Department of Health and Human Services to report its findings and recommendations to the Joint Standing Committee on Health and Human Services not later than January 15, 2014.

LD 746 **Resolve, Directing the Department of Health and Human Services To Provide an Exception to the 60-day Limit on Out-of-state Services under the MaineCare Section 21 Waiver Program** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
WOODBURY	ONTP	

This resolve requires the Department of Health and Human Services to amend its rules related to the MaineCare waiver program that allows certain persons with intellectual disabilities or autism the option of home-based or community-based services instead of institutional services to provide that if all parties agree, an exception to the 60-day limit on out-of-state services must be granted.

LD 752 **Resolve, To Require the Department of Health and Human Services To Study the Effectiveness of Professional Development Services Provided to Child Care Providers and Referral Services Provided to Parents in Need of Child Care**

VETO SUSTAINED

Sponsor(s)	Committee Report	Amendments Adopted
KUMIEGA CRAVEN	OTP-AM ONTP	H-271

This resolve is a concept draft pursuant to Joint Rule 208. The purpose of this resolve is to restore the contracts with the resource development centers that provided professional development services to licensed and registered child care providers and referral services to parents in need of child care.

Committee Amendment "A" (H-271)

This amendment, which is the majority report of the committee, replaces the concept draft with a resolve requiring the Department of Health and Human Services to study the effectiveness of the services replacing those provided by the former resource development centers. The study must examine the availability of professional development services to licensed and certified child care providers, department plans for improving access and quality of the professional development services, satisfaction with access to services by providers, availability of technical assistance to providers, the number of referrals by the department to parents for child care services under the department's child care resource and referral system and educational components available to parents to evaluate the quality and suitability of child care providers. The department must submit the report no later than January 1, 2014 to the Joint Standing Committee on Health and Human Services.

LD 753 **An Act To Prohibit the Sale of High-caffeine Energy Drinks to Persons under 18 Years of Age**

ACCEPTED MINORITY (ONTP) REPORT

Sponsor(s)	Committee Report	Amendments Adopted
CASSIDY	OTP-AM ONTP	

This bill prohibits the sale of energy drinks to minors. An energy drink is a soft drink that contains 80 or more milligrams of caffeine per eight fluid ounces advertised as being specifically designed to provide energy.

Committee Amendment "A" (H-461)

This amendment is the majority report of the committee. The amendment replaces the bill with a resolve and changes the title. The amendment creates the Task Force on Public Awareness Regarding Caffeine-added Drinks, Foods, Food Products, Over-the-counter Medicines and Dietary Supplements to consider options for a public awareness campaign regarding caffeine-added drinks, foods, food products, over-the-counter medicines and dietary supplements and to make recommendations for implementation. The Department of Health and Human Services, Maine Center for Disease Control and Prevention is directed to appoint, chair and convene the task force, which must include representatives from a variety of stakeholders. The task force is directed to consider options for a public awareness campaign, including information and activities to convey information on the effects of caffeine-added drinks, foods, food products, over-the-counter medicines and dietary supplements on children and adolescents. The task force is directed to consider any relevant studies and initiatives undertaken by the United States Department of Health and Human Services, Food and Drug Administration. By February 14, 2014 the task force is required to report to the Joint Standing Committee on Health and Human Services on the results of its work and its recommendations.

LD 754 **An Act To Encourage Transparency in the Disclosing of the Ingredients in Vaccinations for Children** **DIED BETWEEN HOUSES**

Sponsor(s)	Committee Report	Amendments Adopted
BOLAND TUTTLE	ONTP OTP	

The purpose of this bill is to provide greater transparency regarding the ingredients of vaccinations and to reduce confusion related to school immunization requirements and a parent's right to decide against immunizing that parent's child. The bill requires a health care provider or clinic staff person, prior to immunizing a person under 18 years of age, to disclose the ingredients of the immunizing agent or agents to the parent or guardian of the child. It also requires the health care provider or clinic staff person to notify the parent or guardian of the option of refusing immunization of the child based on religious or philosophical beliefs.

LD 755 **An Act To Require Estimates of Patient Costs Prior to Treatment** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BOLAND GRATWICK	ONTP	

This bill requires a health care provider to provide to a person recommended for a nonemergency health care procedure or course of treatment a cost estimate of the procedure or treatment, the provider's reasons for the procedure or treatment, other options and their costs and the amount of the cost that will be paid for by the person's insurer. This bill also requires a health care provider to provide a cost estimate to a referring provider on a recommended procedure or course of treatment for a referred patient.

LD 801 **Resolve, To Extend the Deadline for the Department of Health and Human Services To Submit a Report on Persons with Intellectual Disabilities or Autism** **RESOLVE 73 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
FARNSWORTH CRAVEN	OTP	

This resolve extends the deadline for the Department of Health and Human Services to submit its 2013 system of care plan for persons with intellectual disabilities or autism from January 15, 2013 to December 15, 2013. The resolve is retroactive to January 15, 2013.

Enacted Law Summary

Resolve 2013, chapter 73 extends the deadline for the Department of Health and Human Services to submit its 2013 system of care plan for persons with intellectual disabilities or autism from January 15, 2013 to December 15, 2013. The resolve is retroactive to January 15, 2013.

Resolve 2013, chapter 73 was finally passed as an emergency measure effective July 2, 2013.

LD 802 **An Act To Encourage Alternative Forms of Treatment for Opiate or Opioid Addiction by Prohibiting MaineCare Coverage for Medication-assisted Treatment for Addiction**

ACCEPTED MAJORITY (ONTP) REPORT

Sponsor(s)	Committee Report	Amendments Adopted
LOCKMAN THOMAS	ONTP OTP-AM	

Current law limits to 24 months MaineCare coverage or reimbursement for buprenorphine and naloxone combination drugs, also known as Suboxone, and for methadone for the treatment of addiction to opioids.

This bill, beginning January 1, 2015, prohibits all MaineCare coverage or reimbursement for Suboxone and methadone for treatment of addiction to opioids.

Committee Amendment "A" (H-237)

This amendment, which is the minority report of the committee, adds an appropriations and allocations section.

LD 803 **Resolve, Requiring the Department of Health and Human Services To Amend the Rules Regarding Child Care Facilities and Family Child Care Providers**

RESOLVE 60

Sponsor(s)	Committee Report	Amendments Adopted
MOONEN ALFOND	OTP-AM	H-268

This bill allows a parent or guardian to request that a child care facility use cloth diapers for the parent's or guardian's child if allowed by the child care facility.

Committee Amendment "A" (H-268)

This amendment replaces the bill with a resolve. It requires the Department of Health and Human Services to amend its rules by February 1, 2014 to allow both licensed child care facilities and certified family child care providers to use cloth diapers for any child. The rules must require the parent or guardian to provide clean diapers for the child, and a licensed child care facility or certified family child care provider that uses a cloth diaper upon the request of a parent or guardian is required to comply with diapering guidelines available from the department's Division of Licensing and Regulatory Services.

Enacted Law Summary

Resolve 2013, chapter 60 requires the Department of Health and Human Services to amend its rules by February 1, 2014 to allow both licensed child care facilities and certified family child care providers to use cloth diapers for any child. The rules must require the parent or guardian to provide clean diapers for the child, and a licensed child care facility or certified family child care provider that uses a cloth diaper upon the request of a parent or guardian is required to comply with diapering guidelines available from the department's Division of Licensing and Regulatory Services.

LD 804 **An Act To Improve Preventive Dental Health Care and Reduce Costs in the MaineCare Program** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
CAREY LACHOWICZ	OTP-AM ONTP	

This bill adds one annual preventive oral health visit to the MaineCare-covered oral health services for adults 21 years of age and older.

Committee Amendment "A" (H-517)

This amendment, which is the majority report of the Joint Standing Committee on Health and Human Services, adds an appropriations and allocations section to the bill.

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 126th Legislature by joint order, H-B (H-580) and H-C (H-582).

LD 828 **An Act To Improve the Administration of the Child Care Subsidy Program and To Prevent Erroneous Termination of Child Care Services** **VETO SUSTAINED**

Sponsor(s)	Committee Report	Amendments Adopted
GATTINE	OTP-AM OTP-AM	H-272

This bill amends the program that provides child care services to persons who meet certain income eligibility requirements to require the Department of Health and Human Services to:

1. Allow an applicant who is unable to comply a reasonable extension of time to meet the requirements or a modification of the application of eligibility rules; and

2. Prior to reducing or terminating the child care services provided to a person, provide the person an opportunity for a hearing and final agency determination, except when the reduction or termination is due to a loss of program funding.

Committee Amendment "A" (H-272)

This amendment, which is the majority report of the committee, replaces the bill. The bill requires the Department of Health and Human Services to provide a reasonable extension of time or modification of the application of the rules governing eligibility for the program that provides child care services to certain persons who meet income eligibility requirements but are unable to comply with the time requirements. The amendment retains the provisions of the bill that afford a person a reasonable opportunity for a fair hearing and final agency determination of child care program eligibility. The amendment requires the Department of Health and Human Services to amend its rules to make these changes in rules instead of statute. The amended rule may also provide changes to the language in letters of notification to parents.

Committee Amendment "B" (H-273)

This amendment, which is the minority report of the committee, replaces the bill. The bill requires the Department of Health and Human Services to provide a reasonable extension of time or modification of the application of the rules for a program that provides child care services to certain persons who meet income eligibility requirements but are unable to comply with the time requirements. The amendment retains the provisions of the bill that afford a

person a reasonable opportunity for a fair hearing and final determination of child care program eligibility.

LD 829 **Resolve, To Continue the Redesign of Shared Living Services for Adults with Intellectual Disabilities or Autism** **RESOLVE 57 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
STUCKEY	OTP-AM	H-269

This resolve requires the Department of Health and Human Services to continue to work on the redesign of its shared living program and to complete the redesign by June 30, 2013.

Committee Amendment "A" (H-269)

This amendment requires the Department of Health and Human Services to continue to work on the redesign of its shared living program and removes from the bill the due date for completion. The amendment requires the department to submit a progress report to the Joint Standing Committee on Health and Human Services by January 15, 2014.

Enacted Law Summary

Resolve 2013, chapter 57 requires the Department of Health and Human Services to continue to work on the redesign of its shared living program and removes from the bill the due date for completion. The law requires the department to submit a progress report to the Joint Standing Committee on Health and Human Services by January 15, 2014.

Resolve 2013, chapter 57 was finally passed as an emergency measure effective June 19, 2013.

LD 846 **An Act To Improve and Modernize the Authority of Local Health Officers** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
COOPER	ONTP	

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

1. Direct the Department of Health and Human Services, Maine Center for Disease Control and Prevention to update its manual for local health officers to reflect changes in the health inspection rules adopted by the center, provide annual training for local health officers and communicate regularly with local health officers;

2. Repeal the prohibition on local health officers' entering licensed establishments for purposes of inspection;

3. Simplify and modernize the training required for certain municipalities to select a local health officer; and

4. Repeal the requirement that a municipality appoint a local health officer.

LD 847 **Resolve, To Address Changes Needed for Providers of Private Nonmedical Institution Services** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
FARNSWORTH LACHOWICZ	ONTP	

In response to requirements of the federal Centers for Medicare and Medicaid Services, this resolve directs the Department of Health and Human Services to take all necessary actions to convert private nonmedical institution services beds for adults with intellectual disabilities to home and community-based waiver beds for adults with intellectual disabilities. The resolve directs the department to complete a plan for the conversion and submit the plan to the Joint Standing Committee on Health and Human Services and the Joint Standing Committee on Appropriations and Financial Affairs by January 1, 2014. The resolve directs the department to complete the conversion by July 1, 2014 and to submit a full report to the Joint Standing Committee on Health and Human Services and the Joint Standing Committee on Appropriations and Financial Affairs upon completion of the conversion. The resolve states that the conversion must be accomplished within existing resources appropriated for private nonmedical institution services.

LD 881 **An Act To Improve the Unused Pharmaceutical Disposal Program** **PUBLIC 121**

Sponsor(s)	Committee Report	Amendments Adopted
CRAVEN SANDERSON	OTP	

This bill makes changes to the Unused Pharmaceutical Disposal Program as recommended by the Prescription Drug Abuse Task Force, which was established by the Governor and the Attorney General by Executive Order 2012-002. The purpose of the bill is to reduce the cost of safe, effective and proper disposal of unused pharmaceuticals in order to reduce prescription drug abuse.

Enacted Law Summary

Public Law 2013, chapter 121 makes changes to the Unused Pharmaceutical Disposal Program as recommended by the Prescription Drug Abuse Task Force, which was established by the Governor and the Attorney General by Executive Order 2012-002. The law reduces the cost of safe, effective and proper disposal of unused pharmaceuticals in order to reduce prescription drug abuse.

LD 882 **An Act To Amend the Laws Governing Confidentiality of Health Care Information To Enhance Public Safety** **PUBLIC 289**

Sponsor(s)	Committee Report	Amendments Adopted
CRAVEN GATTINE	OTP-AM	S-264

Current law permits health care practitioners or facilities to provide private health care information to law enforcement officials and other governmental entities in order to protect public health and welfare when reporting is authorized by law and when reporting a suspected crime against them or a crime they believe occurred on their premises. Federal regulations permit disclosure of private health care information when, in the health care practitioner's judgment, disclosure is necessary to avert a serious threat to the health or safety of others under conditions prescribed by the regulations.

This bill makes Maine law consistent with federal regulations and preserves a practioner's ability to report private health care information to law enforcement officials and other governmental entities in order to protect public health and welfare when reporting is authorized by law while expanding permitted disclosure in other cases when necessary to avert a threat to the health or safety of others.

Committee Amendment "A" (S-264)

This amendment replaces the bill. This amendment clarifies the language of the bill that allows disclosure of

protected health information to appropriate persons, law enforcement officials and other governmental entities in accordance with federal law and regulation.

Enacted Law Summary

Public Law 2013, chapter 289 allows disclosure of protected health information to appropriate persons, law enforcement officials and other governmental entities in accordance with federal law and regulation.

LD 886 **Resolve, Regarding Legislative Review of Portions of Chapter 270: Uniform Reporting System for Quality Data Sets, a Major Substantive Rule of the Maine Health Data Organization**

RESOLVE 54
EMERGENCY

Sponsor(s)	Committee Report	Amendments Adopted
	OTP-AM	H-411

This resolve provides for legislative review of portions of Chapter 270: Uniform Reporting System for Quality Data Sets, a major substantive rule of the Maine Health Data Organization.

Committee Amendment "A" (H-411)

This amendment requires a number of technical changes, additions and deletions to Chapter 270: Uniform Reporting System for Quality Data Sets, a major substantive rule of the Maine Health Data Organization. These changes, additions and deletions are made at the request of the Maine Health Data Organization.

Enacted Law Summary

Resolve 2013, chapter 54 approves the amendments to Maine Health Data Organization Rule Chapter 270. The resolve also requires a number of technical changes, additions and deletions to Chapter 270.

Resolve 2013, chapter 54 was finally passed as an emergency measure effective June 14, 2013.

LD 892 **An Act Regarding Municipal General Assistance**

ACCEPTED
MAJORITY
(ONTP) REPORT

Sponsor(s)	Committee Report	Amendments Adopted
MASON G WILLETTE	ONTP OTP-AM	

This bill makes individuals who have reached the 60-month lifetime limit for benefits under the Temporary Assistance for Needy Families program or who have had benefits fully terminated for noncompliance with the requirements of the program ineligible for municipal general assistance.

Committee Amendment "A" (S-288)

This amendment, which is the minority report of the committee, adds an appropriations and allocations section.

LD 897 **An Act To Establish the Volunteer Advocate Program and the Volunteer Advocate Program Council**

VETO SUSTAINED

Sponsor(s)	Committee Report	Amendments Adopted
WILLETTE JACKSON T	OTP-AM ONTP	H-462

This bill establishes in law the Volunteer Advocate Program to replace the Volunteer Correspondent Program established in 1978 pursuant to the Pineland Consent Decree. The bill establishes a structure and guidelines for the enhancement and continuation of a program of volunteer advocates for persons with intellectual disabilities and autism with the goal of establishing an independent not-for-profit corporation to provide volunteer advocacy services.

Committee Amendment "A" (H-462)

This amendment is the majority report of the committee. This amendment changes the name of the Volunteer Advocate Program Board to the Volunteer Advocate Program Council, places the council within the Maine Developmental Services Oversight and Advisory Board established pursuant to the Maine Revised Statutes, Title 34-B, section 1223 and gives to the board the responsibility of making recommendations to the Governor for appointments to the council. This amendment adds a person who serves as a volunteer advocate under the Volunteer Advocate Program to the list of persons who are required to report to the Department of Health and Human Services known or suspected abuse, neglect or exploitation of an incapacitated or dependent adult. The amendment allows council members to serve three terms and changes the budget of the council to a portion of the budget of the Maine Developmental Services Oversight and Advisory Board in the same proportion as was provided to the volunteer correspondent program. The amendment adds to the duties of the council supervision of the program coordinator. The amendment removes from the provision on fund-raising the statement on use of funds to defray the State's budget expenditure for the program. The amendment adds to the council's duties the duty to exercise operational control of the program. The amendment adds rulemaking and bylaw and policy responsibilities for the Maine Developmental Services Oversight and Advisory Board. The amendment adds to the duties of the council the duty to provide an annual report to the board, the department and the joint standing committee of the Legislature having jurisdiction over health and human services matters on the activities of the council and the operations of the program. The amendment clarifies that a volunteer advocate is available to a person who requests the assignment of an advocate and allows a consumer to restrict the advocate's access to people, facilities and records. The amendment changes existing provisions of law on personal planning for persons with intellectual disabilities or autism, enacting a definition of "volunteer advocate," eliminating references to volunteer correspondents and substituting references to volunteer advocates.

LD 908 **An Act To Limit MaineCare Reimbursement for Suboxone and Methadone Treatment**

ACCEPTED MAJORITY (ONTP) REPORT

Sponsor(s)	Committee Report	Amendments Adopted
DICKERSON MAZUREK	ONTP OTP	

Current law limits to 24 months MaineCare coverage or reimbursement for buprenorphine and naloxone combination drugs, also known as Suboxone, for the treatment of addiction to opioids and for methadone for the treatment of addiction to opiates. The Department of Health and Human Services may authorize an extension of the 24-month limit for Suboxone or methadone.

This bill removes the ability of the department to authorize an extension of the 24-month limit for either Suboxone or methadone and specifies that the 24-month limit on Suboxone is a lifetime maximum limit. This lifetime limit is already in place for methadone.

LD 909 **Resolve, To Establish MaineCare Eligibility for Parents Participating in Reunification Activities** **RESOLVE 61**

Sponsor(s)	Committee Report	Amendments Adopted
HAMANN MILLETT	OTP-AM	H-248

This resolve directs the Department of Health and Human Services to submit to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services an application for a MaineCare waiver to cover parents who are MaineCare members or are eligible to be MaineCare members who are participating in rehabilitation and family reunification activities in accordance with a rehabilitation and reunification plan. Under the waiver, coverage would last until the parent ceases to participate in reunification activities or until parental rights are terminated.

Committee Amendment "A" (H-248)

This amendment incorporates a fiscal note.

Enacted Law Summary

Resolve 2013, chapter 61 directs the Department of Health and Human Services to submit to the United States Department of Health and Human Services, Centers for Medicare and Medicaid Services an application for a MaineCare waiver to cover parents who are MaineCare members or are eligible to be MaineCare members who are participating in rehabilitation and family reunification activities in accordance with a rehabilitation and reunification plan. Under the waiver, coverage would last until the parent ceases to participate in reunification activities or until parental rights are terminated.

LD 928 **An Act To Improve MaineCare Nursing Home Reimbursement To Preserve Access and Promote Quality** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
MALABY	OTP-AM ONTP	

This bill provides supplemental MaineCare payments to nursing homes that serve a high percentage of MaineCare residents and establishes a pay-for-performance program in nursing homes. The Department of Health and Human Services is authorized to adopt emergency rules to take effect retroactively to July 1, 2013 for the establishment of the supplemental MaineCare payments to nursing homes that serve a high percentage of MaineCare residents.

The bill also appropriates state funds and allocates matching federal funds for cost-of-living increases for MaineCare reimbursement to nursing facilities in the 2014-2015 biennium.

Committee Amendment "A" (H-365)

This amendment is the majority report of the committee. This amendment deletes all of the provisions of the bill and inserts an appropriation and an allocation sufficient to grant to nursing facilities a 2% rate increase in MaineCare reimbursement rates for nursing facilities.

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 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

See also LD 986.

LD 929 **An Act To Amend the Requirements for the Reporting of New Hires** **PUBLIC 279 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
MALABY HAMPER	OTP-AM	H-249

Current law requires an employer, upon notice by the Department of Health and Human Services, to report the hiring, rehiring or return to work of an employee. The department transmits the information to the National Directory of New Hires maintained by the federal Department of Health and Human Services.

This bill requires an employer to forward the information, including the date the person starts work, within seven days of the employee's beginning or returning to service, without being notified by the Department of Health and Human Services.

Committee Amendment "A" (H-249)

This amendment provides a definition of "newly hired employee" that conforms with federal law. It defines a newly hired employee as a person who has not been previously employed by the employer or who has been separated from prior employment by the same employer for a period of at least 60 consecutive days.

Enacted Law Summary

Public Law 2013, chapter 279 provides a definition of "newly hired employee" that conforms with federal law. It defines a newly hired employee as a person who has not been previously employed by the employer or who has been separated from prior employment by the same employer for a period of at least 60 consecutive days. It requires an employer to forward information on newly hired employees and the date the person starts work, within seven days of the employee's beginning or returning to service, without notification by the Department of Health and Human Services.

Public Law 2013, chapter 279 was enacted as an emergency measure effective June 18, 2013.

LD 951 **Resolve, Requiring the Department of Health and Human Services To Provide Methadone Clinic Data** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
CASSIDY	OTP-AM	
CRAVEN	OTP-AM	

Current law limits to 24 months MaineCare coverage or reimbursement for buprenorphine and naloxone combination drugs, also known as Suboxone, and methadone for the treatment of addiction to opioids. This bill repeals the 24-month limit.

Committee Amendment "A" (H-559)

This amendment replaces the bill and is the majority report of the committee. The amendment amends the prior authorization process for methadone and so-called Suboxone treatments under MaineCare. It allows for the continuation of coverage, without prior authorization, if the individual receiving the treatment is pregnant, has

serious and persistent mental illness or resides with a child under 3 years of age for whom the individual is primarily responsible. It also allows an individual who is on a low daily dose that is considered a maintenance dose to continue coverage without prior authorization. For Suboxone, this amount is 4 milligrams. The maintenance dose for methadone will be determined in the Department of Health and Human Services rules. The amendment also directs the department to increase the reimbursement rates paid to methadone clinics from $60 a week to $70 a week.

Committee Amendment "B" (H-560)

This amendment, which is the minority report of the committee, requires the office of substance abuse and mental health services within the Department of Health and Human Services to prepare a report using data from 2009 to 2013 from methadone clinics in this State. The report must be submitted to the Joint Standing Committee on Health and Human Services no later than January 1, 2014. The report must include, but is not limited to, data on the number of clients at the clinics, the number of clients receiving at-home doses of methadone, the average doses and range of doses of methadone received by clients both at the clinic and receiving at-homes doses, the incidence of tapering of the dosage, including any changes in tapering resulting from the enactment of a lifetime limit of two years, the frequency of drug use and the number of arrests in the last 30 days of clients at the clinics, the number of clients discharged and the reasons for the discharges and the number of deaths of clients.

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 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 967 **An Act Regarding Residency Requirements for General Assistance** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BEAUDOIN HAMPER	ONTP	

This bill amends the municipal general assistance requirements to establish criteria to determine residency in a municipality, including the requirement that a person be registered to vote in that municipality or have a Maine driver's license. This bill also permits a municipality to establish a durational residency requirement of up to six months before a person who is not a resident of the State may apply for general assistance.

LD 968 **An Act To Provide Needed Psychiatric Hospitalization for Persons with Mental Illness** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
DION LACHOWICZ		

This bill requires the Commissioner of Health and Human Services to make psychiatric hospitalization available to a person with mental illness who is experiencing a psychiatric crisis and who has been determined by a health care practitioner to be in need of hospitalization.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P.1145, as amended by H-B (H-580) and H-C (H-582).

LD 969 **Resolve, Directing the Department of Health and Human Services To Reduce and Limit the Adult Developmental Services Waiting Lists by Implementing a More Efficient, Responsive and Individualized Model of Service Delivery**

DIED ON ADJOURNMENT

Sponsor(s)	Committee Report	Amendments Adopted
STUCKEY CRAVEN	OTP-AM	H-431

This resolve requires the Department of Health and Human Services to request approval from the federal Centers for Medicare and Medicaid Services to amend the MaineCare waivers for Section 21, Home and Community Benefits for Members with Intellectual Disabilities or Autistic Disorder, and Section 29, Support Benefits for Adults with Intellectual Disabilities or Autistic Disorder, to permit the reimbursement for the use of appropriate electronic technology as a means of reducing the costs of supporting people currently being served. It also requires the department to apply to the Centers for Medicare and Medicaid Services to amend the Section 29 waiver to add as a covered service home support as an option under the current service cap. Home support is direct support provided to a member in the member's home by a direct support professional to improve and maintain the member's ability to live as independently as possible in the member's own home and primarily consists of personal assistance, such as preparing meals, cleaning and personal care. Upon the granting of the amended waivers, the department is required to undertake rulemaking to amend the Section 21 and 29 rules to reflect the changes in the waiver. Any savings from the use of electronic technology and the provision of home support services must be used to serve additional people on Sections 21 and 29 waiting lists.

The resolve also requires the Department of Health and Human Services to report to the Joint Standing Committee on Health and Human Services and the Joint Standing Committee on Appropriations and Financial Affairs on the status of the recommendations of the adult developmental services working group formed pursuant to Public Law 2011, chapter 477, Part W, section 1. The department is required to develop a plan to incorporate the recommendations of the working group, including specific steps and a timeline with a goal that current and future waiting lists do not exceed 6 months.

Committee Amendment "A" (H-431)

This amendment changes the deadline for the Department of Health and Human Services to submit the application for 2 MaineCare waivers from July 1, 2013 to October 1, 2013. This amendment also changes the goal of a maximum of 6 months for current and future waiting lists to a maximum of 6 months for future waiting lists.

See also LD 8.

LD 986 **Resolve, To Establish the Commission To Study Long-term Care Facilities**

RESOLVE 78
EMERGENCY

Sponsor(s)	Committee Report	Amendments Adopted
BURNS MAKER	OTP-AM	S-201 S-325 GOODALL

This resolve establishes the Commission To Study Long-term Care Facilities. The commission has 13 members and is required to report by December 4, 2013.

Committee Amendment "A" (S-201)

The resolve establishes the Commission To Study Long-term Care Facilities. This amendment changes the

membership of the commission so that it consists of 7 Legislators, one representative of a nursing facility, 2 representatives of long-term care facilities, one director of a long-term care ombudsman program, one person representing a municipality and one person representing the Governor's office or the Governor's administration. This amendment adds to the duties of the commission duties derived from 3 bills that were before the Joint Standing Committee on Health and Human Services, Legislative Document 928, Legislative Document 1245 and Legislative Document 1246. The amendment authorizes the chairs of the commission to establish subcommittees composed of interested persons, including representatives of nursing facilities with a high percentage of residents whose care is reimbursed through the MaineCare program, individuals with specialized knowledge in implementing an acuity-based staffing system, individuals with expertise in acuity-based reimbursement systems, a representative of an agency that provides services to the elderly and any other persons with experience or interest in nursing facility care. The amendment directs the commission to submit a report with findings and recommendations to the 126th Legislature by December 4, 2013.

Senate Amendment "A" To Committee Amendment "A" (S-325)

This amendment modifies the membership of the Commission To Study Long-term Care Facilities to reduce the number of Legislators from 7 to 5 and adds an emergency preamble and emergency clause.

Enacted Law Summary

Resolve 2013, chapter 78 establishes the Commission To Study Long-term Care Facilities. The membership of the commission consists of 7 legislators, one representative of a nursing facility, 2 representatives of long-term care facilities, one director of a long-term care ombudsman program, one person representing a municipality and one person representing the Governor's office or the Governor's administration. The duties of the commission are derived from 3 bills that were before the Joint Standing Committee on Health and Human Services, Legislative Document 928, Legislative Document 1245 and Legislative Document 1246. The chairs of the commission are authorized to establish subcommittees composed of interested persons, including representatives of nursing facilities with a high percentage of residents whose care is reimbursed through the MaineCare program, individuals with specialized knowledge in implementing an acuity-based staffing system, individuals with expertise in acuity-based reimbursement systems, a representative of an agency that provides services to the elderly and any other persons with experience or interest in nursing facility care. The resolve directs the commission to submit a report with findings and recommendations to the 126th Legislature by December 4, 2013.

See also LD 928, 1245 and 1246.

Resolve 2013, chapter 78 was finally passed as an emergency measure effective July 16, 2013.

LD 990 **An Act To Require Public Disclosure of Health Care Prices** **PUBLIC 332**

Sponsor(s)	Committee Report	Amendments Adopted
WOODBURY	OTP-AM	S-202

This bill requires health care practitioners to maintain and make available to clients a price list of their most frequently provided services and procedures. The prices stated are the prices charged to a patient when there is no insurance coverage or when reimbursement by an insurance company is denied.

Committee Amendment "A" (S-202)

This amendment retains the provisions of the bill that require a health care practitioner to maintain and make available to clients a price list of the health care practitioner's most frequently provided services and procedures. The amendment exempts pharmacists from the consumer information requirements. The amendment adds a requirement that the prices must be accompanied by the applicable standard medical codes listed by diagnosis. The amendment requires health care practitioners to make available written information on health claims data that may

be obtained through the publicly accessible website of the Maine Health Data Organization.

Enacted Law Summary

Public Law 2013, chapter 332 requires a health care practitioner to maintain and make available to clients a price list of the health care practitioner's most frequently provided services and procedures. The law exempts pharmacists from the consumer information requirements. The law adds a requirement that the prices must be accompanied by the applicable standard medical codes listed by diagnosis. The law requires health care practitioners to make available written information on health claims data that may be obtained through the publicly accessible website of the Maine Health Data Organization.

LD 1014 **An Act To Improve Law Enforcement Access to Prescription Monitoring Program Data**

ACCEPTED MINORITY (ONTP) REPORT

Sponsor(s)	Committee Report	Amendments Adopted
MARKS LACHOWICZ	OTP-AM ONTP	

This bill is a product of the Maine Prescription Drug Abuse Task Force established by the Governor and the Attorney General through Executive Order 2012-002. This bill allows a law enforcement agency access to prescription monitoring program information only for an active law enforcement investigation. Information provided to a law enforcement agency remains confidential and must be safeguarded in the same manner as other investigative information.

Committee Amendment "A" (H-343)

This amendment is the majority report of the committee. This amendment retains the intent and effect of the bill but limits the context of a request for information from the Controlled Substances Prescription Monitoring Program by law enforcement to an active investigation involving a prescription drug offense. This amendment requires the Department of Health and Human Services, in consultation with the Attorney General, to adopt routine technical rules regarding the manner of communicating requests for information from the program.

LD 1029 **Resolve, Directing the Department of Health and Human Services To Amend Its Rules Pertaining to a Request for Mental Health Records**

ONTP

Sponsor(s)	Committee Report	Amendments Adopted
SIROCKI HAMPER	ONTP	

Current rules of the Department of Health and Human Services allow a recipient of mental health services or the recipient's parent or legal guardian to review the recipient's mental health records within a reasonable amount of time. This resolve directs the department to amend its rules to allow for reviewing those records on a daily basis.

LD 1030 **An Act To Require That Electronic Benefits Transfer System Cash Benefits Are Used for the Purpose for Which the Benefits Are Provided**

ACCEPTED MAJORITY (ONTP) REPORT

Sponsor(s)	Committee Report	Amendments Adopted
PARRY HAMPER	ONTP OTP-AM	

This bill requires a recipient of benefits under the electronic benefits transfer system to retain a receipt of every cash transaction the recipient makes under the system and to provide the receipts monthly to the Department of Health and Human Services. This bill requires the Department of Health and Human Services to deduct the amount of a transaction the department determines is improper under state or federal law from the recipient's monthly benefits.

Committee Amendment "A" (H-518)

This amendment, which is the minority report of the committee, replaces the bill. It prohibits recipients of Temporary Assistance for Needy Families, or TANF, benefits from using benefits to purchase alcoholic beverages or tobacco products. The amendment also requires recipients of TANF to retain receipts for cash transactions, including those made with cash withdrawn from the electronic benefits transfer system card, for 12 months. The Department of Health and Human Services may audit the receipts for a six-month period for up to 1% of all TANF recipients to determine if a recipient has spent TANF cash benefits on prohibited items. If the Department of Health and Human Services determines that such a purchase has been made, the department is required to deduct that amount from the recipient's TANF benefits for the following month.

LD 1031 **An Act To Require a Mandatory Peer Review Process for the Restraint and Seclusion of Children in a Hospital or Children's Home**

CARRIED OVER

Sponsor(s)	Committee Report	Amendments Adopted
SIROCKI		

This bill requires the Commissioner of Health and Human Services to establish a procedure for reviewing the use of restraint and seclusion for children receiving services in a hospital or children's home, including a mandatory review process for the repeated use of restraint or seclusion. It also adds a physician, other than the attending physician, to the review team that reviews behavior modification and behavior management programs for children under 18 years of age.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1032 **Resolve, Establishing the Commission To Study the Incidence of and Mortality Related to Cancer**

VETO SUSTAINED

Sponsor(s)	Committee Report	Amendments Adopted
MCGOWAN	OTP-AM ONTP	H-344

This resolve directs the Department of Health and Human Services to establish a task force to study the high incidence of cancer in the State, ways to lower the incidence of cancer and how the State can assist its citizens

through education and prevention programs. The department is directed to invite interested parties to serve on the task force and to make its findings available to the public in distributable format and online.

Committee Amendment "A" (H-344)

This amendment is the majority report of the committee. The amendment retains the duties of the task force proposed in the resolve and changes that task force into the Commission To Study the Incidence of and Mortality Related to Cancer. This amendment provides for appointments of 13 members by the President of the Senate and the Speaker of the House. This amendment directs the commissioners of several state agencies to provide information and data to the commission. This amendment authorizes the Legislative Council to provide staffing to the commission. This amendment directs the commission to submit a report to the Joint Standing Committee on Health and Human Services by December 4, 2013.

See also LD 1574.

LD 1047 **Resolve, To Provide a Better Transition for Foster Children to Independent Adulthood** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
BERRY KATZ		

This resolve directs the Commissioner of Health and Human Services to review and analyze services for persons in foster care making the transition to independent adulthood, including services provided under a voluntary extended support agreement, also known as a V9 agreement. The commissioner is required to submit a report containing the results of the review and analysis to the Joint Standing Committee on Health and Human Services by January 15, 2014, and the committee is authorized to submit a bill regarding the report to the Second Regular Session of the 126th Legislature.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1062 **An Act To Add Conditions That Qualify for Medical Marijuana Use** **PUBLIC 361**

Sponsor(s)	Committee Report	Amendments Adopted
DICKERSON GERZOFSKY	OTP-AM ONTP	H-398

This bill amends the Maine Medical Use of Marijuana Act to add to the list of debilitating medical conditions for which a physician may certify the use of medical marijuana. The conditions added are post-traumatic stress disorder, opiate or pharmaceutical drug addiction and recovery and any other medical condition or its treatment as determined by a physician.

Committee Amendment "A" (H-398)

This amendment is the majority report of the committee. The amendment revises the listed medical conditions that qualify a patient for the medical use of marijuana. The amendment adds to the list of conditions post-traumatic stress disorder, inflammatory bowel disease, dyskinetic and spastic movement disorders and otehr diseases ccausing severe and persistent myuscle spasms. The amendment removes from the list of conditions Crohn's disease and a chronic or debilitating disease or medical condition or its treatment that produces severe and persistent muscle spasms, including but not limited to those characteristic of multiple sclerosis.

Enacted Law Summary

Public Law 2013, chapter 361 revises the listed medical conditions that qualify a patient for the medical use of marijuana. The law adds to the list of conditions post-traumatic stress disorder, inflammatory bowel disease, dyskinetic and spastic movement disorders and otehr diseases ccausing severe and persistent myuscle spasms. The law removes from the list of conditions Crohn's disease and a chronic or debilitating disease or medical condition or its treatment that produces severe and persistent muscle spasms, including but not limited to those characteristic of multiple sclerosis.

LD 1063 **An Act To Remove a Conflict in the Law Restricting the Sale or Purchase of Targeted Methamphetamine Precursors** **PUBLIC 223 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
WILLETTE BURNS	OTP	

Public Law 2011, chapter 584 made changes to the law restricting the sale of targeted methamphetamine precursors, including setting a limit of 3.6 grams of targeted methamphetamine precursors that could be sold in a 24-hour period to the same person; this limit is the same as in federal law. At the time Public Law 2011, chapter 584 was enacted, the law prohibited the sale of targeted methamphetamine precursors to no more than 3 grams and also restricted the number of packages sold per transaction.

This bill repeals the restriction on the number of packages of medication containing pseudoephedrine that may be sold at one time, leaving the 3.6 gram per month maximum in place. The requirement that the targeted methamphetamine precursors be sold in blister packages is also repealed since this is already a federal requirement under the federal Combat Methamphetamine Epidemic Act.

Enacted Law Summary

Public Law 2013, chapter 223 repeals the restriction on the number of packages of medication containing pseudoephedrine that may be sold at one time, leaving the 3.6 gram per month maximum in place. The requirement that the targeted methamphetamine precursors be sold in blister packages is repealed by this law since this is already a federal requirement under the federal Combat Methamphetamine Epidemic Act.

Public Law 2013, chapter 223 was enacted as an emergency measure effective June 10, 2013.

LD 1064 **Resolve, To Establish the Task Force on Independence from Public Assistance** **INDEF PP**

Sponsor(s)	Committee Report	Amendments Adopted
NEWENDYKE FLOOD	OTP-AM	H-270

This resolve establishes the Task Force on Independence from Public Assistance. The task force must meet up to eight times, consists of nine members and must report by December 4, 2013 with its findings and recommendations and suggested legislation to the Joint Standing Committee on Health and Human Services.

Committee Amendment "A" (H-270)

This amendment increases the membership of the Task Force on Independence from Public Assistance from nine members to 13 members. In addition to the task force's duties in the resolve, the amendment requires the task force to identify provisions in current state policy, law and rules that penalize or create a disincentive to work and make

recommendations on how to eliminate those barriers and to review legislative and academic studies conducted in Maine. It clarifies that recommendations made to the Joint Standing Committee on Health and Human Services must be evidence-based.

LD 1065 **An Act Regarding Patient-directed Care at the End of Life**

ACCEPTED MAJORITY (ONTP) REPORT

Sponsor(s)	Committee Report	Amendments Adopted
BROOKS	ONTP	
VALENTINO	OTP	

This bill authorizes a patient who is terminally ill and the patient's physician or the medical director of the patient's hospice care provider to sign companion documents that will guide the provision of health care to the patient and the provision of care at the end of life. The companion documents establish the choices and directives of the patient and the responsibilities of the physician or medical director. This bill shields physicians and medical directors from liability or disciplinary sanctions so that the physicians and medical directors may provide care in conformance with patients' choices and directives.

LD 1066 **An Act To Increase Access to Health Coverage and Qualify Maine for Federal Funding**

VETO SUSTAINED

Sponsor(s)	Committee Report	Amendments Adopted
SANBORN	OTP-AM	H-286
WOODBURY	ONTP	S-221 KATZ

This bill expands medical coverage under the MaineCare program to adults who qualify under federal law with incomes up to 133% of the nonfarm income official poverty line, with the 5% federal income adjustment for family size, and qualifies Maine to receive federal funding for 100% 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, 2014 and adults 19 and 20 years of age beginning October 1, 2019.

Committee Amendment "A" (H-286)

This amendment replaces the bill.

Part A expands medical coverage under the MaineCare program to adults who qualify under federal law with incomes up to 133% of the nonfarm income official poverty line, with the 5% federal income adjustment for family size, and qualifies Maine to receive federal funding for 100% 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, 2014 and adults 19 and 20 years of age beginning October 1, 2019. The expansion of Medicaid eligibility contained in this Part is repealed if 3 circumstances occur: the enhanced Federal Medical Assistance Percentage for calendar years 2014 through 2020 is reduced below certain stated levels; the reduced enhanced Federal Medical Assistance Percentage has taken effect; and after the occurrence of the reduction of the enhanced Federal Medical Assistance Percentage the Legislature has convened and conducted a session of at least 30 calendar days.

Part B requires the Commissioner of Health and Human Services to take all steps necessary to secure an enhanced federal match rate for services provided to the MaineCare childless adult waiver population and to report to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Health and Human Services by November 1, 2013 on these efforts.

Part C requires the Commissioner of Health and Human Services, the Commissioner of Corrections and the Executive Director of the State Board of Corrections to evaluate 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. Part C requires a report by March 1, 2014 to the Joint Standing Committee on Appropriations and Financial Affairs, the Joint Standing Committee on Health and Human Services and the Joint Standing Committee on Criminal Justice and Public Safety on the amount of General Fund savings resulting from the MaineCare expansion. The report must include the amount of savings realized during fiscal year 2013-14 by service area or program and the amount of savings projected to be achieved during the remainder of that fiscal year and during fiscal year 2014-15. Part C 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. It requires the State Controller to transfer any remaining savings to the MaineCare Stabilization Fund. Part C requires the State Budget Officer to provide a report of the transferred amounts to the Joint Standing Committee on Appropriations and Financial Affairs no later than June 30, 2014 and a 2nd report by June 30, 2015.

Part D provides funding for positions in the Department of Health and Human Services, Bureau of Family Independence.

Senate Amendment "A" To Committee Amendment "A" (S-221)

This amendment repeals the expansion of medical coverage under the MaineCare program on December 31, 2016.

This amendment 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 the eligibility of the State to obtain an enhanced Federal Medical Assistance Percentage for services for MaineCare members eligible as childless adults. The amendment provides in Part E that until the secretary confirms that the State will get the enhanced reimbursement rate, which is 100% federal Medicaid reimbursement for calendar years 2014, 2015 and 2016 and as further 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. The amendment 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.

This amendment requires the Office of Fiscal and Program Review to contract with a private, nonpartisan research organization to evaluate the impact of the MaineCare expansion authorized in Part A and changes the reporting entity to the research organization. This amendment adds to the services evaluated under Part C, section 1 the amount of payment for services that hospitals received during calendar years 2014 and 2015 as a result of the expansion of MaineCare eligibility pursuant to Part A, section 3 and any savings and impact on health outcomes achieved through the State Innovation Models Initiative grant. The amendment changes the reporting dates for the reports on General Fund savings in Part C, section 2 to March 1st in 2014 and 2015 and February 15th in 2016, includes in savings any amount credited to the MaineCare Stabilization Fund and extends the years for projecting savings through fiscal year 2020-21. The amendment directs the joint standing committee of the Legislature having jurisdiction over health and human services matters to review the information provided in the reports from the research organization under Part C, section 2 and to determine if the net cost to the General Fund of providing coverage under the MaineCare program to individuals pursuant to Part A, section 3 exceeds the savings to the General Fund, including any amount deposited in the MaineCare Stabilization Fund pursuant to Part C, section 3, due to the expansion of coverage for those individuals.

This amendment adds a new Part E that amends current law on copayments in the MaineCare program. This amendment directs the Department of Health and Human Services to increase copayments for adults with income above 100% 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. This amendment directs the department to increase MaineCare copayments for services provided in a hospital emergency room when the services are not emergency services. This amendment requires the department to track aggregate copayments in compliance with federal law.

LD 1089 **Resolve, To Allow York County To Renegotiate with the Department of Health and Human Services a Decision Regarding Transportation Services**

ACCEPTED MAJORITY (ONTP) REPORT

Sponsor(s)	Committee Report	Amendments Adopted
TUTTLE	ONTP OTP-AM	

This resolve requires the Commissioner of Health and Human Services to reopen the decision to designate a broker for MaineCare nonemergency transportation services in Region 8, which covers York County, and permit York County Community Action Corporation to compete for designation.

Committee Amendment "A" (S-203)

This amendment is the minority report of the committee. The amendment changes the title of the resolve. The amendment directs the Department of Health and Human Services to convene a working group to study and report on changes in regional transportation systems in Maine. The amendment directs the working group to study the revenues and expenses, utilization, efficiencies and interrelationships of the transportation systems in effect on January 1, 2013 and the systems as they will be altered by the risk-based system that the department is instituting during 2013. The amendment also directs the working group to consider whether the risk-based system will split the regional transportation systems into smaller units or weaken services to residents of urban and rural communities and the department to report to the Joint Standing Committee on Health and Human Services by January 15, 2014 on the results of the study.

LD 1155 **An Act To Ensure the Integrity of Neuropsychological and Psychological Testing Materials and Data**

PUBLIC 353 EMERGENCY

Sponsor(s)	Committee Report	Amendments Adopted
FARNSWORTH	OTP-AM	H-442

This bill provides that neuropsychological test materials and neuropsychological test data may not be disclosed to anyone, including the person who is the subject of the test, and are not subject to disclosure in any administrative, judicial or legislative proceeding, except that the person who is the subject of the neuropsychological evaluation is entitled to have all records relating to that evaluation, including neuropsychological test materials and neuropsychological test data, disclosed to any qualified psychologist designated by the person.

Committee Amendment "A" (H-442)

This amendment, which replaces the bill, retains all of the provisions of the bill and adds an emergency preamble and emergency clause. The amendment adds a definition of "psychological evaluation" and adds protection of psychological test materials and test data. The amendment changes the title to reflect the addition of protections for psychological test materials and data.

Enacted Law Summary

Public Law 2013, chapter 353 provides that neuropsychological test materials and neuropsychological test data may not be disclosed to anyone, including the person who is the subject of the test, and are not subject to disclosure in any administrative, judicial or legislative proceeding, except that the person who is the subject of the neuropsychological evaluation is entitled to have all records relating to that evaluation, including neuropsychological test materials and neuropsychological test data, disclosed to any qualified psychologist designated by the person. The law defines "psychological evaluation".

Public Law 2013, chapter 353 was enacted as an emergency measure effective June 25, 2013.

LD 1161 **An Act To Ensure Regulated Safe Access to Medical Marijuana** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
GERZOFSKY	ONTP	

This bill is a concept draft pursuant to Joint Rule 208. This bill proposes to increase the number of medical marijuana dispensaries, and to ensure that the additional newly authorized dispensaries are located in previously underserved areas within the State.

LD 1165 **An Act To Improve the Safety of Workers Who Provide Direct Mental Health and Social Services** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
LACHOWICZ GRAHAM	ONTP	

This bill requires all programs providing direct services to clients that are operated, licensed or funded by the Department of Health and Human Services to establish a workplace violence prevention program, including a workplace violence prevention and crisis response plan, to educate, train and assist direct service workers who may be affected by or threatened with workplace violence.

LD 1166 **An Act Regarding Records Retention by Mental Health Practitioners** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
LACHOWICZ NADEAU C	ONTP	

This bill requires mental health agencies and mental health professionals to plan for and provide secure and private retention of client records and record destruction after specified terms or when an agency or facility ceases to operate or a professional ceases to practice.

LD 1188 **Resolve, Directing the Department of Health and Human Services To Amend Its Rules of Reimbursement under the MaineCare Program for Audiology and Speech-language Pathology Services** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
HERBIG PATRICK	OTP-AM ONTP	

This resolve directs the Department of Health and Human Services to amend the rules of reimbursement under the MaineCare program for audiology and speech-language pathology services by October 1, 2013 in order to equalize rates, eliminate a prior authorization requirement and provide for payment by the MaineCare program of the Medicare deductible for audiology services for certain MaineCare members. The rules are designated as routine technical rules.

Committee Amendment "A" (H-494)

This amendment deletes the provisions of the resolve that pertain to services for persons who are eligible for the Medicare program and that pertain to prior authorization. The amendment retains the provision that raises rates for speech and hearing pathology services, but at only half the increase proposed in the resolve, and replaces references to "hearing services" with references to "audiology services." It also adds an appropriations and allocations section.

This bill was committed to the Joint Standing Committee on Appropriations and Financial Affairs and was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1189 **Resolve, Regarding Implementation of Cost-of-living Increases for Nursing Facilities** **RESOLVE 72 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
GATTINE	OTP-AM	H-513

This bill amends the law governing the nursing facility and assisted living facility cost-of-living adjustment enacted by the 125th Legislature to specify that during the first year in which an adjustment is made, the reimbursement is reduced by that portion of the adjustment that exceeds the percentage increase in wages and benefits actually provided to frontline employees during the facility's fiscal years ending in 2009, 2010 and 2011.

Committee Amendment "A" (H-513)

This amendment replaces the bill. It directs the Department of Health and Human Services to adopt rules regarding the cost-of-living adjustment payable to a nursing facility for the fiscal year that ends in 2012 that allow full payment of the cost-of-living adjustment if the required wage increases to frontline employees are granted over a longer period of time than allowed by current rule. The amendment authorizes the Department of Health and Human Services to adopt the rules on an emergency basis. The amendment designates the rules as routine technical rules.

Enacted Law Summary

Resolve 2013, chapter 72 directs the Department of Health and Human Services to adopt rules regarding the cost-of-living adjustment payable to a nursing facility for the fiscal year that ends in 2012 that allow full payment of the cost-of-living adjustment if the required wage increases to frontline employees are granted over a longer period of time than allowed by current rule. The resolve authorizes the Department of Health and Human Services to adopt the rules on an emergency basis. The resolve designates the rules as routine technical rules.

Resolve 2013, chapter 72 was finally passed as an emergency measure effective June 28, 2013.

LD 1213 **An Act To Reduce Costs and Increase Access to Methadone Treatment** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
LOCKMAN CUSHING		

This bill proposes to decrease costs 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 require enrollment at the clinic closest to the person's home 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.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1214 **An Act To Require a Mandatory Assessment by a Physician prior to Psychotropic or Electroconvulsive Therapy** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
SIROCKI	ONTP	

This bill requires a physical examination by a physician prior to the administration of psychotropic drugs or electroconvulsive therapy to a person in a hospital with a psychotic condition.

LD 1215 **An Act To Protect Public Health by Regulating Excessive Wood Smoke as a Nuisance** **INDEF PP**

Sponsor(s)	Committee Report	Amendments Adopted
SANBORN LACHOWICZ	ONTP OTP-AM	

This bill makes operating in a densely populated area an outdoor wood-burning device that produces visible emissions totaling 12 minutes in any hour that cross onto any land or buildings immediately adjacent to a dwelling or commercial building not owned by the owner of the outdoor wood-burning device a nuisance. A fine of not less than $10 nor more than $100 may be adjudged for creating the nuisance.

Committee Amendment "A" (H-284)

This amendment, which is the minority report of the committee, amends the bill to apply to all wood-burning devices rather than only outdoor wood-burning devices. The bill does not apply to outdoor wood boilers which are governed by the Department of Environmental Protection. The amendment removes the definition for "densely populated area" and adds a definition for "residential area" that includes residential zoning and areas that are designated growth areas in a municipal comprehensive plan. It removes the range of fines that may be adjudged from between $10 and $100 and instead specifies a fine of $100. Emissions generated by wood-burning devices during the course of a ceremony of a federally recognized Indian tribe are exempt from the emissions regulation.

LD 1232 **An Act To Maintain the Integrity of the Fund for a Healthy Maine** **VETO SUSTAINED**

Sponsor(s)	Committee Report	Amendments Adopted
CRAVEN	OTP-AM	S-204
GRAHAM	ONTP	S-354 HILL

Under current law, the Fund for a Healthy Maine is funded by ongoing funds from the so-called tobacco settlement. These funds may not be transferred to the General Fund to be used for any purpose other than specified prevention and health promotion purposes except when specifically approved by the Legislature.

This bill removes the provision of current law that allows the Legislature to approve transfers of funds from the Fund for a Healthy Maine to the General Fund.

Committee Amendment "A" (S-204)

This amendment, which is the majority report of the Joint Standing Committee on Health and Human Services, incorporates a fiscal note.

Senate Amendment "A" (S-354)

This amendment provides that the legislation takes effect January 1, 2016.

LD 1244 **An Act To Require Child Protective Services To Screen Parents of Newborn Infants** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
HAMANN	ONTP	

This bill requires hospitals and institutions to electronically submit the same information that is submitted to the municipality in which the live birth occurred or the Department of Health and Human Services for the purposes of recording births and gathering medical information to the department to be used to identify any parent that has previously had parental rights terminated. Within 24 hours of receiving the birth record, the department must identify if a parent of a newborn child has previously had parental rights terminated. The department is required to adopt rules to determine appropriate action.

LD 1245 **Resolve, Directing the Department of Health and Human Services To Create a More Equitable, Transparent Resource Allocation System for Nursing Facilities Based on Residents' Needs** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
STUCKEY CRAVEN	ONTP	

This resolve instructs the Department of Health and Human Services to eliminate the current nursing home reimbursement peer group limits and establish a capitated system that treats all facilities equally by setting MaineCare rates as a percentage of the existing Medicare acuity-based resource utilization group rates. It also requires the department to publish on a publicly accessible website its reimbursement rates and any related exception adjustments of all providers. Availability of MaineCare funds will be used to determine the base

percentage and a pool available for exceptions and rewards. Up to 10% of available funds are allowed in the pool.

See also LD 986.

LD 1246 **An Act To Promote Greater Staffing Flexibility without Compromising Safety or Quality in Nursing Facilities** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
STUCKEY CRAVEN	ONTP	

Currently, nursing home staffing ratios are calculated based on individual 8-hour shifts. This bill requires the Department of Health and Human Services to adopt acuity-based staffing, calculated over a 24-hour period and tied to a quality and safety threshold established by federally gathered data relevant to resident harm. Nursing homes would still ultimately be required to staff according to residents' needs. The bill provides that changes to the licensing rules are major substantive rules.

See also LD 986.

LD 1247 **An Act To Expand Coverage of Family Planning Services** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
PRINGLE		

This bill expands Medicaid coverage for family planning services to adults and adolescents who have incomes less than or equal to 200% of the nonfarm income official poverty line as defined by the federal Office of Management and Budget.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

This amendment, which is the majority report of the Joint Standing Committee on Health and Human Services, incorporates a fiscal note.

LD 1274 **An Act To Sustain Emergency Medical Services throughout the State** **HELD BY GOVERNOR**

Sponsor(s)	Committee Report	Amendments Adopted
TUTTLE FARNSWORTH	OTP-AM	S-218 S-357 HILL

This bill increases MaineCare reimbursement rates for ambulance services to Medicare reimbursement rate levels and provides an appropriation and allocation for the increased costs to the MaineCare program.

Committee Amendment "A" (S-218)

This amendment changes the reimbursement rate for ambulance services from not less than the average allowable reimbursement rate under Medicare to not less than 65% of the average allowable reimbursement rate under Medicare. The amendment also replaces the appropriations and allocations section of the bill.

Senate Amendment "A" To Committee Amendment "A" (S-357)

This amendment delays until March 1, 2015 increasing MaineCare reimbursement for ambulance services to 65% of the average allowable Medicare rate.

LD 1284 **An Act Regarding Delayed Birth Registration** **DIED BETWEEN HOUSES**

Sponsor(s)	Committee Report	Amendments Adopted
CRAVEN SIROCKI	OTP-AM ONTP	

This bill removes an affidavit of personal knowledge as an accepted document as evidence of birth required for a delayed registration of birth. The bill also changes from more than 15 years to 15 years or more the number of years after which supporting documentation is required as evidence.

Committee Amendment "A" (S-205)

This amendment, which is the majority report of the committee, adds to the bill by allowing for the use of an affidavit of personal knowledge to establish delayed registration of birth only when there are insufficient supporting documents and with the approval of the State Registrar of Vital Statistics. The Department of Health and Human Services is directed to adopt rules. The department's rules may allow for the use of court determination of paternity if it can be used to establish parentage prior to the filing of the delayed birth certificate and must allow for the use of an affidavit of personal knowledge only when insufficient reporting documents are available and with approval of the state registrar.

LD 1294 **An Act To Increase the Penalty for Smoking in a Motor Vehicle When a Child Is Present** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
HAMANN	ONTP	

This bill increases the fine for smoking in a motor vehicle when a child is present from $50 for all offenses to $250 for a first offense and $500 for a second or subsequent offense. It requires fines to be deposited in the Fund for a Healthy Maine and used for smoking cessation activities. The court is required to report information regarding a person who is adjudicated of a third or subsequent offense to the office of the Department of Health and Human Services responsible for child protection. It allows an offender the option of taking a class on the dangers of secondhand smoke to children and receiving a fine waiver for a first offense and requires an offender to take a class on the dangers of secondhand smoke to children for a second offense if the offender has not taken this class before.

LD 1333 **Resolve, Directing the Department of Health and Human Services To Amend the MaineCare Benefits Manual** **DIED ON ADJOURNMENT**

Sponsor(s)	Committee Report	Amendments Adopted
CRAVEN ROTUNDO	OTP-AM	S-206

This resolve directs the Department of Health and Human Services to amend its rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 45.03 to pay a distinct psychiatric unit discharge rate equal to $9,128.31 per

psychiatric discharge for patients under 18 years of age from hospitals in the Lewiston-Auburn area.

Committee Amendment "A" (S-206)

This amendment amends the resolve by adding a new section directing the Department of Health and Human Services to amend the rules for reimbursement under the MaineCare program as necessary for inpatient substance abuse services in distinct inpatient units. It requires that inpatient substance abuse services be reimbursed based on a case mix index multiplied by the psychiatric discharge rate, resulting in a rate of $4,898 per discharge. This amendment also adds an appropriations and allocations section.

See also Public Law 2013, chapter 368, the biennial budget, Part PPP for provisions identical to the proposal in the committee amendment.

LD 1334 An Act To Create Child Advocacy Centers in Maine **PUBLIC 364**

Sponsor(s)	Committee Report	Amendments Adopted
CRAVEN FARNSWORTH	OTP-AM	S-216

This bill provides for the establishment of child advocacy centers throughout the State. One center may be established in each of the State's nine public health districts, and each center is responsible for coordinating the investigation and prosecution of child sexual abuse and referral of victims of child sexual abuse for treatment in that district.

The bill requires that an advisory board govern each center. Board members must be from the district and must include representatives from a county sheriff's office and District Attorney's office; the Department of Health and Human Services, Office of Child and Family Services; the State and municipal police; and a county mental health organization. Each board is required to prepare a written protocol for interagency notification and dispute resolution for involved agencies when a conflict arises in how to proceed with the investigation of the case.

Upon the execution of a Memorandum of Understanding, a center may be established. A center must assess victims of child sexual abuse and their families to determine their needs for services relating to the investigation of child sexual abuse; provide those services; provide a facility at which a multidisciplinary team can meet to facilitate the disposition of child sexual abuse cases through the civil and criminal justice systems; and coordinate the activities of governmental entities relating to investigations and services to victims and families. Multidisciplinary teams must include employees of the participating agencies who are professionals involved in the investigation or prosecution of child sexual abuse cases. The teams may also include professionals involved in the delivery of services to victims and families.

The bill specifies that a person is immune from civil liability for a recommendation or an opinion given in good faith while acting in the official scope of the person's duties as a member of a center's multidisciplinary team or as a staff member or volunteer of a center. The bill also specifies that the files, reports, records, communications and working papers used or developed in providing services are confidential and are not public records.

Beginning January 2015, the Department of Health and Human Services must annually report to the joint standing committee of the Legislature having jurisdiction over health and human services matters regarding the centers. The report must include the number of centers and an overview of the protocols adopted by the centers and the effectiveness of the centers in coordinating the investigation and prosecution of child sexual abuse and referral of victims of child sexual abuse for treatment. The committee may submit legislation related to the report.

Committee Amendment "A" (S-216)

This amendment replaces the bill. It retains the provisions of the bill, but broadens the focus of child advocacy

centers from child sexual abuse to child sexual abuse and other child abuse and neglect. It requires the participants in a center's memorandum of understanding and the members of a center's child advocacy advisory board to include a representative from a sexual assault support center and also allows a center's multidisciplinary team to include such a representative. It also limits the intake of the centers to children and their families referred to the centers from the Department of Health and Human Services, law enforcement and district attorneys.

Enacted Law Summary

Public Law 2013, chapter 364 provides for the establishment of child advocacy centers throughout the State. One center may be established in each of the State's nine public health districts, and each center is responsible for coordinating the investigation and prosecution of child sexual abuse and other child abuse and neglect as well as referral of victims of child sexual abuse for treatment in that district. The intake of the centers is limited to children and their families referred to the centers from the Department of Health and Human Services, law enforcement and district attorneys.

The law requires that an advisory board govern each center. Board members must be from the district and must include representatives from a county sheriff's office and District Attorney's office; the Department of Health and Human Services, Office of Child and Family Services; the State and municipal police; a sexual assault support center; and a county mental health organization. Each board is required to prepare a written protocol for interagency notification and dispute resolution for involved agencies when a conflict arises in how to proceed with the investigation of the case.

Upon the execution of a Memorandum of Understanding, a center may be established. A center must assess victims of child sexual abuse and their families to determine their needs for services relating to the investigation of child sexual abuse; provide those services; provide a facility at which a multidisciplinary team can meet to facilitate the disposition of child sexual abuse cases through the civil and criminal justice systems; and coordinate the activities of governmental entities relating to investigations and services to victims and families. Multidisciplinary teams must include employees of the participating agencies who are professionals involved in the investigation or prosecution of child sexual abuse cases. The teams may also include professionals involved in the delivery of services to victims and families.

The law specifies that a person is immune from civil liability for a recommendation or an opinion given in good faith while acting in the official scope of the person's duties as a member of a center's multidisciplinary team or as a staff member or volunteer of a center. It also specifies that the files, reports, records, communications and working papers used or developed in providing services are confidential and are not public records.

Beginning January 2015, the Department of Health and Human Services must annually report to the joint standing committee of the Legislature having jurisdiction over health and human services matters regarding the centers. The report must include the number of centers and an overview of the protocols adopted by the centers and the effectiveness of the centers in coordinating the investigation and prosecution of child sexual abuse and referral of victims of child sexual abuse for treatment. The committee may submit legislation related to the report.

LD 1337 **An Act To Revise the Maine Wild Mushroom Harvesting Certification Program**

ACCEPTED MAJORITY (ONTP) REPORT

Sponsor(s)	Committee Report	Amendments Adopted
SIROCKI	ONTP OTP	

This bill creates an annual licensing requirement, in addition to the existing certification requirement, for certain persons selling, transferring or otherwise delivering wild mushrooms within the State. This bill provides that a

person does not need a license to sell wild mushrooms that had been originally received from a licensed person. Fees currently required for certification are shifted to the annual licensing system. This bill adds a requirement that license holders maintain liability insurance, provides for a civil penalty of $1,000 to $5,000 for each violation of the license or insurance requirement and provides for license suspension for repeat offenses.

LD 1343 **An Act To Improve Work Readiness for Families Facing Significant Barriers to Employment** **PUBLIC 376**

Sponsor(s)	Committee Report	Amendments Adopted
EVES FLOOD	OTP-AM	H-345

This bill provides that if the case manager of a participant in the ASPIRE-TANF program determines that the participant has physical or mental health impairments, learning disabilities, cognitive impairments or limitations, the case manager must explore with the participant whether the participant wishes to undergo a comprehensive screening with possible referral to alternative services, supports and benefits. Following the assessment, the case manager, in coordination with the participant, is directed to establish a plan for the participant and the participant's family that includes appropriate services, supports and programs.

Committee Amendment "A" (H-345)

This amendment clarifies the role of the case manager in the comprehensive screening and assessment process. It also clarifies that a person who fails to participate without good cause may be sanctioned by the Department of Health and Human Services.

Enacted Law Summary

Public Law 2013, chapter 376 provides for a participant in the ASPIRE-TANF program to be screened for physical or mental health impairments, learning disabilities, cognitive impairments or limitations related to providing care for a household member with a disability or serious illness or a child with a serious behavioral condition. If it is determined that barriers to economic self-sufficiency and well-being exist, the participant must be offered the opportunity for a comprehensive assessment that may result in referral for alternative services, supports and income benefits. The participant's case manager shall ensure that any accommodation or support services necessary for the participant to participate in the assessment are made available to the participant. A person who fails to participate without good cause may be sanctioned by the Department of Health and Human Services.

LD 1364 **An Act To Amend the Laws Governing Hospital Leave Days for MaineCare Recipients** **PUBLIC 423**
EMERGENCY

Sponsor(s)	Committee Report	Amendments Adopted
SANDERSON HAMPER	OTP-AM	H-370 S-360 HILL

This bill amends Public Law 2013, chapter 1 to clarify that the number of hospital and therapeutic leave days for MaineCare recipients is limited to 4 hospital leave days per hospital visit and one therapeutic leave day per year.

Committee Amendment "A" (H-370)

This amendment changes the number of hospital leave days per hospital visit to 7 and the number of therapeutic leave days to 20 per year. The amendment adds an appropriations and allocations section.

Senate Amendment "A" To Committee Amendment "A" (S-360)

This amendment amends Committee Amendment "A" to strike the substance of the bill and instead changes the

retroactive application date contained in Public Law 2013, chapter 368 regarding the number of hospital leave days and therapeutic leave days from March 25, 2013 to April 1, 2013.

See also Public Law 2013, chapter 368, page 365 for an appropriation and an allocation to fund the initiative in the bill and page 681, Part LLLLL, to apply the initiative retroactively to March 25, 2013.

Enacted Law Summary

Public Law 2013, chapter 423 changes the retroactive application date contained in Public Law 2013, chapter 368 regarding the number of hospital leave days and therapeutic leave days from March 25, 2013 to April 1, 2013.

See also Public Law 2013, chapter 368, page 365 for an appropriation and an allocation to fund the initiative in LD 1364 and page 681, Part LLLLL, to apply the initiative retroactively to March 25, 2013.

Public Law 2013, chapter 423 was enacted as an emergency measure effective July 16, 2013.

LD 1383 **An Act To Improve the Delivery of Early Child Care and Education Services** **VETO SUSTAINED**

Sponsor(s)	Committee Report	Amendments Adopted
BERRY CRAVEN	OTP-AM	H-464 S-362 HILL

This bill requires the Department of Health and Human Services to pay child care services at the 75th percentile of the most current local market rate survey and pay a 10% premium to providers who meet tiered quality rating standards. It requires all providers of home visiting services to collaborate to better define rules and service parameters, directs Head Start program funding to the Early Head Start program, requires the department and the Child Care Advisory Council to establish a definition of "at-risk child" for the purposes of child care eligibility and diversifies the funding and uses of the early childhood professional development registry. It contains funding appropriations for child care, home visiting and Head Start.

Committee Amendment "A" (H-464)

This amendment makes a number of changes to the bill.

1. It removes all references to the Temporary Assistance for Needy Families program from the bill.

2. It removes the section that would have required the Department of Health and Human Services to amend its rules regarding child care rates.

3. It requires, in the provision regarding home visiting services collaboration, the providers of home visiting and other home-based family services that receive funding from the department to report annually to the department and requires the department to report to the joint standing committee of the Legislature with jurisdiction over health and human services matters.

4. It replaces the section that would have directed all new Head Start program funding to the Early Head Start program with a requirement for state Head Start program funding to be targeted to the most at-risk children and families. Early Head Start program funding must be used for center-based services except when otherwise negotiated by the department.

5. It replaces the section that would have required the Child Care Advisory Council to develop a definition of "at-risk child." Instead, the council is required to make recommendations to the department regarding specific

changes in rules or policies governing child care services. The department is required to take into account the recommendations during its rule-making process.

6. It requires the Child Care Advisory Council to include in its 2014 annual report the recommendations made to the department regarding child care services rules or policies, as well as an update on the funding and use of the early childhood professional development registry. It removes the requirement for the department to adopt rules regarding the registry.

Senate Amendment "A" To Committee Amendment "A" (S-362)

This amendment provides that the Department of Health and Human Services is not required to pay a quality differential rate for child care services provided through the Temporary Assistance to Needy Families block grant. It also removes the appropriations and allocations section.

LD 1387 **An Act To Provide Clarity and Consistency in Routine Public Health Licensing Activities** **PUBLIC 264**

Sponsor(s)	Committee Report	Amendments Adopted
FARNSWORTH HAMPER	OTP-AM	H-371

This bill makes changes in licensing laws administered by the Department of Health and Human Services for the purposes of clarity and consistency. It clarifies to whom the definitions of "eating establishment" and "lodging place" apply, applies license fine and penalty provisions to public pools and public spas and provides a procedure for the referral of persons who fail to pay certain licensing penalties to the Attorney General's office for prosecution. The bill makes changes in the laws governing electrologists, tattoo artists and persons performing micropigmentation and body piercing to increase fines for violations and provide consistency in regulation and enforcement among these professions. The bill also makes toilet facility requirements for eating establishments consistent with rules of the Plumbers' Examining Board and provides that the law prohibiting animals in food stores also applies to animals owned by store owners and managers.

Committee Amendment "A" (H-371)

This amendment changes the definition of "lodging place" so that bed and breakfasts and inns are included. It enacts a definition of "vacation rental" and excludes vacation rentals from licensing requirements applicable to lodging places.

Enacted Law Summary

Public Law 2013, chapter 264 makes changes in licensing laws administered by the Department of Health and Human Services for the purposes of clarity and consistency. It clarifies to whom the definitions of "eating establishment" and "lodging place" apply, applies license fine and penalty provisions to public pools and public spas and provides a procedure for the referral of persons who fail to pay certain licensing penalties to the Attorney General's office for prosecution. It enacts a definition of "vacation rental" and excludes vacation rentals from licensing requirements applicable to lodging places. The law makes changes in the laws governing electrologists, tattoo artists and persons performing micropigmentation and body piercing to increase fines for violations and provide consistency in regulation and enforcement among these professions. The law also makes toilet facility requirements for eating establishments consistent with rules of the Plumbers' Examining Board and provides that the law prohibiting animals in food stores also applies to animals owned by store owners and managers.

LD 1388 **An Act To Clarify Civil Liability of Persons Making False Claims to the Department of Health and Human Services** **PUBLIC 235**

Sponsor(s)	Committee Report	Amendments Adopted
SANDERSON HAMPER	OTP-AM	H-250

This bill clarifies liability for conduct associated with false claims made to the Department of Health and Human Services. It changes the description of the statements, documents and records the making or submission of which incurs liability and adds provisions governing so-called reverse false claims, submission of false information to the department in order to avoid or decrease an obligation to pay or transmit money or property to the department. It adds a definition of "knowing" or "knowingly."

Committee Amendment "A" (H-250)

This amendment adds clarifications that a person must knowingly make false statements or submit false documents that are material to a fraudulent claim to the Department of Health and Human Services to be liable for conduct associated with false claims.

Enacted Law Summary

Public Law 2013, chapter 235 clarifies liability for conduct associated with false claims made to the Department of Health and Human Services. It changes the description of the statements, documents and records the making or submission of which incurs liability and adds provisions governing so-called reverse false claims, submission of false information to the department in order to avoid or decrease an obligation to pay or transmit money or property to the department. It adds a definition of "knowing" or "knowingly" and clarifies that a person must knowingly make false statements or submit false documents that are material to a fraudulent claim to the Department of Health and Human Services to be liable for conduct associated with false claims.

LD 1404 **An Act To Ensure the Integrity of Maine's Medical Marijuana Program** **PUBLIC 396 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
GILBERT LACHOWICZ	OTP-AM	H-514

This bill amends the Maine Medical Use of Marijuana Act to:

1. Allow primary caregivers to have an unlimited number of registered patients, removing the current restriction of 5 patients; and

2. Allow primary caregivers to have employees. The employees must meet the same age and criminal record requirements as primary caregivers.

Committee Amendment "A" (H-514)

This amendment does the following.

1. It removes from the bill the provision that allows primary caregivers to provide services to an unlimited number of patients.

2. It retains and clarifies the provision of the bill that allows a primary caregiver to employ one person to assist the primary caregiver in performing the duties of the primary caregiver.

3. It allows a primary caregiver, for the purposes of disposing of excess prepared marijuana, to transfer marijuana to a qualifying patient if nothing of value is provided to the primary caregiver and allows the patient to accept the excess prepared marijuana.

4. It directs the Department of Health and Human Services to adopt rules regarding employees of primary caregivers to establish an annual registration fee of no less than $25 and no more than $50, to require a criminal history record check prior to registration and annually thereafter and to establish a criminal history record check fee of no less than $31 and no more than $60.

Enacted Law Summary

Public Law 2013, chapter 396 does the following.

1. It allows a primary caregiver to employ one person to assist the primary caregiver in performing the duties of the primary caregiver.

2. It allows a primary caregiver, for the purposes of disposing of excess prepared marijuana, to transfer marijuana to a qualifying patient if nothing of value is provided to the primary caregiver and allows the patient to accept the excess prepared marijuana.

3. It directs the Department of Health and Human Services to adopt rules regarding employees of primary caregivers to establish an annual registration fee of no less than $25 and no more than $50, to require a criminal history record check prior to registration and annually thereafter and to establish a criminal history record check fee of no less than $31 and no more than $60.

Public Law 2013, chapter 396 was enacted as an emergency measure effective July 2, 2013.

LD 1407 **An Act To Increase Access to Postsecondary Education for Maine's Children** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
HAYES CRAVEN	ONTP	

This bill requires the Department of Health and Human Services to require a parent of an infant under one year of age seeking family assistance from the department to apply on behalf of the infant for a Harold Alfond College Challenge grant or sign a statement indicating why the parent chooses not to apply. The bill also requires the department to provide information to parents about the grants and assist parents in applying if requested.

LD 1411 **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**

Sponsor(s)	Committee Report	Amendments Adopted
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 "B" (S-309)

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

Committee Amendment "A" (S-308)

This amendment, which is the majority report, amends the bill by replacing it with a requirement that the Commissioner of Health and Human Services convene a work group to consider strategies, educational opportunities and other initiatives to reduce food insecurity, promote healthy eating habits and improve access to fresh fruits and vegetables and local foods through farmers' markets and community-supported agriculture by recipients of benefits under the state-administered federal food supplement program known as SNAP. The Commissioner is required to report the work group's findings and recommendations to the Joint Standing Committee on Health and Human Services by January 15, 2014.

LD 1416 **An Act Regarding Responsibility of General Assistance for a Person Who Is Released from Prison** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
GRATWICK SCHNECK	ONTP	

This bill provides that if an applicant for general assistance under the Maine Revised Statutes, 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. The bill requires that a responsible municipality accept applications by telephone as long as the call is being made from a municipal office.

LD 1417 **An Act To Amend the Laws Governing Certain Human Services Licensing and Certification Requirements** **PUBLIC 179**

Sponsor(s)	Committee Report	Amendments Adopted
HAMPER SANDERSON	OTP-AM	S-104

This bill accomplishes the following.

1. To comply with federal requirements, it provides that the survey interval may be up to 15 months for intermediate care facilities for persons with intellectual disabilities.

2. It requires the Department of Health and Human Services to adopt routine technical rules necessary to license intermediate care facilities for persons with intellectual disabilities.

3. It changes the designation for most rules for licensed assisted housing programs from major substantive to routine technical.

4. It changes definitions relating to children's homes by replacing the term "residential child care facility" with "children's residential care facility," replacing the term "emergency shelter" with "emergency children's shelter" and replacing the term "residential treatment facility with secure capacity" with "children's residential treatment facility with secure capacity."

5. It clarifies that rules regarding various levels of children's residential care facilities are routine technical rules.

6. It reduces training requirements for the certification of activity coordinators in long-term care facilities from 200 hours to 180 hours.

Committee Amendment "A" (S-104)

This amendment removes from the bill the section that changes the statutory designation of rules for licensed assisted housing programs from major substantive to routine technical.

Enacted Law Summary

Public Law 2013, chapter 179 does the following.

1. To comply with federal requirements, it provides that the survey interval may be up to 15 months for intermediate care facilities for persons with intellectual disabilities.

2. It requires the Department of Health and Human Services to adopt routine technical rules necessary to license intermediate care facilities for persons with intellectual disabilities.

3. It changes definitions relating to children's homes by replacing the term "residential child care facility" with "children's residential care facility," replacing the term "emergency shelter" with "emergency children's shelter" and replacing the term "residential treatment facility with secure capacity" with "children's residential treatment facility with secure capacity."

4. It clarifies that rules regarding various levels of children's residential care facilities are routine technical rules.

5. It reduces training requirements for the certification of activity coordinators in long-term care facilities from 200 hours to 180 hours.

LD 1423 **An Act To Amend the Maine Medical Use of Marijuana Act with Regard to Excess Prepared Marijuana** **PUBLIC 393**

Sponsor(s)	Committee Report	Amendments Adopted
HICKMAN	OTP-AM ONTP	H-537

Under the Maine Medical Use of Marijuana Act, a person who is authorized to possess marijuana is limited in the amount of marijuana seedlings, marijuana plants or prepared marijuana that the person may possess. A person who exceeds the specified limits must forfeit the excess amount to a law enforcement officer. A 2nd violation results in the forfeiture of all marijuana in the possession of that person and the revocation of the person's registry identification card. A primary caregiver may transfer excess marijuana to a registered dispensary or another caregiver but only if nothing of value is received in return. This bill allows a qualifying patient or primary caregiver who possesses excess marijuana to sell the excess marijuana to a qualifying patient, primary caregiver or registered dispensary for reasonable compensation. This bill also removes the penalties for possession of excess marijuana.

Committee Amendment "A" (H-537)

This amendment is the majority report of the committee and replaces the bill. This amendment authorizes a registered primary caregiver, for the purpose of disposing of excess prepared marijuana, to transfer for reasonable compensation up to 2 pounds per year to a dispensary and allows a dispensary to accept that transfer. This amendment corrects an error in current law on dispensaries regarding acquisition of marijuana plants.

Enacted Law Summary

Public Law 2013, chapter 393 authorizes a registered primary caregiver, for the purpose of disposing of excess

prepared marijuana, to transfer for reasonable compensation up to 2 pounds per year to a dispensary and allows a dispensary to accept that transfer. The law corrects an error in the statute regarding dispensaries and the acquisition of marijuana plants.

LD 1443 **An Act To Make Convicted Drug Felons Ineligible for TANF Assistance** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
SANDERSON HAMPER	ONTP OTP-AM	

Current law prohibits a person who has been convicted of a drug-related felony from being denied Temporary Assistance to Needy Families, or TANF, benefits due to that conviction. Current law also allows the drug testing of a person receiving TANF benefits if the person has been convicted of a drug-related felony within 20 years of receiving TANF. If the drug test is positive for illegal drugs, a second test may be requested by the person and, if the second test is positive, the suspension of TANF benefits may be avoided by enrolling in a substance abuse treatment program.

This bill repeals the prohibition against the denial of TANF benefits for a conviction of a drug-related felony, instead providing that anyone who is convicted for a drug-related felony after August 22, 1996 is ineligible for TANF benefits, including a person who is receiving TANF benefits on the effective date of the legislation. The bill also repeals the provision allowing the Department of Health and Human Services to administer drug tests to persons convicted of a drug-related felony and the person who tests positive for illegal drug use to avoid the loss of benefits. The bill requires an applicant for or recipient of TANF benefits to declare in a written, signed statement whether the person or any member of that person's household has been convicted of a drug-related felony.

Committee Amendment "A" (H-519)

This amendment, which is the minority report of the committee, replaces the term "felony drug offense" with "disqualifying drug conviction."

LD 1449 **An Act To Amend the Composition and Duties of the Maine Children's Growth Council** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
ALFOND FARNSWORTH		

This bill amends the composition and duties of the Maine Children's Growth Council by:

1. Requiring the Governor, President of the Senate and Speaker of the House of Representatives, when making appointments to the council, to ensure that appointees represent a diversity of interests including early learning coalitions, public health and safety networks, organizations that prevent and address child abuse and neglect and philanthropic organizations;

2. Increasing the number of members who represent statewide associations of business and industry to 2;

3. Adding the commissioner, or the commissioner's designee, of the Department of Corrections, the Department of Economic and Community Development, the Department of Labor and the Department of Public Safety and the Superintendent of Insurance, or the superintendent's designee, as members;

4. Adding 3 more employees from the Department of Health and Human Services or the Department of Education;

5. Staggering the terms of appointed members;

6. Requiring the Governor, when appointing the chairs of the council, to consider the recommendations of the council;

7. Specifying that certain public members not otherwise compensated are entitled to receive mileage and a per diem;

8. Specifying that staff members of the council are authorized to undertake certain actions, such as entering into contracts and providing funding;

9. Repealing the current law that requires the council to develop a long-term plan for investment in the healthy development of young children and replacing it with the requirement to develop a long-term plan in accordance with specific requirements, including:

A. Requirements for the council to consult with specified state agencies and local governments when developing the long-term plan; and

B. Strategies and timelines that provide for the coordination of resources and services across State Government and the elimination of duplicate programs and services to reflect the diversity of and uniqueness of young children and their families and to maximize federal funding; and

10. Requiring the long-term plan to be developed within 12 months of the effective date of this bill.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1462 **An Act To Clarify and Correct Provisions of the Maine Medical Use of Marijuana Act** **PUBLIC 374**

Sponsor(s)	Committee Report	Amendments Adopted
DION HASKELL	OTP-AM	H-465

This bill amends the Maine Medical Use of Marijuana Act in the following ways:

1. It changes the name of the act to the Maine Medical Use of Cannabis Act;

2. It allows access to a registered dispensary's cultivation facility or a cultivation facility used by a patient or primary caregiver by a licensed health care professional, vendor, consultant or person performing repairs or maintenance, but only under the direct supervision of a registered cardholder who is a principal officer, board member or employee of the registered dispensary or a patient or primary caregiver;

3. It directs the Department of Health and Human Services to amend its rules for the medical use of marijuana to eliminate the requirement that a dispensary or a primary caregiver tag each marijuana plant with a patient's name or have any other method that allows the department to determine for whom a plant is being cultivated;

4. It requires the department to change the rule regarding written notification given by registered dispensaries of any substantive policy or procedure change, requiring notification to be made within 30 days of the implementation

of the change, instead of at least 10 days prior to the change; and

5. It requires a correction to a reference to caregivers in the rules of the department; the reference should be to registered dispensaries.

Committee Amendment "A" (H-465)

This amendment replaces the bill. The amendment allows access to a cultivation facility by emergency services personnel and by a person who needs to gain access in order to perform repairs or maintenance or to do construction, but only under the direct supervision of a cardholder who is allowed access to the cultivation facility. The amendment requires a primary caregiver or dispensary that cultivates marijuana to use a numerical identification system and requires the Department of Health and Human Services to amend the rules on primary caregivers and dispensaries to implement the numerical identification system requirement.

Enacted Law Summary

Public Law 2013, chapter 374 amends the Maine Medical Use of Marijuana Act in the following ways:

1. It allows access to a registered dispensary's cultivation facility or a cultivation facility used by a patient or primary caregiver by a by emergency services personnel and by a person who needs to gain access in order to perform repairs or maintenance or to do construction, but only under the direct supervision of a cardholder who is allowed access to the cultivation facility;

2. It directs the Department of Health and Human Services to amend its rules for the medical use of marijuana to eliminate the requirement that a dispensary or a primary caregiver tag each marijuana plant with a patient's name. The law requires a primary caregiver or dispensary that cultivates marijuana to use a numerical identification system and requires the Department of Health and Human Services to amend the rules on primary caregivers and dispensaries to implement the numerical identification system requirement; and

3. It requires a correction to a reference to caregivers in the rules of the department because the reference should be to registered dispensaries.

See also LD 1536, Part G, which corrects an error in the law.

LD 1486 **An Act To Maximize Funds Available To Provide Oral Health Care Services to Persons with Developmental, Behavioral or Other Severely Disabling Conditions Requiring Specialized and Time-intensive Oral Health Care**

VETO SUSTAINED

Sponsor(s)	Committee Report	Amendments Adopted
EVES	OTP-AM	H-520
GRATWICK	ONTP	H-562 GATTINE

This bill expands MaineCare coverage of oral health treatment for persons 21 years of age and older who seek treatment from their primary care provider or in a hospital emergency department for an acute oral health or related condition and are referred by the primary care provider or the hospital to a dental clinic certified by the Department of Health and Human Services to receive referrals. The bill requires MaineCare to cover medically necessary treatment of the underlying oral health conditions that led to the referral, as well as the screening, diagnosis and treatment of other conditions identified upon referral to the dental clinic. The department is authorized to adopt routine technical rules to determine the extent of covered services and the dental clinics that qualify to provide the expanded scope of services, including ensuring that those clinics provide prompt access to treatment.

Committee Amendment "A" (H-520)

This amendment, which is the majority report of the Joint Standing Committee on Health and Human Services, adds an appropriations and allocations section.

House Amendment "A" To Committee Amendment "A" (H-562)

This amendment requires the Department of Health and Human Services to seek a Medicaid state plan amendment to provide preventive and restorative dental services for adults with developmental, behavioral or other severely disabling conditions who require specialized and time-intensive care and services. The department is authorized to implement such coverage with approval from the Centers for Medicare and Medicaid Services and transfer funds currently used for services provided at the Portland Dental Clinic.

LD 1487 **An Act To Implement Managed Care in the MaineCare Program** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
KATZ	ONTP OTP-AM	

This bill establishes managed care in the MaineCare program. The bill includes requirements for managed care plans and for contracting by the Department of Health and Human Services for managed care services. The bill specifies how MaineCare members enroll in managed care plans. The bill requires the Department of Health and Human Services to apply for approval of a Medicaid state plan amendment to allow use of MaineCare funds to purchase available employer-sponsored health coverage and delays implementation of that provision until approval has been granted.

Committee Amendment "A" (S-217)

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

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1500 **An Act Regarding the Cost of Copies of Medical Records** **PUBLIC 158**

Sponsor(s)	Committee Report	Amendments Adopted

This bill was reported by the Health and Human Services Committee pursuant to Joint Order S.P. 525. This bill amends the current law regarding copies of medical records to specify that it applies to paper copies, to change the maximum per page charge to 45¢ and to impose a cap of $250 on the total charge. The bill requires electronic copies of medical records to be made available if electronic copies are reasonably possible, allows charges for reasonable costs of staff time and necessary costs for supplies and postage and imposes a cap of $150 on the total charge. The bill prohibits a health care practitioner or hospital, when charging for an electronic copy of a medical record, from charging a retrieval fee or for the costs of new technology, maintenance of the electronic record system, data access or storage infrastructure.

Enacted Law Summary

Public Law 2013, chapter 158 amends the current law regarding copies of medical records to specify that it applies to paper copies, to change the maximum per page charge to 45¢ and to impose a cap of $250 on the total charge.

The law requires electronic copies of medical records to be made available if electronic copies are reasonably possible, allows charges for reasonable costs of staff time and necessary costs for supplies and postage and imposes a cap of $150 on the total charge. The law prohibits a health care practitioner or hospital, when charging for an electronic copy of a medical record, from charging a retrieval fee or for the costs of new technology, maintenance of the electronic record system, data access or storage infrastructure. See also LD 23.

LD 1538 **Resolve, To Establish a Task Force on Poverty and Personal Responsibility** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
FREDETTE	ONTP	

This resolve is a concept draft pursuant to Joint Rule 208. This resolve proposes to establish a task force to study poverty and personal responsibility and report its findings and recommendations to the Legislature.

LD 1552 **Resolve, To Require the Department of Health and Human Services To Initiate a New Rate-setting Procedure for Preschool Services for Children with Disabilities under the MaineCare Program** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
FARNSWORTH ALFOND		

This resolve requires the Department of Health and Human Services to initiate a rate-setting procedure for coverage under the MaineCare program of in-home and classroom-related preschool services for children with disabilities under the rules of the MaineCare program in Chapter 101, Chapter II, Section 28.

This resolve was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1556 **Resolve, To Establish the Study Group To Examine the Issue of Medicaid Expansion** **DIED ON ADJOURNMENT**

Sponsor(s)	Committee Report	Amendments Adopted
FREDETTE		

This resolve establishes the Study Group To Examine the Issue of Medicaid Expansion to examine the issues associated with expanding Medicaid eligibility pursuant to the federal Patient Protection and Affordable Care Act.

LD 1556 was not reported out of committee. The bill died in committee upon adjournment.

LD 1574 **Resolve, Establishing the Commission To Study the Incidence of and Mortality Related to Cancer** **RESOLVE 77 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
MCCABE		

This bill was acted upon without reference to committee.

This resolve creates the Commission To Study the Incidence of and Mortality Related to Cancer. This resolve incorporates the provisions of Legislative Document 1032 of the 126th Legislature but with the following changes. It:

1. Reduces the number of Legislators on the commission to 5;

2. Provides that the Director of the Maine Center for Disease Control and Prevention or the director's designee serves on the committee and is not appointed by the President of the Senate;

3. Reduces the number of authorized meetings to 4;

4. Provides that 50% of the funding for the committee comes from outside sources; and

5. Adds an emergency preamble and emergency clause.

Enacted Law Summary

Resolve 2013, chapter 77 establishes the Commission To Study the Incidence of and Mortality Related to Cancer. The commission consists of no more than 11 members: 2 Senators, 3 Representatives, the Director of the Maine Center for Disease Control and Prevention or the director's designee and 5 members of the public. The commission is directed gather information and data from public and private entities related to the incidence of and mortality from cancer. The resolve directs state agencies to provide information and data to the commission as necessary for its work, within existing resources. The commission is required to report no later than December 4, 2013, to the Joint Standing Committee on Health and Human Services and to include its findings and recommendations. The commission is required to seek funding contributions to fund 50% of the costs of the study.

Resolve 2013, chapter 77 was finally passed as an emergency measure effective July 16, 2013.

Joint Standing Committee on Health and Human Services

SUBJECT INDEX

Aging and Long-term Care

Enacted		
LD 447	An Act To Increase Patient Choice in Health Care Facilities and Health Care Settings	PUBLIC 214
LD 986	Resolve, To Establish the Commission To Study Long-term Care Facilities	RESOLVE 78 EMERGENCY
LD 1189	Resolve, Regarding Implementation of Cost-of-living Increases for Nursing Facilities	RESOLVE 72 EMERGENCY
Not Enacted		
LD 20	Resolve, Directing the Department of Health and Human Services To Review the Need for and the Costs of Services That Enable Populations Who Are Elderly or Have Disabilities To Live Independently	HELD BY GOVERNOR
LD 62	Resolve, Directing the Department of Health and Human Services To Increase Reimbursement Rates for Adult Day Services	CARRIED OVER
LD 535	An Act To Promote Greater Flexibility in the Provision of Long-term Care Services	CARRIED OVER
LD 538	An Act To Align Costs Recognized for Transfer of Nursing Facilities and Residential Care Facilities with Ordinary Commercial and Government Contracting Standards	CARRIED OVER
LD 1245	Resolve, Directing the Department of Health and Human Services To Create a More Equitable, Transparent Resource Allocation System for Nursing Facilities Based on Residents' Needs	ONTP
LD 1246	An Act To Promote Greater Staffing Flexibility without Compromising Safety or Quality in Nursing Facilities	ONTP

Certificate of Need

Not Enacted		
LD 162	An Act To Repeal the Maine Certificate of Need Act of 2002	MAJORITY (ONTP) REPORT

Child Care

Enacted		
LD 803	Resolve, Requiring the Department of Health and Human Services To Amend the Rules Regarding Child Care Facilities and Family Child Care Providers	RESOLVE 60
Not Enacted		
LD 517	An Act To Restore Funding for Head Start	DIED IN CONCURRENCE
LD 752	Resolve, To Require the Department of Health and Human Services To Study the Effectiveness of Professional Development Services Provided to Child Care Providers and Referral Services Provided to Parents in Need of Child Care	VETO SUSTAINED

Child Care

Not Enacted

LD 828	An Act To Improve the Administration of the Child Care Subsidy Program and To Prevent Erroneous Termination of Child Care Services	VETO SUSTAINED
LD 1383	An Act To Improve the Delivery of Early Child Care and Education Services	VETO SUSTAINED

Children's Services

Enacted

LD 257	An Act To Protect Newborns Exposed to Drugs or Alcohol	PUBLIC 192
LD 1334	An Act To Create Child Advocacy Centers in Maine	PUBLIC 364

Not Enacted

LD 95	Resolve, To Create the Task Force on the Prevention of Sexual Abuse of Children	INDEF PP
LD 1031	An Act To Require a Mandatory Peer Review Process for the Restraint and Seclusion of Children in a Hospital or Children's Home	CARRIED OVER
LD 1047	Resolve, To Provide a Better Transition for Foster Children to Independent Adulthood	CARRIED OVER
LD 1244	An Act To Require Child Protective Services To Screen Parents of Newborn Infants	ONTP
LD 1407	An Act To Increase Access to Postsecondary Education for Maine's Children	ONTP
LD 1449	An Act To Amend the Composition and Duties of the Maine Children's Growth Council	CARRIED OVER

Departmental Organization and Administration

Enacted

LD 123	Resolve, Directing the Department of Health and Human Services To Clarify the Processes Regarding Registration of Recovery Agencies for Tissue and Organ Donation	RESOLVE 58
LD 145	Resolve, Regarding the Presence of the Department of Health and Human Services in Urban and Rural Areas	RESOLVE 23
LD 252	An Act Regarding Registration and Correction of Death Information on Death Certificates	PUBLIC 31
LD 253	An Act Regarding Registration of Fetal Deaths	PUBLIC 14
LD 305	An Act To Eliminate Institute Councils for Mental Health Institutions	PUBLIC 132
LD 633	An Act To Grant the Commissioner of Health and Human Services and the Commissioner's Designees the Independent Authority To Issue Adjudicatory Subpoenas	PUBLIC 202
LD 634	An Act Regarding Permits for Final Disposition of Dead Human Bodies	PUBLIC 20
LD 929	An Act To Amend the Requirements for the Reporting of New Hires	PUBLIC 279 EMERGENCY
LD 1388	An Act To Clarify Civil Liability of Persons Making False Claims to the Department of Health and Human Services	PUBLIC 235

Not Enacted

Departmental Organization and Administration

Not Enacted		
LD 374	An Act To Eliminate the Child Support Collecting Fee Charged to a Person Who Has Never Received Assistance under a State Program	ONTP
LD 515	An Act Regarding the Annual Service Fee for Child Support Services Provided by the Department of Health and Human Services	ONTP
LD 1089	Resolve, To Allow York County To Renegotiate with the Department of Health and Human Services a Decision Regarding Transportation Services	MAJORITY (ONTP) REPORT
LD 1284	An Act Regarding Delayed Birth Registration	DIED BETWEEN HOUSES

Developmental Disabilities

Enacted		
LD 325	An Act To Repeal Provisions of the Law That Apply or Refer to State Facilities for Persons with Intellectual Disabilities	PUBLIC 21
LD 801	Resolve, To Extend the Deadline for the Department of Health and Human Services To Submit a Report on Persons with Intellectual Disabilities or Autism	RESOLVE 73 EMERGENCY
LD 829	Resolve, To Continue the Redesign of Shared Living Services for Adults with Intellectual Disabilities or Autism	RESOLVE 57 EMERGENCY
Not Enacted		
LD 387	Resolve, To Direct the Department of Health and Human Services To Study the Ongoing Need for Rental Subsidies to Provider Agencies	VETO SUSTAINED
LD 496	Resolve, To Ensure That Standards for Performance-based Contracts for Individuals with Intellectual Disabilities Include All Employment Options	ONTP
LD 579	Resolve, To Clarify and Improve the Eligibility Process for Services for Persons with Intellectual Disabilities or Autism	ONTP
LD 847	Resolve, To Address Changes Needed for Providers of Private Nonmedical Institution Services	ONTP
LD 897	An Act To Establish the Volunteer Advocate Program and the Volunteer Advocate Program Council	VETO SUSTAINED
LD 969	Resolve, Directing the Department of Health and Human Services To Reduce and Limit the Adult Developmental Services Waiting Lists by Implementing a More Efficient, Responsive and Individualized Model of Service Delivery	DIED ON ADJOURNMENT

Health

Enacted		
LD 88	An Act To Update the Maine HIV Advisory Committee	PUBLIC 108
LD 198	An Act To Clarify Physicians' Delegation of Medical Care	PUBLIC 33
LD 480	An Act To Establish Fees under the Maine Medical Use of Marijuana Act	PUBLIC 394
LD 1062	An Act To Add Conditions That Qualify for Medical Marijuana Use	PUBLIC 361
LD 1404	An Act To Ensure the Integrity of Maine's Medical Marijuana Program	PUBLIC 396 EMERGENCY
LD 1423	An Act To Amend the Maine Medical Use of Marijuana Act with Regard to Excess Prepared Marijuana	PUBLIC 393

Health

Not Enacted

LD 520	An Act To Protect Maine Consumers from Predatory Medical Pricing	ONTP
LD 539	An Act To Ensure Parity in the Ability To Counsel Patients	ONTP

Health Care

Enacted

LD 23	An Act To Lower the Cost of Copies of Medical Records	PUBLIC 32
LD 460	An Act To Protect Newborn Infants from Critical Congenital Heart Disease	PUBLIC 397 EMERGENCY
LD 711	An Act To Facilitate Patient Education	PUBLIC 336
LD 990	An Act To Require Public Disclosure of Health Care Prices	PUBLIC 332
LD 1462	An Act To Clarify and Correct Provisions of the Maine Medical Use of Marijuana Act	PUBLIC 374
LD 1500	An Act Regarding the Cost of Copies of Medical Records	PUBLIC 158

Not Enacted

LD 230	An Act To Establish the Commission on Health Care Cost and Quality	CARRIED OVER
LD 610	Resolve, To Review and Amend the Rules Regarding Hospital Charity Care Guidelines	VETO SUSTAINED
LD 754	An Act To Encourage Transparency in the Disclosing of the Ingredients in Vaccinations for Children	DIED BETWEEN HOUSES
LD 755	An Act To Require Estimates of Patient Costs Prior to Treatment	ONTP
LD 1065	An Act Regarding Patient-directed Care at the End of Life	MAJORITY (ONTP) REPORT
LD 1161	An Act To Ensure Regulated Safe Access to Medical Marijuana	ONTP

Health Care Workforce

Not Enacted

LD 434	Resolve, Regarding Safer Workplaces for Home Care and Home Health Workers	VETO SUSTAINED
LD 1165	An Act To Improve the Safety of Workers Who Provide Direct Mental Health and Social Services	ONTP

Health Information and Data

Enacted

LD 882	An Act To Amend the Laws Governing Confidentiality of Health Care Information To Enhance Public Safety	PUBLIC 289
LD 886	Resolve, Regarding Legislative Review of Portions of Chapter 270: Uniform Reporting System for Quality Data Sets, a Major Substantive Rule of the Maine Health Data Organization	RESOLVE 54 EMERGENCY

Health Information and Data

Enacted

LD 1574	Resolve, Establishing the Commission To Study the Incidence of and Mortality Related to Cancer	RESOLVE 77 EMERGENCY

Not Enacted

LD 337	An Act To Require That Burn Injuries and Wounds Be Reported to the Office of the State Fire Marshal	ONTP

Hospitals

Not Enacted

LD 181	Resolve, To Require Hospitals To Provide Information Regarding Testing for Krabbe Disease for Parents of Infants	ONTP

Licensing

Enacted

LD 1387	An Act To Provide Clarity and Consistency in Routine Public Health Licensing Activities	PUBLIC 264
LD 1417	An Act To Amend the Laws Governing Certain Human Services Licensing and Certification Requirements	PUBLIC 179

Not Enacted

LD 330	An Act To Require All Lodging Places To Be Licensed by the State	ONTP
LD 1337	An Act To Revise the Maine Wild Mushroom Harvesting Certification Program	MAJORITY (ONTP) REPORT

Maternal/Infant

Not Enacted

LD 132	Resolve, To Provide Organic Infant Formula through the Maine Women, Infants and Children Program	ONTP

Medicaid/MaineCare

Enacted

LD 3	Resolve, Regarding Legislative Review of Portions of the MaineCare Benefits Manual, Chapter III, Section 21: 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 15 EMERGENCY
LD 8	Resolve, Directing the Department of Health and Human Services To Provide Coverage under the MaineCare Program for Home Support Services for Adults with Intellectual Disabilities or Autistic Disorder	RESOLVE 24
LD 338	Resolve, Directing the Department of Health and Human Services To Adopt Rules Governing the Use of Certain Antipsychotic Drugs by Children Enrolled in MaineCare	RESOLVE 17
LD 716	Resolve, To Review and Make Recommendations on Appropriate Prescribing of Certain Medications for Children with Attention Deficit Hyperactivity Disorder That Are Reimbursed under the MaineCare Program	RESOLVE 68
LD 909	Resolve, To Establish MaineCare Eligibility for Parents Participating in Reunification Activities	RESOLVE 61
LD 1364	An Act To Amend the Laws Governing Hospital Leave Days for MaineCare Recipients	PUBLIC 423 EMERGENCY

Not Enacted

Medicaid/MaineCare

Not Enacted

LD 29	An Act To Provide Support Services to Adults with Intellectual Disabilities or Autistic Disorder	DIED ON ADJOURNMENT
LD 30	An Act To Provide Home and Community Services for Individuals with Intellectual Disabilities or Autism	DIED ON ADJOURNMENT
LD 164	An Act To Provide MaineCare Reimbursement for Pastoral Counselors	ONTP
LD 276	Resolve, To Improve Access to Oral Health Care for MaineCare Recipients	CARRIED OVER
LD 390	An Act To Restore MaineCare Coverage for Ambulatory Surgical Center Services	CARRIED OVER
LD 487	Resolve, To Establish MaineCare Eligibility for Young Adults Who Were Formerly in Foster Care	VETO SUSTAINED
LD 488	Resolve, Directing the Department of Health and Human Services To Develop a Process To Provide Additional Home-based and Community-based Services in the MaineCare Program	CARRIED OVER
LD 536	An Act To Improve the Efficiency of Use of MaineCare Funds	ONTP
LD 537	An Act To Help Maine Residents Receive Private Health Care Insurance	MAJORITY (ONTP) REPORT
LD 650	Resolve, To Require the Department of Health and Human Services To Seek a Federal Waiver of Certain Requirements Regarding Contracting for Transportation Services under MaineCare	ONTP
LD 710	Resolve, Requiring the Department of Health and Human Services To Adopt an Alternative MaineCare Nonemergency Transportation System to the Current Risk-based Prepaid Ambulatory Health Plan	ONTP
LD 746	Resolve, Directing the Department of Health and Human Services To Provide an Exception to the 60-day Limit on Out-of-state Services under the MaineCare Section 21 Waiver Program	ONTP
LD 928	An Act To Improve MaineCare Nursing Home Reimbursement To Preserve Access and Promote Quality	CARRIED OVER
LD 1066	An Act To Increase Access to Health Coverage and Qualify Maine for Federal Funding	VETO SUSTAINED
LD 1188	Resolve, Directing the Department of Health and Human Services To Amend Its Rules of Reimbursement under the MaineCare Program for Audiology and Speech-language Pathology Services	CARRIED OVER
LD 1247	An Act To Expand Coverage of Family Planning Services	CARRIED OVER
LD 1274	An Act To Sustain Emergency Medical Services throughout the State	HELD BY GOVERNOR
LD 1333	Resolve, Directing the Department of Health and Human Services To Amend the MaineCare Benefits Manual	DIED ON ADJOURNMENT
LD 1487	An Act To Implement Managed Care in the MaineCare Program	CARRIED OVER

Medicaid/MaineCare

Not Enacted

LD 1552	Resolve, To Require the Department of Health and Human Services To Initiate a New Rate-setting Procedure for Preschool Services for Children with Disabilities under the MaineCare Program	CARRIED OVER
LD 1556	Resolve, To Establish the Study Group To Examine the Issue of Medicaid Expansion	DIED ON ADJOURNMENT

Mental Health

Enacted

LD 534	An Act To Improve Care Coordination for Persons with Mental Illness	PUBLIC 326
LD 1155	An Act To Ensure the Integrity of Neuropsychological and Psychological Testing Materials and Data	PUBLIC 353 EMERGENCY

Not Enacted

LD 87	An Act To Improve Community Mental Health Treatment	CARRIED OVER
LD 968	An Act To Provide Needed Psychiatric Hospitalization for Persons with Mental Illness	CARRIED OVER
LD 1029	Resolve, Directing the Department of Health and Human Services To Amend Its Rules Pertaining to a Request for Mental Health Records	ONTP
LD 1166	An Act Regarding Records Retention by Mental Health Practitioners	ONTP
LD 1214	An Act To Require a Mandatory Assessment by a Physician prior to Psychotropic or Electroconvulsive Therapy	ONTP

Oral Health/Dental Care

Not Enacted

LD 499	An Act To Promote Dental Care for Low-income Populations	CARRIED OVER
LD 507	Resolve, Directing the Department of Health and Human Services To Amend Its Rules To Improve the Oral Health Education of Children	MAJORITY (ONTP) REPORT
LD 804	An Act To Improve Preventive Dental Health Care and Reduce Costs in the MaineCare Program	CARRIED OVER
LD 1486	An Act To Maximize Funds Available To Provide Oral Health Care Services to Persons with Developmental, Behavioral or Other Severely Disabling Conditions Requiring Specialized and Time-intensive Oral Health Care	VETO SUSTAINED

Poverty and Homelessness

Not Enacted

LD 598	Resolve, Directing All Relevant Agencies of State Government To Work in Concert with a Plan To End and Prevent Homelessness To Ensure That Resources Are Available To End Homelessness in the State	VETO SUSTAINED

Prescription Drugs

Enacted

LD 388	Resolve, To Improve the Participation Rate of Prescribers in the Controlled Substances Prescription Monitoring Program	RESOLVE 25 EMERGENCY
LD 881	An Act To Improve the Unused Pharmaceutical Disposal Program	PUBLIC 121
LD 1063	An Act To Remove a Conflict in the Law Restricting the Sale or Purchase of Targeted Methamphetamine Precursors	PUBLIC 223 EMERGENCY

Prescription Drugs

Not Enacted

LD 77	An Act To Require Health Care Practitioners To Distribute Free Samples of Medication in Certain Circumstances	ONTP
LD 629	An Act To Restore Eligibility and Funding for Drug Programs for the Elderly and Disabled	DIED ON ADJOURNMENT
LD 1014	An Act To Improve Law Enforcement Access to Prescription Monitoring Program Data	ACCEPTED MINORITY (ONTP) REPORT

Public Assistance

Enacted

LD 78	An Act To Expand Transitional Assistance for Families	PUBLIC 97
LD 1343	An Act To Improve Work Readiness for Families Facing Significant Barriers to Employment	PUBLIC 376

Not Enacted

LD 256	An Act To Amend the Laws Governing Recipients of Temporary Assistance for Needy Families	ONTP
LD 389	An Act To Bring Fairness to General Assistance Programs by Changing the Method of Municipal Reimbursement	ONTP
LD 678	An Act To Allow Random Drug Testing for Recipients of Certain Public Benefits	ONTP
LD 892	An Act Regarding Municipal General Assistance	MAJORITY (ONTP) REPORT
LD 967	An Act Regarding Residency Requirements for General Assistance	ONTP
LD 1030	An Act To Require That Electronic Benefits Transfer System Cash Benefits Are Used for the Purpose for Which the Benefits Are Provided	MAJORITY (ONTP) REPORT
LD 1064	Resolve, To Establish the Task Force on Independence from Public Assistance	INDEF PP
LD 1411	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 1416	An Act Regarding Responsibility of General Assistance for a Person Who Is Released from Prison	ONTP
LD 1443	An Act To Make Convicted Drug Felons Ineligible for TANF Assistance	MAJORITY (ONTP) REPORT
LD 1538	Resolve, To Establish a Task Force on Poverty and Personal Responsibility	ONTP

Public Health

Enacted

LD 197	An Act To Improve Health Services to Schools	PUBLIC 78
LD 597	An Act To Inform Persons of the Options for the Treatment of Lyme Disease	PUBLIC 340

Public Health

Enacted		
LD 625	Resolve, Regarding Temporary Campgrounds	RESOLVE 55
Not Enacted		
LD 180	An Act Concerning the Use of Tobacco Settlement Funds for Children's Health Care	CARRIED OVER
LD 272	An Act To Reduce Youth Cancer Risk	VETO SUSTAINED
LD 753	An Act To Prohibit the Sale of High-caffeine Energy Drinks to Persons under 18 Years of Age	MINORITY (ONTP) REPORT
LD 846	An Act To Improve and Modernize the Authority of Local Health Officers	ONTP
LD 1032	Resolve, Establishing the Commission To Study the Incidence of and Mortality Related to Cancer	VETO SUSTAINED
LD 1215	An Act To Protect Public Health by Regulating Excessive Wood Smoke as a Nuisance	INDEF PP
LD 1232	An Act To Maintain the Integrity of the Fund for a Healthy Maine	VETO SUSTAINED
LD 1294	An Act To Increase the Penalty for Smoking in a Motor Vehicle When a Child Is Present	ONTP

Substance Abuse

Not Enacted		
LD 802	An Act To Encourage Alternative Forms of Treatment for Opiate or Opioid Addiction by Prohibiting MaineCare Coverage for Medication-assisted Treatment for Addiction	MAJORITY (ONTP) REPORT
LD 908	An Act To Limit MaineCare Reimbursement for Suboxone and Methadone Treatment	MAJORITY (ONTP) REPORT
LD 951	Resolve, Requiring the Department of Health and Human Services To Provide Methadone Clinic Data	CARRIED OVER
LD 1213	An Act To Reduce Costs and Increase Access to Methadone Treatment	CARRIED OVER

Tobacco Sale and Use

Not Enacted		
LD 22	An Act To Promote Equity in Business Opportunity for Tobacco Specialty Stores	MAJORITY (ONTP) REPORT
LD 386	An Act To Reduce Tobacco-related Illness and Lower Health Care Costs in MaineCare	HELD BY GOVERNOR
LD 468	An Act To Protect Public Health at Public Institutions of Higher Education	VETO SUSTAINED

IFS

STATE OF MAINE

126TH LEGISLATURE

FIRST REGULAR SESSION

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

JOINT STANDING COMMITTEE ON INSURANCE AND FINANCIAL SERVICES

July 2013

MEMBERS:

SEN. GEOFFREY M. GRATWICK, CHAIR
SEN. RICHARD G. WOODBURY
SEN. RODNEY L. WHITTEMORE

REP. SHARON ANGLIN TREAT, CHAIR
REP. PAULETTE G. BEAUDOIN
REP. HENRY E. M. BECK
REP. TERRY K. MORRISON
REP. JANICE E. COOPER
REP. JANE P. PRINGLE
REP. JOYCE A. FITZPATRICK
REP. MICHAEL D. MCCLELLAN
REP. RAYMOND A. WALLACE
REP. PETER DOAK

STAFF:
COLLEEN MCCARTHY REID, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

LD 44 **An Act Regarding Pharmacy Provider Audits** **PUBLIC 71**

Sponsor(s)	Committee Report	Amendments Adopted
BECK LACHOWICZ	OTP-AM	H-45

This bill limits the total amount that may be recouped in pharmacy audits to dispensing fees, unless a misfill occurs. The bill prohibits collection of amounts due as a result of an audit until the audit is complete and appeals are exhausted, unless there is evidence of pharmacy fraud or intentional or willful misrepresentation. The bill also limits access by pharmacy auditors to certain records, requires auditors to give advance notice of an audit and requires the random sampling of pharmacy transactions.

Committee Amendment "A" (H-45)

This amendment replaces the bill. The amendment adds provisions to the requirements in current law relating to on-site audits of pharmacy providers conducted by pharmacy benefits managers on behalf of health insurance carriers. The amendment requires auditors to give advance notice of audits, gives pharmacy providers the right to request mediation to resolve disagreements and makes clear that provisions relating to retrospective denial of claims apply to pharmacy claims subject to an audit.

Enacted Law Summary

Public Law 2013, chapter 71 adds provisions to the requirements in current law relating to on-site audits of pharmacy providers conducted by pharmacy benefits managers on behalf of health insurance carriers. The law requires auditors to give advance notice of audits, gives pharmacy providers the right to request mediation to resolve disagreements and makes clear that provisions relating to retrospective denial of claims apply to pharmacy claims subject to an audit.

LD 70 **An Act To Require Full Disclosure by Insurance Carriers Using Credit Ratings** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BEAUDOIN	ONTP	

This bill requires an insurer that obtains credit information on a consumer to provide the consumer with notice of the consumer's credit rating and identify the impact of that rating on rates and coverage as part of the policy issued to the consumer.

LD 83 **An Act To Protect Health Insurance Ratepayers from Undocumented Rate Increases** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
PATRICK PETERSON	ONTP	

This bill restores the statutory process for advance review and prior approval of individual health insurance rates and rescinds the changes to the rate review process for individual health insurance made by Public Law 2011, chapter 90.

While LD 83 was voted "Ought Not to Pass", a related substantive provision restoring the statutory process for advance review and prior approval of individual health insurance rates was included in Committee Amendment "A" to LD 225, An Act to Restore Consumer Rate Review for Health Insurance Plans in the Individual Market. See LD 225.

LD 102 **An Act To Improve Health Insurance Transparency** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
GOODE GRATWICK	ONTP	

This bill restores the statutory process for advance review and prior approval of individual health insurance rates and repeals the changes to the rate review process for individual health insurance made by Public Law 2011, chapter 90.

The bill also extends the same process for advance review and prior approval for small group health insurance rates. The bill also makes the proceedings of the Maine Guaranteed Access Reinsurance Association open to the public as provided in the Freedom of Access Act.

While LD 102 was voted "Ought Not to Pass", a related substantive provision restoring the statutory process for advance review and prior approval of individual health insurance rates was included in Committee Amendment "A" to LD 225, An Act to Restore Consumer Rate Review for Health Insurance Plans in the Individual Market. See LD 225.

LD 129 **An Act To Give Retroactive Effect to the State Employee Health Commission's Reconsideration of Hospital Ratings** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
BURNS MAKER	ONTP OTP-AM	

This bill, which is a concept draft pursuant to Joint Rule 208, proposes to give retroactive effect to the State Employee Health Commission's reconsideration of hospital ratings. After publishing a list of hospitals that qualify for the maximum amount in coverage of costs under the health insurance plan that covers state employees, the State Employee Health Commission added to the list 6 hospitals that, effective October 1, 2012, qualify for such preferential health insurance coverage. The bill proposes to provide funds to reimburse those insureds who received services at one or more of those 6 hospitals during the period from July 1, 2012, when the initial list was published, to October 1, 2012 for the applicable difference in copayments and deductibles.

Committee Amendment "A" (S-144)

This amendment is the minority report of the committee and replaces the bill. The amendment requires the Executive Director of Health Insurance to calculate the amounts of and reimburse those members enrolled in the state employee health plan for the applicable differences in copayments and deductibles for services received at one or more of 6 hospitals not included on the State Employee Health Commission's list of preferred hospitals from July 1, 2012, when the initial list was published, to October 1, 2012, when those hospitals were added to the list. The amendment also provides funds for the reimbursement in an appropriations and allocations section.

Committee Amendment "A" was not adopted.

LD 133 **An Act To Allow an Operator of a Motor Vehicle To Show Proof of Insurance by Electronic Means** **PUBLIC 72**

Sponsor(s)	Committee Report	Amendments Adopted
FITZPATRICK JACKSON T	OTP-AM	H-52

This bill provides that evidence of liability insurance or financial responsibility may be in electronic form.

Committee Amendment "A" (H-52)

This amendment replaces the bill. The amendment provides that evidence of liability insurance or financial responsibility may be in electronic form when an operator of a motor vehicle registers a motor vehicle and when an operator is stopped by a law enforcement officer for a moving violation or is involved in an accident. The amendment clarifies that providing proof of insurance on a portable electronic device does not constitute consent for a law enforcement officer to access other contents of the portable electronic device. The amendment also makes technical changes to reflect the authorization to issue evidence of liability insurance or financial responsibility in electronic form.

Enacted Law Summary

Public Law 2013, chapter 72 provides that evidence of liability insurance or financial responsibility may be in electronic form when an operator of a motor vehicle registers a motor vehicle and when an operator is stopped by a law enforcement officer for a moving violation or is involved in an accident. The law clarifies that providing proof of insurance on a portable electronic device does not constitute consent for a law enforcement officer to access other contents of the portable electronic device. The law also makes technical changes to reflect the authorization to issue evidence of liability insurance or financial responsibility in electronic form.

LD 146 **Resolve, Directing the Bureau of Insurance To Study Issues Related to Long-term Care Insurance** **VETO SUSTAINED**

Sponsor(s)	Committee Report	Amendments Adopted
TREAT CRAVEN	OTP-AM	H-211

This bill prohibits unfair discrimination on the basis of gender in the underwriting of long-term care insurance. The bill also requires the Department of Professional and Financial Regulation, Bureau of Insurance to evaluate the best methods to stabilize rates for long-term care insurance and to submit a report to the Joint Standing Committee on Insurance and Financial Services.

Committee Amendment "A" (H-211)

This amendment replaces the bill with a resolve directing the Department of Professional and Financial Regulation, Bureau of Insurance to study issues related to long-term care insurance, including, but not limited to, methods to stabilize rates and prevent unfair discrimination based on gender or other factors. The resolve requires the bureau to submit a report to the Joint Standing Committee on Insurance and Financial Services by February 1, 2014 and authorizes the committee to submit a bill based on the report to the Second Regular Session of the 126th Legislature.

LD 158 **An Act To Amend the Notice of Risk to Personal Data Act To Further Protect Consumers** **DIED BETWEEN HOUSES**

Sponsor(s)	Committee Report	Amendments Adopted
TREAT PATRICK	ONTP OTP-AM	

This bill requires that notice of a security breach pursuant to the Notice of Risk to Personal Data Act must be made no later than 30 days after discovery of the breach to residents affected by the breach and must be made immediately to state regulators. The bill also doubles the financial penalties for a civil violation.

Committee Amendment "A" (H-151)

This amendment is the minority report of the committee and replaces the bill. The amendment does the following with respect to the Notice of Risk to Personal Data Act.

1. It clarifies the definition of "breach of the security of the system" to include lost, misplaced or unaccounted for computerized data that includes personal information and requires notice to be provided to residents affected by a breach within 60 days unless the computerized data becomes accounted for prior to the 60-day deadline.

2. It requires that notice of a breach must be provided to state regulators no later than 10 days after discovery of the breach.

3. It clarifies that a notice to residents affected by a breach may be delayed only pursuant to a written request from a law enforcement agency.

4. It does not include the provision in the bill increasing the penalties for violations.

Committee Amendment "A" was adopted in the House, but was not adopted in the Senate.

LD 161 **An Act To Restrict a Health Insurance Carrier to Rating on the Basis of One Geographic Area** **VETO SUSTAINED**

Sponsor(s)	Committee Report	Amendments Adopted
LUCHINI	OTP-AM ONTP	H-288

This bill eliminates the ability of health insurers to establish a separate premium rate variation on the basis of geographic area, which was enacted as part of Public Law 2011, chapter 90. The bill merges the rating bands for age and geographic area so that the combined rate differential due to age and geographic area may not exceed a ratio of 3 to 1 beginning January 1, 2014 for all individual and small group health insurance policies.

Committee Amendment "A" (H-288)

This amendment is the majority report of the committee and replaces the bill. The amendment requires health insurance carriers to use only one rating area based on geography within the State when establishing rates for individual and small group health plans issued or renewed on or after January 1, 2015.

LD 176 **An Act To Amend and Clarify the Maine Uniform Securities Act** **PUBLIC 39**

Sponsor(s)	Committee Report	Amendments Adopted
WHITTEMORE MORRISON	OTP-AM	S-18

The Maine Uniform Securities Act currently provides the Securities Administrator of the Office of Securities within the Department of Professional and Financial Regulation with the authority to institute a revocation or suspension proceeding against a licensee within one year after withdrawal of a license by a licensee. This bill allows the administrator also to institute a revocation or suspension proceeding within one year of a license's becoming ineffective due to nonrenewal.

The bill clarifies that the culpable mental state that must be proven to support a criminal conviction of a person under the Maine Uniform Securities Act is that the person intentionally or knowingly engaged in conduct that violated the Act and that no proof of knowledge of the law is required.

The Maine Uniform Securities Act provides for an order of restitution as part of a civil or criminal action under the Act. The bill allows the administrator to order restitution in a final order as part of an administrative proceeding. The Maine Uniform Securities Act provides that an order of the administrator may be appealed to the Superior Court by the person against whom the order is issued.

Committee Amendment "A" (S-18)

This amendment removes language that is not necessary to clarify the statute.

Enacted Law Summary

Public Law 2013, chapter 39 allows the Securities Administrator of the Office of Securities within the Department of Professional and Financial Regulation with the authority to institute a revocation or suspension proceeding against a licensee within one year of a license's becoming ineffective due to nonrenewal. Current law allows the administrator to institute a revocation or suspension proceeding within one year after withdrawal of a license by a licensee.

The law clarifies that the culpable mental state that must be proven to support a criminal conviction of a person under the Maine Uniform Securities Act is that the person intentionally or knowingly engaged in conduct that violated the Act and that no proof of knowledge of the law is required.

The Maine Uniform Securities Act provides for an order of restitution as part of a civil or criminal action under the Act. The law allows the administrator to order restitution in a final order as part of an administrative proceeding.

LD 204 **An Act To Amend the Laws That Govern the Activities of Insurance Adjusters** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
SHAW	ONTP OTP-AM	

Current law prohibits an insurance adjuster from soliciting or offering an adjustment services contract to any person for at least 36 hours after an accident or occurrence as a result of which the person might have a potential claim.

This bill repeals that prohibition.

Committee Amendment "A" (H-12)

This amendment replaces the bill and is the minority report of the committee. Current law prohibits a public insurance adjuster from soliciting or offering an adjustment services contract to any person for at least 36 hours after an accident or occurrence as a result of which the person might have a potential claim. This amendment removes that prohibition and instead provides that public insurance adjusters may not solicit or offer a contract during an accident or occurrence. The amendment also extends the time in which a person may rescind an adjustment services contract from 2 to 4 business days after the contract is signed.

Committee Amendment "A" was not adopted.

LD 205 **An Act To Exempt Free Clinics from Licensing under the Charitable Solicitations Act** **PUBLIC 60**

Sponsor(s)	Committee Report	Amendments Adopted
ROCHELO DUTREMBLE	OTP-AM	H-26

This bill exempts incorporated nonprofit health facilities that provide health care to persons at no charge from licensing requirements under the Charitable Solicitations Act.

Committee Amendment "A" (H-26)

This amendment defines free clinics and exempts free clinics from the licensing requirements under the Charitable Solicitations Act. Like other exempt charitable organizations, free clinics will be required to annually apply for the exemption pursuant to the process in current law.

Enacted Law Summary

Public Law 2013, chapter 60 defines free clinics and exempts free clinics from the licensing requirements under the Charitable Solicitations Act. Like other exempt charitable organizations, free clinics will be required to annually apply for the exemption pursuant to the process in current law.

LD 225 **An Act To Restore Consumer Rate Review for Health Insurance Plans in the Individual Market** **VETO SUSTAINED**

Sponsor(s)	Committee Report	Amendments Adopted
LIBBY N CRAVEN	OTP-AM ONTP	H-314

This bill restores the statutory process for advance review and prior approval of individual health insurance rates and rescinds the changes to the rate review process for individual health insurance made by Public Law 2011, chapter 90. The bill also extends the requirement for advance review and prior approval to small group health insurance rates. The bill requires the Superintendent of Insurance to hold a hearing if a filing proposes an increase in rates in individual or small group health insurance plans and requires the superintendent to hold meetings in at least 3 locations to allow public comment as part of any hearing.

Committee Amendment "A" (H-314)

This amendment is the majority report of the committee and replaces the bill. The amendment does the following.

1. The amendment restores the statutory process for advance review and prior approval of individual health insurance rates and rescinds the changes to the rate review process for individual health insurance made by Public Law 2011, chapter 90.

2. The amendment requires the Superintendent of Insurance to hold a hearing if a filing proposes an increase in rates in individual health insurance plans.

3. The amendment removes the provisions in the bill that relate to small group health insurance and the provision that requires the superintendent to hold meetings in at least 3 locations to allow public comment as part of any hearing.

4. The amendment makes references to the minimum medical loss ratio for individual health plans consistent with federal law.

5. The amendment removes cross-references to reflect the changes to the rate review process.

6. The amendment also clarifies that the changes apply to individual health plan rate filings submitted to the Department of Professional and Financial Regulation, Bureau of Insurance beginning with the 2015 plan year.

7. The amendment adds an appropriations and allocations section.

LD 347 **An Act To Amend Insurance Coverage for Diagnosis of Autism Spectrum Disorders** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
LACHOWICZ FARNSWORTH		

This bill expands health insurance coverage for autism spectrum disorders to persons 21 years of age and under. Current law requires coverage for only those 5 years of age and under. The bill applies to individual, group health and group health maintenance organization insurance policies, contracts and certificates issued or renewed on or after January 1, 2014.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 393 **An Act To Cap Interest Rates and Finance Charges on Credit and Loans** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BROOKS GRATWICK	ONTP	

This bill limits the maximum interest rates and finance charges charged on consumer credit and consumer loans to 18%.

LD 448 **An Act To Authorize the State Employee Health Commission's Preferred Provider Program** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
HILL EVES	ONTP	

This bill authorizes the State Employee Health Commission to develop and implement a preferred provider program, health insurance program or any other program the purpose of which is to rank into tiers health care providers, including hospitals and health care organizations, to determine preferred hospital or health care provider status for the state employee health insurance program and to steer the state employee health insurance program members to be treated by or to consult with certain health care providers, including hospitals and health care organizations, based on cost and quality of health care. The commission is directed to adopt major substantive rules to develop and implement the preferred provider program.

LD 452 **An Act Concerning Hurricane Deductibles** **PUBLIC 38**

Sponsor(s)	Committee Report	Amendments Adopted
MORRISON WHITTEMORE	OTP-AM	H-17

This bill requires the Superintendent of Insurance to adopt routine technical rules concerning the use of hurricane deductibles used in policies subject to the property insurance cancellation control laws.

Committee Amendment "A" (H-17)

This amendment clarifies language in the bill.

Enacted Law Summary

Public Law 2013, chapter 38 requires the Superintendent of Insurance to adopt routine technical rules concerning the use of hurricane deductibles used in policies subject to the property insurance cancellation control laws.

LD 454 **An Act Relating to Health Care Provider Liability Claims Reports** **PUBLIC 59**

Sponsor(s)	Committee Report	Amendments Adopted
BECK CLEVELAND	OTP-AM	H-25

The purpose of this bill is to correct an inconsistency within the Maine Health Security Act. Currently the Superintendent of Insurance is required to forward to the Board of Licensure in Medicine and the Board of Osteopathic Licensure information received from professional liability insurers concerning claims against those they insure who are licensed by those boards. Professional liability insurers are also required to provide the superintendent information concerning claims against health care providers, but the superintendent is not authorized to provide information on those claims to the state agencies that license those health care providers. This bill gives authority to the superintendent to submit these reports to the appropriate licensing authority.

Committee Amendment "A" (H-25)

This amendment adds a provision to the bill clarifying the authority of the Superintendent of Insurance to submit

reports of cancellation and nonrenewals from professional liability insurers to the appropriate state licensing authority for health care providers. The amendment makes this provision consistent with the bill, which clarifies the authority of the superintendent to submit professional liability insurance claims reports to those same state licensing authorities.

Enacted Law Summary

Public Law 2013, chapter 59 gives authority to the superintendent to submit liability claims reports and reports of cancellation and nonrenewals from professional liability insurers to the appropriate state licensing authority for health care providers. Currently the Superintendent of Insurance is required to forward to the Board of Licensure in Medicine and the Board of Osteopathic Licensure liability claims reports and reports of cancellation and nonrenewals from professional liability insurers against those they insure who are licensed by those boards, but the superintendent is not authorized to provide that information to the state agencies that license other health care providers.

LD 506 **Resolve, Directing the Bureau of Insurance To Amend Its Rules Pertaining to Medicare Advantage Plans** **RESOLVE 19 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
LANGLEY	OTP	

This resolve directs the Department of Professional and Financial Regulation, Bureau of Insurance to amend its rules to clarify that a Medicare beneficiary who is enrolled in a Medicare Advantage plan may enroll in another Medicare Advantage plan with the same insurer or a different insurer for a period of 3 years without affecting the Medicare beneficiary's continuity of coverage.

Enacted Law Summary

Resolve 2013, chapter 19 directs the Department of Professional and Financial Regulation, Bureau of Insurance to amend its rules to clarify that a Medicare beneficiary who is enrolled in a Medicare Advantage plan may enroll in another Medicare Advantage plan with the same insurer or a different insurer for a period of 3 years without affecting the Medicare beneficiary's continuity of coverage.

Resolve 2013, chapter 19 was finally passed as an emergency measure effective May 14, 2013.

LD 523 **An Act To Require Health Insurance Coverage for Hearing Aids for Adults** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
VALENTINO BECK		

This bill requires health insurance coverage of hearing aids for persons over 18 years of age.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 546 **An Act To Improve Transparency and Oversight of the Maine Guaranteed Access Reinsurance Association and To Make Changes Necessary To Comply with Federal Law** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
TREAT	ONTP	

This bill makes the following changes to the laws governing the Maine Guaranteed Access Reinsurance Association:

1. It makes meetings of the Board of Directors of the Maine Guaranteed Access Reinsurance Association public under the State's freedom of access laws unless the board holds executive sessions as permitted under the State's freedom of access laws;

2. It adds 2 consumer members to the Board of Directors and reduces the number of board members who are representatives of insurers from 5 to 3;

3. It suspends the authority of the association to collect assessments and premiums or provide reinsurance and reimbursement for 3 years, from January 1, 2014 until December 31, 2016 and also requires that the association submit a revised plan of operation to the Superintendent of Insurance before resuming operations;

4. It provides that the association may not provide reinsurance or reimbursement to a member insurer unless the insurer meets the 80% minimum medical loss ratio for individual health insurance established under federal and state law; and

5. It directs the joint standing committee of the Legislature having jurisdiction over insurance and financial services matters to evaluate the transitional reinsurance program operating in the State from January 1, 2014 until December 31, 2016 under federal law. Before January 1, 2016, the committee is required to make a recommendation to the Legislature whether the Maine Guaranteed Access Reinsurance Association should resume operations and whether statutory changes should be made. The Joint Standing Committee on Insurance and Financial Services may report out a bill based on its recommendations to the Second Regular Session of the 127th Legislature.

While LD 546 was voted "Ought Not to Pass", related substantive provisions were included in Committee Amendment "A" to LD 1167, An Act Regarding the Maine Guaranteed Access Reinsurance Association, which was enacted as Public Law 2013, chapter 273. See LD 1167.

LD 547 **An Act To Ensure the Accountability of Taxpayer Funds and State Collaboration, Planning and Oversight in the Implementation and Operation of a Health Exchange in Maine** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
TREAT WOODBURY	ONTP	

Part A of this bill clarifies that the provisions relating to navigators apply only to any state-based health exchange that may be established in this State pursuant to the federal Patient Protection and Affordable Care Act, as amended by the federal Health Care and Education Reconciliation Act of 2010. It also clarifies that certain activities may be performed by a navigator without a license as an insurance producer or being subject to regulation as an insurance business.

Part B of this bill allows an insurance company authorized to do business in Vermont to offer individual health insurance for sale in this State. Current law is limited to insurance companies authorized to do business in Connecticut, Massachusetts, New Hampshire and Rhode Island.

Part C of this bill establishes the Maine Health Exchange Advisory Board to advise the Federal Government, the Governor, the Legislature, the Department of Health and Human Services and the Department of Professional and Financial Regulation, Bureau of Insurance on the implementation and operation of a health exchange in this State pursuant to the federal Patient Protection and Affordable Care Act. The advisory board is comprised of 17 members, including 5 members who are Legislators.

While LD 547 was voted "Ought Not to Pass", related substantive provisions as proposed in the bill were included in Committee Amendment "A" to LD 1094, An Act to Ensure State Coordination and Oversight of Health Plans, which was enacted as Public Law 2013, chapter 388. See LD 1094.

LD 580 **An Act To Prohibit Denial of Insurance Coverage When a Building Contains a Wood Stove** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
AYOTTE SHERMAN	ONTP	

This bill requires an insurance policy to provide coverage for a property containing a wood stove if the installation of the stove has been inspected and approved by the municipal building official and meets all applicable fire safety codes and ordinances.

LD 602 **An Act Regarding the Regulation of Consumer Finance Companies** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
BECK CAIN	ONTP OTP-AM	

This bill updates the allowable finance charges on consumer loans by companies subject to the Department of Professional and Financial Regulation, Bureau of Consumer Credit Protection.

Committee Amendment "A" (H-139)

This amendment is the minority report of the committee. The amendment updates the allowable finance charges on consumer loans by companies subject to the Department of Professional and Financial Regulation, Bureau of Consumer Credit Protection and requires the finance charges to be calculated according to the simple interest method.

Committee Amendment "A" was not adopted.

LD 603 **An Act To Repeal an Insurance Reporting Requirement** **PUBLIC 52**

Sponsor(s)	Committee Report	Amendments Adopted
STANLEY WHITTEMORE	OTP	

This bill repeals a requirement that the Department of Professional and Financial Regulation, Superintendent of Insurance provide an annual report to the Department of Labor, Bureau of Labor Standards regarding workers' compensation insurance premium and loss costs data as well as similar information with respect to workers' compensation self-insurance.

Enacted Law Summary

Public Law 2013, chapter 52 repeals a requirement that the Department of Professional and Financial Regulation, Superintendent of Insurance provide an annual report to the Department of Labor, Bureau of Labor Standards regarding workers' compensation insurance premium and loss costs data as well as similar information with respect to workers' compensation self-insurance.

LD 627 **An Act Relating to Orally Administered Cancer Therapy** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
CAIN HOBBINS	OTP-AM	

This bill requires health insurance policies that cover cancer chemotherapy to include coverage for orally administered anticancer medications.

Committee Amendment "A" (S-160)

This amendment replaces the bill with a resolve. The amendment directs the Department of Professional and Financial Regulation, Bureau of Insurance and the Department of Health and Human Services, Maine Center for Disease Control and Prevention to jointly convene a work group to review and report on insurance coverage as it relates to the affordability and accessibility of chemotherapy treatment in Maine. The amendment requires the Bureau of Insurance, after consultation with the Maine Center for Disease Control and Prevention and work group members, to submit a written report on behalf of the work group by December 1, 2013 to the Joint Standing Committee on Insurance and Financial Services and authorizes the committee to report out a bill based on the report. The amendment also adds an appropriations and allocations section.

This bill was recommitted to the Insurance and Financial Services Committee and carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 628 **An Act To Clarify Uninsured Vehicle Coverage for Multiple Claimants** **PUBLIC 284**

Sponsor(s)	Committee Report	Amendments Adopted
KATZ CROCKETT	OTP-AM ONTP	S-146

This bill provides that in the event that an underinsured vehicle policy applicable to 2 or more claimants contains a

single per accident limit, the amount of underinsured vehicle coverage available to each claimant must be calculated by deducting any payment received from the owner or operator of the underinsured motor vehicle from that single limit. In no event may the maximum amount payable by the insurer to all claimants exceed that limit.

Committee Amendment "A" (S-146)

This amendment is the majority report of the committee and replaces the bill. The amendment incorporates the substantive provisions of the bill and makes technical changes to clarify the language.

Enacted Law Summary

Public Law 2013, chapter 284 provides that, in the event that an underinsured vehicle policy applicable to 2 or more claimants contains a single per accident limit, the amount of underinsured vehicle coverage available to each claimant must be calculated by deducting any payment received from the owner or operator of the underinsured motor vehicle from that single limit. In no event may the maximum amount payable by the insurer to all claimants exceed that limit.

LD 637 **An Act To Prohibit Consideration of Preexisting Conditions in Short-term Disability Insurance** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
TUTTLE BECK	ONTP	

This bill prohibits an insurer that issues group short-term disability insurance on or after January 1, 2014 from refusing to provide coverage on the basis of a preexisting condition and from imposing any exclusion on coverage based on that preexisting condition.

LD 645 **An Act To Allow the Adjustment of the Assessment Rate for the Rural Medical Access Program** **PUBLIC 170**

Sponsor(s)	Committee Report	Amendments Adopted
WHITTEMORE FITZPATRICK	OTP	

Currently, the Rural Medical Access Program assessment rate is 0.75% of professional liability insurance premium, which results in annual revenues in excess of annual costs. This bill authorizes the Superintendent of Insurance to lower the assessment rate by rule in order to allow for the orderly and prudent drawdown of excess funds not needed by the program.

Enacted Law Summary

Currently, the Rural Medical Access Program assessment rate is 0.75% of professional liability insurance premium, which results in annual revenues in excess of annual costs. Public Law 2013, chapter 170 authorizes the Superintendent of Insurance to lower the assessment rate by rule in order to allow for the orderly and prudent drawdown of excess funds not needed by the program.

LD 648 **An Act To Make Records of External Review Proceedings Overseen by the Bureau of Insurance Confidential** **PUBLIC 274**

Sponsor(s)	Committee Report	Amendments Adopted
GRATWICK TREAT	OTP-AM	S-113

This bill protects the confidentiality of records of external review proceedings arranged by the Department of Professional and Financial Regulation, Bureau of Insurance concerning an insurance carrier's adverse health care treatment decision.

Committee Amendment "A" (S-113)

This amendment replaces the bill. The amendment protects the confidentiality of records of an external review proceeding arranged by the Department of Professional and Financial Regulation, Bureau of Insurance concerning an insurance carrier's adverse health care treatment decision, but gives parties to an external review proceeding the right to obtain a transcript or recording of the external review hearing and a copy of any evidence. The amendment also requires the Superintendent of Insurance to disseminate aggregate information relating to external review decisions to the Legislature and the public on an annual basis.

Enacted Law Summary

Public Law 2013, chapter 274 protects the confidentiality of records of an external review proceeding arranged by the Department of Professional and Financial Regulation, Bureau of Insurance concerning an insurance carrier's adverse health care treatment decision, but gives parties to an external review proceeding the right to obtain a transcript or recording of the external review hearing and a copy of any evidence. The law also requires the Superintendent of Insurance to disseminate aggregate information relating to external review decisions to the Legislature and the public on an annual basis.

LD 651 **An Act To Amend the Captive Insurance Laws** **LEAVE TO WITHDRAW**

Sponsor(s)	Committee Report	Amendments Adopted
CUSHING MCCLELLAN		

This bill provides that the joint and several liability for a bank, municipality or hospital that is a member of an association captive insurance company is limited to an amount per year equal to the premium for the most recently completed annual insurance period or a greater amount as established by the association captive insurance company.

LD 653 **An Act To Remove an Unnecessary Provision in the Maine Insurance Code** **PUBLIC 94**

Sponsor(s)	Committee Report	Amendments Adopted
FITZPATRICK WHITTEMORE	OTP	

This bill repeals a provision of the Maine Insurance Code that requires a carrier offering standardized Medicare supplement plans that include prescription drug coverage to allow an insured of that carrier who was formerly eligible for the low-cost drugs for the elderly or disabled program to purchase a plan with drug benefits from that

carrier. This provision of law is no longer relevant since Medicare Part D prescription drug coverage was removed from all standardized Medicare supplement plans.

Enacted Law Summary

Public Law 2013, chapter 94 repeals a provision of the Maine Insurance Code that requires a carrier offering standardized Medicare supplement plans that include prescription drug coverage to allow an insured of that carrier who was formerly eligible for the low-cost drugs for the elderly or disabled program to purchase a plan with drug benefits from that carrier. This provision of law is no longer relevant since Medicare Part D prescription drug coverage was removed from all standardized Medicare supplement plans.

LD 681 **An Act To Improve Oversight of Insurance Rates and Ensure Consistency with Federal Law** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
TREAT GRATWICK	ONTP	

Part A of this bill restores the statutory process for advance review and prior approval of individual health insurance rates and repeals the changes to the rate review process for individual health insurance made by Public Law 2011, chapter 90.

Part B of the bill extends the same process for advance review and prior approval for small group health insurance rates.

Part C of the bill merges the rating bands for age, geographic area and tobacco use so that the combined rate differential due to age, geographic area and tobacco use may not exceed a ratio of 3 to 1 beginning July 1, 2013 for all individual and small group health insurance policies. The bill authorizes the Superintendent of Insurance to adopt rules regarding rating based on tobacco use that set appropriate methodologies and standards that are consistent with the federal Patient Protection and Affordable Care Act, as amended by the federal Health Care and Education Reconciliation Act of 2010, and do not permit rate variation that would penalize an individual who participates in a smoking cessation program or who is not provided the opportunity to participate in one.

While LD 681 was voted "Ought Not to Pass", a related substantive provision restoring the statutory process for advance review and prior approval of individual health insurance rates as proposed in Part A of the bill was included in Committee Amendment "A" to LD 225, An Act to Restore Consumer Rate Review for Health Insurance Plans in the Individual Market. See LD 225.

LD 682 **An Act To Require Health Insurers To Provide Coverage for Nutritional Wellness and Illness Prevention Measures and Products** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
BOLAND WHITTEMORE	ONTP OTP-AM	

The purpose of this bill is to improve health, reduce health care usage and costs and help prevent disease through nutritional wellness and illness prevention measures and allow for nonpharmacological health care alternatives for enrollees who choose them. The bill requires that health insurance policies provide coverage for nutritional wellness and illness prevention measures that are shown to be beneficial to the enrollee and are recommended by the enrollee's physician. The bill applies to all individual and group policies issued or renewed on or after January

1, 2014.

Committee Amendment "A" (H-347)

This amendment is the minority report of the committee. The amendment exempts the bill from the requirements for review and evaluation by the Department of Professional and Financial Regulation, Bureau of Insurance pursuant to the Maine Revised Statutes, Title 24-A, section 2752. The amendment also adds an appropriations and allocations section.

Committee Amendment "A" was not adopted.

LD 683 **An Act To Assist Homeowners with Wood Stoves in Obtaining Property Insurance** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
JOHNSON D PATRICK	ONTP	

This bill requires an insurance policy to provide coverage for a property containing 2 heating sources sharing the same flue.

LD 706 **An Act To Amend the Workers' Compensation Self-insurance Laws** **PUBLIC 172**

Sponsor(s)	Committee Report	Amendments Adopted
TUTTLE	OTP-AM	S-74

This bill specifies that a group self-insurer that is part of a reinsurance account that has net assets of at least $40,000,000 and that obtains reinsurance coverage with an initial attachment point of no greater than $1,000,000 has sufficient assets in the aggregate to qualify for funding the group's workers' compensation exposures at the 65% level of confidence.

Committee Amendment "A" (S-74)

This amendment replaces the bill. The amendment provides flexibility to modify retention levels for self-insurance reinsurance accounts in response to medical inflation and other changes in circumstances with approval of the Superintendent of Insurance. The amendment also revises the investment standards for self-insurance deposits and trusts to reduce concentration risk and other market risks posed by specifying a narrow range of permitted investments.

Enacted Law Summary

Public Law 2013, chapter 172 provides flexibility to modify retention levels for self-insurance reinsurance accounts in response to medical inflation and other changes in circumstances with approval of the Superintendent of Insurance. The law also revises the investment standards for self-insurance deposits and trusts to reduce concentration risk and other market risks posed by specifying a narrow range of permitted investments.

LD 727 **An Act Establishing Health Care Practitioner Transparency Requirements** **PUBLIC 285**

Sponsor(s)	Committee Report	Amendments Adopted
GRATWICK SANBORN	OTP-AM	S-154

This bill ensures that patients receive accurate health care information by prohibiting deceptive or misleading advertising or misrepresentation in the provision of health care services, requiring the identification and level of licensure of health care practitioners with patient contact and clarifying disciplinary actions that may be taken for failure to comply with these consumer information requirements.

Committee Amendment "A" (S-154)

This amendment reallocates and clarifies the provisions of the bill except for the current law regarding notification of charges for health care service. This amendment clarifies health care practitioner identification requirements and the disciplinary actions that may be taken for failure to comply with these consumer information requirements. The amendment provides that a licensing board may impose additional requirements on a health care practitioner for professional conduct and advertising. The amendment removes the provision in the bill addressing disclosure of charges for health care services because it is included in other legislation.

Enacted Law Summary

Public Law 2013, chapter 285 ensures that patients receive accurate health care information by prohibiting deceptive or misleading advertising or misrepresentation in the provision of health care services, requiring the identification and level of licensure of health care practitioners with patient contact and clarifying disciplinary actions that may be taken for failure to comply with these consumer information requirements.

LD 756 **An Act Regarding Subrogation of Medical Payments Coverage** **DIED BETWEEN HOUSES**

Sponsor(s)	Committee Report	Amendments Adopted
BECK	ONTP OTP-AM	

This bill strikes language in the law that allows subrogation or priority over the insured of medical payments in certain instances in a casualty insurance policy for any hospital, nursing, medical or surgical services or any expenses paid or reimbursed under the medical payments coverage in the policy in the event that the insured is entitled to receive payment.

Committee Amendment "A" (H-203)

This amendment is the minority report of the committee and replaces the bill. The bill strikes language in the law that allows subrogation, while the amendment keeps that language and allows subrogation or priority over the insured of medical payments in certain instances in a casualty insurance policy for any hospital, nursing, medical or surgical services or of any expenses paid or reimbursed under the medical payments coverage in the policy only when the insured's awarded or settled damages exceed $20,000.

Committee Amendment "A" was adopted in the House, but was not adopted in the Senate.

LD 776 **An Act To Amend the Laws Related to Rate and Form Filings** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BECK KATZ	ONTP	

This bill provides that an insurer is entitled to trade secret protection under the Uniform Trade Secrets Act for a rate filing and its supporting data that are a trade secret.

LD 806 **An Act To Allow the Purchase of Workers' Compensation Insurance Coverage for Domestic Employees from an Insurance Company That Provides Liability Insurance for Homeowners or Tenants** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
SANDERSON MASON G	ONTP	

This bill permits employers of domestic workers to voluntarily procure workers' compensation insurance for those workers from an insurance company providing liability insurance for homeowners or tenants in this State and authorizes those companies to provide such insurance.

LD 812 **An Act To Create an Open Enrollment Period Consistent with Federal Regulations for Health Insurance Exchanges** **PUBLIC 271**
EMERGENCY

Sponsor(s)	Committee Report	Amendments Adopted
BECK LACHOWICZ	OTP-AM	H-240

This bill establishes an open enrollment period for individual health insurance plans that is consistent with the open enrollment period established by federal regulations for health benefit exchanges, and provides for the same special enrollment periods as exist for coverage purchased through a health insurance exchange.

Committee Amendment "A" (H-240)

This amendment replaces the bill. The amendment permits carriers to restrict enrollment in individual health insurance plans to open enrollment periods and special enrollment periods consistent with requirements of the federal Patient Protection and Affordable Care Act. The amendment also adds an emergency preamble and emergency clause to the bill.

Enacted Law Summary

Public Law 2013, chapter 271 permits carriers to restrict enrollment in individual health insurance plans to open enrollment periods and special enrollment periods consistent with requirements of the federal Patient Protection and Affordable Care Act.

Public Law 2013, chapter 271 was enacted as an emergency measure effective June 14, 2013.

LD 848 **Resolve, Directing the Bureau of Insurance To Amend Its Rules Pertaining to 3rd-party Notice of Cancellation** **RESOLVE 39**

Sponsor(s)	Committee Report	Amendments Adopted
HOBBINS	OTP-AM	H-152

This bill adds provisions to the Maine Insurance Code to allow an insured person who had been paying for health insurance through a payroll plan a period of 60 days after the insured person is no longer on the payroll plan to designate at least one other person to receive notice of lapse or termination of the policy.

Committee Amendment "A" (H-152)

This amendment replaces the bill with a resolve directing the Department of Professional and Financial Regulation, Bureau of Insurance to amend Bureau of Insurance Rule Chapter 580 regarding 3rd-party notice of cancellation to add an additional alternative for compliance with notice requirements. Under this 3rd alternative, an insurer may defer collection of 3rd-party notification information while an insured pays a premium through a payroll deduction plan.

Enacted Law Summary

Resolve 2013, chapter 39 directs the Department of Professional and Financial Regulation, Bureau of Insurance to amend Bureau of Insurance Rule Chapter 580 regarding 3rd-party notice of cancellation to add an additional alternative for compliance with notice requirements. Under this 3rd alternative, an insurer may defer collection of 3rd-party notification information while an insured pays a premium through a payroll deduction plan.

LD 891 **An Act To Create Uniform Claims Paying Practices in Long-term Care Insurance Policies** **PUBLIC 278 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
LANGLEY	OTP-AM	S-147

This bill requires a long-term care insurer to pay a claim to an insured within 14 business days of receipt of all necessary documentation identified by the insurer. A claim that is not paid within 14 business days is overdue and subject to interest of 1 1/2% per month after the due date.

Committee Amendment "A" (S-147)

This amendment replaces the substantive provisions of the bill, but retains the emergency preamble and emergency clause. The amendment requires a long-term care insurer to pay a claim to an insured within 30 days of receipt of all necessary documentation identified by the insurer, which extends the time from 14 days as proposed in the bill. The amendment also provides that insurers may delay payment of claims and request additional information related only to substantive issues, which are required to be designated through rules.

Enacted Law Summary

Public Law 2013, chapter 278 requires a long-term care insurer to pay a claim to an insured within 30 days of receipt of all necessary documentation identified by the insurer. The law also provides that insurers may delay payment of claims and request additional information related only to substantive issues, which are required to be designated through rules.

Public Law 2013, chapter 278 was enacted as an emergency measure effective June 18, 2013.

LD 893 **An Act To Protect Life Insurance Policyholders** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
VALENTINO	ONTP	

This bill requires that a notice of cancellation of life insurance be sent by registered mail to the last known address of the policyholder and any 3rd party designated by the policyholder.

LD 971 **An Act Regarding Exemptions under the Maine Insurance Code** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BECK	ONTP	

This bill removes the exemption of health care sharing ministries from regulation as insurers under the Maine Insurance Code.

LD 984 **An Act To Amend the Health Plan Improvement Law Regarding Prescription Drug Step Therapy and Prior Authorization** **VETO SUSTAINED**

Sponsor(s)	Committee Report	Amendments Adopted
GRATWICK MORRISON	OTP-AM ONTP	S-123

This bill establishes certain standards for prescription drug step therapy policies. The bill also reduces the time for health insurance carriers to respond to nonemergency prescription drug prior authorization requests from 2 days to 24 hours.

Committee Amendment "A" (S-123)

This amendment is the majority report of the committee and replaces the bill. The amendment provides that the clinical review criteria used by a carrier in approving prescription drugs may not require dispensing of a medication for an off-label use and, as in the bill, 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 amendment also requires health insurance carriers to respond to nonemergency prescription drug prior authorization requests within 24 hours. The bill reduces the time to respond to 24 hours for all nonemergency services prior authorization requests.

LD 991 **An Act To Promote Wellness and Prevention through Health Plans** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
WOODBURY	ONTP OTP	

This bill provides authority to the Superintendent of Insurance, beginning October 1, 2013, to approve pilot projects allowing health insurance carriers to offer health plans that include premium credits and other incentives to encourage enrollees to participate in wellness and prevention programs.

LD 1006 **An Act To Clarify Transparency of Medical Provider Profiling Programs Used by Insurance Companies and Other Providers of Health Insurance** **PUBLIC 383**

Sponsor(s)	Committee Report	Amendments Adopted
TREAT	OTP-AM	H-502

This bill requires that any cost metric used by insurance providers in a provider profiling program is covered by the existing transparency provisions in the health plan improvement laws. The bill also requires carriers to provide copies of the data methodology used in the metric to affected providers. The purpose of this bill is to require all insurance providers, including the state health plan and other government insurance programs, to be included in this transparency obligation.

Committee Amendment "A" (H-502)

This amendment replaces the bill. The amendment does the following.

1. It repeals and replaces the existing transparency provisions for provider profiling programs to provide that, at least 60 days prior to using or publicly disclosing the results of their provider profiling program, carriers must share with providers their individual provider profile and disclose to providers the methodology, criteria, data and analysis used to evaluate provider quality, performance and cost. It also permits providers to request a copy of the data associated with their profile within 30 days of the carrier's disclosure of the profile and affords providers the opportunity to review and dispute its provider profiling result.

2. It makes clear that any cost metric or cost data used by insurance carriers in a provider profiling program to rate or rank a provider is covered by the transparency provisions for provider profiling programs.

3. It makes clear that the provisions applying to provider profiling programs used by insurance carriers also apply to provider profiling programs developed by the State Employee Health Commission for the health insurance plan provided to state employees.

Enacted Law Summary

Public Law 2013, chapter 383 repeals and replaces the existing transparency provisions for provider profiling programs to provide that, at least 60 days prior to using or publicly disclosing the results of their provider profiling program, carriers must share with providers their individual provider profile and disclose to providers the methodology, criteria, data and analysis used to evaluate provider quality, performance and cost. It permits providers to request a copy of the data associated with their profile within 30 days of the carrier's disclosure of the profile and affords providers the opportunity to review and dispute its provider profiling result. The law makes clear that any cost metric or cost data used by insurance carriers in a provider profiling program to rate or rank a provider is covered by the transparency provisions for provider profiling programs.

Public Law 2013, chapter 383 also clarifies that the provisions applying to provider profiling programs used by insurance carriers also apply to provider profiling programs developed by the State Employee Health Commission for the health insurance plan provided to state employees.

LD 1018 **An Act Regarding Preneed Funeral Insurance** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
BECK	ONTP	
HASKELL	OTP-AM	

This bill defines preneed insurance and permits its sale in the State. The bill requires the State Board of Funeral Service to amend the rules governing prearranged funeral agreements to provide the form, format and content of prearranged funeral agreements funded by preneed insurance. The bill permits a funeral director to sell preneed insurance to a consumer who has approached a funeral home to preplan a funeral and authorizes the payment of commissions in connection with the sale of that insurance. The bill requires disclosures with regard to the sale of preneed insurance that are consistent with the National Association of Insurance Commissioners' life insurance disclosure model.

Committee Amendment "A" (H-163)

This amendment is the minority report of the committee. The bill refers to insurance agents and brokers. The amendment changes these references to the term "insurance producer."

Committee Amendment "A" was not adopted.

LD 1037 **An Act To Provide Access to Affordable Health Care for All Maine Residents by 2020** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
MCGOWAN		

This bill, which is a concept draft pursuant to Joint Rule 208, proposes to provide access to a baseline of affordable health care for all Maine residents by 2020 through subsidies, expansion of government programs, reforms in the insurance laws or other measures.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1048 **Resolve, To Study the Effect of Insufficient Automobile Insurance Coverage** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BERRY	ONTP	

This resolve directs the Department of Professional and Financial Regulation, Bureau of Insurance to study the current minimum automobile insurance coverage and determine the frequency and extent of claims by motorists with insufficient automobile insurance coverage and the resulting effects on victims, health care providers and the State. The bureau is also required to determine expected costs and effects of increasing minimum automobile insurance coverage, and invite input from the Maine Trial Lawyers Association, members of the insurance industry, health care providers and other interested parties. The bureau is directed to report to the Joint Standing Committee

on Insurance and Financial Services, which is authorized to introduce a bill related to the report.

LD 1049 **An Act To Establish an Insurance Exchange** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CAMPBELL J CRAVEN	ONTP	

This 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, Public Law 111-148 as amended by the federal Health Care and Education Reconciliation Act of 2010, Public Law 111-152 to facilitate the purchase of health care coverage by individuals and small businesses. The Maine Health Benefit Marketplace is established as an independent executive agency governed by the Board of Directors of the Maine Health Benefit Marketplace, which has 9 voting members appointed by the President of the Senate, the Speaker of the House and the Governor subject to confirmation by the Senate and 4 ex officio, nonvoting members representing the Department of Professional and Financial Regulation, the Department of Health and Human Services, the Department of Administrative and Financial Services and the Treasurer of State.

The bill requires coverage to be available through the state-based marketplace no later than January 1, 2015 and requires the Board of Directors 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, 2013. The bill also requires the board of directors to submit applications for any available federal grant funding to support planning and implementation of the state-based exchange as soon as practicable after Senate confirmation of the board members.

LD 1067 **An Act To Allow Certain Small Retail Businesses To Pass Credit and Debit Card Transaction Fees on to Consumers** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
LOCKMAN THOMAS	ONTP	

This bill, which is a concept draft pursuant to Joint Rule 208, proposes to amend the Maine Consumer Credit Code - Truth in Lending laws to allow a small retail business to impose a surcharge on a purchase of a customer who elects to use a credit card or debit card that increases the regular price and that is not imposed on a purchase of a customer who pays by cash, check or similar means.

LD 1078 **Resolve, To Establish the Task Force on the Creation of a State of Maine Partnership Bank** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
JOHNSON C BEAVERS	ONTP	

This resolve establishes the Task Force on the Creation of a State of Maine Partnership Bank to develop a proposal to establish the State of Maine Partnership Bank, which must be specifically designed to partner with financial institutions that are headquartered in Maine or are Maine-owned, or both, in order to provide access to capital for local small businesses and family farmers, to enable state public funds to be retained within the State and to facilitate the investment of increased state resources in high-quality, in-state investments, such as

loans to local businesses, family farmers and homeowners. The task force is directed to submit a report that includes its findings and recommendations with any necessary implementing legislation to the Joint Standing Committee on Labor, Commerce, Research and Economic Development and to the Joint Standing Committee on Insurance and Financial Institutions.

In place of the resolve, a minority of the committee introduced H.P. 1130, Joint Order Establishing the Task Force to Study the Creation of a State of Maine Partnership Bank or Other Maine Financial Structures. H.P. 1130 was passed in the House, but was indefinitely postponed in the Senate.

LD 1092 **An Act To Increase the Use of Long-term Care Insurance** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
CRAVEN GRAHAM		

This bill establishes an alternative long-term care benefit program for those persons that qualify for long-term benefits under the MaineCare program. The bill allows persons otherwise eligible for long-term care benefits under MaineCare that own life insurance policies with face amounts exceeding $10,000 to enter into life settlement contracts in exchange for direct payments to a health care provider for long-term care benefits. The bill prohibits the Department of Health and Human Services from considering the value of the life settlement contract as an asset or resource in determining eligibility for MaineCare. The bill also establishes the conditions under which a life settlement contract may be used, requires certain disclosures to be made to MaineCare applicants and authorizes the Department of Health and Human Services to adopt rules after consultation with the Department of Professional and Financial Regulation, Bureau of Insurance.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1094 **An Act To Clarify Certification of Navigators and the Availability of Regional Health Plans** **PUBLIC 388**

Sponsor(s)	Committee Report	Amendments Adopted
WOODBURY	OTP-AM	S-185 S-314 WHITTEMORE

Part A of the bill establishes the Maine Health Exchange Advisory Board to advise the Federal Government, Governor and Legislature on the implementation and operation of a health exchange in this State pursuant to the federal Patient Protection and Affordable Care Act. The advisory board is composed of 17 members, including 5 members who are Legislators.

Part B of the bill suspends the authority of the Maine Guaranteed Access Reinsurance Association from January 1, 2014 until December 31, 2016 or until such time as the transitional reinsurance program administered by the federal Department of Health and Human Services pursuant to the federal Patient Protection and Affordable Care Act is no longer operational. This Part also directs the Board of Directors of the Maine Guaranteed Access Reinsurance Association to amend the association's plan of operation and submit an amendment to the plan of operation on or before October 1, 2013 to the Superintendent of Insurance for approval. The amended plan of operation must include, but is not limited to, an explanation of how operations will be suspended, the actions necessary to pay reinsurance on qualified claims attributable to the time period prior to January 1, 2014 and the actions necessary to suspend assessments.

Part C of the bill expands medical coverage under the MaineCare program to adults with family incomes up to 133% of the nonfarm income official poverty line and qualifies Maine to receive federal funding for 100% of the cost of coverage for members who enroll under the expansion. Adults eligible are those 21 years of age to 64 years of age beginning January 1, 2014 and those 19 years of age and 20 years of age beginning October 1, 2019.

Committee Amendment "A" (S-185)

This amendment replaces the bill. Part A makes changes to the current provisions in law relating to navigators to make them consistent with recent federal regulations and clarifies that navigators are subject to the provisions prohibiting unfair trade practices.

Part B allows an insurance company authorized to do business in Vermont to offer individual health insurance for sale in this State. Current law limits that business to insurance companies authorized to do business in Connecticut, Massachusetts, New Hampshire and Rhode Island.

Part C establishes the Maine Health Exchange Advisory Council to advise the Governor, the Legislature, the Department of Health and Human Services, the Department of Professional and Financial Regulation, Bureau of Insurance and the Federal Government on the implementation and operation of a health exchange in this State pursuant to the federal Patient Protection and Affordable Care Act. The advisory council is comprised of 20 members, including 5 members who are Legislators and 2 ex officio members representing the Department of Health and Human Services and the Department of Professional and Financial Regulation, Bureau of Insurance.

Senate Amendment "A" To Committee Amendment "A" (S-314)

This amendment amends Committee Amendment "A" to strike Part C of the amendment, which establishes the Maine Health Exchange Advisory Council. This amendment also changes the title of the legislation.

In place of Part C of Committee Amendment "A", the committee introduced H.P. 1136, Joint Order Establishing the Maine Health Exchange Advisory Committee. H.P. 1136 was passed in the House and Senate.

Enacted Law Summary

Public Law 2013, chapter 388 makes changes to the current provisions in law relating to navigators to make them consistent with recent federal regulations and clarifies that navigators are subject to the provisions prohibiting unfair trade practices.

Public Law 2013, chapter 388 also allows an insurance company authorized to do business in Vermont to offer individual health insurance for sale in this State. Current law limits that business to insurance companies authorized to do business in Connecticut, Massachusetts, New Hampshire and Rhode Island.

LD 1162 **An Act To Ensure the Rights of Patients** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T TREAT	ONTP	

This bill, which is a concept draft pursuant to Joint Rule 208, proposes to enact measures designed to ensure the rights of patients, which may include proposals to protect a patient's rights in the health insurance market; enhance accountability for hospitals and health care providers to improve quality and efficiency of care; increase the transparency of charges and expenses of hospitals and health care providers; and facilitate the purchase of health care coverage by individuals and small businesses by establishing a state health insurance exchange pursuant to the federal Patient Protection and Affordable Care Act, Public Law 111-148.

LD 1167 **An Act Regarding the Maine Guaranteed Access Reinsurance Association** **PUBLIC 273**

Sponsor(s)	Committee Report	Amendments Adopted
WHITTEMORE TREAT	OTP-AM	S-126

This bill suspends the authority of the Maine Guaranteed Access Reinsurance Association from January 1, 2014 to December 31, 2016 or until such time as the transitional reinsurance program administered by the federal Department of Health and Human Services pursuant to the federal Patient Protection and Affordable Care Act is no longer operational. The bill also directs the Board of Directors of the Maine Guaranteed Access Reinsurance Association to amend the association's plan of operation and submit the amendment on or before October 1, 2013 to the Superintendent of Insurance for approval. The amended plan of operation must include, but is not limited to, an explanation of how operations will be suspended, the actions necessary to pay reinsurance on qualified claims attributable to the time period prior to January 1, 2014 and the actions necessary to suspend assessments.

Committee Amendment "A" (S-126)

This amendment replaces the bill and makes the following changes to the laws governing the Maine Guaranteed Access Reinsurance Association.

1. It requires the Board of Directors of the Maine Guaranteed Access Reinsurance Association to post its meeting schedule, meeting agenda and meeting minutes on its publicly accessible website. It requires the board to provide a mechanism on its website for the public to comment on matters related to the operations of the association and to establish a process for taking public comments at selected board meetings.

2. It adds one consumer member to the board and clarifies that that member may not be associated with or formerly associated with the medical profession, a hospital, an insurer or an insurance producer.

3. It suspends the authority of the association to collect assessments or provide reinsurance and reimbursement during the period in which the federal transitional reinsurance program is operating in this State and also requires that the association submit an amended plan of operation to the Superintendent of Insurance to address the operations of the association, the treatment of funds held by the association during the suspension period, the reactivation of the association and any necessary plan for distribution of any surplus funds not required for such purposes. It also requires the Superintendent of Insurance to allow a period of public comment on the amended plan of operation before it is approved by the superintendent.

4. It directs the joint standing committee of the Legislature having jurisdiction over insurance and financial services matters to evaluate the transitional reinsurance program operating in the State from January 1, 2014 until December 31, 2016 under federal law. Before January 1, 2016, the committee is required to make a recommendation to the Legislature as to whether the Maine Guaranteed Access Reinsurance Association should resume operations and whether statutory changes should be made. The committee may submit a bill based on its recommendations to the Second Regular Session of the 127th Legislature.

Enacted Law Summary

Public Law 2013, chapter 273 makes the following changes to the laws governing the Maine Guaranteed Access Reinsurance Association.

1. It requires the Board of Directors of the Maine Guaranteed Access Reinsurance Association to post its meeting schedule, meeting agenda and meeting minutes on its publicly accessible website. It requires the board to provide a mechanism on its website for the public to comment on matters related to the operations of the association and to

establish a process for taking public comments at selected board meetings.

2. It adds one consumer member to the board and clarifies that that member may not be associated with or formerly associated with the medical profession, a hospital, an insurer or an insurance producer.

3. It suspends the authority of the association to collect assessments or provide reinsurance and reimbursement during the period in which the federal transitional reinsurance program is operating in this State and also requires that the association submit an amended plan of operation to the Superintendent of Insurance to address the operations of the association, the treatment of funds held by the association during the suspension period, the reactivation of the association and any necessary plan for distribution of any surplus funds not required for such purposes. It also requires the Superintendent of Insurance to allow a period of public comment on the amended plan of operation before it is approved by the superintendent.

4. It directs the joint standing committee of the Legislature having jurisdiction over insurance and financial services matters to evaluate the transitional reinsurance program operating in the State from January 1, 2014 until December 31, 2016 under federal law. Before January 1, 2016, the committee is required to make a recommendation to the Legislature as to whether the Maine Guaranteed Access Reinsurance Association should resume operations and whether statutory changes should be made. The committee may submit a bill based on its recommendations to the Second Regular Session of the 127th Legislature.

LD 1176 **An Act To Require Health Insurers To Use One Geographic Area as Permitted by the Federal Patient Protection and Affordable Care Act** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
GRATWICK SANBORN	ONTP	

As permitted by the federal Patient Protection and Affordable Care Act, this bill requires health insurance carriers to use only one rating area based on geography within the State when establishing rates for individual and small group health plans issued or renewed on or after January 1, 2014.

While LD 1176 was voted "Ought Not to Pass", a related substantive provision requiring health insurance carriers to use only one rating area based on geography as proposed in the bill was included in Committee Amendment "A" to LD 161, An Act to Restrict a Health Insurance Carrier to Rating on the Basis of One Geographic Area. See LD 161.

LD 1192 **An Act Prohibiting Property Insurance Discrimination Based on Breed of Dog** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
CHENETTE	ONTP OTP-AM	

This bill prohibits the refusal to issue or the cancellation or nonrenewal of a property insurance policy or an increase in the premium for the policy solely on the basis of a policyholder's ownership of a certain breed of dog. The restrictions do not apply if a dog has been designated as a dangerous dog in accordance with state law.

Committee Amendment "A" (H-243)

This amendment is the minority report and clarifies a cross-reference in the bill.

Committee Amendment "A" was not adopted.

LD 1236 **An Act To Amend the Maine Insurance Code To Ensure Fair and Reasonable Coverage and Reimbursement of Chiropractic Services** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
ALFOND CAMPBELL R		

This bill requires that coverage and payment by health insurers and health maintenance organizations for services within the scope of practice of chiropractic doctors be at least equal to and consistent with coverage for services provided by allopathic or osteopathic doctors. It requires insurers to provide benefits covering and paying for care by chiropractic doctors at least equal to and consistent with the benefits paid to other health care providers treating similar conditions within the scope of practice of chiropractic doctors. Under the bill, these carriers may not classify services provided by chiropractic doctors as physical therapy or place these services into other categories that unreasonably limit coverage or payments for such services, or impose copayments, coinsurance requirements or deductibles that are more burdensome or limiting than those imposed with respect to services provided by allopathic or osteopathic doctors. The copayment for each service provided in the course of an office visit to a chiropractic doctor may not exceed $5 or 10% of the covered payment for such services, whichever is greater. The total copayment for the combined services provided in the course of an office visit to a chiropractic doctor may not exceed $30 or 10% of the combined covered payment for such services, whichever is greater.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1266 **An Act To Provide the Securities Administrator with the Power To Investigate Potential Violations Involving the Sale of Business Opportunities** **PUBLIC 224 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
FITZPATRICK CUSHING	OTP-AM	H-265

This bill provides the Securities Administrator with the explicit authority to investigate potential violations involving the sale of business opportunities in this State. The Securities Administrator is charged with administering the law regarding the regulation of the sale of business opportunities. The authority provided in this bill is similar to the investigative authority conferred on the Securities Administrator to investigate violations of the Maine Commodity Code.

Committee Amendment "A" (H-265)

This amendment clarifies language used in the bill and adds an emergency preamble and emergency clause.

Enacted Law Summary

Public Law 2013, chapter 224 provides the Securities Administrator with the explicit authority to investigate potential violations involving the sale of business opportunities in this State. The Securities Administrator is charged with administering the law regarding the regulation of the sale of business opportunities. The authority provided in the law is similar to the investigative authority conferred on the Securities Administrator to investigate violations of the Maine Commodity Code.

Public Law 2013, chapter 224 was enacted as an emergency measure effective June 10, 2013.

LD 1277 **An Act To Streamline the Charitable Solicitations Act** **PUBLIC 313**

Sponsor(s)	Committee Report	Amendments Adopted
CUSHING CAMPBELL J	OTP-AM	S-145 S-165 GRATWICK

This bill eliminates unnecessary regulation and document filing requirements while still retaining essential oversight of charitable organizations, professional solicitors and professional fund-raising counsel.

The bill raises the threshold for licensure of charitable organizations from $10,000 in a calendar year to $25,000 in a calendar year; eliminates licensing of commercial co-venturers; changes the document filing requirements for charitable organizations, professional solicitors and professional fund-raising counsel; revises the financial information required to be reported on an annual fund-raising activity report; and streamlines the licensing process by requiring licensees only to update changed information.

The bill requires that, as an ongoing condition of licensure, licensees must notify the Department of Professional and Financial Regulation, Office of Professional and Occupational Regulation of any change in application information within 10 days. Disclosure of court actions and disciplinary actions in other states has been included as a licensing requirement. The bill expands the description of reportable court actions.

Committee Amendment "A" (S-145)

This amendment does the following.

1. It removes the definition of "independent public accountant," which is a term no longer used in the Charitable Solicitations Act.

2. It adds to the definition of "principal officer" the executive director or other employee responsible for the daily operation of a charitable organization.

3. It specifies that a charitable organization must notify the Department of Professional and Financial Regulation, Office of Professional and Occupational Regulation only of any "material" change in the organization's application for an initial license or license renewal.

4. It adds to the basis for the exemption from licensure organizations that solicit primarily within their membership that do not contract with a professional solicitor or professional fund-raising counsel.

5. It further increases the threshold for licensure of charitable organizations to $35,000 in contributions in a calendar year or contributions from more than 35 persons. The bill proposes to increase the threshold to $25,000 in contributions in a calendar year or contributions from more than 25 persons.

6. It specifies that it is a violation of the Charitable Solicitations Act if a person or entity does not disclose to a prospective donor at the time of solicitation the "physical" address of the charitable organization for which the solicitation is being conducted.

Senate Amendment "A" To Committee Amendment "A" (S-165)

This amendment includes a change inadvertently left out of Committee Amendment "A" providing an exemption from licensure for charitable organizations that do not contract with professional solicitors or professional fund-raising counsel.

Enacted Law Summary

Public Law 2013, chapter 313 makes the following changes to the Charitable Solicitations Act.

1. The law raises the threshold for licensure of charitable organizations so that only charitable organizations that raise more than $35,000 in a calendar year or receive contributions from more than 35 persons must be licensed. Under current law, the threshold is contributions of more than $10,000 or from more than 10 persons in a calendar year. The law also eliminates the licensing requirement for commercial co-venturers and provides an exemption from licensure for charitable organizations that solicit primarily within their membership and do not contract with professional solicitors or professional fund-raising counsel.

2. The law changes the document filing requirements for charitable organizations, professional solicitors and professional fund-raising counsel.

3. The law revises the financial information required to be reported on an annual fund-raising activity report.

4. The law streamlines the licensing process by requiring that, as an ongoing condition of licensure, licensees must notify the Department of Professional and Financial Regulation, Office of Professional and Occupational Regulation of any material change in the organization's application for an initial license or license renewal within 10 days. Licensees are also required to disclose court actions and disciplinary actions occurring in other states.

5. The law specifies that it is a violation of the Charitable Solicitations Act if a person or entity does not disclose to a prospective donor at the time of solicitation the "physical" address of the charitable organization for which the solicitation is being conducted.

LD 1345 **An Act To Establish a Single-payor Health Care System To Be Effective in 2017** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
PRIEST GRATWICK		

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, 2015 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, 2013. 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 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 5 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. The bill 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, 2018.

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 Agency 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 6 months beginning July 1, 2017. 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 2 financing plans to the Legislature by January 15, 2016. 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, 2018.

Part G clarifies that throughout the Maine Revised Statutes, the words "payer" and "payor" have the same meaning.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1367 **An Act To Require Health Insurance Carriers and the MaineCare Program To Cover the Cost of Transition Services To Bridge the Gap between High School and Independence** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
GRAHAM ALFOND		

This bill requires the Department of Health and Human Services to require providers of behavioral and mental health services for children to establish or participate in so-called bridge teams for the purpose of ensuring continuity of care for students receiving behavioral and mental health services who graduate from high school and are likely to be in need of such services following graduation. The bill also requires MaineCare and private health insurance carriers to provide coverage for such services.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1410 **An Act To Update the Fair Credit Reporting Act Consistent with Federal Law** **PUBLIC 228**

Sponsor(s)	Committee Report	Amendments Adopted
WHITTEMORE BECK	OTP	

This bill incorporates federal fair credit reporting laws into state law while preserving enhanced protections found in current state law.

Enacted Law Summary

Public Law 2013, chapter 228 incorporates federal fair credit reporting laws into state law while preserving enhanced protections found in current state law.

LD 1413 **An Act To Clarify Limitations on Homeowner's Insurance Policies Regarding Claims on Vacant Properties** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CRAVEN	ONTP	

This bill requires an insurer, upon receiving information that a property used as a residence and insured by the insurer is vacant, to send a statement to the insured explaining the policy regarding vacant property and defining "vacant." The bill allows an insurer to deny coverage for a claim on a vacant property used as a residence only for a claim that occurs more than 60 days after the insurer's sending the statement to the insured.

LD 1444 **An Act Relating to Title Insurers Issuing Closing or Settlement Protection** **PUBLIC 233**

Sponsor(s)	Committee Report	Amendments Adopted
BECK LACHOWICZ	OTP-AM	H-283

This bill allows title insurers to provide protection against theft or misappropriation of settlement funds and failure to comply with written closing instructions in connection with real estate closings. The bill also provides that title insurers are allowed to charge a fee for this protection.

Committee Amendment "A" (H-283)

This amendment removes the provision in the bill establishing a minimum fee for closing or settlement protection letters issued by a title insurer.

Enacted Law Summary

Public Law 2013, chapter 233 allows title insurers to provide protection against theft or misappropriation of settlement funds and failure to comply with written closing instructions in connection with real estate closings. The law also provides that title insurers are allowed to charge a fee for this protection subject to approval of the Superintendent of Insurance in the same manner as other insurance rates.

LD 1453 **An Act To Increase the Transparency of Charges and Expenses of Hospitals That Receive State Funding** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
GRATWICK CHAPMAN	ONTP	

Part A of this bill requires the Maine Health Data Organization to conduct an annual study of hospital financial data, to contract with an independent organization to analyze this data and to present the data and analysis in a format that is easily understood by the average consumer beginning in 2014. Part A also requires that the Department of Professional and Financial Regulation, Bureau of Insurance consider the analysis as part of the review process for health insurance rates.

Part B of the bill establishes the Commission to Study Transparency, Costs and Accountability of Health Care System Financing. The commission is comprised of 11 members appointed by the President of the Senate and Speaker of the House to evaluate current data reported by hospitals and health care facilities relating to charges, revenue and other financial data. The commission will make recommendations about how to standardize financial reporting about health care costs and the quality of health care services to enhance transparency to the public. The commission must also make recommendations to reduce health care costs, including the development of global budgets, accountable care organizations and other cost containment mechanisms.

In place of the bill, a majority of the committee introduced H.P. 1123, Joint Order Establishing the Commission to Study Transparency, Costs and Accountability of Health Care System Financing. H.P. 1123 was passed in the House and Senate.

LD 1466 **An Act To Amend the Law Governing Provider Contracts with Insurance Companies** **PUBLIC 399**

Sponsor(s)	Committee Report	Amendments Adopted
GOODALL	OTP-AM	S-284

This bill places certain requirements on contracts for preferred provider arrangements, which are contracts between a health insurance carrier and a health care provider in which the provider agrees to provide services to a health plan enrollee whose plan benefits include incentives for the enrollee to use the services of that provider. This bill imposes requirements and restrictions on these contracts, including:

1. Requiring a carrier who offers the contract to a health care provider to include in the contract a fee schedule and to provide any policies or procedures referred to in the contract to the provider, upon request by the provider;

2. Requiring the approval of a provider, in writing, of an amendment to the contract that materially and adversely affects provider reimbursement, including, but not limited to, increased documentation, preauthorization or utilization review requirements;

3. Prohibiting a carrier from subjecting enrollees under health plans included in the contract to preauthorization requirements if the enrollee's health plan does not require prior authorization as a condition of coverage for the applicable service; and

4. Requiring the provisions of law regarding these contracts to be included in each contract.

Committee Amendment "A" (S-284)

This amendment replaces the bill. The amendment places certain requirements on contracts for preferred provider arrangements, which are contracts between a health insurance carrier and a health care provider in which the provider agrees to provide services to a health plan enrollee whose plan benefits include incentives for the enrollee to use the services of that provider. The amendment imposes the following requirements and restrictions on these contracts.

1. It requires a carrier who offers the contract to a health care provider to include in the contract a fee schedule and to provide any policies or procedures referred to in the contract to the provider, upon request by the provider.

2. It requires the approval of a provider, in writing, of an amendment to the contract that materially differs from the terms of the provider's contract and of any provision that would permit the provider's existing contract to be superseded by a carrier's subsequent contract with a health plan payor.

3. It prohibits a carrier from requiring a provider, as a condition of participation in one of the carrier's preferred provider arrangements, to participate in any other carrier's network subsequently offered by the carrier or by a carrier's preferred provider arrangement.

4. It prohibits a carrier from subjecting providers under health plans included in the contract to preauthorization requirements if the enrollee's health plan does not require prior authorization as a condition of coverage.

5. It requires remittance advices that identify payment of a provider's claims under a carrier's contract to identify the administrator and payor of the provider's claims and include contact information.

The amendment provides that the requirements do not apply to dental or vision plans or to a carrier offering a health plan with respect to preferred provider arrangement contracts with a hospital or pharmacy.

Enacted Law Summary

Public Law 2013, chapter 399 places certain requirements on contracts for preferred provider arrangements, which are contracts between a health insurance carrier and a health care provider in which the provider agrees to provide services to a health plan enrollee whose plan benefits include incentives for the enrollee to use the services of that provider. The law imposes the following requirements and restrictions on these contracts.

1. The law requires a carrier who offers the contract to a health care provider to include in the contract a fee schedule and to provide any policies or procedures referred to in the contract to the provider, upon request by the provider.

2. The law requires the approval of a provider, in writing, of an amendment to the contract that materially differs from the terms of the provider's contract and of any provision that would permit the provider's existing contract to be superseded by a carrier's subsequent contract with a health plan payor.

3. The law prohibits a carrier from requiring a provider, as a condition of participation in one of the carrier's preferred provider arrangements, to participate in any other carrier's network subsequently offered by the carrier or by a carrier's preferred provider arrangement.

4. The law prohibits a carrier from subjecting providers under health plans included in the contract to preauthorization requirements if the enrollee's health plan does not require prior authorization as a condition of coverage.

5. The law requires remittance advices that identify payment of a provider's claims under a carrier's contract to identify the administrator and payor of the provider's claims and include contact information.

The law specifies that the requirements do not apply to dental or vision plans or to a carrier offering a health plan with respect to preferred provider arrangement contracts with a hospital or pharmacy.

LD 1485 An Act Relating to Insurance Company Formation and Dissolution **PUBLIC 299**

Sponsor(s)	Committee Report	Amendments Adopted
FITZPATRICK	OTP-AM	H-282

The purpose of this bill is to address a number of matters relating to insurance company formations and dissolutions that have arisen in practice. The bill updates references to Maine domestic insurance company "certificates of organization" in the Maine Insurance Code to "articles of incorporation" for consistency with the Maine Business Corporation Act and current corporate parlance, leaving those references to certificates of organization where necessary for clarity with respect to existing insurers. The bill simplifies and reduces the number of filings that must be made by those either forming or dissolving Maine insurers. The bill clarifies the procedure for the Secretary of State, the Superintendent of Insurance and insurers to follow with respect to certificates of dissolution. The bill clarifies 2 statutes whose joint reading currently creates an ambiguity as to the minimum number of directors a newly formed Maine insurer must have.

Committee Amendment "A" (H-282)

This amendment clarifies that Maine insurance corporations are subject to the requirements of the Maine Revised Statutes, Title 13-C, the Maine Business Corporation Act.

Enacted Law Summary

Public Law 2013, chapter 299 makes changes to the laws relating to insurance company formations and dissolutions.

1. The law updates references to Maine domestic insurance company "certificates of organization" in the Maine Insurance Code to "articles of incorporation" for consistency with the Maine Business Corporation Act and current corporate parlance, leaving those references to certificates of organization where necessary for clarity with respect to existing insurers.

2. The law simplifies and reduces the number of filings that must be made by those either forming or dissolving Maine insurers.

3. The law clarifies the procedure for the Secretary of State, the Superintendent of Insurance and insurers to follow with respect to certificates of dissolution.

4. The law clarifies 2 statutes whose joint reading currently creates an ambiguity as to the minimum number of directors a newly formed Maine insurer must have.

5. The law clarifies that Maine insurance corporations are subject to the requirements of the Maine Revised Statutes, Title 13-C, The Maine Business Corporation Act.

LD 1495 **An Act To Amend the Laws Pertaining to Employee Health Insurance** **PUBLIC 276**

Sponsor(s)	Committee Report	Amendments Adopted
POULIOT ALFOND	OTP	

This bill provides that state employee contributions to the cost of the individual health insurance premium and credits for healthy behaviors are based on actual rate of pay rather than projected rate of pay.

Enacted Law Summary

Public Law 2013, chapter 276 provides that state employee contributions to the cost of the individual health insurance premium and credits for healthy behaviors are based on actual rate of pay rather than projected rate of pay.

LD 1508 **An Act To Create a Public State Bank** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
RUSSELL	ONTP	

This bill establishes the Maine Street Bank effective July 1, 2015 except that the bank may not make, purchase, guarantee, modify or hold loans until the bank has adequate 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 by the Department of Professional and Financial Regulation, Bureau of Financial Institutions and an audit by the State Auditor every 2 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 on Appropriations and Financial Affairs by January 15, 2014 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 on Appropriations and Financial Affairs to report out a bill to the Second Regular Session of the 126th Legislature.

See related bill, LD 1078, Resolve, To Establish the Task Force on the Creation of a State of Maine Partnership Bank.

LD 1512 **An Act To Increase Funding for Start-ups** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
ALFOND		

The purpose of this bill is to promote and encourage the growth of Maine small businesses by facilitating the ability of a business to raise capital by selling small amounts of equity to a wider pool of small investors with fewer restrictions.

This bill exempts from existing restrictions regarding registration and advertising an issuer transaction or sale if the issuer transaction or sale meets certain conditions, including:

1. The issuer of the security must be a business entity formed and registered under Maine law;

2. The purchasers of the securities must be Maine residents;

3. The size of the offering may not exceed $1,000,000 if the issuer has not undergone, and provided documentation from, a financial audit in the previous year;

4. The size of the offering may not exceed $2,000,000 if the issuer has undergone, and provided documentation from, a financial audit in the previous year;

5. The issuer may not accept more than $2,000 from any single purchaser unless the purchaser is an accredited investor under rules adopted by the federal Securities and Exchange Commission; and

6. The issuer requires from all purchasers a written acknowledgement that the purchaser assumes the risks associated with the investment.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1519 **An Act To Update the Maine Insurance Code To Maintain Conformance with Uniform National Standards** **PUBLIC 238**

Sponsor(s)	Committee Report	Amendments Adopted
WOODBURY GRATWICK	OTP-AM	S-184

This bill amends several provisions of the Maine Insurance Code to incorporate recent amendments to model laws adopted by the National Association of Insurance Commissioners, or NAIC, and to make related technical changes. These amendments maintain the State's compliance with uniform financial solvency standards and with the NAIC's accreditation requirements for state insurance regulators.

Part A amends the insurance holding company laws to conform them to the current version of the relevant NAIC Model Act. It reorganizes provisions governing examinations, confidentiality and proposed change-of-control transactions, incorporating additional disclosure requirements and specific provisions on divestitures of controlling interests. It establishes new reporting requirements, including an enterprise risk report requirement and an own risk and solvency assessment requirement, and amends the review process with respect to disclaimers of affiliation and makes the process applicable to proposed acquisitions of presumptive control. It allows the Superintendent of Insurance to participate in consolidated approval proceedings for multistate transactions and in supervisory colleges, which are temporary or permanent forums for communication and cooperation among the regulators supervising an international insurance holding company system. Part A becomes effective January 1, 2014.

Part B amends the reinsurance laws to conform them to the current version of the NAIC's Credit for Reinsurance Model Act. It makes financially strong reinsurers domiciled in qualifying jurisdictions outside the United States eligible to apply for approval as certified reinsurers, with lower collateral requirements commensurate with their

financial strength and domiciliary oversight.

Part C amends Maine's Standard Valuation Law to conform it to the current version of the relevant NAIC Model Act, incorporating the new principle-based reserving requirements that will become effective when adopted by a supermajority of states.

Part D amends the risk-based capital laws to strengthen the NAIC trend test and to make it applicable to companies transacting all types of insurance.

Part E gives the superintendent rule-making authority to establish financial standards and corporate governance standards for captive insurance companies that are risk retention groups, to maintain compliance with NAIC accreditation requirements. It also makes various technical corrections to the laws governing risk retention groups for internal consistency and consistency with federal law.

Committee Amendment "A" (S-184)

This amendment makes the following clarifying and technical changes to the bill.

In Part A, the amendment does the following.

1. It clarifies that the sharing of confidential information by the Superintendent of Insurance may not be done without prior notice to interested parties and that the further disclosure of that information is subject to the same requirements and conditions that apply if the superintendent discloses the information directly.

2. It clarifies that the superintendent has authority to order an insurer to produce records necessary to verify the accuracy of information required to be provided as part of an examination.

3. It moves a provision from one section to another.

4. It restores language deleted in the bill related to cost allocation arrangements.

5. It clarifies the provision relating to confidentiality of insurance company holding system information so that the superintendent may not share information with the National Association of Insurance Commissioners except in accordance with information-sharing agreements.

6. It adds an effective date of January 1, 2014 to Part A.

In Part B, the amendment makes several clarifying and grammatical changes.

In Part C, the amendment clarifies the application of the valuation manual and rules adopted by the superintendent.

Enacted Law Summary

Public Law 2013, chapter 238 amends several provisions of the Maine Insurance Code to incorporate recent amendments to model laws adopted by the National Association of Insurance Commissioners, or NAIC, and to make related technical changes. These amendments maintain the State's compliance with uniform financial solvency standards and with the NAIC's accreditation requirements for state insurance regulators.

Part A amends the insurance holding company laws to conform them to the current version of the relevant NAIC Model Act. It reorganizes provisions governing examinations, confidentiality and proposed change-of-control transactions, incorporating additional disclosure requirements and specific provisions on divestitures of controlling interests. It establishes new reporting requirements, including an enterprise risk report requirement and an own risk and solvency assessment requirement, and amends the review process with respect to disclaimers of affiliation and makes the process applicable to proposed acquisitions of presumptive control. It allows the Superintendent of

Insurance to participate in consolidated approval proceedings for multistate transactions and in supervisory colleges, which are temporary or permanent forums for communication and cooperation among the regulators supervising an international insurance holding company system.

Part B amends the reinsurance laws to conform them to the current version of the NAIC's Credit for Reinsurance Model Act. It makes financially strong reinsurers domiciled in qualifying jurisdictions outside the United States eligible to apply for approval as certified reinsurers, with lower collateral requirements commensurate with their financial strength and domiciliary oversight.

Part C amends Maine's Standard Valuation Law to conform it to the current version of the relevant NAIC Model Act, incorporating the new principle-based reserving requirements that will become effective when adopted by a supermajority of states.

Part D amends the risk-based capital laws to strengthen the NAIC trend test and to make it applicable to companies transacting all types of insurance.

Part E gives the superintendent rule-making authority to establish financial standards and corporate governance standards for captive insurance companies that are risk retention groups, to maintain compliance with NAIC accreditation requirements. It also makes various technical corrections to the laws governing risk retention groups for internal consistency and consistency with federal law.

LD 1525 **An Act To Streamline Billing for Mental Health Services** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
EVES LACHOWICZ	ONTP	

This bill provides that insurers, health maintenance organizations and other administrators of health insurance claims may not require persons submitting those claims before January 1, 2014 to use revised billing codes under the 5th edition of the Diagnostic and Statistical Manual of Mental Disorders released in May 2013.

Joint Standing Committee on Insurance and Financial Services

SUBJECT INDEX

Banking and Credit Unions

Not Enacted

LD 1078	Resolve, To Establish the Task Force on the Creation of a State of Maine Partnership Bank	ONTP
LD 1508	An Act To Create a Public State Bank	ONTP

Charitable Solicitations Act

Enacted

LD 205	An Act To Exempt Free Clinics from Licensing under the Charitable Solicitations Act	PUBLIC 60
LD 1277	An Act To Streamline the Charitable Solicitations Act	PUBLIC 313

Consumer Credit

Enacted

LD 1410	An Act To Update the Fair Credit Reporting Act Consistent with Federal Law	PUBLIC 228

Not Enacted

LD 393	An Act To Cap Interest Rates and Finance Charges on Credit and Loans	ONTP
LD 602	An Act Regarding the Regulation of Consumer Finance Companies	ACCEPTED MAJORITY (ONTP) REPORT
LD 1067	An Act To Allow Certain Small Retail Businesses To Pass Credit and Debit Card Transaction Fees on to Consumers	ONTP

Insurance, Health

Enacted

LD 44	An Act Regarding Pharmacy Provider Audits	PUBLIC 71
LD 506	Resolve, Directing the Bureau of Insurance To Amend Its Rules Pertaining to Medicare Advantage Plans	RESOLVE 19 EMERGENCY
LD 648	An Act To Make Records of External Review Proceedings Overseen by the Bureau of Insurance Confidential	PUBLIC 274
LD 653	An Act To Remove an Unnecessary Provision in the Maine Insurance Code	PUBLIC 94
LD 812	An Act To Create an Open Enrollment Period Consistent with Federal Regulations for Health Insurance Exchanges	PUBLIC 271 EMERGENCY
LD 1006	An Act To Clarify Transparency of Medical Provider Profiling Programs Used by Insurance Companies and Other Providers of Health Insurance	PUBLIC 383
LD 1094	An Act To Clarify Certification of Navigators and the Availability of Regional Health Plans	PUBLIC 388
LD 1167	An Act Regarding the Maine Guaranteed Access Reinsurance Association	PUBLIC 273

Insurance, Health

Enacted		
LD 1466	An Act To Amend the Law Governing Provider Contracts with Insurance Companies	PUBLIC 399
Not Enacted		
LD 83	An Act To Protect Health Insurance Ratepayers from Undocumented Rate Increases	ONTP
LD 102	An Act To Improve Health Insurance Transparency	ONTP
LD 161	An Act To Restrict a Health Insurance Carrier to Rating on the Basis of One Geographic Area	VETO SUSTAINED
LD 225	An Act To Restore Consumer Rate Review for Health Insurance Plans in the Individual Market	VETO SUSTAINED
LD 347	An Act To Amend Insurance Coverage for Diagnosis of Autism Spectrum Disorders	CARRIED OVER
LD 523	An Act To Require Health Insurance Coverage for Hearing Aids for Adults	CARRIED OVER
LD 546	An Act To Improve Transparency and Oversight of the Maine Guaranteed Access Reinsurance Association and To Make Changes Necessary To Comply with Federal Law	ONTP
LD 547	An Act To Ensure the Accountability of Taxpayer Funds and State Collaboration, Planning and Oversight in the Implementation and Operation of a Health Exchange in Maine	ONTP
LD 627	An Act Relating to Orally Administered Cancer Therapy	CARRIED OVER
LD 637	An Act To Prohibit Consideration of Preexisting Conditions in Short-term Disability Insurance	ONTP
LD 651	An Act To Amend the Captive Insurance Laws	LEAVE TO WITHDRAW
LD 681	An Act To Improve Oversight of Insurance Rates and Ensure Consistency with Federal Law	ONTP
LD 682	An Act To Require Health Insurers To Provide Coverage for Nutritional Wellness and Illness Prevention Measures and Products	MAJORITY (ONTP) REPORT
LD 971	An Act Regarding Exemptions under the Maine Insurance Code	ONTP
LD 984	An Act To Amend the Health Plan Improvement Law Regarding Prescription Drug Step Therapy and Prior Authorization	VETO SUSTAINED
LD 991	An Act To Promote Wellness and Prevention through Health Plans	MAJORITY (ONTP) REPORT
LD 1037	An Act To Provide Access to Affordable Health Care for All Maine Residents by 2020	CARRIED OVER
LD 1049	An Act To Establish an Insurance Exchange	ONTP
LD 1162	An Act To Ensure the Rights of Patients	ONTP
LD 1176	An Act To Require Health Insurers To Use One Geographic Area as Permitted by the Federal Patient Protection and Affordable Care Act	ONTP

Insurance, Health

Not Enacted		
LD 1236	An Act To Amend the Maine Insurance Code To Ensure Fair and Reasonable Coverage and Reimbursement of Chiropractic Services	CARRIED OVER
LD 1345	An Act To Establish a Single-payor Health Care System To Be Effective in 2017	CARRIED OVER
LD 1367	An Act To Require Health Insurance Carriers and the MaineCare Program To Cover the Cost of Transition Services To Bridge the Gap between High School and Independence	CARRIED OVER
LD 1525	An Act To Streamline Billing for Mental Health Services	ONTP

Insurance, Motor Vehicle

Enacted		
LD 133	An Act To Allow an Operator of a Motor Vehicle To Show Proof of Insurance by Electronic Means	PUBLIC 72
LD 628	An Act To Clarify Uninsured Vehicle Coverage for Multiple Claimants	PUBLIC 284
Not Enacted		
LD 756	An Act Regarding Subrogation of Medical Payments Coverage	DIED BETWEEN HOUSES
LD 1048	Resolve, To Study the Effect of Insufficient Automobile Insurance Coverage	ONTP

Insurance, Regulation and Practices

Enacted		
LD 452	An Act Concerning Hurricane Deductibles	PUBLIC 38
LD 454	An Act Relating to Health Care Provider Liability Claims Reports	PUBLIC 59
LD 603	An Act To Repeal an Insurance Reporting Requirement	PUBLIC 52
LD 645	An Act To Allow the Adjustment of the Assessment Rate for the Rural Medical Access Program	PUBLIC 170
LD 848	Resolve, Directing the Bureau of Insurance To Amend Its Rules Pertaining to 3rd-party Notice of Cancellation	RESOLVE 39
LD 891	An Act To Create Uniform Claims Paying Practices in Long-term Care Insurance Policies	PUBLIC 278 EMERGENCY
LD 1444	An Act Relating to Title Insurers Issuing Closing or Settlement Protection	PUBLIC 233
LD 1485	An Act Relating to Insurance Company Formation and Dissolution	PUBLIC 299
LD 1519	An Act To Update the Maine Insurance Code To Maintain Conformance with Uniform National Standards	PUBLIC 238
Not Enacted		
LD 70	An Act To Require Full Disclosure by Insurance Carriers Using Credit Ratings	ONTP
LD 146	Resolve, Directing the Bureau of Insurance To Study Issues Related to Long-term Care Insurance	VETO SUSTAINED

Insurance, Regulation and Practices

Not Enacted

LD 204	An Act To Amend the Laws That Govern the Activities of Insurance Adjusters	MAJORITY (ONTP) REPORT
LD 580	An Act To Prohibit Denial of Insurance Coverage When a Building Contains a Wood Stove	ONTP
LD 683	An Act To Assist Homeowners with Wood Stoves in Obtaining Property Insurance	ONTP
LD 776	An Act To Amend the Laws Related to Rate and Form Filings	ONTP
LD 893	An Act To Protect Life Insurance Policyholders	ONTP
LD 1018	An Act Regarding Preneed Funeral Insurance	MAJORITY (ONTP) REPORT
LD 1192	An Act Prohibiting Property Insurance Discrimination Based on Breed of Dog	MAJORITY (ONTP) REPORT
LD 1413	An Act To Clarify Limitations on Homeowner's Insurance Policies Regarding Claims on Vacant Properties	ONTP

Insurance, Workers' Compensation

Enacted

LD 706	An Act To Amend the Workers' Compensation Self-insurance Laws	PUBLIC 172

Not Enacted

LD 806	An Act To Allow the Purchase of Workers' Compensation Insurance Coverage for Domestic Employees from an Insurance Company That Provides Liability Insurance for Homeowners or Tenants	ONTP

Miscellaneous

Enacted

LD 727	An Act Establishing Health Care Practitioner Transparency Requirements	PUBLIC 285

Not Enacted

LD 158	An Act To Amend the Notice of Risk to Personal Data Act To Further Protect Consumers	DIED BETWEEN HOUSES
LD 1092	An Act To Increase the Use of Long-term Care Insurance	CARRIED OVER
LD 1453	An Act To Increase the Transparency of Charges and Expenses of Hospitals That Receive State Funding	ONTP

Securities

Enacted

LD 176	An Act To Amend and Clarify the Maine Uniform Securities Act	PUBLIC 39
LD 1266	An Act To Provide the Securities Administrator with the Power To Investigate Potential Violations Involving the Sale of Business Opportunities	PUBLIC 224 EMERGENCY

Not Enacted

LD 1512	An Act To Increase Funding for Start-ups	CARRIED OVER

State Employees, Office of Employee Health and Benefits

Enacted		
LD 1495	**An Act To Amend the Laws Pertaining to Employee Health Insurance**	**PUBLIC 276**
Not Enacted		
LD 129	**An Act To Give Retroactive Effect to the State Employee Health Commission's Reconsideration of Hospital Ratings**	**MAJORITY (ONTP) REPORT**
LD 448	**An Act To Authorize the State Employee Health Commission's Preferred Provider Program**	**ONTP**

IFW

STATE OF MAINE

126TH LEGISLATURE

FIRST REGULAR SESSION

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

JOINT STANDING COMMITTEE ON INLAND FISHERIES AND WILDLIFE

July 2013

MEMBERS:

SEN. DAVID E. DUTREMBLE, CHAIR
SEN. ANNE M. HASKELL
SEN. DAVID C. BURNS

REP. MICHAEL A. SHAW, CHAIR
REP. SHERYL J. BRIGGS
REP. KAREN KUSIAK
REP. TIMOTHY I. MARKS
REP. STANLEY BYRON SHORT, JR.
REP. PAUL T. DAVIS, SR.
REP. DALE J. CRAFTS
REP. ELEANOR M. ESPLING
REP. STEPHEN J. WOOD
REP. JEFFREY EVANGELOS

STAFF:
AMY WINSTON, LEGISLATIVE ANALYST
OFFICE OF POLICY AND LEGAL ANALYSIS
13 STATE HOUSE STATION
AUGUSTA, ME 04333
(207) 287-1670

LD 26 **An Act To Authorize the Commissioner of Inland Fisheries and Wildlife To Change a Fishing Season Opening Date Statewide** **PUBLIC 3**

Sponsor(s)	Committee Report	Amendments Adopted
SHAW PATRICK	OTP	

This bill authorizes the Commissioner of Inland Fisheries and Wildlife to change a fishing season opening date in inland waters of the State if weather conditions make that change necessary.

Enacted Law Summary

Public Law 2013, chapter 3 authorizes the Commissioner of Inland Fisheries and Wildlife to change a fishing season opening date in inland waters of the State if weather conditions make that change necessary.

LD 41 **An Act To Allow a Person 65 Years of Age or Older To Fish with Bait in any Inland Water** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
DUNPHY	ONTP	

This bill allows a person 65 years of age or older to use live bait, dead bait or chemically preserved natural or organic bait in inland waters restricted to artificial lures and to troll a fly in inland waters restricted to fly-fishing only.

LD 42 **Resolve, To Require the Department of Inland Fisheries and Wildlife To Conduct a Study on the Use of Rubber Lures and Nondegradable Fishing Hooks and Lures** **RESOLVE 18**

Sponsor(s)	Committee Report	Amendments Adopted
DAVIS	OTP-AM ONTP	H-47

This bill prohibits the use of artificial lures made of rubber when angling or fishing.

Committee Amendment "A" (H-47)

This amendment requires the Department of Inland Fisheries and Wildlife to study issues related to the effects of ingestion of artificial fishing lures made of rubber and soft plastic and nondegradable hooks for fishing on fish and wildlife species and inland waters in the State. The department shall report the results of its study, including recommended legislation to the Joint Standing Committee on Inland Fisheries and Wildlife by January 15, 2014.

Enacted Law Summary

Resolve 2013, chapter 18 requires the Department of Inland Fisheries and Wildlife to study issues related to the effects of ingestion of artificial fishing lures made of rubber and soft plastic and nondegradable hooks for fishing on fish and wildlife species and inland waters in the State. The department shall report the results of its study, including recommended legislation, to the Joint Standing Committee on Inland Fisheries and Wildlife by January 15, 2014.

LD 43 **An Act To Ban the Use of Nondegradable Hooks for Fishing** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
DAVIS	ONTP	

This bill requires that a hook used for fishing must be made of a material that degrades or decomposes. See enacted law summary for LD 42.

LD 63 **Resolve, To Direct the Commissioner of Inland Fisheries and Wildlife To Allow Veterans with Lower Limb Loss To Obtain "Any-deer" Hunting Permits** **RESOLVE 16**

Sponsor(s)	Committee Report	Amendments Adopted
DUNPHY	OTP-AM	H-37

This resolve directs the Commissioner of Inland Fisheries and Wildlife to amend the hunting and trapping rules to issue an "any-deer" hunting permit to a veteran who has lost all or part of one or more lower limbs for the wildlife management districts that have "any-deer" hunting permit allocations.

Committee Amendment "A" (H-37)

This amendment directs the Commissioner of Inland Fisheries and Wildlife to amend the hunting and trapping rules to issue an "any-deer" hunting permit for the wildlife management districts that have "any-deer" hunting permit allocations to a veteran who has lost all or part of one or more lower limbs and holds a valid resident disabled hunting license. It specifies that veterans eligible for the "any-deer" hunting permit allocations created through this resolve must hold a valid resident disabled veteran's hunting license.

Enacted Law Summary

Resolve 2013, chapter 16 directs the Commissioner of Inland Fisheries and Wildlife to amend the hunting and trapping rules to issue an "any-deer" hunting permit for the wildlife management districts that have "any-deer" hunting permit allocations to a veteran who has lost all or part of one or more lower limbs and holds a valid resident disabled hunting license. This resolve specifies that veterans eligible for the "any-deer" hunting permit allocations created through this resolve must hold a valid resident disabled veteran's hunting license.

LD 79 **An Act To Allow a Junior Hunter To Shoot Any Deer on Opening Day of Hunting Season** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
GIFFORD COLLINS	ONTP	

This bill allows a person who holds a junior hunting license to hunt a deer of any sex with a firearm or bow and arrow on the first day of the regular deer hunting season, in accordance with supervision guidelines and bag limit guidelines. See enacted law summary for LD 101.

LD 84 **An Act To Expand Turkey Hunting** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
SAVIELLO	ONTP	

This bill expands turkey hunting opportunities by:

1. Eliminating the turkey permit requirements and allowing the hunting of turkey with a big game or small game hunting license;

2. Providing for electronic or telephonic registration of turkeys; and

3. Requiring the Commissioner of Inland Fisheries and Wildlife to establish spring and fall hunting seasons in which hunting is allowed during all daylight hours. The fall season must include the month of October, and in both seasons a person may take up to 2 turkeys; in the spring season both must be male.

See also enacted law summary for LD 200.

LD 86 **Resolve, Directing the Department of Inland Fisheries and Wildlife To Amend Its Process of Gathering Public Opinion on Rulemaking and Other Projects** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
HASKELL SHAW	ONTP	

This resolve requires the Department of Inland Fisheries and Wildlife to improve its use of electronic communication methods in notifying the public of proposed rulemaking, public hearings and other proposals.

On behalf of the committee, the chairs sent a letter asking the department to report back actions undertaken to improve the use of electronic communication methods to inform the public of proposed rulemaking procedures.

LD 89 **An Act To Establish a Deadline for Snowmobile Registration** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
THOMAS TIMBERLAKE		

This bill requires that the fee for a resident snowmobile registration and for a nonresident seasonal snowmobile registration be paid on or before December 31st of the year prior to the year that the registration will be in effect and establishes a $20 late fee.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 96 **An Act To Enhance the Deer Population by Increasing Control of Coyotes through Local Conservation Organizations** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
SAUCIER JACKSON T	ONTP	

This bill does the following.

1. It authorizes the Commissioner of Inland Fisheries and Wildlife to adopt rules to establish a coyote bounty system;

2. It provides that coyote bounties be paid from federal funding received from the federal Pittman-Robertson Wildlife Restoration Act; and

3. It sets a coyote trapping season from October 15th to February 15th.

See also bill summaries for LDs 199, 798, 970 and 1148.

LD 97 **An Act To Improve the Integrity of the State's Snowmobile Trail System** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
JOHNSON P	ONTP	

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

This bill proposes to develop funding levels that will support the viability of the State's snowmobile trail system to maximize its benefit to the winter economy of the State.

See enacted law summary for LD 1263.

LD 98 **Resolve, Directing the Department of Inland Fisheries and Wildlife To Study Issues Related to Bear Hunting and Management** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
WOOD JACKSON T	ONTP	

This resolve requires the Department of Inland Fisheries and Wildlife to study issues related to bear hunting and the management of the bear population in the State and report the results of its study to the Joint Standing Committee on Inland Fisheries and Wildlife by January 15, 2014. The committee is authorized to report out a bill to implement its recommendations related to the report. See bill summary for LD 910 and enacted law summary for LD 1225.

LD 99 **An Act To Allow Hunting for Deer with a Crossbow during the Expanded Archery Season**

ACCEPTED MAJORITY (ONTP) REPORT

Sponsor(s)	Committee Report	Amendments Adopted
WOOD TUTTLE	ONTP OTP-AM	

This bill allows a person to hunt with a crossbow during an expanded archery deer hunting season that is established by rule by the Department of Inland Fisheries and Wildlife.

Committee Amendment "A" (H-67)

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

LD 100 **An Act To Allow Municipalities To Stock Ponds**

ACCEPTED MINORITY (ONTP) REPORT

Sponsor(s)	Committee Report	Amendments Adopted
WOOD MASON G	OTP-AM ONTP	

This bill authorizes a municipality to stock a pond with fish when the pond is located entirely within the municipality's boundaries, the municipality purchases the fish to be stocked from the Department of Inland Fisheries and Wildlife and the municipality provides the public with boat access to the pond being stocked by the municipality. It also requires the municipality to pay any costs incurred by the Department of Inland Fisheries and Wildlife associated with the municipality's stocking activity.

Committee Amendment "A" (H-214)

This amendment, which is the majority report, replaces the bill. It authorizes the Town of Greene to stock Allen Pond with fish as long as the municipality purchases the fish to be stocked from the Department of Inland Fisheries and Wildlife, the Department of Inland Fisheries and Wildlife approves the fish being stocked and the municipality provides the public with watercraft access to Allen Pond that is easily identifiable and accessible. It also requires the town to pay any costs incurred by the Department of Inland Fisheries and Wildlife associated with the stocking of Allen Pond.

LD 101 **An Act To Allow a Junior Hunter To Take One Antlerless Deer without an Antlerless Deer Permit**

PUBLIC 213

Sponsor(s)	Committee Report	Amendments Adopted
GILBERT HASKELL	OTP-AM ONTP	H-263

This bill allows the holder of a valid junior hunting license to take one antlerless deer without an antlerless deer permit. In subsequent years, that person must obtain an antlerless deer permit to take an antlerless deer.

Committee Amendment "A" (H-263)

This amendment, which is the majority report of the committee, provides priority consideration for antlerless deer permits to persons with a valid junior hunting license. Under current law, eligible landowners receive 25% of the permits and nonresident hunters receive 15% of the permits. Under this amendment, junior hunters receive at least 25% of the antlerless deer permits available in wildlife management districts with available antlerless deer permits.

Enacted Law Summary

Public Law 2013, chapter 213 provides priority consideration for antlerless deer permits to persons with a valid junior hunting license. Prior law provided that eligible landowners receive 25% of the permits and nonresident hunters receive 15% of the permits. Under Public Law 2013, chapter 213, junior hunters receive at least 25% of the antlerless deer permits available in wildlife management districts with available antlerless deer permits.

LD 128 **An Act To Amend the Laws Governing the Inland Fisheries and Wildlife Advisory Council** **PUBLIC 375**

Sponsor(s)	Committee Report	Amendments Adopted
HASKELL	OTP-AM OTP-AM	S-257

This bill abolishes the Inland Fisheries and Wildlife Advisory Council.

Committee Amendment "A" (S-256)

This amendment is the majority report of the committee. The bill abolishes the Inland Fisheries and Wildlife Advisory Council. This amendment instead amends the laws governing the Inland Fisheries and Wildlife Advisory Council in order to realign the advisory council's formal duties to convening stakeholder groups and providing information and advice to the Commissioner of Inland Fisheries and Wildlife to enhance fisheries and wildlife resource management in the State. With these revised duties, the advisory council no longer renders to the commissioner information and advice concerning the administration of the Department of Inland Fisheries and Wildlife. The amendment retains the bill's provision removing the advisory council's authority upon appeal to restore hunting license privileges to petitioners whose privileges have been revoked or suspended and the restoration of which the commissioner has disallowed. Further, where rulemaking is concerned, the advisory council no longer provides advice and consent to the commissioner, which is a change made in the bill and retained by the amendment, but the amendment adds that as part of its revised duties the advisory committee makes recommendations based on public and stakeholder input to the commissioner regarding rules. The amendment allows the commissioner's designee to be a member of the advisory council. Finally, this amendment requires that the advisory council provide and present annually a written summary of its activities and accomplishments to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters.

Committee Amendment "B" (S-257)

This amendment is the minority report of the committee. The bill abolishes the Inland Fisheries and Wildlife Advisory Council. This amendment instead amends the laws governing the Inland Fisheries and Wildlife Advisory Council in order to realign the advisory council's formal duties to convening stakeholder groups and providing information and advice to the Commissioner of Inland Fisheries and Wildlife to enhance fisheries and wildlife resource management in the State. With these revised duties, the advisory council no longer renders to the commissioner information and advice concerning the administration of the Department of Inland Fisheries and Wildlife. The amendment retains the bill's provision removing the advisory council's authority upon appeal to restore hunting license privileges to petitioners whose privileges have been revoked or suspended and the restoration of which the commissioner has disallowed. However, where rulemaking is concerned, this amendment preserves the advisory council's role of providing advice and consent to the commissioner. The amendment allows the commissioner's designee to be a member of the advisory council. Finally, this amendment requires that the advisory council provide and present annually a written summary of its activities and accomplishments to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters.

Enacted Law Summary

Public Law 2013, chapter 375 amends the laws governing the Inland Fisheries and Wildlife Advisory Council in order to realign the advisory council's formal duties with its role of convening stakeholder groups and providing information and advice to the Commissioner of Inland Fisheries and Wildlife to enhance fisheries and wildlife resource management in the State. With these revised duties, under Public Law 2013, chapter 375 the advisory council no longer renders to the commissioner information and advice concerning the administration of the Department of Inland Fisheries and Wildlife. Public Law 2013, chapter 375 removes the advisory council's authority upon appeal to restore hunting license privileges to petitioners whose privileges have been revoked or suspended and the restoration of which the commissioner has disallowed. Further, where rulemaking is concerned, the advisory council no longer provides advice and consent to the commissioner, but under Public Law 2013, chapter 375 as part of its revised duties the advisory committee makes recommendations based on public and stakeholder input to the commissioner regarding rules. Public Law 2013, chapter 375 allows the commissioner's designee to be a member of the advisory council. Finally, Public Law 2013, chapter 375 requires that the advisory council provide and present annually a written summary of its activities and accomplishments to the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters.

LD 142 **An Act To Add Using an All-terrain Vehicle to the List of Activities Included in the Definition of "Guide" in the Inland Fisheries and Wildlife Laws** **PUBLIC 88**

Sponsor(s)	Committee Report	Amendments Adopted
BLACK THOMAS	OTP	

This bill amends the inland fisheries and wildlife laws to add using an all-terrain vehicle to the list of activities a guide accompanies or assists a person with for remuneration.

Enacted Law Summary

Public Law 2013, chapter 88 amends the inland fisheries and wildlife laws to add using an all-terrain vehicle to the list of activities a guide accompanies or assists a person with for remuneration.

LD 143 **An Act To Allow a Hunter To Harvest a Wild Turkey of Either Sex during the Month of October without an Extra Charge for the Permit** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BLACK	ONTP	

This bill requires the Commissioner of Inland Fisheries and Wildlife to establish a wild turkey hunting season for the month of October to allow the harvest of wild turkeys of either sex. This season would be open to any licensed hunter and would not require any extra permit charge. The bill provides that the hunter must have any harvested turkey tagged. See enacted law summary for LD 200.

LD 144 **An Act To Remove the Requirement That a Person Training Dogs on Sundays Possess a Valid Hunting License** **PUBLIC 247**
EMERGENCY

Sponsor(s)	Committee Report	Amendments Adopted
KESCHL SAVIELLO	OTP-AM	H-357

This bill removes the requirement that a person who trains dogs on wild birds or wild animals on Sundays possess a valid hunting license.

Committee Amendment "A" (H-357)

This amendment adds a provision to the bill that makes a person ineligible to train dogs on wild birds and wild animals if that person has a suspended or revoked license issued by the Department of Inland Fisheries and Wildlife.

Enacted Law Summary

Public Law 2013, chapter 247 removes the requirement that a person who trains dogs on wild birds or wild animals on Sundays possess a valid hunting license and makes a person ineligible to train dogs on wild birds and wild animals if that person has a suspended or revoked license issued by the Department of Inland Fisheries and Wildlife.

Public Law 2013, chapter 247 was enacted as an emergency measure effective June 13, 2013.

LD 153 **An Act To Establish a Comprehensive Hunting and Fishing License** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
KESCHL SAVIELLO		

This bill eliminates the super pack license and replaces it with a comprehensive license that includes all hunting and fishing licenses and permits and entries into the moose and antlerless deer lotteries. The comprehensive license differs from the super pack license in that:

1. The holder is not allowed to take more deer than is permitted for other hunting license holders;

2. The license does not include an antlerless deer permit for use in wildlife management districts in which 3,500 such permits are issued;

3. The resident fee for the license is $35 instead of $200;

4. The license is available to nonresidents and aliens for a fee of $125; and

5. There is no license fee category for a person who holds 2 or more lifetime licenses.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

See also enacted law summary for LD 229.

LD 163 **An Act To Increase the Number of Rafting Passengers Allowed for Licensed Outfitters on Unallocated Rivers** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
SAVIELLO	ONTP	

This bill increases the number of rafting passengers allowed on unallocated rapidly flowing rivers for licensed outfitters from 92 passengers per day to 120 passengers per day.

See enacted law summary for LD 281.

LD 170 **Resolve, To Allow the Use of Live Bait When Ice Fishing in Certain Waters of the State** **DIED BETWEEN HOUSES**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T THERIAULT	ONTP OTP	

This resolve directs the Commissioner of Inland Fisheries and Wildlife to reverse recent rulemaking that is effective April 1, 2013. Those proposals prohibit the use of live bait for ice fishing in specific lakes. The resolve also requires the Joint Standing Committee on Inland Fisheries and Wildlife to review the issue of live bait and authorizes the committee to submit legislation.

This resolve died between houses but see enacted law summary for LD 1191. Public Law 2013, chapter 358 allows the use of live bait on Millimagassett Lake, Millinocket Lake, Little Millinocket Lake and Webster Lake. It also directs the Commissioner of Inland Fisheries and Wildlife to adopt rules for the use of live bait on waters that contain state heritage fish and have not been stocked since January 1, 1988.

LD 172 **An Act To Make Permanent the Reciprocal Agreement between Maine and Other States Regarding a Snowmobile Weekend** **PUBLIC 386**

Sponsor(s)	Committee Report	Amendments Adopted
SAVIELLO	OTP-AM	S-61

This bill makes permanent the reciprocal agreement between Maine and other states regarding a snowmobile weekend, which by current law is repealed on October 1, 2013.

Committee Amendment "A" (S-61)

The amendment incorporates a fiscal note.

Enacted Law Summary

Public Law 2013, chapter 386 makes permanent the reciprocal agreement between Maine and other states regarding a snowmobile weekend, which by current law is repealed on October 1, 2013.

LD 173 **An Act To Remove the Rangeley Plantation Sanctuary from the List of Wildlife Sanctuaries** **PUBLIC 138**

Sponsor(s)	Committee Report	Amendments Adopted
SAVIELLO	OTP	

This bill removes Rangeley Plantation Sanctuary from the list of territories designated as wildlife sanctuaries subject to the authority of the Commissioner of Inland Fisheries and Wildlife.

Enacted Law Summary

Public Law 2013, chapter 138 removes Rangeley Plantation Sanctuary from the list of territories designated as wildlife sanctuaries subject to the authority of the Commissioner of Inland Fisheries and Wildlife.

LD 177 **An Act To Expand Moose Hunting Opportunities** **PUBLIC 226**

Sponsor(s)	Committee Report	Amendments Adopted
SAVIELLO	OTP-AM	S-167

This bill:

1. Increases the number of moose hunting permits issued by the Department of Inland Fisheries and Wildlife based on the latest moose population estimate. It provides that the increase is phased in over three years;

2. Changes the system for issuing moose permits from the current chance lottery system to a drawing in which persons who apply over a number of consecutive years may be guaranteed to receive a permit. It sets aside 15% of the permits for nonresidents and aliens. Ten percent of the permits must be auctioned to licensed guides and persons associated with sporting camps. The remainder of the permits are available to Maine residents; and

3. Provides that 25% of the revenues from the moose hunting application and permit system is deposited in the Moose Research and Management Fund and modifies the purposes of the fund to include addressing moose health issues and overbrowsing of land and promoting and marketing moose hunting.

Committee Amendment "A" (S-167)

This amendment replaces the bill with a provision requiring the Commissioner of Inland Fisheries and Wildlife to alter the moose permit drawing system so that a resident 70 years of age or older who has at least 30 points is guaranteed a permit. The amendment also creates an option for a person to refuse a moose hunting permit but still retain that person's points if the person has been awarded a permit in a wildlife management district that the commissioner has designated as a road safety management area.

Enacted Law Summary

Public Law 2013, chapter 226 requires the Commissioner of Inland Fisheries and Wildlife to alter the moose permit drawing system so that a resident 70 years of age or older who has at least 30 points is guaranteed a permit. This law also creates an option for a person to refuse a moose hunting permit but still retain that person's points if the person has been awarded a permit in a wildlife management district that the commissioner has designated as a road safety management area.

LD 199 **An Act To Allow Agents Designated by the Commissioner of Inland Fisheries and Wildlife To Hunt Coyotes at Night during the Deer Hunting Season** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
SHAW DUTREMBLE	ONTP	

This bill allows the Commissioner of Inland Fisheries and Wildlife to appoint and authorize agents to hunt coyotes at night during any open season on deer. The commissioner is required to develop policies to make the affected public and affected law enforcement officers aware of any night hunting operations, including policies that ensure each agent notifies affected landowners of the agent's night hunting activities.

See bill summaries for LDs 96, 798, 970 and 1148.

LD 200 **An Act To Expand Wild Turkey Hunting Opportunities** **PUBLIC 387**

Sponsor(s)	Committee Report	Amendments Adopted
MARKS	OTP-AM	H-542 H-547 SHAW

This bill requires the Commissioner of Inland Fisheries and Wildlife to establish a 6-day spring youth hunting season for wild turkey. The season must run from Monday to Saturday in April and coincide with a time when public schools are not in session.

Committee Amendment "A" (H-542)

This amendment does the following.

1. It requires the establishment of a spring youth hunting day for wild turkey during which hunting is allowed beginning 30 minutes before sunrise and ending 30 minutes after sunset. The season must take place on the Saturday prior to the start of the spring wild turkey hunting season.

2. It reduces the tagging fee from $5 to $2 per wild turkey and directs registration agents to retain the $2 tagging fees they collect.

3. It directs the Commissioner of Inland Fisheries and Wildlife to establish a spring wild turkey hunting season during which a person may take up to two male wild turkeys and a fall wild turkey hunting season during which a person to take up to two wild turkeys of either sex. During the spring open season a person may take wild turkeys with a crossbow, bow and arrow or shotgun.

4. It provides that the hours for the spring wild turkey hunting season are from 30 minutes before sunrise until 30 minutes after sunset. This provision is repealed at the end of the spring 2016 season.

House Amendment "A" To Committee Amendment "A" (H-547)

This amendment changes the title of the bill. It delays the changes to the fall wild turkey hunt and to the fee for a wild turkey hunting permit until 2014. It allows a person to take two wild turkeys regardless of sex during the spring open season rather than two male turkeys as provided in Committee Amendment "A." It also changes a reference to the youth wild turkey hunting season to reflect the fact that it is limited to one day.

Enacted Law Summary

Public Law, chapter 387 does the following.

1. It expands the spring youth hunting day for wild turkey to allow hunting beginning 30 minutes before sunrise and ending 30 minutes after sunset. It also requires that the season take place on the Saturday prior to the start of the spring wild turkey hunting season.

2. It reduces the tagging fee from $5 to $2 per wild turkey and directs registration agents to retain the $2 tagging fees they collect.

3. It directs the Commissioner of Inland Fisheries and Wildlife to establish a spring wild turkey hunting season during which a person may take up to two male wild turkeys and a fall wild turkey hunting season during which a person to take up to two wild turkeys of either sex beginning in 2014. During the spring open season a person may take wild turkeys with a crossbow, bow and arrow or shotgun.

4. It provides that the hours for the spring wild turkey hunting season are from 30 minutes before sunrise until 30 minutes after sunset. This provision is repealed at the end of the spring 2016 season.

See also LD 1015.

LD 201 **An Act To Permit Tribal Members To Hunt Any Animal or Bird at Any Time for Sustenance** **INDEF PP**

Sponsor(s)	Committee Report	Amendments Adopted
BEAR	ONTP OTP-AM	

This bill provides that, notwithstanding other laws governing inland fisheries and wildlife, an enrolled member of the Passamaquoddy Tribe, the Penobscot Nation, the Houlton Band of Maliseet Indians or the Aroostook Band of Micmacs may hunt for, take and possess any wild animal or bird at any time for sustenance use. "Sustenance use" includes all noncommercial consumption or noncommercial use by the enrolled member or the enrolled member's immediate family or within the enrolled member's household.

Committee Amendment "A" (H-202)

This amendment, which is the minority report, replaces the bill. The amendment applies the provisions of the bill only to enrolled members of the Houlton Band of Maliseet Indians and limits the exercise of rights in the bill to public land in Aroostook County. The amendment also requires that the hunting activity be conducted with best efforts to comply with all fish and wildlife laws and rules, and it does not apply to a species identified as endangered under state or federal law. This amendment was not adopted.

LD 202 **An Act To Permit Tribal Members To Fish at Any Time for Sustenance** **INDEF PP**

Sponsor(s)	Committee Report	Amendments Adopted
BEAR	ONTP OTP-AM	

This bill provides that, notwithstanding other laws governing inland fisheries and wildlife, an enrolled member of the Passamaquoddy Tribe, the Penobscot Nation, the Houlton Band of Maliseet Indians or the Aroostook Band of Micmacs may fish for, take and possess any fish at any time for sustenance use. "Sustenance use" includes all noncommercial consumption or noncommercial use by the enrolled member or the enrolled member's immediate family or within the enrolled member's household.

Committee Amendment "A" (H-209)

This amendment, which is the minority report, replaces the bill. The amendment applies the provisions of the bill only to enrolled members of the Houlton Band of Maliseet Indians and limits the exercise of rights in the bill to public land in Aroostook County. The amendment also requires that the hunting activity be conducted with best efforts to comply with all fish and wildlife laws and rules, and it does not apply to a species identified as endangered under state or federal law. This amendment was not adopted.

LD 203 **An Act To Require Kayakers on Open Salt Water To Use a Personal Flotation Device**

ACCEPTED MAJORITY (ONTP) REPORT

Sponsor(s)	Committee Report	Amendments Adopted
MALABY	ONTP OTP-AM	

This bill requires a person to wear a Coast Guard approved Type III personal flotation device while kayaking on open salt water on the internal waters of the State.

Committee Amendment "A" (H-162)

This amendment, which is the minority report of the committee, provides that the requirement in the bill that a kayaker wear a Coast Guard approved Type III personal flotation device applies on the State's coastal waters instead of on the State's internal waters as proposed in the bill.

LD 229 **An Act To Simplify and Encourage the Sale of Hunting and Fishing Licenses and Permits**

PUBLIC 322 EMERGENCY

Sponsor(s)	Committee Report	Amendments Adopted
SHAW DUTREMBLE	OTP-AM	H-523

This bill:

1. Extends the lifetime license system for hunting and fishing licenses to all individuals regardless of age;

2. Allows antlerless deer permits to be transferred to any other hunter, regardless of age;

3. Requires the Department of Inland Fisheries and Wildlife to convene a task force composed of persons representing individuals and organizations that purchase licenses, permits and registrations issued by the department for the purpose of creating a plan to reduce the number of types of licenses, permits and registrations administered by the department. The department must submit the plan to the Joint Standing Committee on Inland Fisheries and Wildlife by December 1, 2013, together with draft legislation necessary to implement the recommendations. The committee is authorized to report out a bill related to the subject matter of the report to the Second Regular Session of the 126th Legislature;

4. Requires the department to develop a plan for updating its online system for persons to purchase licenses and registrations, known as the Maine Online Sportsman's Electronic System. The department must submit its plan, together with a proposed budget for implementing the plan, to the Joint Standing Committee on Inland Fisheries and Wildlife by April 1, 2013. The committee may report out a bill related to the subject matter of the report to the First Regular Session of the 126th Legislature; and

5. Requires the department to develop a plan to simplify and streamline the eligibility requirements for and issuance of complimentary licenses, the laws governing license revocations and the laws governing hunting, including age restrictions, equipment restrictions and supervision requirements. The plan must extend the supervisory requirements for apprentice hunters to junior hunters and make supervisory requirements for hunting consistent with those that apply to trapping. The department is required to submit the plan to the Joint Standing Committee on Inland Fisheries and Wildlife by December 1, 2013, together with draft legislation necessary to

implement the recommendations. The committee may report out a bill related to the subject matter of the report to the Second Regular Session of the 126th Legislature.

Committee Amendment "A" (H-523)

This amendment:

1. Removes the sections of the bill that extend the lifetime license system and establish a task force to reduce the number of licenses and permits;

2. Modifies the provisions of the bill allowing any person, regardless of age, to transfer an antlerless deer permit to another person to clarify that a resident may transfer a permit only to another resident and a nonresident may transfer a permit only to another nonresident;

3. Modifies the provisions of the bill that require the Department of Inland Fisheries and Wildlife to develop a plan for updating its online system for persons to purchase licenses and registrations to require that the plan be based on a user survey, to require that it focus on the user interface and provide options for online renewal of trapping and guide licenses and to extend the date for completion of the plan to December 1, 2013;

4. Adds a provision directing the Department of Inland Fisheries and Wildlife to commission an actuarial review of expanding the lifetime license system for hunting and fishing licenses issued by the department. The department must submit a report with the findings, along with an explanation of the study methodology and any proposed modifications to the lifetime license system, to the Joint Standing Committee on Inland Fisheries and Wildlife during the Second Regular Session of the 126th Legislature. The committee may report out a bill related to the subject matter of the report to the Second Regular Session of the 126th Legislature; and

5. Adds an appropriations and allocations section.

Enacted Law Summary

Public Law 2103, chapter 322:

1. Allows any resident, regardless of age, to transfer an antlerless deer permit only to another resident and any nonresident, regardless of age, to transfer an antlerless deer permit only to another nonresident;

2. Requires that the Department of Inland Fisheries and Wildlife develop by December 1, 2013, a plan for updating its online system for persons to purchase licenses and registrations. It requires that the plan be based on a user survey, that it focus on the user interface and provide options for online renewal of trapping and guide licenses;

3. Directs the Department of Inland Fisheries and Wildlife to commission an actuarial study to expand the lifetime license system for hunting and fishing licenses issued by the department. The department must submit a report with the findings, along with an explanation of the study methodology and any proposed modifications to the lifetime license system, to the Joint Standing Committee on Inland Fisheries and Wildlife during the Second Regular Session of the 126th Legislature. The committee may report out a bill related to the subject matter of the report to the Second Regular Session of the 126th Legislature; and

4. Adds an appropriations and allocations section for the actuarial study for expanding lifetime licenses.

Public Law 2103, chapter 322 was enacted as an emergency measure effective June 21, 2013.

See also LD 153.

LD 254 **Resolve, To Establish the Northern Maine Advisory Task Force on Deer** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T AYOTTE	ONTP	

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

This resolve proposes to establish the Northern Maine Advisory Task Force on Deer. The task force would be charged with examining deer predation and ways to improve the deer population in northern Maine and with reporting its findings to the Joint Standing Committee on Inland Fisheries and Wildlife, which may report out a bill on the subject matter of the task force's report to the Second Regular Session of the 126th Legislature.

LD 264 **An Act To Allow Crossbow Hunting during Muzzle-loading Season** **DIED BETWEEN HOUSES**

Sponsor(s)	Committee Report	Amendments Adopted
SAVIELLO CROCKETT	ONTP OTP	

This bill allows a licensed crossbow hunter to hunt deer during the muzzle-loading deer hunting season.

LD 268 **An Act To Improve Snowmobiling in the State** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
PATRICK	ONTP	

This bill raises the annual registration fee for a snowmobile for a resident and nonresident by $20 and the 3-consecutive-day nonresident registration fee by $7 and dedicates $27 from each registration to the Snowmobile Trail Fund, under the Maine Revised Statutes, Title 12, section 1893. The bill also establishes a nonresident 7-consecutive-day registration for $75.

See bill summary for LD 89 and enacted law summary for LD 1263.

LD 280 **Resolve, Concerning Rights-of-way over Eastern Road in Scarborough** **RESOLVE 11**

Sponsor(s)	Committee Report	Amendments Adopted
HASKELL DAVIS	OTP	

This resolve ratifies certain conveyances made by the Department of Inland Fisheries and Wildlife that granted access to Eastern Road in the Town of Scarborough. These nonexclusive easements were determined by the department or the United States Department of the Interior, United States Fish and Wildlife Service not to significantly or unreasonably interfere with any use for which the Eastern Road was acquired.

Enacted Law Summary

Resolve 2013, chapter 11 ratifies certain conveyances made by the Department of Inland Fisheries and Wildlife that granted access to Eastern Road in the Town of Scarborough. These nonexclusive easements were determined by the department or the United States Department of the Interior, United States Fish and Wildlife Service not to significantly or unreasonably interfere with any use for which the Eastern Road was acquired.

LD 281 **An Act To Reform Maine's Whitewater Rafting Laws** **PUBLIC 245**

Sponsor(s)	Committee Report	Amendments Adopted
DUTREMBLE SHAW	OTP-AM	S-230

This bill clarifies that allocations may be transferred to any licensed outfitter, not only companies with allocations.

Committee Amendment "A" (S-230)

This amendment changes the bill's title and strikes and replaces the bill but retains the bill's change clarifying that allocations may be transferred to any licensed outfitter. It provides that a commercial whitewater outfitter is allowed to carry up to 120 passengers on unallocated days. It also repeals all language related to affiliated outfitters and limits to three the number of licenses that an outfitter may possess on allocated rivers.

Enacted Law Summary

Public Law 2013, chapter 245 allows allocations to be transferred to any licensed outfitter, not only companies with allocations. It provides that a commercial whitewater outfitter is allowed to carry up to 120 passengers on unallocated days. It also repeals all language related to affiliated outfitters and limits to three the number of licenses that an outfitter may possess on allocated rivers.

LD 306 **An Act To Exempt Members of the Penobscot Nation, the Passamaquoddy Tribe, the Houlton Band of Maliseet Indians and the Aroostook Band of Micmacs from Special Training Requirements for Archery and Trapping** **PUBLIC 185 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
MITCHELL CAIN	OTP	

This bill exempts an enrolled member of the Passamaquoddy Tribe, the Penobscot Nation, the Houlton Band of Maliseet Indians or the Aroostook Band of Micmacs from the archery, crossbow and trapping education requirements for obtaining an archery hunting license, a crossbow hunting license or a trapping license.

Enacted Law Summary

Public Law 2013, chapter 185 exempts an enrolled member of the Passamaquoddy Tribe, the Penobscot Nation, the Houlton Band of Maliseet Indians or the Aroostook Band of Micmacs from the archery, crossbow and trapping education requirements for obtaining an archery hunting license, a crossbow hunting license or a trapping license.

Public Law 2013, chapter 185 was enacted as an emergency measure effective May 31, 2013.

LD 307 **An Act To Exempt Persons Who Serve in the Armed Forces from the Requirement To Take a Hunter Safety Course To Obtain a Hunting License** **PUBLIC 139**

Sponsor(s)	Committee Report	Amendments Adopted
DAVIS THIBODEAU	OTP-AM ONTP	H-136

This bill exempts persons who have received training in the armed forces, including both persons on active duty and veterans, from having to take a hunter safety course to obtain a hunting license.

Committee Amendment "A" (H-136)

This amendment, which is the majority report of the committee and replaces the bill, exempts active-duty members of the United States Armed Forces who are stationed outside of the United States and home on leave from having to take a hunter safety course to obtain a hunting license.

Enacted Law Summary

Public Law 2013, chapter 139 exempts active-duty members of the United States Armed Forces who are stationed outside of the United States and home on leave from having to take a hunter safety course to obtain a hunting license.

LD 334 **An Act To Allow Nonprofit Organizations To Operate Snowmobiles as Trail-grooming Equipment** **PUBLIC 190**

Sponsor(s)	Committee Report	Amendments Adopted
LONG PLUMMER	OTP	

This bill amends the definition of "trail-grooming equipment" in the laws governing snowmobile trails and allows a snowmobile that is owned by a nonprofit organization and used to groom snowmobile trails to be registered as trail-grooming equipment.

Enacted Law Summary

Public Law 2013, chapter 190 amends the definition of "trail-grooming equipment" in the laws governing snowmobile trails and allows a snowmobile that is owned by a nonprofit organization and used to groom snowmobile trails to be registered as trail-grooming equipment.

LD 356 **An Act To Allow a Person Who Is 60 Years of Age or Older To Use a Crossbow during the Open Seasons on Wild Birds and Animals** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
TUTTLE	ONTP OTP	

Current law allows a person 70 years of age or older to hunt a wild bird or wild animal with a crossbow during any open season; the provision is repealed January 1, 2015.

This bill extends the provision to a person 60 years of age or older and removes the repeal.

LD 391 **An Act To Allow a Person To Possess Small Game in Excess of That Person's Possession Limit** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
WOOD JACKSON T	ONTP	

This bill allows a person to possess in that person's home a small game animal in excess of the possession limit if the small game animal is marked with the name and address of the person who legally possesses that animal and the date it was taken by that person.

LD 423 **An Act Regarding the Driving of Deer** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
ESPLING	ONTP OTP-AM	

This bill allows a group of six or fewer persons to hunt together in a hunt for deer as long as they are accompanied by a registered Maine guide and as long as they do not use noisemaking devices.

Committee Amendment "A" (H-108)

This amendment, which is the minority report, allows a group of four or fewer persons to hunt for and drive deer together as long as they do not use noisemaking devices. This amendment also specifically prohibits groups of five or more persons from hunting together or driving deer.

LD 467 **An Act To Increase Agent Fees for Registration of Certain Recreational Vehicles** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
CASAVANT	ONTP OTP-AM	

This bill increases the watercraft, snowmobile and ATV registration service fees that may be assessed, collected and retained by agents. The service fee for the renewal of a registration is increased from $1 up to a maximum of $3 and from $2 up to a maximum of $4 for the issuance of a new registration. Agents are also allowed to charge an extra $1 for registrations or renewals issued for residents of other communities or unorganized territories.

Committee Amendment "A" (H-213)

This amendment, which is the minority report of the committee, increases the watercraft, snowmobile and ATV registration service fees that may be assessed, collected and retained by agents by $1 less than the bill increases the fees. The service fee for the renewal of a registration is increased from $1 to a maximum of $2 and for the issuance of a new registration is increased from $2 to a maximum of $3. The amendment provides that agents are also allowed to charge an extra $2 for registrations or renewals issued for residents of other communities or unorganized

territories. The bill allows for an extra $1 charge.

LD 477 **Resolve, To Open Wild Turkey Hunting in Wildlife Management District 27 for the 2013 Spring Turkey Hunting Season** **RESOLVE 10 EMERGENCY**

Sponsor(s)	Committee Report	Amendments Adopted
HICKMAN	OTP-AM	H-96

This bill establishes an open season for hunting wild turkeys for the month of October, during which there is no bag limit.

Committee Amendment "A" (H-96)

This amendment strikes the bill and instead replaces it with a resolve establishing a spring turkey hunting season in Wildlife Management District 27 beginning April 29, 2013 and ending June 3, 2013.

Enacted Law Summary

Resolve 2013, chapter 10 establishes a spring turkey hunting season in Wildlife Management District 27 beginning April 29, 2013 and ending June 3, 2013.

Resolve 2013, chapter 10 was finally passed as an emergency measure effective April 25, 2013.

LD 514 **An Act To Allow Boards and Associations of Lakes and Ponds To Stock Fish** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
MASON G CRAFTS	ONTP OTP-AM	

This bill authorizes a lake association to stock a pond subject to the association's activities with fish when the association purchases the fish to be stocked from the Department of Inland Fisheries and Wildlife and the association provides the public with boat access to the pond being stocked by the association. It also requires the association to pay any costs incurred by the Department of Inland Fisheries and Wildlife associated with the association's stocking activity.

Committee Amendment "A" (S-210)

This amendment adds a stipulation that a lake association's authority to stock with fish a pond subject to the association's activities also requires the association to receive prior approval of the fish being stocked from the Department of Inland Fisheries and Wildlife. This amendment removes the requirement that the association provide the public with year-round boat access to the pond being stocked by the association.

LD 540 **An Act To Amend the Laws Governing the Discharge of a Firearm or Crossbow near a Dwelling or Building** **PUBLIC 215**

Sponsor(s)	Committee Report	Amendments Adopted
SHAW SAVIELLO	OTP-AM	H-264

This bill defines "projectile" to clarify what may be discharged within 100 yards of a building or residence when hunting.

Committee Amendment "A" (H-264)

This amendment adds bow and arrow to the list of hunting implements that may not be discharged within 100 yards of a building or residential dwelling without the permission of the owner. The amendment also clarifies that the bill's prohibition on causing a projectile to pass within 100 yards of a building or residence is limited to projectiles discharged from a firearm, crossbow or bow and arrow.

Enacted Law Summary

Public Law 2013, chapter 215 defines "projectile" to clarify what may be discharged within 100 yards of a building or residence when hunting and adds bow and arrow to the list of hunting implements that may not be discharged within 100 yards of a building or residential dwelling without the permission of the owner. It also clarifies that the bill's prohibition on causing a projectile to pass within 100 yards of a building or residence is limited to projectiles discharged from a firearm, crossbow or bow and arrow.

LD 541 **An Act To Amend the Laws Governing Complimentary Hunting, Trapping and Fishing Licenses for Disabled Veterans** **PUBLIC 404**

Sponsor(s)	Committee Report	Amendments Adopted
WILSON PLUMMER	OTP-AM	H-74

This bill changes the threshold of disability at which a resident disabled veteran receives complimentary hunting, fishing and trapping licenses from 100%, or 70% if the veteran served in a combat zone during an armed conflict, to 50% or more for all resident disabled veterans.

Committee Amendment "A" (H-74)

This amendment incorporates a fiscal note.

Enacted Law Summary

Public Law 2013, chapter 404 changes the threshold of disability at which a resident disabled veteran receives complimentary hunting, fishing and trapping licenses from 100%, or 70% if the veteran served in a combat zone during an armed conflict, to 50% or more for all resident disabled veterans.

LD 542 **An Act To Remove the Limit on the Retention of Live Smelts** **PUBLIC 73**
EMERGENCY

Sponsor(s)	Committee Report	Amendments Adopted
KESCHL SAVIELLO	OTP ONTP	

This bill removes the limit of 5 dozen live smelts from a person's daily bag limit for smelt fishing.

Enacted Law Summary

Public Law 2013, chapter 73 removes the limit of 5 dozen live smelts from a person's daily bag limit for smelt fishing.

Public Law 2013, chapter 73 was enacted as an emergency measure effective May 7, 2013.

LD 543 **An Act To Create Reciprocity of All-terrain Vehicle Registration with the State of New Hampshire** **LEAVE TO WITHDRAW**

Sponsor(s)	Committee Report	Amendments Adopted
BRIGGS PATRICK		

This bill allows an ATV registered in New Hampshire to be operated in Maine without being registered in Maine as long as New Hampshire provides reciprocity for ATVs registered in Maine.

LD 544 **An Act To Give Certain Landowners First Priority for Antlerless Deer Permits** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
BRIGGS JACKSON T	ONTP OTP	

This bill amends the current antlerless deer hunting permit system to require that all antlerless deer permits available in a wildlife management district be issued to landowners who own at least 25 contiguous acres of land open to hunting by the public and have applied for the permit. It also provides that if the number of available antlerless deer permits in a wildlife management district exceeds the number of eligible landowner applications, the remaining permits must be issued to junior hunters who have applied for an antlerless deer permit in that district.

LD 545 **An Act To Enhance the Protection of Native Fish Species** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
JONES	ONTP OTP	

This bill:

1. Changes the class of the crimes of illegal stocking of fish and illegal use of live bait from Class E to Class C;

2. Provides that, if a person is convicted of introducing, importing or transporting live fish without a permit, the Commissioner of the Department of Inland Fisheries and Wildlife is required to revoke all fishing and hunting licenses held by that person, and that person is ineligible to obtain a fishing or hunting license for a period of at least 10 years from the date of conviction; and

3. Provides that possession or transportation of live fish without authorization gives rise to a permissible inference that the person possessing or transporting the live fish does so for the purpose of illegally introducing the fish into inland waters.

LD 599 **An Act To Review Possible Expansion of Dip Net Fishing in Northern Maine** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
THERIAULT JACKSON T	ONTP	

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

This bill proposes to consider the expansion of dip net smelt fishing in northern Maine in specific streams in Aroostook County that are now closed.

LD 600 **An Act To Include Archery Hunting Licenses among the Complimentary Licenses Issued to a Member of a Federally Recognized Indian Tribe, Nation or Band** **PUBLIC 136**

Sponsor(s)	Committee Report	Amendments Adopted
MITCHELL CAIN	OTP	

This bill adds an archery hunting license to the list of complimentary licenses issued to members of federally recognized Indian nations, bands and tribes. It also exempts members of federally recognized Indian nations, bands and tribes from required trapper evaluation programs and archery hunter education courses.

Enacted Law Summary

Public Law 2013, chapter 136 adds an archery hunting license to the list of complimentary licenses issued to members of federally recognized Indian nations, bands and tribes. It also exempts members of federally recognized Indian nations, bands and tribes from required trapper evaluation programs and archery hunter education courses.

LD 601 **An Act To Require That Certain Changes in Conservation Law Not Be Made by Rule** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
SHAW SAVIELLO	ONTP	

This bill provides that the Commissioner of Inland and Fisheries and Wildlife may not adopt or amend a rule that affects or changes the public use of a fishery or body of water.

LD 617 **An Act To Protect the State's Native and Wild Brook Trout and Discourage Illegal Fish Introduction** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MCCABE CAIN	ONTP	

This bill does the following.

1. It requires the Commissioner of Inland Fisheries and Wildlife to include in the listing of state heritage fish waters those waters that contain eastern brook trout and that have not been stocked since January 1, 1988. It also requires the commissioner to ensure these waters are protected to the same extent as state heritage fish waters composed of lakes and ponds that contain eastern brook trout that have never been stocked.

2. It establishes additional protections for lakes and ponds containing eastern brook trout that do not contain any nonnative species, including waters not designated as state heritage fish waters. The commissioner is required to annually inventory these waters and identify any nonnative species introduced into the waters. The commissioner is also required to take any actions within the commissioner's authority to ensure that nonnative species are not introduced into these waters and that any nonnative species that is introduced is removed. It prohibits a person from using live fish as bait or possessing live fish to be used as bait in any of these waters.

3. It eliminates all closed seasons and number, amount, weight and size limits for the taking or possession of any species of fish identified as having been illegally introduced. The commissioner may not actively promote fishing for these fish, but the commissioner is required to encourage persons who do catch these fish to kill them.

See enacted law summary for LD 1191.

LD 618 **An Act To Eliminate Restrictions on Affiliated Outfitters in Laws Governing Whitewater Rafting** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
MCCABE SAVIELLO	ONTP	

This bill eliminates those sections of law that govern the licensure of affiliated groups and affiliated outfitters as commercial whitewater outfitters, removing restrictions on their participation in the industry.

See enacted law summary for LD 281.

LD 652 **Resolve, To Establish the Advisory Committee To Update Rules Regulating Commercial Whitewater Rafting** **INDEF PP**

Sponsor(s)	Committee Report	Amendments Adopted
MCCABE		

This bill was acted upon without reference to committee.

This resolve establishes the Advisory Committee To Update Rules Regulating Commercial Whitewater Rafting.

LD 679 **Resolve, Regarding the Management of Maine's Brook Trout and Landlocked Salmon Resources** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
HUBBELL LANGLEY	ONTP OTP	

This resolve directs the Department of Inland Fisheries and Wildlife to examine certain issues with respect to the current status of brook trout and landlocked salmon in the State and recommend policies and develop a statewide plan to address these issues. The Department of Inland Fisheries and Wildlife is required to report by January 15, 2014 to the Joint Standing Committee on Inland Fisheries and Wildlife with suggested legislation, and the Joint Standing Committee on Inland Fisheries and Wildlife is authorized to submit a bill to the Second Regular Session of the 126th Legislature.

See enacted law summary for LD 1191.

LD 705 **An Act To Amend the Junior Hunting License Requirements** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
MAZUREK	ONTP OTP-AM	

This bill allows a junior hunting license to be issued to a person who attains 10 years of age in the calendar year of the hunting season.

Committee Amendment "A" (S-82)

This amendment, which is the minority report of the committee, amends the age limitation for obtaining a hunting license to allow a hunting license to be issued to a person who attains 10 years of age in the calendar year of the hunting season.

LD 717 **An Act To Provide Free Fishing Licenses to Certain Children in the Custody of the Department of Health and Human Services** **PUBLIC 93**

Sponsor(s)	Committee Report	Amendments Adopted
MCCABE TUTTLE	OTP	

This bill allows a complimentary fishing license to be issued to any resident 16 or 17 years of age who is in the custody of the Department of Health and Human Services.

Enacted Law Summary

Public Law 2013, chapter 93 allows a complimentary fishing license to be issued to any resident 16 or 17 years of age who is in the custody of the Department of Health and Human Services.

LD 730 **An Act To Protect Maine's Loons by Banning Lead Sinkers and Jigs** **PUBLIC 372**

Sponsor(s)	Committee Report	Amendments Adopted
HASKELL SHAW	OTP-AM ONTP	S-231 S-274 DUTREMBLE

This bill makes it illegal to sell or use lead sinkers and jigs weighing one ounce or less and measuring 2 1/2 inches or less in length.

Committee Amendment "A" (S-231)

This amendment, which is the majority report of the Joint Standing Committee on Inland Fisheries and Wildlife, prohibits the sale, offer for sale and use of lead sinkers weighing one ounce or less or measuring 2 1/2 inches or less in length and prohibits the sale, offer for sale and use of unpainted lead jigs weighing one ounce or less or measuring 2 1/2 inches or less in length. Beginning September 1, 2016, the sale or offer for sale of all lead jigs weighing one ounce or less or measuring 2 1/2 inches or less in length is prohibited. Beginning September 1, 2017, the amendment prohibits the use of all lead jigs weighing one ounce or less or measuring 2 1/2 inches or less in length.

Senate Amendment "A" To Committee Amendment "A" (S-274)

This amendment delays the prohibition of the sale of bare lead jigs to September 1, 2016 and delays the prohibition of the use of bare lead jigs to September 1, 2017.

Enacted Law Summary

Public Law 2013, chapter 372 prohibits the sale, offer for sale and use of lead sinkers weighing one ounce or less or measuring 2 1/2 inches or less in length and prohibits the sale, offer for sale and use of unpainted lead jigs weighing one ounce or less or measuring 2 1/2 inches or less in length. Beginning September 1, 2016, the sale or offer for sale of all lead jigs weighing one ounce or less or measuring 2 1/2 inches or less in length is prohibited. Beginning September 1, 2017, the use of all lead jigs weighing one ounce or less or measuring 2 1/2 inches or less in length is prohibited.

LD 736 **An Act To Establish the Review Board of Appeals To Review the Denial of Hunting and Fishing Licenses** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T WOOD	ONTP	

This bill establishes the Review Board of Appeals within the Department of Inland Fisheries and Wildlife to review hunting and fishing license denials by the department.

LD 738 **An Act To Promote the Northern Maine Economy and Support Maine's Sporting Camp Tradition** **HELD BY GOVERNOR**

Sponsor(s)	Committee Report	Amendments Adopted
JACKSON T WOOD	OTP-AM ONTP	S-305 S-340 HILL

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

This bill proposes to provide economic support for certain sporting camps by directing the Department of Inland Fisheries and Wildlife to offer for sale a certain number of moose permits for the camps' use. In order to qualify, a sporting camp must be a facility licensed by the Department of Health and Human Services that offers American plan fully guided taxable moose hunting packages. The moose permits would be transferable and valid for one-time use during the current season or the next season on an American plan fully guided hunt within the eligible camp's zone or up to 2 contiguous zones.

The following criteria must be considered when the Department of Inland Fisheries and Wildlife offers the moose

permits for sale:

1. The total number of moose permits must be greater than the number issued in calendar year 2012;

2. All hunters must hold valid Maine hunting licenses;

3. The fee per permit is $1,500;

4. The number of permits offered for sale to the sporting camps must be capped at 250; and

5. The revenue received from the sale of the permits must be used to offset any loss from the moose permit auction by youth conservation education programs.

Committee Amendment "A" (S-305)

This amendment, which is the majority report of the committee, replaces the bill and creates a new moose hunting permit lottery system for hunting outfitters, who may sell or transfer the permits as part of an eating, lodging and hunting package. The permits made available for this lottery, if any, will come from 10% of the number of permits that exceed 3,140, which is the total number of moose hunting permits issued in 2010. Individuals hunting with permits issued under this system must hunt with a licensed Maine guide. Proceeds of the new lottery system will be allocated to youth conservation education programs under certain conditions and any remainder will be allocated to the Moose Research and Management Fund.

Senate Amendment "A" To Committee Amendment "A" (S-340)

This amendment lapses $10,374 for each of fiscal years 2013-14 and 2014-15 from the Inland Fisheries and Wildlife Carrying Balances - General Fund account to the General Fund unappropriated surplus to offset the loss in revenue from changes made to moose permit fees.

LD 757 **An Act To Amend the Hunting Laws as They Pertain to the Training of Dogs** **PUBLIC 286**

Sponsor(s)	Committee Report	Amendments Adopted
SHORT DUTREMBLE	OTP-AM	H-358

This bill allows a person to train dogs on pen-raised birds at any time without a hunting license.

Committee Amendment "A" (H-358)

This amendment prohibits a person from training dogs on wild birds and wild animals if that person has a suspended or revoked license issued by the Department of Inland Fisheries and Wildlife.

Enacted Law Summary

Public Law 2013, chapter 286 allows a person to train dogs on pen-raised birds at any time without a hunting license and prohibits a person from training dogs on wild birds and wild animals if that person has a suspended or revoked license issued by the Department of Inland Fisheries and Wildlife.

LD 758 **An Act To Protect Boats, Moorings and Docks in the Inland Waters of the State** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
HICKMAN	ONTP	

This bill closes to fishing inland waters within 250 feet of shorelines containing docks, boats, moorings or swimming floats and requires the Commissioner of Inland Fisheries and Wildlife to adopt rules to implement this closure.

LD 775 **An Act To Require a Nonresident To Hire a Maine Guide To Hunt Sea Ducks** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
ESPLING	ONTP	

This bill requires a nonresident sea duck hunter to hire and be accompanied by a licensed Maine guide.

LD 798 **An Act To Permit Night Hunting of Coyotes on Sunday** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
ESPLING	ONTP	

This bill permits a person to hunt coyotes at night on Sundays during the open season on coyote.

See also bill summaries for LDs 96, 199, 970 and 1148.

LD 799 **Resolve, To Allow Use of Live Bait for Fishing in the Allagash Wilderness Waterway and Fish River Waterway** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BROOKS TUTTLE	ONTP	

This resolve directs the Commissioner of Inland Fisheries and Wildlife to amend department rules to allow the use of live bait on the Allagash Wilderness Waterway and the Fish River Waterway.

LD 800 **An Act To Expand Migratory Waterfowl Hunting Opportunities** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
PARRY DUTREMBLE	ONTP	

This bill allows Sunday migratory waterfowl hunting during the second duck hunting season established by rule by directing the Commissioner of Inland Fisheries and Wildlife to amend the rule for that duck hunting season to allow for Sunday hunting.

LD 857 **An Act To Examine Fees Charged by Municipalities Concerning Outdoor-related Activities** **PUBLIC 199**

Sponsor(s)	Committee Report	Amendments Adopted
ESPLING DUTREMBLE	OTP-AM	H-224

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

This bill proposes to examine fees charged by municipalities concerning outdoor-related activities, including but not limited to hunting. This examination must include a review of fees charged by municipalities in connection with archery activities and a review of the laws governing these fees and activities.

Committee Amendment "A" (H-224)

This amendment clarifies that municipalities may not adopt or enforce any ordinance, law or rule that regulates or charges a fee for hunting, trapping or fishing, or that regulates or charges a fee for the possession or use of any hunting equipment, besides firearms, that is expressly permitted under the Maine Revised Statutes, Title 12, Part 13.

Enacted Law Summary

Public Law 2013, chapter 199 clarifies that municipalities may not adopt or enforce any ordinance, law or rule that regulates or charges a fee for hunting, trapping or fishing, or that regulates or charges a fee for the possession or use of any hunting equipment, besides firearms, that is expressly permitted under the Maine Revised Statutes, Title 12, Part 13.

LD 879 **An Act To Increase State Wildlife Revenues and Grow the Hunting and Fishing Industries** **PUBLIC 145**

Sponsor(s)	Committee Report	Amendments Adopted
TUTTLE	OTP-AM	S-92

This bill:

1. Limits the taking of bucks to those with 3 or more antler points on one side for those hunters without antlerless deer permits;

2. Creates a lifetime combination license for a nonresident 65 years of age or older for a $500 fee;

3. Allows a 100% disabled veteran who is a resident of New Hampshire or Vermont to obtain free hunting, trapping and fishing licenses if that veteran's state has a reciprocal agreement with Maine;

4. Directs the Joint Standing Committee on Inland Fisheries and Wildlife to define "deer wintering area" and to develop tax incentives for landowners to take steps to protect deer wintering areas; and

5. Directs the Department of Inland Fisheries and Wildlife to work with land trusts to develop ways to protect deer wintering areas by conservation easement.

Committee Amendment "A" (S-92)

This amendment strikes everything in the bill except for the provision that allows a 100% disabled veteran who is a resident of New Hampshire or Vermont to obtain free hunting, trapping and fishing licenses if that veteran's state has a reciprocal agreement with Maine.

Enacted Law Summary

Public Law 2013, chapter145 allows a 100% disabled veteran who is a resident of New Hampshire or Vermont to obtain free hunting, trapping and fishing licenses if that veteran's state has a reciprocal agreement with Maine.

LD 895 **Resolve, Directing the Department of Inland Fisheries and Wildlife To Amend Its Rules Regarding Required Setback Distances for Beaver Traps** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
WILLETTE	ONTP	

This resolve requires the Department of Inland Fisheries and Wildlife to amend its rules pertaining to the required setback distances from active beaver dams and beaver houses for the setting, placing and tending of traps in order to expand the number of wildlife management districts for which no setback distance is required.

LD 896 **An Act To Allow Fox Hunting at Night** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
WILLETTE JACKSON T	ONTP	

This bill establishes an open season for hunting fox at night in all counties of the State.

LD 910 **Resolve, Directing the Department of Inland Fisheries and Wildlife To Study and Make Recommendations Regarding the Bear Hunting Season** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
SHAW	ONTP	

This resolve requires the Department of Inland Fisheries and Wildlife to study issues that exist during the overlapping of the bear hunting season when bait is allowed to be used and the bear hunting season when dogs are allowed to be used and report the results of its study to the Joint Standing Committee on Inland Fisheries and Wildlife by January 15, 2014. The committee is authorized to report out a bill to implement its recommendations related to the report.

See bill summary for LD 98 and enacted law summary for LD 1225.

LD 911 **An Act To Increase Revenue for the ATV Recreational Management Fund** **VETO SUSTAINED**

Sponsor(s)	Committee Report	Amendments Adopted
BRIGGS PATRICK	OTP-AM ONTP	H-290

This bill increases all-terrain vehicle registration fees by $5, which increase must be deposited in the ATV Recreational Management Fund.

Committee Amendment "A" (H-290)

This amendment is the majority report of the committee and incorporates a fiscal note.

LD 930 **An Act To Subject a Motorboat with a Certificate of Number from Another Jurisdiction to the Annual Registration Fee** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
NADEAU C COLLINS	ONTP	

This bill subjects a motorboat with a certificate of number issued by another jurisdiction that is in the State for an excess of 30 consecutive days to the annual fee paid for motorboats with a certificate of number issued by this State.

LD 931 **An Act To Prevent Fish Kills and To Allow for Recreational Use of Sebago Lake** **CARRIED OVER**

Sponsor(s)	Committee Report	Amendments Adopted
SHAW PLUMMER		

This bill establishes water flow requirements for a dam and bypass area that controls the water level of Sebago Lake and the flows entering the Presumpscot River to prevent fish kills and to allow for recreational use of public access to Sebago Lake.

This bill was carried over to any special or regular session of the 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 932 **An Act To Promote Fishing by Youth** **PUBLIC 380**

Sponsor(s)	Committee Report	Amendments Adopted
PEASE THIBODEAU	OTP-AM	H-117 S-345 HILL

This bill eliminates the requirement for a general nonresident junior fishing license for youths 12 years of age or older and under 16 years of age, so that all youths under the age of 16 do not need a fishing license, whether they are a resident or not.

Committee Amendment "A" (H-117)

This amendment incorporates a fiscal note.

Senate Amendment "A" To Committee Amendment "A" (S-345)

This amendment delays the effective date of the provisions of the bill until January 1, 2015.

Enacted Law Summary

Public Law 2013, chapter 380 eliminates the requirement for a general nonresident junior fishing license for youths 12 years of age or older and under 16 years of age, so that, all youths under the age of 16 do not need a fishing license, whether they are a resident or not. The provisions of this bill are effective January 1, 2015.

LD 970 **An Act To Eliminate Funding To Reduce Deer Predation** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
DICKERSON	ONTP OTP-AM	

This bill eliminates funding to control deer predation.

Committee Amendment "A" (H-362)

This amendment, which is the minority report of the committee, eliminates funding to control deer predation. The amendment directs the Commissioner of Inland Fisheries and Wildlife to redirect all money provided to the Department of Inland Fisheries and Wildlife for predator control, including funds contained in the Maine Deer Management Fund, to deer habitat enhancement.

LD 1005 **An Act To Assist Hunters Transporting Animals for Registration** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BLACK HASKELL	ONTP	

This bill changes the requirements for the condition of a big game animal before being presented for registration. It allows for transporting dismembered carcasses if certain criteria are met.

LD 1015 **An Act To Expand Crossbow Hunting** **PUBLIC 236**

Sponsor(s)	Committee Report	Amendments Adopted
WOOD	OTP-AM	H-274

This bill allows a person to hunt any wild bird or animal with a crossbow during any open season on that bird or animal and removes the restriction against using a crossbow within 100 feet of a dwelling.

Committee Amendment "A" (H-274)

This amendment allows a person to hunt wild turkey with a crossbow during the spring open wild turkey hunting season established by rule. A person with a moose permit and that person's authorized subpermittee are both allowed to hunt moose with a crossbow during the open season on moose as established by rule and in accordance with the provisions for the lawful hunting of moose. Also, this amendment restores the restriction against using a crossbow within 100 feet of a dwelling, which is removed in the bill.

Enacted Law Summary

Public Law 2013, chapter 236 allows a person to hunt any wild bird or animal with a crossbow during any open season on that bird or animal. This law allows a person to hunt bear with a crossbow during the open season on bear as provided in other law. It further allows a person to hunt wild turkey with a crossbow during the spring open wild turkey hunting season established by rule. A person with a moose permit and that person's authorized subpermittee are both allowed to hunt moose with a crossbow during the open season on moose as established by rule and in accordance with the provisions for the lawful hunting of moose. Finally, Public Law 2013, chapter 236 maintains the restriction against using a crossbow within 100 feet of a dwelling.

LD 1016 **An Act Regarding the Buying and Selling of Animal Parts** **PUBLIC 333**

Sponsor(s)	Committee Report	Amendments Adopted
DAVIS	OTP-AM	H-359

This bill adds language to the law on buying and selling wild animals and wild birds that prohibits the purchase, sale, offer for sale or barter of any physical part of a wild animal or wild bird, and it adds certain parts that may be purchased or sold, such as naturally shed deer or moose antlers and finished wildlife products, including but not limited to tanned animal hides and taxidermy mounts.

Committee Amendment "A" (H-359)

This amendment does the following.

1. It clarifies that wild animal parts permitted to be bought and sold under the bill may not be attached to other parts of the animal.

2. It provides that a hide dealer's license is required to commercially buy, sell, barter or trade certain parts of animals or to buy, sell, barter or trade for any purpose, commercial or noncommercial, bear gall bladders, raw unfinished moose antlers and raw unfinished deer antlers.

3. It adds a confidentiality provision relating to reporting requirements for hide dealers to protect proprietary information.

4. It changes the class of crime for engaging in certain activities without a hide dealer's license from a Class E crime to a Class D crime.

Enacted Law Summary

Public Law 2013, chapter 333 does the following.

1. It adds language to the law on buying and selling wild animals and wild birds that prohibits the purchase, sale, offer for sale or barter of any physical part of a wild animal or wild bird, and it adds certain parts that may be purchased or sold, such as naturally shed deer or moose antlers and finished wildlife products, including but not limited to tanned animal hides and taxidermy mounts.

2. It clarifies that wild animal parts permitted to be bought and sold under the bill may not be attached to other parts of the animal.

3. It provides that a hide dealer's license is required to commercially buy, sell, barter or trade certain parts of animals or to buy, sell, barter or trade for any purpose, commercial or noncommercial, bear gall bladders, raw unfinished moose antlers and raw unfinished deer antlers.

4. It adds a confidentiality provision relating to reporting requirements for hide dealers to protect proprietary information.

5. It changes the class of crime for engaging in certain activities without a hide dealer's license from a Class E crime to a Class D crime.

LD 1117 **An Act To Amend the Laws Governing Muzzle-loading Hunting Season** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
CROCKETT	ONTP	

This bill changes the special muzzle-loading open season on deer to immediately before the regular deer hunting season.

LD 1148 **An Act To Expand the Season for Night Hunting of Coyotes** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
BLACK SHERMAN	ONTP	

This bill establishes a night hunting season for coyotes from September 1st to December 15th. Hunting coyotes at night during this season must be at fixed bait locations and under the supervision of a game warden. It allows a client of a licensed guide who holds a permit to participate in night hunting of coyotes during this season without obtaining a permit.

See also bill summaries for LDs 96, 199, 798 and 970.

LD 1174 **Resolve, To Establish the Commission To Study the Creation of a State and Federal Fish and Wildlife Museum at the Massabesic Experimental Forest in Alfred and Lyman** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
TUTTLE SHAW	ONTP	

This resolve establishes the Commission To Study the Creation of a State and Federal Fish and Wildlife Museum at the Massabesic Experimental Forest in Alfred and Lyman.

LD 1190 **An Act To Require the Secretary of State To Issue Certificates of Title for All-terrain Vehicles, Snowmobiles and Watercraft** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
WALLACE GRATWICK	ONTP	

This bill creates a titling system to be administered by the Secretary of State to title certain all-terrain vehicles, snowmobiles and watercraft beginning January 1, 2015. The registration system currently administered by the Department of Inland Fisheries and Wildlife remains separate and in effect. The bill also authorizes the Secretary of State to establish a fee to cover the administrative costs of titling ATVs, snowmobiles and watercraft.

LD 1191 **An Act To Strengthen the Fishing Laws** **PUBLIC 358**

Sponsor(s)	Committee Report	Amendments Adopted
ESPLING DUTREMBLE	OTP-AM	H-433

This bill makes changes to strengthen the fishing laws as follows.

1. It separates provisions governing bass fishing tournaments and provisions governing fishing derby permits.

2. It gives the Commissioner of Inland Fisheries and Wildlife the authority to place conditions and restrictions on derby permits and bass tournament permits. The bill also makes the violation of any condition or restriction placed on a derby permit or a bass tournament permit a civil violation, and it authorizes the commissioner to revoke a permit, refuse to issue a permit or refuse to allow the participation of any person in cases involving a violation of a condition or restriction placed on a derby permit or a bass tournament permit.

3. It clarifies that any fish caught for a fishing derby must be killed immediately and becomes part of the participant's daily bag limit.

4. It revokes the Commissioner of Marine Resources' authority over fishways in dams and other artificial obstructions in inland waters but retains the commissioner's authority over fishways in dams and other artificial obstructions in tidal waters under the Maine Revised Statutes, Title 12, section 6121.

5. It authorizes the Commissioner of Inland Fisheries and Wildlife to stock native fish species in Big Wadleigh Pond in Piscataquis County.

Committee Amendment "A" (H-433)

This amendment allows the use of live bait on Millimagassett Lake, Millinocket Lake, Little Millinocket Lake and Webster Lake. This amendment also directs the Commissioner of Inland Fisheries and Wildlife to adopt rules for the use of live bait on waters that contain state heritage fish and have not been stocked since January 1, 1988.

This amendment enhances penalties for noncompliance with the requirements for the importation, transportation and possession of live freshwater fish and freshwater fish gametes, not including bait fish, by creating a 5-year revocation of licenses issued under the Inland Fisheries and Wildlife laws.

This amendment also removes the provisions of the bill that strike reference to the authority of the Commissioner of Marine Resources over fishways under the jurisdiction of the Commissioner of Inland Fisheries and Wildlife and

instead creates joint authority for the two commissioners for the fishways currently under the exclusive jurisdiction of the Commissioner of Marine Resources.

Finally, this amendment directs the Commissioner of Inland Fisheries and Wildlife to provide a report on eastern brook trout B List waters to the Joint Standing Committee on Inland Fisheries and Wildlife by January 15, 2014 and authorizes the committee to report out a bill related to its review of the commissioner's report.

Enacted Law Summary

Public Law 2013, chapter 358 makes changes to strengthen the fishing laws as follows.

1. It separates provisions governing bass fishing tournaments and provisions governing fishing derby permits.

2. It gives the Commissioner of Inland Fisheries and Wildlife the authority to place conditions and restrictions on derby permits and bass tournament permits. The bill also makes the violation of any condition or restriction placed on a derby permit or a bass tournament permit a civil violation, and it authorizes the commissioner to revoke a permit, refuse to issue a permit or refuse to allow the participation of any person in cases involving a violation of a condition or restriction placed on a derby permit or a bass tournament permit.

3. It clarifies that any fish caught for a fishing derby, if it is to be retained solely for derby purposes, must be killed immediately and becomes part of the participant's daily bag limit.

4. It creates joint authority for the Commissioner of Inland Fisheries and Wildlife and the Commissioner of Marine Resources over fishways in dams and other artificial obstructions in tidal waters under the Maine Revised Statutes, Title 12, section 6121, which under current law is under the exclusive jurisdiction of the Commissioner of Marine Resources.

5. It authorizes the Commissioner of Inland Fisheries and Wildlife to stock native fish species in Big Wadleigh Pond in Piscataquis County.

6. It allows the use of live bait on Millimagassett Lake, Millinocket Lake, Little Millinocket Lake and Webster Lake. It also directs the Commissioner of Inland Fisheries and Wildlife to adopt rules for the use of live bait on waters that contain state heritage fish and have not been stocked since January 1, 1988.

7. It enhances penalties for noncompliance with the requirements for the importation, transportation and possession of live freshwater fish and freshwater fish gametes, not including bait fish, by creating a 5-year revocation of licenses issued under the Inland Fisheries and Wildlife laws.

8. It directs the Commissioner of Inland Fisheries and Wildlife to provide a report on eastern brook trout B List waters to the Joint Standing Committee on Inland Fisheries and Wildlife by January 15, 2014 and authorizes the committee to report out a bill related to its review of the commissioner's report.

LD 1225 **An Act To Strengthen Maine's Wildlife Laws** **PUBLIC 280**
EMERGENCY

Sponsor(s)	Committee Report	Amendments Adopted
BURNS	OTP-AM	S-173

This bill makes changes to Maine's wildlife laws for the purpose of strengthening wildlife populations. It adds rock doves to the list of wild birds that may be hunted, and it adds bear, moose and wild turkey to the list of wild animals a person is prohibited to feed. The bill adds language to clarify that the Commissioner of Inland Fisheries and Wildlife's extension of the open season for bird hunting in certain sections of the State that had been closed by

proclamation must conform to federal guidelines for migratory game bird species. It adds a provision regarding unlawful possession of ruffed grouse. The bill also directs the Commissioner of Inland Fisheries and Wildlife to establish a task force to consider the effect of the importation and possession of wildlife and the issues of possession and exhibition of wildlife in the State.

Committee Amendment "A" (S-173)

This amendment adds an emergency preamble and emergency clause to the bill. It clarifies that rock doves, also known as "rock pigeons" and which the bill adds to the list of wild birds that may be hunted, are not included in the definition of "migratory game bird." It repeals the Maine Revised Statutes, Title 12, section 12051, subsection 2, which requires a permit to take rock doves from the wild for the purpose of training dogs since a rock dove is not a migratory game bird. It makes further changes to the laws regarding the placement of bear bait to prohibit hunting, trapping, molesting or harassing wildlife, using chemicals or releasing dogs in the vicinity of existing bait sites. It also requires nonresidents hunting bear with the use of a dog or dogs to be within visual and voice contact of a resident Maine guide. Finally, it makes the penalty for violation of hunting bear over another person's bait without permission a mandatory hunting license revocation.

Enacted Law Summary

Public Law 2013, chapter 280 makes changes to Maine's wildlife laws for the purpose of strengthening wildlife populations.

It clarifies that rock doves, also known as "rock pigeons," which the bill adds to the list of wild birds that may be hunted, are not included in the definition of "migratory game bird." It repeals the Maine Revised Statutes, Title 12, section 12051, subsection 2, which requires a permit to take rock doves from the wild for the purpose of training dogs since a rock dove is not a migratory game bird. It also adds language to clarify that the Commissioner of Inland Fisheries and Wildlife's extension of the open season for bird hunting in certain sections of the State that had been closed by proclamation must conform to federal guidelines for migratory game bird species. It also adds a provision regarding unlawful possession of ruffed grouse.

Also, Public Law 2013, chapter 280 adds bear, moose and wild turkey to the list of wild animals a person is prohibited to feed. It directs the Commissioner of Inland Fisheries and Wildlife to establish a task force to consider the effect of the importation and possession of wildlife and the issues of possession and exhibition of wildlife in the State. It makes further changes to the laws regarding the placement of bear bait to prohibit hunting, trapping, molesting or harassing wildlife, using chemicals or releasing dogs in the vicinity of existing bait sites. It also requires nonresidents hunting bear with the use of a dog or dogs to be within visual and voice contact of a resident Maine guide. Finally, it makes the penalty for violation of hunting bear over another person's bait without permission a mandatory hunting license revocation.

Public Law 2013, chapter 280 was enacted as an emergency measure effective June 18, 2013.

LD 1248 **An Act To Establish Trail Standards in Deer Wintering Areas** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
DUNPHY	ONTP	

This bill directs the Commissioner of Inland Fisheries and Wildlife, in consultation with the Maine Land Use Planning Commission and the Commissioner of Agriculture, Conservation and Forestry, to adopt rules that establish standards for the construction of trails in deer wintering areas. This bill also directs the Maine Land Use Planning Commission to incorporate these standards for the construction of trails in deer wintering areas in the State's land use standards.

LD 1263 **An Act To Increase Funding for the Snowmobile Trail Fund and Adjust the Sales Tax Relating to Snowmobiles and Trail-grooming Equipment** **VETO SUSTAINED**

Sponsor(s)	Committee Report	Amendments Adopted
STANLEY	OTP-AM	H-533
	OTP-AM	S-356 HILL

This bill makes the following changes related to snowmobile registration and sales tax on snowmobiles and trail-grooming equipment.

1. It increases the resident snowmobile registration fee from $40 to $60.

2. It increases the nonresident seasonal snowmobile registration fee from $88 to $108.

3. It provides that a person who buys an annual registration for that person's snowmobile before January 1st of each year receives a $10 deduction in the registration fee.

4. It increases the 3-day nonresident snowmobile registration fee from $43 to $50.

5. It directs that all revenue raised from registration increases proposed in this bill be deposited in the Snowmobile Trail Fund of the Department of Agriculture, Conservation and Forestry, Division of Parks and Public Lands, Off-road Recreational Vehicle Office.

6. It creates a 7-day nonresident snowmobile registration with a fee of $75.

7. It removes the 5% sales tax on diesel fuel used in off-road trail-grooming equipment.

8. It removes the sales tax on the purchase of trail-grooming equipment and parts.

9. It provides that the sales tax on the purchase of snowmobiles be transferred to the Snowmobile Trail Fund.

10. It creates a snowmobile vanity license plate with a portion of the revenue going into the Snowmobile Trail Fund.

11. It repeals the language that provided the municipality where the owner of trail-grooming equipment or a snowmobile resides with 26% of the trail-grooming equipment or snowmobile registration fee.

Committee Amendment "A" (H-533)

This amendment, which is the majority report, makes the following changes related to snowmobile registration and sales tax on snowmobiles and trail-grooming equipment.

1. It increases the resident snowmobile registration fee from $40 to $45 and allocates the additional $5 to the Snowmobile Trail Fund of the Department of Agriculture, Conservation and Forestry, Division of Parks and Public Lands.

2. The bill increases the 3-day nonresident snowmobile registration fee from $43 to $50 and the amendment increases the seasonal nonresident registration from $88 to $110 and allocates the additional revenue to the Snowmobile Trail Fund of the Department of Agriculture, Conservation and Forestry, Division of Parks and Public Lands.

3. The bill removes the 26% of the snowmobile and trail-grooming equipment registration fee that is distributed to municipalities and the amendment restores it.

4. It strikes the provisions of the bill that modify the sales tax exemptions related to the purchase of trail-grooming equipment.

5. 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.

6. It strikes the provision in the bill that creates a snowmobile vanity license plate.

7. It strikes the provision that the sales tax on snowmobiles be transmitted to the Snowmobile Trail Fund of the Department of Agriculture, Conservation and Forestry, Division of Parks and Public Lands.

Committee Amendment "B" (H-534)

This amendment, which is the minority report, makes the following changes related to snowmobile registration and sales tax on snowmobiles and trail-grooming equipment.

1. It maintains the resident snowmobile registration fee of $40.

2. The bill increases the 3-day nonresident snowmobile registration fee from $43 to $50 and the amendment increases the seasonal nonresident registration from $88 to $110 and allocates the additional revenue to the Snowmobile Trail Fund of the Department of Agriculture, Conservation and Forestry, Division of Parks and Public Lands.

3. The bill removes the 26% of the snowmobile and trail-grooming equipment registration fee that is distributed to municipalities and the amendment restores it.

4. It strikes the provisions of the bill that modify the sales tax exemptions related to the purchase of trail-grooming equipment.

5. 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.

6. It strikes the provision in the bill that creates a snowmobile vanity license plate.

7. It strikes the provision that the sales tax on snowmobiles be transmitted to the Snowmobile Trail Fund of the Department of Agriculture, Conservation and Forestry, Division of Parks and Public Lands.

Senate Amendment "A" To Committee Amendment "A" (S-356)

This amendment transfers funds from the Department of Agriculture, Conservation and Forestry Off-road Recreational Vehicles Program, Snowmobile Trail Fund, Other Special Revenue Funds account to the unappropriated surplus of the General Fund to offset the loss in revenue from exempting diesel fuel used for grooming snowmobile trails from the sales tax in fiscal years 2013-14 and 2014-15.

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 126th Legislature by joint order, H.P. 1145, as amended by H-B (H-580) and H-C (H-582).

LD 1264 **An Act Allowing the Harvesting of Yellow Perch with Seines** **PUBLIC 148**

Sponsor(s)	Committee Report	Amendments Adopted
KNIGHT THOMAS	OTP-AM	H-172

This bill allows the Commissioner of Inland Fisheries and Wildlife to adopt rules to issue a permit allowing a person to use seines to fish for and possess yellow perch.

Committee Amendment "A" (H-172)

This amendment removes the emergency preamble and emergency clause.

Enacted Law Summary

Public Law 2013, chapter 148 allows the Commissioner of Inland Fisheries and Wildlife to adopt rules to issue a permit allowing a person to use seines to fish for and possess yellow perch.

LD 1265 **An Act To Strengthen Maine's Assent Language for Participation in the Federal Aid in Wildlife Restoration Act** **PUBLIC 189**

Sponsor(s)	Committee Report	Amendments Adopted
DAVIS DUTREMBLE	OTP	

This bill requires the Commissioner of Inland Fisheries and Wildlife to ensure that revenue raised by the Department of Inland Fisheries and Wildlife is not diverted to any purpose other than administration of the department in accordance with the Constitution of Maine, Article IX, Section 22. That constitutional provision prohibits the diversion of revenue collected from license and permit fees; fines; the sale, lease or rental of property; penalties; and any other revenue source related to the Department of Inland Fisheries and Wildlife.

Enacted Law Summary

Public Law 2013, chapter 189 requires the Commissioner of Inland Fisheries and Wildlife to ensure that revenue raised by the Department of Inland Fisheries and Wildlife is not diverted to any purpose other than administration of the department in accordance with the Constitution of Maine, Article IX, Section 22. That constitutional provision prohibits the diversion of revenue collected from license and permit fees; fines; the sale, lease or rental of property; penalties; and any other revenue source related to the Department of Inland Fisheries and Wildlife.

LD 1303 **RESOLUTION, Proposing an Amendment to the Constitution of Maine To Preserve Hunting and Fishing** **DIED IN CONCURRENCE**

Sponsor(s)	Committee Report	Amendments Adopted
FREDETTE GOODALL	OTP-AM ONTP	H-420

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 and fishing are a preferred means of managing and controlling wildlife.

Committee Amendment "A" (H-420)

This amendment, which is the majority report of the committee, strikes the constitutional amendment language in the bill and replaces it with constitutional language to forever preserve hunting and fishing and the taking of wildlife subject to regulation for the public good. The amendment also excludes from laws that may be proposed in a citizen initiative laws governing hunting and fishing that would limit hunting or fishing. Additionally, the amendment changes the ballot question to reflect this new language.

LD 1374 **An Act To Allow a Person To Hunt with a Crossbow during the Archery-only Deer Season** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
TUTTLE	ONTP OTP	

This bill allows crossbows to be used during the regular archery-only season and allows a person with a valid permit to hunt bear, moose and wild turkey with a crossbow without obtaining a crossbow hunting license.

See enacted law summary for LD 1015.

LD 1398 **An Act To Facilitate a Pilot Program for Sunday Hunting for Residents Only** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
FREDETTE	ONTP	

This bill allows a person with a resident junior hunting license or a resident hunting license to hunt wild animals or wild birds on the last Sunday during the open hunting season. This provision is repealed in two years. The bill is contingent on approval by the voters in a referendum at the general election in November.

LD 1399 **An Act To Provide for the Aroostook Band of Micmacs Certain Rights Regarding Hunting, Fishing and Wildlife Management** **ACCEPTED MAJORITY (ONTP) REPORT**

Sponsor(s)	Committee Report	Amendments Adopted
WILLETTE JACKSON T	ONTP OTP-AM	

This bill provides the Aroostook Band of Micmacs the same authority to regulate hunting, fishing and wildlife management as that of the Passamaquoddy Tribe and the Penobscot Nation and provides upon request each member of the Aroostook Band of Micmacs a moose permit allowing the member to take one moose per year.

Committee Amendment "A" (H-289)

This amendment, which is the minority report of the committee, replaces the bill with a provision that requires the Commissioner of Inland Fisheries and Wildlife to issue 12 moose hunting permits to the Aroostook Band of Micmacs and 12 moose hunting permits to the Houlton Band of Maliseet Indians for sustenance or ceremonial tribal use by members of those tribes. This amendment was not adopted.

LD 1435 **An Act To Amend Certain Provisions of the Fish and Wildlife Laws** **PUBLIC 408**

Sponsor(s)	Committee Report	Amendments Adopted
SHAW HASKELL	OTP-AM	H-500 S-363 HILL

This bill amends the fish and wildlife laws in the following ways.

1. It allows the Commissioner of Inland Fisheries and Wildlife, after consultation with the Governor and the Inland Fisheries and Wildlife Advisory Council, to terminate any open season for hunting, fishing or trapping in any part of the State due to adverse weather conditions or unlawful activity. Once the reason for the termination has passed, the commissioner, with the consent of the Governor, may extend the open season in the affected part of the State for a number of days not to exceed the number of days hunting, fishing or trapping was prohibited.

2. It allows the commissioner, in addition to current authorization to issue 2 moose permits to a nonprofit organization providing hunting and fishing adventures to children under 21 years of age, to issue, in extenuating circumstances, 2 other permits or licenses for other fishing or hunting adventures.

3. It removes the requirement that the commissioner or the commissioner's designee meet with an applicant with a permanent physical disability seeking special authorization to hunt, trap or fish in a manner not otherwise authorized.

4. It allows a resident or member of the resident's family to trap beaver on land that is owned and occupied by the resident as a domicile and that is used exclusively for agricultural purposes.

5. It provides for the registration of antique motorboats, which are boats that are more than 50 years old.

6. It allows a resident who is in the military stationed outside of the State to get a trapping license for the cost of the license to the department and allows the spouse and children of that resident in the military to get a reduced-fee trapping license.

7. It establishes a quorum and attendance requirements for the Inland Fisheries and Wildlife Advisory Council.

8. It clarifies that a person can forgo a hunter education safety course by showing proof that the person has previously held a valid adult license for the license being sought.

Committee Amendment "A" (H-500)

This amendment strikes the provision of the bill regarding registration of antique motorboats. This amendment also:

1. Waives the boat registration requirement for motorboats participating in a permitted event;

2. Renames a wildlife management area after Major Gregory Sanborn;

3. Allows the Commissioner of Inland Fisheries and Wildlife to charge a $1 fee for a temporary registration certificate for a snowmobile dealer;

4. Changes what constitutes driving deer;

5. Includes skull mounts as part of the list of activities that a taxidermist license holder may partake in;

6. Allows certain Department of Inland Fisheries and Wildlife programs to offer gifts;

7. Clarifies the law that allows for special antlerless deer permits to be issued to certain amputees;

8. Eliminates the fishing license requirement for all individuals under 16 years of age; and

9. Includes all nonresident junior hunting permits in a nonresident junior hunting license at no additional cost.

Senate Amendment "A" To Committee Amendment "A" (S-363)

This amendment removes the provision that allows a nonresident who is 12 years of age or older and under 16 years of age to fish without a license.

Enacted Law Summary

Public Law 2013, chapter 408 does the following:

1. Waives the boat registration requirement for motorboats participating in a permitted event;

2. Renames a wildlife management area after Major Gregory Sanborn;

3. Allows the Commissioner of Inland Fisheries and Wildlife to charge a $1 fee for a temporary registration certificate for a snowmobile dealer;

4. Changes what constitutes driving deer;

5. Includes skull mounts as part of the list of activities that a taxidermist license holder may partake in;

6. Allows certain Department of Inland Fisheries and Wildlife programs to offer gifts;

7. Clarifies the law that allows for special antlerless deer permits to be issued to certain amputees; and

8. Includes all nonresident junior hunting permits in a nonresident junior hunting license at no additional cost.

LD 1474 **An Act To Amend the Laws Pertaining to the Hunting of Bear** **ONTP**

Sponsor(s)	Committee Report	Amendments Adopted
HARLOW	ONTP	

This bill prohibits, with certain exceptions, hunting bear with dogs and trapping bear. The bill also sets a permanent closed season on bear hunting from January 1st through July 31st and decreases the bear bag limit from two to one. In addition, the bill prohibits the trade in bear gall bladders and imposes increased penalties for bear poaching for repeat offenders.

See also enacted law summary for LD 1016.

Joint Standing Committee on Inland Fisheries and Wildlife

SUBJECT INDEX

All-terrain Vehicles, Snowmobiles and Watercraft

Enacted		
LD 142	An Act To Add Using an All-terrain Vehicle to the List of Activities Included in the Definition of "Guide" in the Inland Fisheries and Wildlife Laws	PUBLIC 88
LD 172	An Act To Make Permanent the Reciprocal Agreement between Maine and Other States Regarding a Snowmobile Weekend	PUBLIC 386
LD 334	An Act To Allow Nonprofit Organizations To Operate Snowmobiles as Trail-grooming Equipment	PUBLIC 190
Not Enacted		
LD 89	An Act To Establish a Deadline for Snowmobile Registration	CARRIED OVER
LD 268	An Act To Improve Snowmobiling in the State	ONTP
LD 467	An Act To Increase Agent Fees for Registration of Certain Recreational Vehicles	MAJORITY (ONTP) REPORT
LD 543	An Act To Create Reciprocity of All-terrain Vehicle Registration with the State of New Hampshire	LEAVE TO WITHDRAW
LD 911	An Act To Increase Revenue for the ATV Recreational Management Fund	VETO SUSTAINED
LD 1190	An Act To Require the Secretary of State To Issue Certificates of Title for All-terrain Vehicles, Snowmobiles and Watercraft	ONTP
LD 1263	An Act To Increase Funding for the Snowmobile Trail Fund and Adjust the Sales Tax Relating to Snowmobiles and Trail-grooming Equipment	VETO SUSTAINED

Bear

Not Enacted		
LD 98	Resolve, Directing the Department of Inland Fisheries and Wildlife To Study Issues Related to Bear Hunting and Management	ONTP
LD 910	Resolve, Directing the Department of Inland Fisheries and Wildlife To Study and Make Recommendations Regarding the Bear Hunting Season	ONTP
LD 1474	An Act To Amend the Laws Pertaining to the Hunting of Bear	ONTP

Constitutional Provisions

Not Enacted		
LD 1303	RESOLUTION, Proposing an Amendment to the Constitution of Maine To Preserve Hunting and Fishing	DIED IN CONCURRENCE

Coyote Control

Not Enacted

Coyote Control

Not Enacted

LD 96	An Act To Enhance the Deer Population by Increasing Control of Coyotes through Local Conservation Organizations	ONTP
LD 199	An Act To Allow Agents Designated by the Commissioner of Inland Fisheries and Wildlife To Hunt Coyotes at Night during the Deer Hunting Season	ONTP
LD 798	An Act To Permit Night Hunting of Coyotes on Sunday	ONTP
LD 970	An Act To Eliminate Funding To Reduce Deer Predation	MAJORITY (ONTP) REPORT
LD 1148	An Act To Expand the Season for Night Hunting of Coyotes	ONTP

Crossbow

Enacted

LD 1015	An Act To Expand Crossbow Hunting	PUBLIC 236

Not Enacted

LD 99	An Act To Allow Hunting for Deer with a Crossbow during the Expanded Archery Season	MAJORITY (ONTP) REPORT
LD 264	An Act To Allow Crossbow Hunting during Muzzle-loading Season	DIED BETWEEN HOUSES
LD 356	An Act To Allow a Person Who Is 60 Years of Age or Older To Use a Crossbow during the Open Seasons on Wild Birds and Animals	MAJORITY (ONTP) REPORT
LD 1374	An Act To Allow a Person To Hunt with a Crossbow during the Archery-only Deer Season	MAJORITY (ONTP) REPORT

Deer

Enacted

LD 63	Resolve, To Direct the Commissioner of Inland Fisheries and Wildlife To Allow Veterans with Lower Limb Loss To Obtain "Any-deer" Hunting Permits	RESOLVE 16
LD 101	An Act To Allow a Junior Hunter To Take One Antlerless Deer without an Antlerless Deer Permit	PUBLIC 213

Not Enacted

LD 79	An Act To Allow a Junior Hunter To Shoot Any Deer on Opening Day of Hunting Season	ONTP
LD 254	Resolve, To Establish the Northern Maine Advisory Task Force on Deer	ONTP
LD 423	An Act Regarding the Driving of Deer	MAJORITY (ONTP) REPORT
LD 544	An Act To Give Certain Landowners First Priority for Antlerless Deer Permits	MAJORITY (ONTP) REPORT
LD 1117	An Act To Amend the Laws Governing Muzzle-loading Hunting Season	ONTP

Deer

Not Enacted

LD 1248	An Act To Establish Trail Standards in Deer Wintering Areas	ONTP

Department of Inland Fisheries and Wildlife

Enacted

LD 128	An Act To Amend the Laws Governing the Inland Fisheries and Wildlife Advisory Council	PUBLIC 375
LD 280	Resolve, Concerning Rights-of-way over Eastern Road in Scarborough	RESOLVE 11
LD 1265	An Act To Strengthen Maine's Assent Language for Participation in the Federal Aid in Wildlife Restoration Act	PUBLIC 189

Not Enacted

LD 86	Resolve, Directing the Department of Inland Fisheries and Wildlife To Amend Its Process of Gathering Public Opinion on Rulemaking and Other Projects	ONTP
LD 601	An Act To Require That Certain Changes in Conservation Law Not Be Made by Rule	ONTP

Dogs and Dog Training

Enacted

LD 144	An Act To Remove the Requirement That a Person Training Dogs on Sundays Possess a Valid Hunting License	PUBLIC 247 EMERGENCY
LD 757	An Act To Amend the Hunting Laws as They Pertain to the Training of Dogs	PUBLIC 286

Fish and Fishing

Enacted

LD 26	An Act To Authorize the Commissioner of Inland Fisheries and Wildlife To Change a Fishing Season Opening Date Statewide	PUBLIC 3
LD 42	Resolve, To Require the Department of Inland Fisheries and Wildlife To Conduct a Study on the Use of Rubber Lures and Nondegradable Fishing Hooks and Lures	RESOLVE 18
LD 542	An Act To Remove the Limit on the Retention of Live Smelts	PUBLIC 73 EMERGENCY
LD 730	An Act To Protect Maine's Loons by Banning Lead Sinkers and Jigs	PUBLIC 372
LD 932	An Act To Promote Fishing by Youth	PUBLIC 380
LD 1191	An Act To Strengthen the Fishing Laws	PUBLIC 358
LD 1264	An Act Allowing the Harvesting of Yellow Perch with Seines	PUBLIC 148

Not Enacted

LD 41	An Act To Allow a Person 65 Years of Age or Older To Fish with Bait in any Inland Water	ONTP
LD 43	An Act To Ban the Use of Nondegradable Hooks for Fishing	ONTP
LD 100	An Act To Allow Municipalities To Stock Ponds	MINORITY (ONTP) REPORT

Fish and Fishing

Not Enacted

LD 170	Resolve, To Allow the Use of Live Bait When Ice Fishing in Certain Waters of the State	DIED BETWEEN HOUSES
LD 514	An Act To Allow Boards and Associations of Lakes and Ponds To Stock Fish	MAJORITY (ONTP) REPORT
LD 545	An Act To Enhance the Protection of Native Fish Species	MAJORITY (ONTP) REPORT
LD 599	An Act To Review Possible Expansion of Dip Net Fishing in Northern Maine	ONTP
LD 617	An Act To Protect the State's Native and Wild Brook Trout and Discourage Illegal Fish Introduction	ONTP
LD 679	Resolve, Regarding the Management of Maine's Brook Trout and Landlocked Salmon Resources	MAJORITY (ONTP) REPORT
LD 758	An Act To Protect Boats, Moorings and Docks in the Inland Waters of the State	ONTP
LD 799	Resolve, To Allow Use of Live Bait for Fishing in the Allagash Wilderness Waterway and Fish River Waterway	ONTP
LD 931	An Act To Prevent Fish Kills and To Allow for Recreational Use of Sebago Lake	CARRIED OVER

Fish and Wildlife Heritage Museum

Not Enacted

LD 1174	Resolve, To Establish the Commission To Study the Creation of a State and Federal Fish and Wildlife Museum at the Massabesic Experimental Forest in Alfred and Lyman	ONTP

Hunting

Enacted

LD 307	An Act To Exempt Persons Who Serve in the Armed Forces from the Requirement To Take a Hunter Safety Course To Obtain a Hunting License	PUBLIC 139
LD 540	An Act To Amend the Laws Governing the Discharge of a Firearm or Crossbow near a Dwelling or Building	PUBLIC 215
LD 1016	An Act Regarding the Buying and Selling of Animal Parts	PUBLIC 333
LD 1225	An Act To Strengthen Maine's Wildlife Laws	PUBLIC 280 EMERGENCY

Not Enacted

LD 391	An Act To Allow a Person To Possess Small Game in Excess of That Person's Possession Limit	ONTP
LD 896	An Act To Allow Fox Hunting at Night	ONTP
LD 1005	An Act To Assist Hunters Transporting Animals for Registration	ONTP

Kayaks

Not Enacted

LD 203	An Act To Require Kayakers on Open Salt Water To Use a Personal Flotation Device	MAJORITY (ONTP) REPORT

Licenses and Permits

Enacted

LD 229	An Act To Simplify and Encourage the Sale of Hunting and Fishing Licenses and Permits	PUBLIC 322 EMERGENCY
LD 541	An Act To Amend the Laws Governing Complimentary Hunting, Trapping and Fishing Licenses for Disabled Veterans	PUBLIC 404
LD 717	An Act To Provide Free Fishing Licenses to Certain Children in the Custody of the Department of Health and Human Services	PUBLIC 93
LD 857	An Act To Examine Fees Charged by Municipalities Concerning Outdoor-related Activities	PUBLIC 199
LD 879	An Act To Increase State Wildlife Revenues and Grow the Hunting and Fishing Industries	PUBLIC 145

Not Enacted

LD 153	An Act To Establish a Comprehensive Hunting and Fishing License	CARRIED OVER
LD 705	An Act To Amend the Junior Hunting License Requirements	MAJORITY (ONTP) REPORT
LD 736	An Act To Establish the Review Board of Appeals To Review the Denial of Hunting and Fishing Licenses	ONTP

Maine Tribes

Enacted

LD 306	An Act To Exempt Members of the Penobscot Nation, the Passamaquoddy Tribe, the Houlton Band of Maliseet Indians and the Aroostook Band of Micmacs from Special Training Requirements for Archery and Trapping	PUBLIC 185 EMERGENCY
LD 600	An Act To Include Archery Hunting Licenses among the Complimentary Licenses Issued to a Member of a Federally Recognized Indian Tribe, Nation or Band	PUBLIC 136

Not Enacted

LD 201	An Act To Permit Tribal Members To Hunt Any Animal or Bird at Any Time for Sustenance	INDEF PP
LD 202	An Act To Permit Tribal Members To Fish at Any Time for Sustenance	INDEF PP
LD 1399	An Act To Provide for the Aroostook Band of Micmacs Certain Rights Regarding Hunting, Fishing and Wildlife Management	MAJORITY (ONTP) REPORT

Migratory Waterfowl

Not Enacted

LD 775	An Act To Require a Nonresident To Hire a Maine Guide To Hunt Sea Ducks	ONTP
LD 800	An Act To Expand Migratory Waterfowl Hunting Opportunities	ONTP

Moose

Enacted

LD 177	An Act To Expand Moose Hunting Opportunities	PUBLIC 226

Not Enacted

LD 738	An Act To Promote the Northern Maine Economy and Support Maine's Sporting Camp Tradition	HELD BY GOVERNOR

Omnibus

Enacted

LD 1435	**An Act To Amend Certain Provisions of the Fish and Wildlife Laws**	**PUBLIC 408**

Snowmobiles

Not Enacted

LD 97	**An Act To Improve the Integrity of the State's Snowmobile Trail System**	**ONTP**

Sunday Hunting

Not Enacted

LD 1398	**An Act To Facilitate a Pilot Program for Sunday Hunting for Residents Only**	**ONTP**

Trapping

Not Enacted

LD 895	**Resolve, Directing the Department of Inland Fisheries and Wildlife To Amend Its Rules Regarding Required Setback Distances for Beaver Traps**	**ONTP**

Watercraft

Not Enacted

LD 930	**An Act To Subject a Motorboat with a Certificate of Number from Another Jurisdiction to the Annual Registration Fee**	**ONTP**

Whitewater Rafting

Enacted

LD 281	**An Act To Reform Maine's Whitewater Rafting Laws**	**PUBLIC 245**

Not Enacted

LD 163	**An Act To Increase the Number of Rafting Passengers Allowed for Licensed Outfitters on Unallocated Rivers**	**ONTP**
LD 618	**An Act To Eliminate Restrictions on Affiliated Outfitters in Laws Governing Whitewater Rafting**	**ONTP**
LD 652	**Resolve, To Establish the Advisory Committee To Update Rules Regulating Commercial Whitewater Rafting**	**INDEF PP**

Wild Turkey

Enacted

LD 200	**An Act To Expand Wild Turkey Hunting Opportunities**	**PUBLIC 387**
LD 477	**Resolve, To Open Wild Turkey Hunting in Wildlife Management District 27 for the 2013 Spring Turkey Hunting Season**	**RESOLVE 10 EMERGENCY**

Not Enacted

LD 84	**An Act To Expand Turkey Hunting**	**ONTP**
LD 143	**An Act To Allow a Hunter To Harvest a Wild Turkey of Either Sex during the Month of October without an Extra Charge for the Permit**	**ONTP**

Wildlife Sanctuaries and Preserves

Enacted

LD 173	**An Act To Remove the Rangeley Plantation Sanctuary from the List of Wildlife Sanctuaries**	**PUBLIC 138**

APPENDIX A

APPENDIX A

SESSION STATISTICS

OVERALL AND
BY INDIVIDUAL COMMITTEE

126th LEGISLATURE
FIRST REGULAR SESSION

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	Number	% of All Bills/Papers
A. Bills referred to Committee		
Bills referred and voted out	1339	84.9%
Bills Carried Over to next session	213 *	13.5%
Total Bills referred	**1552**	98.4%
B. Bills reported out by law or joint order and not referred back to committee	**5**	0.3%
C. Bills introduced without reference	**17**	1.1%
D. Bills referred, but not reported out (LDs 239, 644, 1558)	3	
Total Bills considered by Legislature	**1577**	100.0%
E. Orders and Resolutions Referred to Committee		
Joint Study Orders	0	
Joint Resolutions/Orders referred and voted out (JUD)	1	
Orders and Resolutions Carried Over to next session (AFA)	1	0.1%
Total Orders and Resolutions Referred	**3**	0.2%

II. BILLS AND PAPERS REPORTED OUT OF COMMITTEES	Number	% of All Committee Reports
A. Unanimous committee reports		
Ought to Pass	119	8.9%
Ought to Pass as Amended	363	27.0%
Leave to Withdraw	22	1.6%
Ought Not to Pass	482	35.9%
Total unanimous reports	**986**	**73.4%**
B. Divided committee reports		
Two-way reports	347	25.8%
Three-way reports	11	0.8%
Four-way reports	0	0.0%
Total divided reports	**358**	**26.6%**
Total Committee reports	**1344** **	**86.2%**
III. CONFIRMATION HEARINGS	**60**	**N/A**

IV. FINAL DISPOSITION	Number	% of All Bills/Rules
A. Bills and Papers enacted or finally passed		
Joint Study Orders	4	0.0%
Public laws	423	26.8%
Private and Special Laws	18	1.1%
Resolves	78	4.9%
Constitutional Resolutions	0	0.0%
Total Enacted or Finally Passed	**523**	**33.2%**
B. Resolves to authorize major substantive rules		
Rules authorized without legislative changes	5	29.4%
Rules authorized with legislative changes	7	41.2%
Rules carried over to next session	4	
Rules not authorized by the Legislature	1	5.9%
Total number of rules reviewed	**17**	**100.0%**
C. Bills vetoed or held by Governor		
Vetoes over-ridden	5	0.3%
Vetoes sustained	77	4.9%
Held by the Governor	16	1.0%
Total	**98**	**6.2%**

* Includes 48 bills reported out of various committees and subsequently committed to the AFA Committee and carried over; it also includes bills recommitted to committee of jurisdiction and carried over. To avoid double counting, these bills are counted as carried over and not as bills voted or reported out.

** Total committee reports does not include LD 815 that was voted by TAX Committee to be re-referred to VLA Committee, but was indefinately postponed by the House and Seante.

JOINT STANDING COMMITTEE ON AGRICULTURE, CONSERVATION AND FORESTRY

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	Number	% of Comm Activity	% of All Bills/Papers
A. Bills referred to Committee			
Bills referred and voted out	58	90.6%	3.7%
Bills Carried Over to next session	6 *	9.4%	0.4%
Total Bills referred	**64**	**100.0%**	**4.1%**
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	**64**	**100.0%**	**4.1%**
Orders and Resolutions referred to Committee			
Joint Study Orders referred and voted out	0	0.0%	0.0%
Joint Resolutions referred and voted out	0	0.0%	0.0%
Orders and Resolutions Carried Over	0	0.0%	0.0%
Total Orders and Resolutions Referred	**0**	**0.0%**	**0.0%**

II. COMMITTEE REPORTS	Number	% of this Committee's Reports	% of All Committee Reports
A. Unanimous committee reports			
Ought to Pass	12	20.7%	0.9%
Ought to Pass as Amended	19	32.8%	1.4%
Leave to Withdraw	0	0.0%	0.0%
Ought Not to Pass	6	10.3%	0.4%
Total unanimous reports	**37**	**63.8%**	**2.8%**
B. Divided committee reports			
Two-way reports	18	31.0%	1.3%
Three-way reports	3	5.2%	0.2%
Four-way reports	0	0.0%	0.0%
Total divided reports	**21**	**36.2%**	**1.6%**
Total committee reports	**58**	**90.6%**	**4.3%**

III. CONFIRMATION HEARINGS	8	N/A	N/A

IV. FINAL DISPOSITION	Number	% of Comm Bills/Papers	% of All Bills/Papers
A. Bills and Papers enacted or finally passed			
Joint Study Orders	0	0.0%	0.0%
Public laws	28	43.8%	1.8%
Private and Special Laws	1	1.6%	0.1%
Resolves	7	10.9%	0.4%
Constitutional Resolutions	0	0.0%	0.0%
Total Enacted or Finally Passed	**36**	**56.3%**	**2.3%**
B. Major substantive rules			
Authorized without legislative changes	1	20.0%	5.9%
Authorized with legislative changes	1	20.0%	5.9%
Rules carried over to next session	3		
Not authorized by the Legislature	0	0.0%	0.0%
Total number of rules reviewed	**5**	**100.0%**	**29.4%**
C. Bills vetoed or held by Governor			
Vetoes over-ridden	0	0.0%	0.0%
Vetoes sustained	2	3.1%	0.1%
Held by the Governor	2	3.1%	0.1%
Total	**4**	6.3%	**0.3%**

* 3 bills were voted out that were subsequently committed to the AFA Committee and carried over; to avoid double counting, these bills are not counted here; see numbers for AFA Committee.

Prepared by the Office of Policy and Legal Analysis
126th Legislature, First Regular Session

JOINT STANDING COMMITTEE ON APPROPRIATIONS AND FINANCIAL AFFAIRS

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	Number	% of Comm Activity	% of All Bills/Papers
A. Bills referred to Committee			
Bills referred and voted out	4	4.0%	0.3%
Bills Carried Over to next session	96 *	95.0%	6.1%
Total Bills referred	**100**	**99.0%**	**6.3%**
B. Bills reported out by law or joint order and not referred back to committee	**1**	**1.0%**	**0.1%**
Total Bills considered by Committee	**101**	**100.0%**	**6.4%**
Orders and Resolutions referred to Committee			
Joint Study Orders referred and voted out	0	0.0%	0.0%
Joint Resolutions referred and voted out	0	0.0%	0.0%
Orders and Resolutions Carried Over	1	100.0%	0.1%
Total Orders and Resolutions Referred	**1**	**100.0%**	0.1%

II. COMMITTEE REPORTS	Number	% of this Committee's Reports	% of All Committee Reports
A. Unanimous committee reports			
Ought to Pass	0	0.0%	0.0%
Ought to Pass as Amended	4	100.0%	0.3%
Leave to Withdraw	0	0.0%	0.0%
Ought Not to Pass	0	0.0%	0.0%
Total unanimous reports	**4**	**100.0%**	**0.3%**
B. Divided committee reports			
Two-way reports	0	0.0%	0.0%
Three-way reports	0	0.0%	0.0%
Four-way reports	0	0.0%	0.0%
Total divided reports	**0**	**0.0%**	**0.0%**
Total committee reports	**4**	**3.9%**	**0.3%**
III. CONFIRMATION HEARINGS	**1**	**N/A**	**N/A**

IV. FINAL DISPOSITION	Number	% of Comm Bills/Papers	% of All Bills/Papers
A. Bills and Papers enacted or finally passed			
Joint Study Orders	0	0.0%	0.0%
Public laws	3	3.0%	0.2%
Private and Special Laws	0	0.0%	0.0%
Resolves	0	0.0%	0.0%
Constitutional Resolutions	0	0.0%	0.0%
Total Enacted or Finally Passed	**3**	**3.0%**	**0.2%**
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%
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			
Vetoes over-ridden	1	1.0%	0.1%
Vetoes sustained	0	0.0%	0.0%
Held by the Governor	1	1.0%	0.1%
Total	**2**	2.0%	**0.1%**

* Includes 48 bills reported out of other committees and subsequently commited to AFA Committee and carried over.

Prepared by the Office of Policy and Legal Analysis
126th Legislature, First Regular Session

JOINT STANDING COMMITTEE ON CRIMINAL JUSTICE AND PUBLIC SAFETY

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	Number	% of Comm Activity	% of All Bills/Papers
A. Bills referred to Committee			
Bills referred and voted out	93	93.0%	5.9%
Bills Carried Over to next session	7 *	7.0%	0.4%
Total Bills referred	**100**	**100.0%**	**6.3%**
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	**100**	**100.0%**	**6.3%**
Orders and Resolutions referred to Committee			
Joint Study Orders referred and voted out	1	0.0%	0.0%
Joint Resolutions/Orders referred and voted out	0	0.0%	0.0%
Orders and Resolutions Carried Over	0	0.0%	0.0%
Total Orders and Resolutions Referred	**0**	**0.0%**	**0.0%**

II. COMMITTEE REPORTS	Number	% of this Committee's Reports	% of All Committee Reports
A. Unanimous committee reports			
Ought to Pass	10	10.6%	0.7%
Ought to Pass as Amended	17	18.1%	1.3%
Leave to Withdraw	1	1.1%	0.1%
Ought Not to Pass	29	30.9%	2.2%
Total unanimous reports	**57**	**60.6%**	**4.2%**
B. Divided committee reports			
Two-way reports	37	39.4%	2.8%
Three-way reports	0	0.0%	0.0%
Four-way reports	0	0.0%	0.0%
Total divided reports	**37**	**39.4%**	**2.8%**
Total committee reports	**94**	**94.0%**	**7.0%**

III. CONFIRMATION HEARINGS	3	N/A	N/A

IV. FINAL DISPOSITION	Number	% of Comm Bills/Papers	% of All Bills/Papers
A. Bills and Papers enacted or finally passed			
Joint Study Orders	0	0.0%	0.0%
Public laws	31	31.0%	2.0%
Private and Special Laws	0	0.0%	0.0%
Resolves	1	1.0%	0.1%
Constitutional Resolutions	0	0.0%	0.0%
Total Enacted or Finally Passed	**32**	**32.0%**	**2.0%**
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%
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			
Vetoes over-ridden	0	0.0%	0.0%
Vetoes sustained	4	4.0%	0.3%
Held by the Governor	0	0.0%	0.0%
Total	**4**	4.0%	**0.3%**

* 1 bill was voted out that were subsequently committed to the AFA Committee and carried over; to avoid double counting, this bill is not counted here; see numbers for AFA Committee.

JOINT STANDING COMMITTEE ON EDUCATION AND CULTURAL AFFAIRS

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	Number	% of Comm Activity	% of All Bills/Papers
A. Bills referred to Committee			
Bills referred and voted out	137	93.8%	8.7%
Bills Carried Over to next session	8 *	5.5%	0.5%
Total Bills referred	**145**	**99.3%**	**9.2%**
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	**146**	**100.0%**	**9.3%**
Orders and Resolutions referred to Committee			
Joint Study Orders referred and voted out	0	0.0%	0.0%
Joint Resolutions referred and voted out	0	0.0%	0.0%
Orders and Resolutions Carried Over	0	0.0%	0.0%
Total Orders and Resolutions Referred	**0**	**0.0%**	**0.0%**

II. COMMITTEE REPORTS	Number	% of this Committee's Reports	% of All Committee Reports
A. Unanimous committee reports			
Ought to Pass	7	5.1%	0.5%
Ought to Pass as Amended	46	33.3%	3.4%
Leave to Withdraw	7	5.1%	0.5%
Ought Not to Pass	51	37.0%	3.8%
Total unanimous reports	**111**	**80.4%**	**8.3%**
B. Divided committee reports			
Two-way reports	26	18.8%	1.9%
Three-way reports	1	0.7%	0.1%
Four-way reports	0	0.0%	0.0%
Total divided reports	**27**	**19.6%**	**2.0%**
Total committee reports	**138**	**94.5%**	**10.3%**

III. CONFIRMATION HEARINGS	9	N/A	N/A

IV. FINAL DISPOSITION	Number	% of Comm Bills/Papers	% of All Bills/Papers
A. Bills and Papers enacted or finally passed			
Joint Study Orders	0	0.0%	0.0%
Public laws	32	21.9%	2.0%
Private and Special Laws	2	1.4%	0.1%
Resolves	11	7.5%	0.7%
Constitutional Resolutions	0	0.0%	0.0%
Total Enacted or Finally Passed	**45**	**30.8%**	**2.9%**
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	2	66.7%	11.8%
Rules not authorized by the Legislature	1	33.3%	5.9%
Total number of rules reviewed	**3**	**100.0%**	**17.6%**
C. Bills vetoed or held by Governor			
Vetoes over-ridden	1	0.7%	0.1%
Vetoes sustained	14	9.6%	0.9%
Held by the Governor	3	2.1%	0.2%
Total	**18**	12.3%	**1.1%**

* 8 bills were voted out that were subsequently committed to the AFA Committee and carried over; to avoid double counting, these bills are not counted here; see numbers for AFA Committee. Also includes 2 bills voted out that were recommitted to the committee and carried over; to avoid double counting, these bills are counted as carried over and not as bills voted or reported out.

Prepared by the Office of Policy and Legal Analysis
126th Legislature, First Regular Session

JOINT STANDING COMMITTEE ON ENERGY AND UTILITIES

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	Number	% of Comm Activity	% of All Bills/Papers
A. Bills referred to Committee			
Bills referred and voted out	63	74.1%	4.0%
Bills Carried Over to next session	21 *	24.7%	1.3%
Total Bills referred	**84**	**98.8%**	**5.3%**
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	**85**	**100.0%**	**5.4%**
Orders and Resolutions referred to Committee			
Joint Study Orders referred and voted out	0	0.0%	0.0%
Joint Resolutions referred and voted out	0	0.0%	0.0%
Orders and Resolutions Carried Over	0	0.0%	0.0%
Total Orders and Resolutions Referred	**0**	**0.0%**	**0.0%**

II. COMMITTEE REPORTS	Number	% of this Committee's Reports	% of All Committee Reports
A. Unanimous committee reports			
Ought to Pass	6	9.4%	0.4%
Ought to Pass as Amended	22	34.4%	1.6%
Leave to Withdraw	2	3.1%	0.1%
Ought Not to Pass	29	45.3%	2.2%
Total unanimous reports	**59**	**92.2%**	**4.4%**
B. Divided committee reports			
Two-way reports	5	7.8%	0.4%
Three-way reports	0	0.0%	0.0%
Four-way reports	0	0.0%	0.0%
Total divided reports	**5**	**7.8%**	**0.4%**
Total committee reports	**64**	**75.3%**	**4.8%**

III. CONFIRMATION HEARINGS	3	N/A	N/A

IV. FINAL DISPOSITION	Number	% of Comm Bills/Papers	% of All Bills/Papers
A. Bills and Papers enacted or finally passed			
Joint Study Orders	0	0.0%	0.0%
Public laws	14	16.5%	0.9%
Private and Special Laws	8	9.4%	0.5%
Resolves	5	5.9%	0.3%
Constitutional Resolutions	0	0.0%	0.0%
Total Enacted or Finally Passed	**27**	**31.8%**	**1.7%**
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	0	0.0%	0.0%
Rules authorized with legislative changes	1	50.0%	5.9%
Rules carried over to next session	1		
Rules not authorized by the Legislature	0	0.0%	0.0%
Total number of rules reviewed	**2**	**100.0%**	**11.8%**
C. Bills vetoed or held by Governor			
Vetoes over-ridden	1	1.2%	0.1%
Vetoes sustained	1	1.2%	0.1%
Held by the Governor	0	0.0%	0.0%
Total	**2**	2.4%	**0.1%**

* 1 bill was voted out that was subsequently committed to the AFA Committee and carried over; to avoid double counting, this bill is not counted here; see numbers for AFA Committee.

Prepared by the Office of Policy and Legal Analysis
126th Legislature, First Regular Session

JOINT STANDING COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	Number	% of Comm Activity	% of All Bills/Papers
A. Bills referred to Committee			
Bills referred and voted out	56	93.3%	3.6%
Bills Carried Over to next session	4	6.7%	0.3%
Total Bills referred	**60**	**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	**60**	**100.0%**	**3.8%**
Orders and Resolutions referred to Committee			
Joint Study Orders referred and voted out	0	0.0%	0.0%
Joint Resolutions referred and voted out	0	0.0%	0.0%
Orders and Resolutions Carried Over	0	0.0%	0.0%
Total Orders and Resolutions Referred	**0**	**0.0%**	**0.0%**

II. COMMITTEE REPORTS	Number	% of this Committee's Reports	% of All Committee Reports
A. Unanimous committee reports			
Ought to Pass	5	8.9%	0.4%
Ought to Pass as Amended	14	25.0%	1.0%
Leave to Withdraw	1	1.8%	0.1%
Ought Not to Pass	12	21.4%	0.9%
Total unanimous reports	**32**	**57.1%**	**2.4%**
B. Divided committee reports			
Two-way reports	22	39.3%	1.6%
Three-way reports	2	3.6%	0.1%
Four-way reports	0	0.0%	0.0%
Total divided reports	**24**	**42.9%**	**1.8%**
Total committee reports	**56**	**93.3%**	**4.2%**

III. CONFIRMATION HEARINGS	1	N/A	N/A

IV. FINAL DISPOSITION	Number	% of Comm Bills/Papers	% of All Bills/Papers
A. Bills and Papers enacted or finally passed			
Joint Study Orders	0	0.0%	0.0%
Public laws	25	41.7%	1.6%
Private and Special Laws	0	0.0%	0.0%
Resolves	3	5.0%	0.2%
Constitutional Resolutions	0	0.0%	0.0%
Total Enacted or Finally Passed	**28**	**46.7%**	**1.8%**
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	1	100.0%	5.9%
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	**1**	**100.0%**	**5.9%**
C. Bills vetoed or held by Governor			
Vetoes over-ridden	0	0.0%	0.0%
Vetoes sustained	4	6.7%	0.3%
Held by the Governor	0	0.0%	0.0%
Total	**4**	6.7%	**0.3%**

JOINT STANDING COMMITTEE ON HEALTH AND HUMAN SERVICES

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	Number	% of Comm Activity	% of All Bills/Papers
A. Bills referred to Committee			
Bills referred and voted out	128	92.8%	8.1%
Bills Carried Over to next session	9 *	6.5%	0.6%
Total Bills referred	**137**	**99.3%**	**8.7%**
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	**138**	**100.0%**	**8.8%**
Orders and Resolutions referred to Committee			
Joint Study Orders referred and voted out	0	0.0%	0.0%
Joint Resolutions referred and voted out	0	0.0%	0.0%
Orders and Resolutions Carried Over	0	0.0%	0.0%
Total Orders and Resolutions Referred	**0**	**0.0%**	**0.0%**

II. COMMITTEE REPORTS	Number	% of this Committee's Reports	% of All Committee Reports
A. Unanimous committee reports			
Ought to Pass	16	12.4%	1.2%
Ought to Pass as Amended	39	30.2%	2.9%
Leave to Withdraw	0	0.0%	0.0%
Ought Not to Pass	35	27.1%	2.6%
Total unanimous reports	**90**	**69.8%**	**6.7%**
B. Divided committee reports			
Two-way reports	38	29.5%	2.8%
Three-way reports	1	0.8%	0.1%
Four-way reports	0	0.0%	0.0%
Total divided reports	**39**	**30.2%**	**2.9%**
Total committee reports	**129**	**93.5%**	**9.6%**
III. CONFIRMATION HEARINGS	**0**	**N/A**	**N/A**

IV. FINAL DISPOSITION	Number	% of Comm Bills/Papers	% of All Bills/Papers
A. Bills and Papers enacted or finally passed			
Joint Study Orders	0	0.0%	0.0%
Public laws	35	25.4%	2.2%
Private and Special Laws	0	0.0%	0.0%
Resolves	15	10.9%	1.0%
Constitutional Resolutions	0	0.0%	0.0%
Total Enacted or Finally Passed	**50**	**36.2%**	**3.2%**
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	1	50.0%	5.9%
Rules authorized with legislative changes	1	50.0%	5.9%
Rules not authorized by the Legislature	0	0.0%	0.0%
Total number of rules reviewed	**2**	**100.0%**	**11.8%**
C. Bills vetoed or held by Governor			
Vetoes over-ridden	0	0.0%	0.0%
Vetoes sustained	15	10.9%	1.0%
Held by the Governor	3	2.2%	0.2%
Total	**18**	13.0%	**1.1%**

* 13 bills were voted out that were subsequently committed to the AFA Committee and carried over; to avoid double counting, these bills are not counted here; see numbers for AFA Committee. Also includes 1 bill that was recommitted to the committee and carried over; to avoid double counting, this bill was counted as carried over and not as bills voted or reported out.

Prepared by the Office of Policy and Legal Analysis
126th Legislature, First Regular Session

JOINT STANDING COMMITTEE ON INSURANCE AND FINANCIAL SERVICES

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	Number	% of Comm Activity	% of All Bills/Papers
A. Bills referred to Committee			
Bills referred and voted out	67	88.2%	4.2%
Bills Carried Over to next session	9 *	11.8%	0.6%
Total Bills referred	**76**	**100.0%**	**4.8%**
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	**76**	**100.0%**	**4.8%**
Orders and Resolutions referred to Committee			
Joint Study Orders referred and voted out	0	0.0%	0.0%
Joint Resolutions referred and voted out	0	0.0%	0.0%
Orders and Resolutions Carried Over	0	0.0%	0.0%
Total Orders and Resolutions Referred	**0**	**0.0%**	**0.0%**

II. COMMITTEE REPORTS	Number	% of this Committee's Reports	% of All Committee Reports
A. Unanimous committee reports			
Ought to Pass	6	9.0%	0.4%
Ought to Pass as Amended	22	32.8%	1.6%
Leave to Withdraw	1	1.5%	0.1%
Ought Not to Pass	25	37.3%	1.9%
Total unanimous reports	**54**	**80.6%**	**4.0%**
B. Divided committee reports			
Two-way reports	13	19.4%	1.0%
Three-way reports	0	0.0%	0.0%
Four-way reports	0	0.0%	0.0%
Total divided reports	**13**	**19.4%**	**1.0%**
Total committee reports	**67**	**88.2%**	**5.0%**
III. CONFIRMATION HEARINGS	**3**	**N/A**	**N/A**

IV. FINAL DISPOSITION	Number	% of Comm Bills/Papers	% of All Bills/Papers
A. Bills and Papers enacted or finally passed			
Joint Study Orders	0	0.0%	0.0%
Public laws	26	34.2%	1.6%
Private and Special Laws	0	0.0%	0.0%
Resolves	2	2.6%	0.1%
Constitutional Resolutions	0	0.0%	0.0%
Total Enacted or Finally Passed	**28**	**36.8%**	**1.8%**
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			
Vetoes over-ridden	0	0.0%	0.0%
Vetoes sustained	4	5.3%	0.3%
Held by the Governor	0	0.0%	0.0%
Total	**4**	5.3%	**0.3%**

* Includes 1 bill voted out that was recommitted to the committee and carried over; to avoid double counting, this bill is counted as carried over and not as bills voted or reported out.

JOINT STANDING COMMITTEE ON INLAND FISHERIES AND WILDLIFE

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	Number	% of Comm Activity	% of All Bills/Papers
A. Bills referred to Committee			
Bills referred and voted out	94	96.9%	6.0%
Bills Carried Over to next session	3	3.1%	0.2%
Total Bills referred	**97**	**100.0%**	**6.2%**
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	**97**	**100.0%**	**6.2%**
Orders and Resolutions referred to Committee			
Joint Study Orders referred and voted out	0	0.0%	0.0%
Joint Resolutions referred and voted out	0	0.0%	0.0%
Orders and Resolutions Carried Over	0	0.0%	0.0%
Total Orders and Resolutions Referred	**0**	**0.0%**	**0.0%**

II. COMMITTEE REPORTS	Number	% of this Committee's Reports	% of All Committee Reports
A. Unanimous committee reports			
Ought to Pass	8	8.5%	0.6%
Ought to Pass as Amended	20	21.3%	1.5%
Leave to Withdraw	1	1.1%	0.1%
Ought Not to Pass	36	38.3%	2.7%
Total unanimous reports	**65**	**69.1%**	**4.8%**
B. Divided committee reports			
Two-way reports	29	30.9%	2.2%
Three-way reports	0	0.0%	0.0%
Four-way reports	0	0.0%	0.0%
Total divided reports	**29**	**30.9%**	**2.2%**
Total committee reports	**94**	**96.9%**	**7.0%**

III. CONFIRMATION HEARINGS	3	N/A	N/A

IV. FINAL DISPOSITION	Number	% of Comm Bills/Papers	% of All Bills/Papers
A. Bills and Papers enacted or finally passed			
Joint Study Orders	0	0.0%	0.0%
Public laws	31	32.0%	2.0%
Private and Special Laws	0	0.0%	0.0%
Resolves	4	4.1%	0.3%
Constitutional Resolutions	0	0.0%	0.0%
Total Enacted or Finally Passed	**35**	**36.1%**	**2.2%**
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%
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			
Vetoes over-ridden	0	0.0%	0.0%
Vetoes sustained	2	2.1%	0.1%
Held by the Governor	1	1.0%	0.1%
Total	**3**	3.1%	**0.2%**

JOINT STANDING COMMITTEE ON JUDICIARY

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	Number	% of Comm Activity	% of All Bills/Papers
A. Bills referred to Committee			
Bills referred and voted out	123	96.9%	7.8%
Bills Carried Over to next session	4 *	3.1%	0.3%
Total Bills referred	**127**	**100.0%**	**8.1%**
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	**127**	**100.0%**	**8.1%**
Orders and Resolutions referred to Committee			
Joint Study Orders referred and voted out	0	0.0%	0.0%
Joint Resolutions/Orders referred and voted out	1	100.0%	0.1%
Orders and Resolutions Carried Over	0	0.0%	0.0%
Total Orders and Resolutions Referred	**1**	**100.0%**	**0.1%**

II. COMMITTEE REPORTS	Number	% of this Committee's Reports	% of All Committee Reports
A. Unanimous committee reports			
Ought to Pass	15	12.1%	1.1%
Ought to Pass as Amended	29	23.4%	2.2%
Leave to Withdraw	3	2.4%	0.2%
Ought Not to Pass	41	33.1%	3.1%
Total unanimous reports	**88**	**71.0%**	**6.5%**
B. Divided committee reports			
Two-way reports	35	28.2%	2.6%
Three-way reports	1	0.8%	0.1%
Four-way reports	0	0.0%	0.0%
Total divided reports	**36**	**29.0%**	**2.7%**
Total committee reports	**124**	**96.9%**	**9.2%**
III. CONFIRMATION HEARINGS	**3**	**N/A**	**N/A**

IV. FINAL DISPOSITION	Number	% of Comm Bills/Papers	% of All Bills/Papers
A. Bills and Papers enacted or finally passed			
Joint Study Orders	0	0.0%	0.0%
Public laws	40	31.5%	2.5%
Private and Special Laws	2	1.6%	0.1%
Resolves	7	5.5%	0.4%
Constitutional Resolutions	0	0.0%	0.0%
Total Enacted or Finally Passed	**49**	**38.6%**	**3.1%**
B. Resolves to authorize major substantive rules			
Rules authorized without legislative changes	2	100.0%	11.8%
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	**2**	**100.0%**	**11.8%**
C. Bills vetoed or held by Governor			
Vetoes over-ridden	1	0.8%	0.1%
Vetoes sustained	6	4.7%	0.4%
Held by the Governor	0	0.0%	0.0%
Total	**7**	5.5%	**0.4%**

* 5 bills were voted out that were subsequently committed to the AFA Committee and carried over; to avoid double counting, these bills are not counted here; see numbers for AFA Committee.

Prepared by the Office of Policy and Legal Analysis
126th Legislature, First Regular Session

JOINT STANDING COMMITTEE ON
LABOR, COMMERCE, RESEARCH AND ECONOMIC DEVELOPMENT

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	Number	% of Comm Activity	% of All Bills/Papers
A. Bills referred to Committee			
Bills referred and voted out	126	92.6%	8.0%
Bills Carried Over to next session	10 *	7.4%	0.6%
Total Bills referred	**136**	**100.0%**	**8.6%**
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	**136**	**100.0%**	**8.6%**
Orders and Resolutions referred to Committee			
Joint Study Orders referred and voted out	0	0.0%	0.0%
Joint Resolutions referred and voted out	0	0.0%	0.0%
Orders and Resolutions Carried Over	0	0.0%	0.0%
Total Orders and Resolutions Referred	**0**	**0.0%**	**0.0%**

II. COMMITTEE REPORTS	Number	% of this Committee's Reports	% of All Committee Reports
A. Unanimous committee reports			
Ought to Pass	10	7.9%	0.7%
Ought to Pass as Amended	35	27.8%	2.6%
Leave to Withdraw	1	0.8%	0.1%
Ought Not to Pass	46	36.5%	3.4%
Total unanimous reports	**92**	**73.0%**	**6.8%**
B. Divided committee reports			
Two-way reports	32	25.4%	2.4%
Three-way reports	2	1.6%	0.1%
Four-way reports	0	0.0%	0.0%
Total divided reports	**34**	**27.0%**	**2.5%**
Total committee reports	**126**	**92.6%**	**9.4%**
III. CONFIRMATION HEARINGS	**17**	**N/A**	**N/A**

IV. FINAL DISPOSITION	Number	% of Comm Bills/Papers	% of All Bills/Papers
A. Bills and Papers enacted or finally passed			
Joint Study Orders	0	0.0%	0.0%
Public laws	43	31.6%	2.7%
Private and Special Laws	1	0.7%	0.1%
Resolves	4	2.9%	0.3%
Constitutional Resolutions	0	0.0%	0.0%
Total Enacted or Finally Passed	**48**	**35.3%**	**3.0%**
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%	5.9%
Rules not authorized by the Legislature	0	0.0%	0.0%
Total number of rules reviewed	**1**	**100.0%**	**5.9%**
C. Bills vetoed or held by Governor			
Vetoes over-ridden	0	0.0%	0.0%
Vetoes sustained	15	11.0%	1.0%
Held by the Governor	0	0.0%	0.0%
Total	**15**	11.0%	**1.0%**

* 4 bills were voted out that were subsequently committed to the AFA Committee and carried over; to avoid double counting, these bills are not counted here; see numbers for AFA Committee. Also includes 2 bills voted out that were recommitted to the committee and carried over; to avoid double counting, these bills are counted as carried over and not as bills voted or reported out.

Prepared by the Office of Policy and Legal Analysis
126th Legislature, First Regular Session

JOINT SELECT COMMITTEE ON MAINE'S WORKFORCE AND ECONOMIC FUTURE

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	Number	% of Comm Activity	% of All Bills/Papers
A. Bills referred to Committee			
Bills referred and voted out	8	88.9%	0.5%
Bills Carried Over to next session	1	11.1%	0.1%
Total Bills referred	**9**	**100.0%**	**0.6%**
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	**9**	**100.0%**	**0.6%**
Orders and Resolutions referred to Committee			
Joint Study Orders referred and voted out	0	0.0%	0.0%
Joint Resolutions referred and voted out	0	0.0%	0.0%
Orders and Resolutions Carried Over	0	0.0%	0.0%
Total Orders and Resolutions Referred	**0**	**0.0%**	**0.0%**

II. COMMITTEE REPORTS	Number	% of this Committee's Reports	% of All Committee Reports
A. Unanimous committee reports			
Ought to Pass	0	0.0%	0.0%
Ought to Pass as Amended	2	25.0%	0.1%
Leave to Withdraw	0	0.0%	0.0%
Ought Not to Pass	5	62.5%	0.4%
Total unanimous reports	**7**	**87.5%**	**0.5%**
B. Divided committee reports			
Two-way reports	1	12.5%	0.1%
Three-way reports	0	0.0%	0.0%
Four-way reports	0	0.0%	0.0%
Total divided reports	**1**	**12.5%**	**0.1%**
Total committee reports	**8**	**88.9%**	**0.6%**

III. CONFIRMATION HEARINGS	0	N/A	N/A

IV. FINAL DISPOSITION	Number	% of Comm Bills/Papers	% of All Bills/Papers
A. Bills and Papers enacted or finally passed			
Joint Study Orders	0	0.0%	0.0%
Public laws	0	0.0%	0.0%
Private and Special Laws	0	0.0%	0.0%
Resolves	0	0.0%	0.0%
Constitutional Resolutions	0	0.0%	0.0%
Total Enacted or Finally Passed	**0**	**0.0%**	**0.0%**
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%
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			
Vetoes over-ridden	0	0.0%	0.0%
Vetoes sustained	0	0.0%	0.0%
Held by the Governor	2	22.2%	0.1%
Total	**2**	**22.2%**	**0.1%**

JOINT STANDING COMMITTEE ON MARINE RESOURCES

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	Number	% of Comm Activity	% of All Bills/Papers
A. Bills referred to Committee			
Bills referred and voted out	31	91.2%	2.0%
Bills Carried Over to next session	3 *	8.8%	0.2%
Total Bills referred	**34**	**100.0%**	**2.2%**
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	**34**	**100.0%**	**2.2%**
Orders and Resolutions referred to Committee			
Joint Study Orders referred and voted out	0	0.0%	0.0%
Joint Resolutions referred and voted out	0	0.0%	0.0%
Orders and Resolutions Carried Over	0	0.0%	0.0%
Total Orders and Resolutions Referred	**0**	**0.0%**	**0.0%**

II. COMMITTEE REPORTS	Number	% of this Committee's Reports	% of All Committee Reports
A. Unanimous committee reports			
Ought to Pass	1	3.2%	0.1%
Ought to Pass as Amended	12	38.7%	0.9%
Leave to Withdraw	0	0.0%	0.0%
Ought Not to Pass	15	48.4%	1.1%
Total unanimous reports	**28**	**90.3%**	**2.1%**
B. Divided committee reports			
Two-way reports	3	9.7%	0.2%
Three-way reports	0	0.0%	0.0%
Four-way reports	0	0.0%	0.0%
Total divided reports	**3**	**9.7%**	**0.2%**
Total committee reports	**31**	**91.2%**	**2.3%**
III. CONFIRMATION HEARINGS	**1**	**N/A**	**N/A**

IV. FINAL DISPOSITION	Number	% of Comm Bills/Papers	% of All Bills/Papers
A. Bills and Papers enacted or finally passed			
Joint Study Orders	0	0.0%	0.0%
Public laws	14	41.2%	0.9%
Private and Special Laws	0	0.0%	0.0%
Resolves	0	0.0%	0.0%
Constitutional Resolutions	0	0.0%	0.0%
Total Enacted or Finally Passed	**14**	**41.2%**	**0.9%**
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%
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			
Vetoes over-ridden	0	0.0%	0.0%
Vetoes sustained	0	0.0%	0.0%
Held by the Governor	0	0.0%	0.0%
Total	**0**	0.0%	**0.0%**

* 2 bills were voted out that were subsequently committed to the AFA Committee and carried over; to avoid double counting, these bills are not counted here; see numbers for AFA Committee.

Prepared by the Office of Policy and Legal Analysis
126th Legislature, First Regular Session

JOINT STANDING COMMITTEE ON STATE AND LOCAL GOVERNMENT

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	Number	% of Comm Activity	% of All Bills/Papers
A. Bills referred to Committee			
Bills referred and voted out	74	92.5%	4.7%
Bills Carried Over to next session	6	7.5%	0.4%
Total Bills referred	**80**	**100.0%**	**5.1%**
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	**80**	**100.0%**	**5.1%**
Orders and Resolutions referred to Committee			
Joint Study Orders referred and voted out	0	0.0%	0.0%
Joint Resolutions referred and voted out	0	0.0%	0.0%
Orders and Resolutions Carried Over	0	0.0%	0.0%
Total Orders and Resolutions Referred	**0**	**0.0%**	**0.0%**

II. COMMITTEE REPORTS	Number	% of this Committee's Reports	% of All Committee Reports
A. Unanimous committee reports			
Ought to Pass	6	8.1%	0.4%
Ought to Pass as Amended	15	20.3%	1.1%
Leave to Withdraw	1	1.4%	0.1%
Ought Not to Pass	17	23.0%	1.3%
Total unanimous reports	**39**	**52.7%**	**2.9%**
B. Divided committee reports			
Two-way reports	34	45.9%	2.5%
Three-way reports	1	1.4%	0.1%
Four-way reports	0	0.0%	0.0%
Total divided reports	**35**	**47.3%**	**2.6%**
Total committee reports	**74**	**92.5%**	**5.5%**

III. CONFIRMATION HEARINGS	4	N/A	N/A

IV. FINAL DISPOSITION	Number	% of Comm Bills/Papers	% of All Bills/Papers
A. Bills and Papers enacted or finally passed			
Joint Study Orders	0	0.0%	0.0%
Public laws	16	20.0%	1.0%
Private and Special Laws	3	3.8%	0.2%
Resolves	5	6.3%	0.3%
Constitutional Resolutions	0	0.0%	0.0%
Total Enacted or Finally Passed	**24**	**30.0%**	**1.5%**
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			
Vetoes over-ridden	1	1.3%	0.1%
Vetoes sustained	1	1.3%	0.1%
Held by the Governor	1	1.3%	0.1%
Total	**3**	3.8%	**0.2%**

Prepared by the Office of Policy and Legal Analysis
126th Legislature, First Regular Session

JOINT STANDING COMMITTEE ON TAXATION

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	Number	% of Comm Activity	% of All Bills/Papers
A. Bills referred to Committee			
Bills referred and voted out	86	90.5%	5.5%
Bills Carried Over to next session	9 *	9.5%	0.6%
Total Bills referred	**95**	**100.0%**	**6.0%**
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	**95**	**100.0%**	**6.0%**
Orders and Resolutions referred to Committee			
Joint Study Orders referred and voted out	0	0.0%	0.0%
Joint Resolutions referred and voted out	0	0.0%	0.0%
Orders and Resolutions Carried Over	0	0.0%	0.0%
Total Orders and Resolutions Referred	**0**	**0.0%**	**0.0%**

II. COMMITTEE REPORTS	Number	% of this Committee's Reports	% of All Committee Reports
A. Unanimous committee reports			
Ought to Pass	2	2.4%	0.1%
Ought to Pass as Amended	20	23.5%	1.5%
Leave to Withdraw	1	1.2%	0.1%
Ought Not to Pass	47	55.3%	3.5%
Total unanimous reports	**70**	**82.4%**	**5.2%**
B. Divided committee reports			
Two-way reports	15	17.6%	1.1%
Three-way reports	0	0.0%	0.0%
Four-way reports	0	0.0%	0.0%
Total divided reports	**15**	**17.6%**	**1.1%**
Total committee reports	**85**	**89.5%**	**6.3%**
III. CONFIRMATION HEARINGS	**0**	**N/A**	**N/A**

IV. FINAL DISPOSITION	Number	% of Comm Bills/Papers	% of All Bills/Papers
A. Bills and Papers enacted or finally passed			
Joint Study Orders	0	0.0%	0.0%
Public laws	17	17.9%	1.1%
Private and Special Laws	0	0.0%	0.0%
Resolves	1	1.1%	0.1%
Constitutional Resolutions	0	0.0%	0.0%
Total Enacted or Finally Passed	**18**	**18.9%**	**1.1%**
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			
Vetoes over-ridden	0	0.0%	0.0%
Vetoes sustained	2	2.1%	0.1%
Held by the Governor	2	2.1%	0.1%
Total	**4**	4.2%	**0.3%**

* 9 bills were voted out that were subsequently committed to the AFA Committee and carried over; to avoid double counting, these bills are not counted here. See numbers for AFA Committee. Also includes 1 bill voted out that was recommitted to the committee and carried over; to avoid double counting, this bill is counted as carried over and not as bills voted or reported out.

Prepared by the Office of Policy and Legal Analysis
126th Legislature, First Regular Session

JOINT STANDING COMMITTEE ON TRANSPORTATION

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	Number	% of Comm Activity	% of All Bills/Papers
A. Bills referred to Committee			
Bills referred and voted out	101	94.4%	6.4%
Bills Carried Over to next session	6	5.6%	0.4%
Total Bills referred	**107**	**100.0%**	**6.8%**
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	**107**	**100.0%**	**6.8%**
Orders and Resolutions referred to Committee			
Joint Study Orders referred and voted out	0	0.0%	0.0%
Joint Resolutions referred and voted out	0	0.0%	0.0%
Orders and Resolutions Carried Over	0	0.0%	0.0%
Total Orders and Resolutions Referred	**0**	**0.0%**	**0.0%**

II. COMMITTEE REPORTS	Number	% of this Committee's Reports	% of All Committee Reports
A. Unanimous committee reports			
Ought to Pass	10	9.9%	0.7%
Ought to Pass as Amended	25	24.8%	1.9%
Leave to Withdraw	0	0.0%	0.0%
Ought Not to Pass	51	50.5%	3.8%
Total unanimous reports	**86**	**85.1%**	**6.4%**
B. Divided committee reports			
Two-way reports	15	14.9%	1.1%
Three-way reports	0	0.0%	0.0%
Four-way reports	0	0.0%	0.0%
Total divided reports	**15**	**14.9%**	**1.1%**
Total committee reports	**101**	**94.4%**	**7.5%**
III. CONFIRMATION HEARINGS	**1**	**N/A**	**N/A**

IV. FINAL DISPOSITION	Number	% of Comm Bills/Papers	% of All Bills/Papers
A. Bills and Papers enacted or finally passed			
Joint Study Orders	0	0.0%	0.0%
Public laws	28	26.2%	1.8%
Private and Special Laws	1	0.9%	0.1%
Resolves	8	7.5%	0.5%
Constitutional Resolutions	0	0.0%	0.0%
Total Enacted or Finally Passed	**37**	**34.6%**	**2.3%**
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			
Vetoes over-ridden	0	0.0%	0.0%
Vetoes sustained	1	0.9%	0.1%
Held by the Governor	0	0.0%	0.0%
Total	**1**	0.9%	**0.1%**

JOINT STANDING COMMITTEE ON VETERANS' AND LEGAL AFFAIRS

Summary of Committee Actions

I. BILLS AND PAPERS CONSIDERED	Number	% of Comm Activity	% of All Bills/Papers
A. Bills referred to Committee			
Bills referred and voted out	90	88.2%	5.7%
Bills Carried Over to next session	11 *	10.8%	0.7%
Total Bills referred	**101**	**99.0%**	**6.4%**
B. Bills reported out by law or joint order and not referred back to committee	**1**	**1.0%**	**0.1%**
Total Bills considered by Committee	**102**	**100.0%**	**6.5%**
Orders and Resolutions referred to Committee			
Joint Study Orders referred and voted out	0	0.0%	0.0%
Joint Resolutions referred and voted out	0	0.0%	0.0%
Orders and Resolutions Carried Over from previous session	0	0.0%	0.0%
Total Orders and Resolutions Referred	**0**	**0.0%**	**0.0%**

II. COMMITTEE REPORTS	Number	% of this Committee's Reports	% of All Committee Reports
A. Unanimous committee reports			
Ought to Pass	5	5.5%	0.4%
Ought to Pass as Amended	22	24.2%	1.6%
Leave to Withdraw	3	3.3%	0.2%
Ought Not to Pass	37	40.7%	2.8%
Total unanimous reports	**67**	**73.6%**	**5.0%**
B. Divided committee reports			
Two-way reports	24	26.4%	1.8%
Three-way reports	0	0.0%	0.0%
Four-way reports	0	0.0%	0.0%
Total divided reports	**24**	**26.4%**	**1.8%**
Total committee reports	**91**	**89.2%**	**6.8%**

III. CONFIRMATION HEARINGS	3	N/A	N/A

IV. FINAL DISPOSITION	Number	% of Comm Bills/Papers	% of All Bills/Papers
A. Bills and Papers enacted or finally passed			
Joint Study Orders	0	0.0%	0.0%
Public laws	34	33.3%	2.2%
Private and Special Laws	0	0.0%	0.0%
Resolves	2	2.0%	0.1%
Constitutional Resolutions	0	0.0%	0.0%
Total Enacted or Finally Passed	**36**	**35.3%**	**2.3%**
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%	5.9%
Rules not authorized by the Legislature	0	0.0%	0.0%
Total number of rules reviewed	**1**	**100.0%**	**5.9%**
C. Bills vetoed or held by Governor			
Vetoes over-ridden	0	0.0%	0.0%
Vetoes sustained	5	4.9%	0.3%
Held by the Governor	0	0.0%	0.0%
Total	**5**	4.9%	**0.3%**

* 2 bills were voted out that were subsequently committed to the AFA Committee and carried over; to avoid double counting, these bills are not counted here; see numbers for AFA Committee.

Prepared by the Office of Policy and Legal Analysis
126th Legislature, First Regular Session

APPENDIX B

APPENDIX B

CUMULATIVE INDEX BY LD NUMBER

LD # (Vol.)	Page #	LD # (Vol.)	Page #	LD # (Vol.)	Page #
LD 1 (Vol. 2)	589	LD 51 (Vol. 2)	806	LD 101 (Vol. 1)	466
LD 2 (Vol. 1)	1	LD 52 (Vol. 2)	807	LD 102 (Vol. 1)	419
LD 3 (Vol. 1)	336	LD 53 (Vol. 2)	864	LD 103 (Vol. 2)	593
LD 4 (Vol. 1)	285	LD 54 (Vol. 2)	864	LD 104 (Vol. 2)	513
LD 5 (Vol. 1)	1	LD 55 (Vol. 2)	750	LD 105 (Vol. 1)	248
LD 6 (Vol. 1)	154	LD 56 (Vol. 1)	156	LD 106 (Vol. 2)	712
LD 7 (Vol. 1)	248	LD 57 (Vol. 2)	807	LD 107 (Vol. 2)	625
LD 8 (Vol. 1)	336	LD 58 (Vol. 2)	512	LD 108 (Vol. 2)	809
LD 9 (Vol. 2)	750	LD 59 (Vol. 1)	3	LD 109 (Vol. 2)	809
LD 10 (Vol. 2)	750	LD 60 (Vol. 1)	286	LD 110 (Vol. 2)	865
LD 11 (Vol. 2)	804	LD 61 (Vol. 1)	157	LD 111 (Vol. 1)	86
LD 12 (Vol. 2)	805	LD 62 (Vol. 1)	339	LD 112 (Vol. 1)	158
LD 13 (Vol. 2)	805	LD 63 (Vol. 1)	463	LD 113 (Vol. 1)	159
LD 14 (Vol. 2)	805	LD 64 (Vol. 2)	512	LD 114 (Vol. 1)	287
LD 15 (Vol. 2)	863	LD 65 (Vol. 2)	751	LD 115 (Vol. 1)	248
LD 16 (Vol. 1)	45	LD 66 (Vol. 2)	807	LD 116 (Vol. 2)	594
LD 17 (Vol. 2)	806	LD 67 (Vol. 2)	808	LD 117 (Vol. 2)	594
LD 18 (Vol. 1)	154	LD 68 (Vol. 2)	808	LD 118 (Vol. 2)	594
LD 19 (Vol. 2)	510	LD 69 (Vol. 2)	864	LD 119 (Vol. 2)	752
LD 20 (Vol. 1)	337	LD 70 (Vol. 1)	418	LD 120 (Vol. 2)	810
LD 21 (Vol. 2)	806	LD 71 (Vol. 2)	592	LD 121 (Vol. 2)	865
LD 22 (Vol. 1)	337	LD 72 (Vol. 2)	675	LD 122 (Vol. 1)	86
LD 23 (Vol. 1)	338	LD 73 (Vol. 2)	751	LD 123 (Vol. 1)	342
LD 24 (Vol. 2)	863	LD 74 (Vol. 2)	809	LD 124 (Vol. 1)	249
LD 25 (Vol. 1)	154	LD 75 (Vol. 2)	809	LD 125 (Vol. 2)	513
LD 26 (Vol. 1)	462	LD 76 (Vol. 1)	85	LD 126 (Vol. 2)	752
LD 27 (Vol. 2)	710	LD 77 (Vol. 1)	339	LD 127 (Vol. 2)	810
LD 28 (Vol. 1)	248	LD 78 (Vol. 1)	339	LD 128 (Vol. 1)	467
LD 29 (Vol. 1)	338	LD 79 (Vol. 1)	463	LD 129 (Vol. 1)	419
LD 30 (Vol. 1)	338	LD 80 (Vol. 2)	711	LD 130 (Vol. 1)	159
LD 31 (Vol. 2)	863	LD 81 (Vol. 1)	286	LD 131 (Vol. 1)	287
LD 32 (Vol. 2)	591	LD 82 (Vol. 2)	711	LD 132 (Vol. 1)	342
LD 33 (Vol. 1)	2	LD 83 (Vol. 1)	418	LD 133 (Vol. 1)	420
LD 34 (Vol. 1)	155	LD 84 (Vol. 1)	464	LD 134 (Vol. 2)	712
LD 35 (Vol. 2)	591	LD 85 (Vol. 1)	85	LD 135 (Vol. 2)	514
LD 36 (Vol. 2)	592	LD 86 (Vol. 1)	464	LD 136 (Vol. 2)	752
LD 37 (Vol. 2)	510	LD 87 (Vol. 1)	340	LD 137 (Vol. 1)	45
LD 38 (Vol. 1)	285	LD 88 (Vol. 1)	341	LD 138 (Vol. 1)	46
LD 39 (Vol. 1)	45	LD 89 (Vol. 1)	464	LD 139 (Vol. 1)	86
LD 40 (Vol. 1)	85	LD 90 (Vol. 2)	702	LD 140 (Vol. 1)	87
LD 41 (Vol. 1)	462	LD 91 (Vol. 1)	157	LD 141 (Vol. 1)	249
LD 42 (Vol. 1)	462	LD 92 (Vol. 1)	157	LD 142 (Vol. 1)	468
LD 43 (Vol. 1)	463	LD 93 (Vol. 1)	158	LD 143 (Vol. 1)	468
LD 44 (Vol. 1)	418	LD 94 (Vol. 1)	287	LD 144 (Vol. 1)	468
LD 45 (Vol. 2)	510	LD 95 (Vol. 1)	341	LD 145 (Vol. 1)	343
LD 46 (Vol. 2)	511	LD 96 (Vol. 1)	465	LD 146 (Vol. 1)	420
LD 47 (Vol. 2)	512	LD 97 (Vol. 1)	465	LD 147 (Vol. 2)	514
LD 48 (Vol. 2)	710	LD 98 (Vol. 1)	465	LD 148 (Vol. 2)	595
LD 49 (Vol. 2)	711	LD 99 (Vol. 1)	466	LD 149 (Vol. 2)	595
LD 50 (Vol. 2)	750	LD 100 (Vol. 1)	466	LD 150 (Vol. 2)	753

LD # (Vol.)	Page #	LD # (Vol.)	Page #	LD # (Vol.)	Page #
LD 151 (Vol. 2)	865	LD 201 (Vol. 1)	473	LD 251 (Vol. 1)	90
LD 152 (Vol. 1)	87	LD 202 (Vol. 1)	473	LD 252 (Vol. 1)	346
LD 153 (Vol. 1)	469	LD 203 (Vol. 1)	474	LD 253 (Vol. 1)	346
LD 154 (Vol. 2)	515	LD 204 (Vol. 1)	422	LD 254 (Vol. 1)	476
LD 155 (Vol. 2)	712	LD 205 (Vol. 1)	423	LD 255 (Vol. 2)	714
LD 156 (Vol. 2)	866	LD 206 (Vol. 2)	516	LD 256 (Vol. 1)	347
LD 157 (Vol. 1)	250	LD 207 (Vol. 2)	516	LD 257 (Vol. 1)	347
LD 158 (Vol. 1)	421	LD 208 (Vol. 2)	517	LD 258 (Vol. 2)	521
LD 159 (Vol. 2)	595	LD 209 (Vol. 2)	517	LD 259 (Vol. 1)	4
LD 160 (Vol. 1)	160	LD 210 (Vol. 2)	713	LD 260 (Vol. 2)	599
LD 161 (Vol. 1)	421	LD 211 (Vol. 2)	713	LD 261 (Vol. 1)	250
LD 162 (Vol. 1)	343	LD 212 (Vol. 2)	754	LD 262 (Vol. 1)	5
LD 163 (Vol. 1)	469	LD 213 (Vol. 2)	868	LD 263 (Vol. 2)	600
LD 164 (Vol. 1)	344	LD 214 (Vol. 2)	868	LD 264 (Vol. 1)	476
LD 165 (Vol. 2)	515	LD 215 (Vol. 1)	290	LD 265 (Vol. 1)	91
LD 166 (Vol. 1)	87	LD 216 (Vol. 2)	869	LD 266 (Vol. 1)	91
LD 167 (Vol. 2)	753	LD 217 (Vol. 2)	517	LD 267 (Vol. 1)	92
LD 168 (Vol. 1)	88	LD 218 (Vol. 1)	3	LD 268 (Vol. 1)	476
LD 169 (Vol. 2)	866	LD 219 (Vol. 1)	290	LD 269 (Vol. 1)	5
LD 170 (Vol. 1)	470	LD 220 (Vol. 2)	518	LD 270 (Vol. 2)	811
LD 171 (Vol. 2)	596	LD 221 (Vol. 1)	46	LD 271 (Vol. 1)	6
LD 172 (Vol. 1)	470	LD 222 (Vol. 1)	90	LD 272 (Vol. 1)	348
LD 173 (Vol. 1)	470	LD 223 (Vol. 1)	90	LD 273 (Vol. 1)	51
LD 174 (Vol. 2)	867	LD 224 (Vol. 2)	518	LD 274 (Vol. 2)	715
LD 175 (Vol. 1)	288	LD 225 (Vol. 1)	423	LD 275 (Vol. 1)	291
LD 176 (Vol. 1)	422	LD 226 (Vol. 2)	811	LD 276 (Vol. 1)	348
LD 177 (Vol. 1)	471	LD 227 (Vol. 2)	869	LD 277 (Vol. 1)	92
LD 178 (Vol. 1)	161	LD 228 (Vol. 1)	47	LD 278 (Vol. 2)	755
LD 179 (Vol. 1)	289	LD 229 (Vol. 1)	474	LD 279 (Vol. 2)	756
LD 180 (Vol. 1)	344	LD 230 (Vol. 1)	345	LD 280 (Vol. 1)	476
LD 181 (Vol. 1)	344	LD 231 (Vol. 2)	714	LD 281 (Vol. 1)	477
LD 182 (Vol. 2)	675	LD 232 (Vol. 1)	47	LD 282 (Vol. 1)	6
LD 183 (Vol. 2)	713	LD 233 (Vol. 1)	162	LD 283 (Vol. 1)	7
LD 184 (Vol. 2)	867	LD 234 (Vol. 2)	754	LD 284 (Vol. 1)	7
LD 185 (Vol. 2)	868	LD 235 (Vol. 2)	597	LD 285 (Vol. 1)	7
LD 186 (Vol. 1)	46	LD 236 (Vol. 2)	519	LD 286 (Vol. 1)	8
LD 187 (Vol. 2)	811	LD 237 (Vol. 2)	598	LD 287 (Vol. 1)	8
LD 188 (Vol. 1)	88	LD 238 (Vol. 1)	90	LD 288 (Vol. 1)	9
LD 189 (Vol. 1)	89	LD 239 (Vol. 2)	869	LD 289 (Vol. 1)	9
LD 190 (Vol. 1)	89	LD 240 (Vol. 2)	755	LD 290 (Vol. 1)	10
LD 191 (Vol. 1)	89	LD 241 (Vol. 2)	870	LD 291 (Vol. 1)	10
LD 192 (Vol. 1)	89	LD 242 (Vol. 2)	871	LD 292 (Vol. 1)	10
LD 193 (Vol. 1)	161	LD 243 (Vol. 1)	162	LD 293 (Vol. 2)	600
LD 194 (Vol. 1)	162	LD 244 (Vol. 1)	164	LD 294 (Vol. 1)	51
LD 195 (Vol. 1)	162	LD 245 (Vol. 1)	47	LD 295 (Vol. 1)	51
LD 196 (Vol. 1)	289	LD 246 (Vol. 2)	598	LD 296 (Vol. 1)	92
LD 197 (Vol. 1)	345	LD 247 (Vol. 1)	290	LD 297 (Vol. 1)	93
LD 198 (Vol. 1)	345	LD 248 (Vol. 1)	291	LD 298 (Vol. 1)	93
LD 199 (Vol. 1)	471	LD 249 (Vol. 2)	599	LD 299 (Vol. 1)	164
LD 200 (Vol. 1)	472	LD 250 (Vol. 1)	48	LD 300 (Vol. 1)	165

LD # (Vol.)	Page #	LD # (Vol.)	Page #	LD # (Vol.)	Page #
LD 301 (Vol. 1)	165	LD 351 (Vol. 1)	166	LD 401 (Vol. 2)	760
LD 302 (Vol. 1)	291	LD 352 (Vol. 2)	525	LD 402 (Vol. 2)	760
LD 303 (Vol. 1)	292	LD 353 (Vol. 1)	96	LD 403 (Vol. 2)	814
LD 304 (Vol. 1)	292	LD 354 (Vol. 1)	96	LD 404 (Vol. 2)	815
LD 305 (Vol. 1)	349	LD 355 (Vol. 1)	97	LD 405 (Vol. 2)	815
LD 306 (Vol. 1)	477	LD 356 (Vol. 1)	478	LD 406 (Vol. 2)	815
LD 307 (Vol. 1)	478	LD 357 (Vol. 2)	716	LD 407 (Vol. 2)	815
LD 308 (Vol. 2)	522	LD 358 (Vol. 2)	759	LD 408 (Vol. 2)	877
LD 309 (Vol. 2)	522	LD 359 (Vol. 1)	51	LD 409 (Vol. 1)	169
LD 310 (Vol. 2)	522	LD 360 (Vol. 1)	52	LD 410 (Vol. 2)	877
LD 311 (Vol. 2)	523	LD 361 (Vol. 2)	759	LD 411 (Vol. 2)	601
LD 312 (Vol. 1)	11	LD 362 (Vol. 2)	814	LD 412 (Vol. 2)	761
LD 313 (Vol. 2)	523	LD 363 (Vol. 2)	814	LD 413 (Vol. 2)	718
LD 314 (Vol. 2)	600	LD 364 (Vol. 2)	601	LD 414 (Vol. 2)	602
LD 315 (Vol. 2)	715	LD 365 (Vol. 1)	251	LD 415 (Vol. 2)	528
LD 316 (Vol. 2)	756	LD 366 (Vol. 1)	98	LD 416 (Vol. 2)	602
LD 317 (Vol. 2)	756	LD 367 (Vol. 1)	167	LD 417 (Vol. 1)	170
LD 318 (Vol. 2)	757	LD 368 (Vol. 1)	12	LD 418 (Vol. 2)	603
LD 319 (Vol. 2)	757	LD 369 (Vol. 1)	167	LD 419 (Vol. 2)	529
LD 320 (Vol. 2)	872	LD 370 (Vol. 1)	167	LD 420 (Vol. 2)	529
LD 321 (Vol. 2)	523	LD 371 (Vol. 2)	814	LD 421 (Vol. 1)	13
LD 322 (Vol. 1)	165	LD 372 (Vol. 1)	293	LD 422 (Vol. 1)	170
LD 323 (Vol. 1)	166	LD 373 (Vol. 1)	251	LD 423 (Vol. 1)	479
LD 324 (Vol. 2)	812	LD 374 (Vol. 1)	351	LD 424 (Vol. 2)	530
LD 325 (Vol. 1)	349	LD 375 (Vol. 2)	526	LD 425 (Vol. 2)	531
LD 326 (Vol. 1)	94	LD 376 (Vol. 2)	526	LD 426 (Vol. 2)	603
LD 327 (Vol. 2)	812	LD 377 (Vol. 1)	12	LD 427 (Vol. 2)	761
LD 328 (Vol. 2)	872	LD 378 (Vol. 1)	52	LD 428 (Vol. 2)	877
LD 329 (Vol. 2)	874	LD 379 (Vol. 1)	98	LD 429 (Vol. 2)	816
LD 330 (Vol. 1)	349	LD 380 (Vol. 1)	98	LD 430 (Vol. 2)	761
LD 331 (Vol. 1)	250	LD 381 (Vol. 1)	99	LD 431 (Vol. 2)	603
LD 332 (Vol. 2)	813	LD 382 (Vol. 1)	100	LD 432 (Vol. 1)	252
LD 333 (Vol. 2)	874	LD 383 (Vol. 1)	168	LD 433 (Vol. 2)	878
LD 334 (Vol. 1)	478	LD 384 (Vol. 1)	168	LD 434 (Vol. 1)	353
LD 335 (Vol. 1)	95	LD 385 (Vol. 1)	293	LD 435 (Vol. 2)	762
LD 336 (Vol. 1)	251	LD 386 (Vol. 1)	351	LD 436 (Vol. 2)	762
LD 337 (Vol. 1)	350	LD 387 (Vol. 1)	351	LD 437 (Vol. 1)	252
LD 338 (Vol. 1)	350	LD 388 (Vol. 1)	352	LD 438 (Vol. 2)	816
LD 339 (Vol. 2)	716	LD 389 (Vol. 1)	352	LD 439 (Vol. 1)	171
LD 340 (Vol. 2)	716	LD 390 (Vol. 1)	353	LD 440 (Vol. 2)	762
LD 341 (Vol. 2)	758	LD 391 (Vol. 1)	479	LD 441 (Vol. 1)	294
LD 342 (Vol. 2)	813	LD 392 (Vol. 2)	526	LD 442 (Vol. 1)	171
LD 343 (Vol. 2)	875	LD 393 (Vol. 1)	424	LD 443 (Vol. 2)	604
LD 344 (Vol. 2)	875	LD 394 (Vol. 2)	527	LD 444 (Vol. 2)	605
LD 345 (Vol. 2)	524	LD 395 (Vol. 2)	527	LD 445 (Vol. 2)	605
LD 346 (Vol. 2)	758	LD 396 (Vol. 2)	527	LD 446 (Vol. 2)	817
LD 347 (Vol. 1)	424	LD 397 (Vol. 2)	717	LD 447 (Vol. 1)	354
LD 348 (Vol. 2)	600	LD 398 (Vol. 2)	717	LD 448 (Vol. 1)	425
LD 349 (Vol. 2)	875	LD 399 (Vol. 2)	717	LD 449 (Vol. 2)	605
LD 350 (Vol. 2)	875	LD 400 (Vol. 2)	759	LD 450 (Vol. 2)	531

LD # (Vol.)	Page #	LD # (Vol.)	Page #	LD # (Vol.)	Page #
LD 451 (Vol. 2)	675	LD 501 (Vol. 2)	820	LD 551 (Vol. 2)	535
LD 452 (Vol. 1)	425	LD 502 (Vol. 1)	101	LD 552 (Vol. 2)	536
LD 453 (Vol. 1)	252	LD 503 (Vol. 2)	532	LD 553 (Vol. 2)	606
LD 454 (Vol. 1)	425	LD 504 (Vol. 2)	879	LD 554 (Vol. 2)	607
LD 455 (Vol. 2)	763	LD 505 (Vol. 1)	16	LD 555 (Vol. 2)	607
LD 456 (Vol. 1)	100	LD 506 (Vol. 1)	426	LD 556 (Vol. 2)	608
LD 457 (Vol. 1)	13	LD 507 (Vol. 1)	358	LD 557 (Vol. 2)	681
LD 458 (Vol. 2)	531	LD 508 (Vol. 2)	880	LD 558 (Vol. 2)	720
LD 459 (Vol. 2)	878	LD 509 (Vol. 2)	606	LD 559 (Vol. 2)	720
LD 460 (Vol. 1)	354	LD 510 (Vol. 2)	881	LD 560 (Vol. 2)	721
LD 461 (Vol. 2)	606	LD 511 (Vol. 2)	881	LD 561 (Vol. 2)	764
LD 462 (Vol. 1)	172	LD 512 (Vol. 2)	533	LD 562 (Vol. 2)	764
LD 463 (Vol. 2)	531	LD 513 (Vol. 1)	52	LD 563 (Vol. 2)	764
LD 464 (Vol. 1)	172	LD 514 (Vol. 1)	480	LD 564 (Vol. 2)	820
LD 465 (Vol. 2)	718	LD 515 (Vol. 1)	358	LD 565 (Vol. 2)	821
LD 466 (Vol. 1)	173	LD 516 (Vol. 2)	705	LD 566 (Vol. 2)	821
LD 467 (Vol. 1)	479	LD 517 (Vol. 1)	358	LD 567 (Vol. 2)	821
LD 468 (Vol. 1)	355	LD 518 (Vol. 2)	882	LD 568 (Vol. 2)	822
LD 469 (Vol. 2)	677	LD 519 (Vol. 2)	882	LD 569 (Vol. 2)	822
LD 470 (Vol. 1)	253	LD 520 (Vol. 1)	359	LD 570 (Vol. 2)	822
LD 471 (Vol. 2)	878	LD 521 (Vol. 1)	176	LD 571 (Vol. 2)	822
LD 472 (Vol. 2)	817	LD 522 (Vol. 2)	533	LD 572 (Vol. 2)	883
LD 473 (Vol. 2)	817	LD 523 (Vol. 1)	426	LD 573 (Vol. 2)	883
LD 474 (Vol. 2)	718	LD 524 (Vol. 1)	17	LD 574 (Vol. 2)	883
LD 475 (Vol. 1)	13	LD 525 (Vol. 1)	17	LD 575 (Vol. 2)	884
LD 476 (Vol. 1)	14	LD 526 (Vol. 1)	101	LD 576 (Vol. 1)	103
LD 477 (Vol. 1)	480	LD 527 (Vol. 1)	101	LD 577 (Vol. 2)	705
LD 478 (Vol. 1)	100	LD 528 (Vol. 1)	176	LD 578 (Vol. 2)	705
LD 479 (Vol. 2)	818	LD 529 (Vol. 1)	176	LD 579 (Vol. 1)	361
LD 480 (Vol. 1)	355	LD 530 (Vol. 1)	176	LD 580 (Vol. 1)	428
LD 481 (Vol. 1)	173	LD 531 (Vol. 1)	178	LD 581 (Vol. 2)	536
LD 482 (Vol. 2)	678	LD 532 (Vol. 1)	178	LD 582 (Vol. 2)	823
LD 483 (Vol. 2)	818	LD 533 (Vol. 1)	180	LD 583 (Vol. 2)	681
LD 484 (Vol. 1)	14	LD 534 (Vol. 1)	359	LD 584 (Vol. 2)	681
LD 485 (Vol. 1)	174	LD 535 (Vol. 1)	359	LD 585 (Vol. 2)	682
LD 486 (Vol. 2)	679	LD 536 (Vol. 1)	360	LD 586 (Vol. 2)	721
LD 487 (Vol. 1)	356	LD 537 (Vol. 1)	360	LD 587 (Vol. 2)	722
LD 488 (Vol. 1)	357	LD 538 (Vol. 1)	360	LD 588 (Vol. 2)	823
LD 489 (Vol. 2)	719	LD 539 (Vol. 1)	361	LD 589 (Vol. 2)	823
LD 490 (Vol. 2)	719	LD 540 (Vol. 1)	480	LD 590 (Vol. 2)	824
LD 491 (Vol. 2)	606	LD 541 (Vol. 1)	481	LD 591 (Vol. 2)	824
LD 492 (Vol. 2)	763	LD 542 (Vol. 1)	481	LD 592 (Vol. 2)	884
LD 493 (Vol. 1)	15	LD 543 (Vol. 1)	482	LD 593 (Vol. 1)	103
LD 494 (Vol. 2)	819	LD 544 (Vol. 1)	482	LD 594 (Vol. 1)	104
LD 495 (Vol. 2)	532	LD 545 (Vol. 1)	482	LD 595 (Vol. 1)	180
LD 496 (Vol. 1)	357	LD 546 (Vol. 1)	427	LD 596 (Vol. 1)	253
LD 497 (Vol. 2)	681	LD 547 (Vol. 1)	427	LD 597 (Vol. 1)	361
LD 498 (Vol. 1)	100	LD 548 (Vol. 2)	533	LD 598 (Vol. 1)	363
LD 499 (Vol. 1)	357	LD 549 (Vol. 2)	534	LD 599 (Vol. 1)	483
LD 500 (Vol. 1)	16	LD 550 (Vol. 2)	535	LD 600 (Vol. 1)	483

LD # (Vol.)	Page #	LD # (Vol.)	Page #	LD # (Vol.)	Page #
LD 601 (Vol. 1)	483	LD 651 (Vol. 1)	431	LD 701 (Vol. 1)	107
LD 602 (Vol. 1)	428	LD 652 (Vol. 1)	484	LD 702 (Vol. 2)	888
LD 603 (Vol. 1)	429	LD 653 (Vol. 1)	431	LD 703 (Vol. 1)	108
LD 604 (Vol. 2)	682	LD 654 (Vol. 2)	825	LD 704 (Vol. 2)	888
LD 605 (Vol. 2)	608	LD 655 (Vol. 2)	825	LD 705 (Vol. 1)	485
LD 606 (Vol. 2)	885	LD 656 (Vol. 2)	609	LD 706 (Vol. 1)	433
LD 607 (Vol. 2)	885	LD 657 (Vol. 1)	19	LD 707 (Vol. 1)	20
LD 608 (Vol. 2)	885	LD 658 (Vol. 1)	19	LD 708 (Vol. 1)	108
LD 609 (Vol. 1)	180	LD 659 (Vol. 2)	887	LD 709 (Vol. 1)	186
LD 610 (Vol. 1)	363	LD 660 (Vol. 1)	105	LD 710 (Vol. 1)	366
LD 611 (Vol. 2)	609	LD 661 (Vol. 1)	105	LD 711 (Vol. 1)	366
LD 612 (Vol. 2)	537	LD 662 (Vol. 1)	106	LD 712 (Vol. 2)	826
LD 613 (Vol. 2)	722	LD 663 (Vol. 1)	106	LD 713 (Vol. 1)	53
LD 614 (Vol. 2)	766	LD 664 (Vol. 1)	106	LD 714 (Vol. 1)	20
LD 615 (Vol. 1)	181	LD 665 (Vol. 1)	182	LD 715 (Vol. 1)	186
LD 616 (Vol. 1)	294	LD 666 (Vol. 1)	182	LD 716 (Vol. 1)	367
LD 617 (Vol. 1)	483	LD 667 (Vol. 1)	182	LD 717 (Vol. 1)	485
LD 618 (Vol. 1)	484	LD 668 (Vol. 1)	183	LD 718 (Vol. 1)	21
LD 619 (Vol. 2)	537	LD 669 (Vol. 1)	184	LD 719 (Vol. 2)	767
LD 620 (Vol. 2)	824	LD 670 (Vol. 1)	184	LD 720 (Vol. 2)	768
LD 621 (Vol. 2)	824	LD 671 (Vol. 1)	184	LD 721 (Vol. 2)	826
LD 622 (Vol. 1)	18	LD 672 (Vol. 1)	185	LD 722 (Vol. 2)	612
LD 623 (Vol. 1)	181	LD 673 (Vol. 1)	185	LD 723 (Vol. 1)	187
LD 624 (Vol. 2)	766	LD 674 (Vol. 1)	255	LD 724 (Vol. 1)	109
LD 625 (Vol. 1)	363	LD 675 (Vol. 1)	295	LD 725 (Vol. 2)	539
LD 626 (Vol. 1)	104	LD 676 (Vol. 1)	296	LD 726 (Vol. 2)	540
LD 627 (Vol. 1)	429	LD 677 (Vol. 2)	887	LD 727 (Vol. 1)	434
LD 628 (Vol. 1)	429	LD 678 (Vol. 1)	365	LD 728 (Vol. 2)	768
LD 629 (Vol. 1)	364	LD 679 (Vol. 1)	484	LD 729 (Vol. 1)	187
LD 630 (Vol. 1)	18	LD 680 (Vol. 2)	538	LD 730 (Vol. 1)	485
LD 631 (Vol. 2)	766	LD 681 (Vol. 1)	432	LD 731 (Vol. 2)	684
LD 632 (Vol. 2)	683	LD 682 (Vol. 1)	432	LD 732 (Vol. 2)	612
LD 633 (Vol. 1)	364	LD 683 (Vol. 1)	433	LD 733 (Vol. 2)	540
LD 634 (Vol. 1)	365	LD 684 (Vol. 2)	538	LD 734 (Vol. 2)	769
LD 635 (Vol. 2)	886	LD 685 (Vol. 1)	106	LD 735 (Vol. 1)	256
LD 636 (Vol. 1)	53	LD 686 (Vol. 2)	539	LD 736 (Vol. 1)	486
LD 637 (Vol. 1)	430	LD 687 (Vol. 2)	539	LD 737 (Vol. 2)	706
LD 638 (Vol. 1)	181	LD 688 (Vol. 2)	539	LD 738 (Vol. 1)	486
LD 639 (Vol. 1)	18	LD 689 (Vol. 2)	610	LD 739 (Vol. 2)	612
LD 640 (Vol. 2)	537	LD 690 (Vol. 2)	610	LD 740 (Vol. 2)	722
LD 641 (Vol. 1)	254	LD 691 (Vol. 2)	611	LD 741 (Vol. 2)	769
LD 642 (Vol. 1)	254	LD 692 (Vol. 2)	767	LD 742 (Vol. 1)	188
LD 643 (Vol. 2)	684	LD 693 (Vol. 2)	767	LD 743 (Vol. 2)	769
LD 644 (Vol. 2)	886	LD 694 (Vol. 1)	255	LD 744 (Vol. 2)	540
LD 645 (Vol. 1)	430	LD 695 (Vol. 1)	256	LD 745 (Vol. 1)	22
LD 646 (Vol. 1)	295	LD 696 (Vol. 2)	611	LD 746 (Vol. 1)	367
LD 647 (Vol. 1)	104	LD 697 (Vol. 1)	296	LD 747 (Vol. 2)	613
LD 648 (Vol. 1)	431	LD 698 (Vol. 2)	767	LD 748 (Vol. 2)	685
LD 649 (Vol. 2)	887	LD 699 (Vol. 1)	186	LD 749 (Vol. 1)	23
LD 650 (Vol. 1)	365	LD 700 (Vol. 2)	611	LD 750 (Vol. 1)	188

LD # (Vol.)	Page #	LD # (Vol.)	Page #	LD # (Vol.)	Page #
LD 751 (Vol. 1)	188	LD 801 (Vol. 1)	369	LD 851 (Vol. 2)	545
LD 752 (Vol. 1)	368	LD 802 (Vol. 1)	370	LD 852 (Vol. 2)	546
LD 753 (Vol. 1)	368	LD 803 (Vol. 1)	370	LD 853 (Vol. 2)	615
LD 754 (Vol. 1)	369	LD 804 (Vol. 1)	371	LD 854 (Vol. 2)	547
LD 755 (Vol. 1)	369	LD 805 (Vol. 2)	723	LD 855 (Vol. 2)	724
LD 756 (Vol. 1)	434	LD 806 (Vol. 1)	435	LD 856 (Vol. 2)	725
LD 757 (Vol. 1)	487	LD 807 (Vol. 2)	544	LD 857 (Vol. 1)	489
LD 758 (Vol. 1)	488	LD 808 (Vol. 2)	614	LD 858 (Vol. 2)	725
LD 759 (Vol. 2)	541	LD 809 (Vol. 2)	614	LD 859 (Vol. 2)	890
LD 760 (Vol. 2)	542	LD 810 (Vol. 2)	685	LD 860 (Vol. 2)	891
LD 761 (Vol. 2)	613	LD 811 (Vol. 2)	686	LD 861 (Vol. 2)	547
LD 762 (Vol. 2)	770	LD 812 (Vol. 1)	435	LD 862 (Vol. 1)	193
LD 763 (Vol. 2)	827	LD 813 (Vol. 2)	723	LD 863 (Vol. 1)	299
LD 764 (Vol. 2)	827	LD 814 (Vol. 2)	724	LD 864 (Vol. 2)	548
LD 765 (Vol. 2)	827	LD 815 (Vol. 2)	770	LD 865 (Vol. 2)	616
LD 766 (Vol. 2)	889	LD 816 (Vol. 2)	770	LD 866 (Vol. 2)	771
LD 767 (Vol. 2)	889	LD 817 (Vol. 2)	828	LD 867 (Vol. 2)	616
LD 768 (Vol. 2)	889	LD 818 (Vol. 2)	828	LD 868 (Vol. 1)	193
LD 769 (Vol. 2)	890	LD 819 (Vol. 2)	829	LD 869 (Vol. 2)	548
LD 770 (Vol. 2)	890	LD 820 (Vol. 1)	109	LD 870 (Vol. 2)	829
LD 771 (Vol. 1)	109	LD 821 (Vol. 1)	191	LD 871 (Vol. 2)	549
LD 772 (Vol. 1)	189	LD 822 (Vol. 1)	191	LD 872 (Vol. 2)	549
LD 773 (Vol. 1)	189	LD 823 (Vol. 1)	192	LD 873 (Vol. 1)	112
LD 774 (Vol. 1)	297	LD 824 (Vol. 1)	258	LD 874 (Vol. 1)	54
LD 775 (Vol. 1)	488	LD 825 (Vol. 1)	258	LD 875 (Vol. 2)	830
LD 776 (Vol. 1)	435	LD 826 (Vol. 1)	299	LD 876 (Vol. 1)	300
LD 777 (Vol. 2)	542	LD 827 (Vol. 1)	299	LD 877 (Vol. 1)	259
LD 778 (Vol. 2)	685	LD 828 (Vol. 1)	371	LD 878 (Vol. 2)	725
LD 779 (Vol. 2)	827	LD 829 (Vol. 1)	372	LD 879 (Vol. 1)	489
LD 780 (Vol. 2)	828	LD 830 (Vol. 2)	544	LD 880 (Vol. 1)	193
LD 781 (Vol. 1)	53	LD 831 (Vol. 2)	615	LD 881 (Vol. 1)	373
LD 782 (Vol. 1)	54	LD 832 (Vol. 2)	686	LD 882 (Vol. 1)	373
LD 783 (Vol. 1)	189	LD 833 (Vol. 2)	724	LD 883 (Vol. 1)	112
LD 784 (Vol. 2)	543	LD 834 (Vol. 2)	771	LD 884 (Vol. 2)	551
LD 785 (Vol. 2)	543	LD 835 (Vol. 2)	829	LD 885 (Vol. 1)	300
LD 786 (Vol. 2)	613	LD 836 (Vol. 1)	24	LD 886 (Vol. 1)	374
LD 787 (Vol. 2)	723	LD 837 (Vol. 1)	24	LD 887 (Vol. 1)	113
LD 788 (Vol. 2)	614	LD 838 (Vol. 1)	28	LD 888 (Vol. 1)	113
LD 789 (Vol. 1)	23	LD 839 (Vol. 1)	110	LD 889 (Vol. 1)	194
LD 790 (Vol. 1)	54	LD 840 (Vol. 1)	110	LD 890 (Vol. 2)	618
LD 791 (Vol. 1)	190	LD 841 (Vol. 1)	110	LD 891 (Vol. 1)	436
LD 792 (Vol. 1)	191	LD 842 (Vol. 1)	111	LD 892 (Vol. 1)	374
LD 793 (Vol. 1)	257	LD 843 (Vol. 1)	192	LD 893 (Vol. 1)	437
LD 794 (Vol. 1)	257	LD 844 (Vol. 1)	258	LD 894 (Vol. 1)	301
LD 795 (Vol. 1)	297	LD 845 (Vol. 1)	259	LD 895 (Vol. 1)	490
LD 796 (Vol. 1)	298	LD 846 (Vol. 1)	372	LD 896 (Vol. 1)	490
LD 797 (Vol. 1)	298	LD 847 (Vol. 1)	372	LD 897 (Vol. 1)	375
LD 798 (Vol. 1)	488	LD 848 (Vol. 1)	436	LD 898 (Vol. 2)	687
LD 799 (Vol. 1)	488	LD 849 (Vol. 2)	544	LD 899 (Vol. 2)	687
LD 800 (Vol. 1)	488	LD 850 (Vol. 2)	545	LD 900 (Vol. 2)	551

LD # (Vol.)	Page #	LD # (Vol.)	Page #	LD # (Vol.)	Page #
LD 901 (Vol. 2)	771	LD 951 (Vol. 1)	377	LD 1001 (Vol. 2)	894
LD 902 (Vol. 1)	259	LD 952 (Vol. 2)	621	LD 1002 (Vol. 1)	199
LD 903 (Vol. 1)	28	LD 953 (Vol. 2)	688	LD 1003 (Vol. 1)	199
LD 904 (Vol. 1)	55	LD 954 (Vol. 2)	726	LD 1004 (Vol. 1)	303
LD 905 (Vol. 1)	194	LD 955 (Vol. 2)	726	LD 1005 (Vol. 1)	492
LD 906 (Vol. 1)	195	LD 956 (Vol. 2)	772	LD 1006 (Vol. 1)	438
LD 907 (Vol. 1)	260	LD 957 (Vol. 2)	833	LD 1007 (Vol. 2)	778
LD 908 (Vol. 1)	375	LD 958 (Vol. 1)	114	LD 1008 (Vol. 2)	895
LD 909 (Vol. 1)	376	LD 959 (Vol. 1)	196	LD 1009 (Vol. 1)	31
LD 910 (Vol. 1)	490	LD 960 (Vol. 2)	706	LD 1010 (Vol. 1)	56
LD 911 (Vol. 1)	491	LD 961 (Vol. 1)	29	LD 1011 (Vol. 1)	56
LD 912 (Vol. 2)	552	LD 962 (Vol. 1)	196	LD 1012 (Vol. 1)	304
LD 913 (Vol. 2)	552	LD 963 (Vol. 1)	197	LD 1013 (Vol. 1)	304
LD 914 (Vol. 2)	619	LD 964 (Vol. 1)	302	LD 1014 (Vol. 1)	381
LD 915 (Vol. 2)	771	LD 965 (Vol. 1)	303	LD 1015 (Vol. 1)	492
LD 916 (Vol. 2)	772	LD 966 (Vol. 1)	260	LD 1016 (Vol. 1)	493
LD 917 (Vol. 2)	830	LD 967 (Vol. 1)	378	LD 1017 (Vol. 2)	623
LD 918 (Vol. 2)	830	LD 968 (Vol. 1)	378	LD 1018 (Vol. 1)	439
LD 919 (Vol. 2)	831	LD 969 (Vol. 1)	379	LD 1019 (Vol. 1)	199
LD 920 (Vol. 2)	831	LD 970 (Vol. 1)	492	LD 1020 (Vol. 2)	689
LD 921 (Vol. 2)	892	LD 971 (Vol. 1)	437	LD 1021 (Vol. 2)	727
LD 922 (Vol. 2)	892	LD 972 (Vol. 2)	553	LD 1022 (Vol. 1)	114
LD 923 (Vol. 2)	892	LD 973 (Vol. 2)	553	LD 1023 (Vol. 2)	895
LD 924 (Vol. 2)	893	LD 974 (Vol. 2)	553	LD 1024 (Vol. 2)	556
LD 925 (Vol. 1)	55	LD 975 (Vol. 2)	554	LD 1025 (Vol. 2)	556
LD 926 (Vol. 1)	113	LD 976 (Vol. 2)	622	LD 1026 (Vol. 1)	304
LD 927 (Vol. 1)	301	LD 977 (Vol. 2)	622	LD 1027 (Vol. 1)	200
LD 928 (Vol. 1)	376	LD 978 (Vol. 2)	727	LD 1028 (Vol. 1)	261
LD 929 (Vol. 1)	377	LD 979 (Vol. 2)	773	LD 1029 (Vol. 1)	381
LD 930 (Vol. 1)	491	LD 980 (Vol. 2)	773	LD 1030 (Vol. 1)	382
LD 931 (Vol. 1)	491	LD 981 (Vol. 2)	894	LD 1031 (Vol. 1)	382
LD 932 (Vol. 1)	491	LD 982 (Vol. 2)	554	LD 1032 (Vol. 1)	382
LD 933 (Vol. 2)	619	LD 983 (Vol. 2)	833	LD 1033 (Vol. 2)	624
LD 934 (Vol. 2)	620	LD 984 (Vol. 1)	437	LD 1034 (Vol. 2)	556
LD 935 (Vol. 2)	687	LD 985 (Vol. 2)	834	LD 1035 (Vol. 2)	624
LD 936 (Vol. 2)	772	LD 986 (Vol. 1)	379	LD 1036 (Vol. 1)	201
LD 937 (Vol. 2)	831	LD 987 (Vol. 1)	29	LD 1037 (Vol. 1)	439
LD 938 (Vol. 2)	893	LD 988 (Vol. 2)	773	LD 1038 (Vol. 2)	557
LD 939 (Vol. 2)	688	LD 989 (Vol. 2)	777	LD 1039 (Vol. 2)	557
LD 940 (Vol. 1)	55	LD 990 (Vol. 1)	380	LD 1040 (Vol. 2)	557
LD 941 (Vol. 2)	893	LD 991 (Vol. 1)	437	LD 1041 (Vol. 2)	624
LD 942 (Vol. 1)	56	LD 992 (Vol. 2)	623	LD 1042 (Vol. 2)	896
LD 943 (Vol. 2)	832	LD 993 (Vol. 2)	623	LD 1043 (Vol. 1)	57
LD 944 (Vol. 1)	195	LD 994 (Vol. 1)	198	LD 1044 (Vol. 1)	114
LD 945 (Vol. 2)	833	LD 995 (Vol. 1)	198	LD 1045 (Vol. 1)	115
LD 946 (Vol. 2)	688	LD 996 (Vol. 2)	777	LD 1046 (Vol. 2)	559
LD 947 (Vol. 2)	726	LD 997 (Vol. 1)	114	LD 1047 (Vol. 1)	383
LD 948 (Vol. 1)	302	LD 998 (Vol. 2)	777	LD 1048 (Vol. 1)	439
LD 949 (Vol. 2)	621	LD 999 (Vol. 2)	834	LD 1049 (Vol. 1)	440
LD 950 (Vol. 1)	302	LD 1000 (Vol. 2)	555	LD 1050 (Vol. 1)	261

LD # (Vol.)	Page #	LD # (Vol.)	Page #	LD # (Vol.)	Page #
LD 1051 (Vol. 1)	32	LD 1101 (Vol. 1)	58	LD 1151 (Vol. 2)	630
LD 1052 (Vol. 1)	57	LD 1102 (Vol. 1)	263	LD 1152 (Vol. 2)	732
LD 1053 (Vol. 1)	116	LD 1103 (Vol. 2)	626	LD 1153 (Vol. 2)	733
LD 1054 (Vol. 1)	116	LD 1104 (Vol. 2)	897	LD 1154 (Vol. 2)	631
LD 1055 (Vol. 1)	201	LD 1105 (Vol. 1)	58	LD 1155 (Vol. 1)	387
LD 1056 (Vol. 1)	201	LD 1106 (Vol. 1)	206	LD 1156 (Vol. 2)	632
LD 1057 (Vol. 1)	202	LD 1107 (Vol. 2)	560	LD 1157 (Vol. 2)	632
LD 1058 (Vol. 1)	261	LD 1108 (Vol. 2)	627	LD 1158 (Vol. 2)	733
LD 1059 (Vol. 1)	261	LD 1109 (Vol. 2)	778	LD 1159 (Vol. 1)	119
LD 1060 (Vol. 1)	305	LD 1110 (Vol. 2)	779	LD 1160 (Vol. 1)	212
LD 1061 (Vol. 1)	305	LD 1111 (Vol. 2)	898	LD 1161 (Vol. 1)	388
LD 1062 (Vol. 1)	383	LD 1112 (Vol. 1)	117	LD 1162 (Vol. 1)	442
LD 1063 (Vol. 1)	384	LD 1113 (Vol. 2)	779	LD 1163 (Vol. 1)	59
LD 1064 (Vol. 1)	384	LD 1114 (Vol. 2)	561	LD 1164 (Vol. 2)	782
LD 1065 (Vol. 1)	385	LD 1115 (Vol. 1)	306	LD 1165 (Vol. 1)	388
LD 1066 (Vol. 1)	385	LD 1116 (Vol. 2)	562	LD 1166 (Vol. 1)	388
LD 1067 (Vol. 1)	440	LD 1117 (Vol. 1)	494	LD 1167 (Vol. 1)	443
LD 1068 (Vol. 2)	559	LD 1118 (Vol. 2)	562	LD 1168 (Vol. 2)	835
LD 1069 (Vol. 2)	624	LD 1119 (Vol. 2)	562	LD 1169 (Vol. 2)	733
LD 1070 (Vol. 2)	751	LD 1120 (Vol. 2)	781	LD 1170 (Vol. 1)	32
LD 1071 (Vol. 2)	625	LD 1121 (Vol. 1)	263	LD 1171 (Vol. 2)	690
LD 1072 (Vol. 2)	625	LD 1122 (Vol. 2)	729	LD 1172 (Vol. 2)	706
LD 1073 (Vol. 2)	728	LD 1123 (Vol. 1)	207	LD 1173 (Vol. 1)	120
LD 1074 (Vol. 2)	728	LD 1124 (Vol. 2)	781	LD 1174 (Vol. 1)	494
LD 1075 (Vol. 2)	835	LD 1125 (Vol. 1)	59	LD 1175 (Vol. 1)	59
LD 1076 (Vol. 2)	835	LD 1126 (Vol. 2)	782	LD 1176 (Vol. 1)	444
LD 1077 (Vol. 2)	896	LD 1127 (Vol. 2)	729	LD 1177 (Vol. 2)	734
LD 1078 (Vol. 1)	440	LD 1128 (Vol. 1)	207	LD 1178 (Vol. 1)	264
LD 1079 (Vol. 1)	116	LD 1129 (Vol. 1)	208	LD 1179 (Vol. 2)	634
LD 1080 (Vol. 1)	262	LD 1130 (Vol. 1)	209	LD 1180 (Vol. 1)	60
LD 1081 (Vol. 2)	560	LD 1131 (Vol. 1)	210	LD 1181 (Vol. 1)	264
LD 1082 (Vol. 2)	897	LD 1132 (Vol. 1)	210	LD 1182 (Vol. 1)	121
LD 1083 (Vol. 1)	203	LD 1133 (Vol. 2)	730	LD 1183 (Vol. 1)	121
LD 1084 (Vol. 2)	728	LD 1134 (Vol. 2)	627	LD 1184 (Vol. 1)	213
LD 1085 (Vol. 1)	306	LD 1135 (Vol. 1)	263	LD 1185 (Vol. 1)	214
LD 1086 (Vol. 2)	897	LD 1136 (Vol. 2)	563	LD 1186 (Vol. 1)	267
LD 1087 (Vol. 2)	626	LD 1137 (Vol. 2)	628	LD 1187 (Vol. 1)	307
LD 1088 (Vol. 2)	897	LD 1138 (Vol. 2)	730	LD 1188 (Vol. 1)	389
LD 1089 (Vol. 1)	387	LD 1139 (Vol. 2)	731	LD 1189 (Vol. 1)	389
LD 1090 (Vol. 1)	57	LD 1140 (Vol. 2)	732	LD 1190 (Vol. 1)	495
LD 1091 (Vol. 2)	560	LD 1141 (Vol. 2)	782	LD 1191 (Vol. 1)	495
LD 1092 (Vol. 1)	441	LD 1142 (Vol. 1)	59	LD 1192 (Vol. 1)	444
LD 1093 (Vol. 1)	203	LD 1143 (Vol. 1)	211	LD 1193 (Vol. 2)	563
LD 1094 (Vol. 1)	441	LD 1144 (Vol. 1)	212	LD 1194 (Vol. 2)	564
LD 1095 (Vol. 1)	58	LD 1145 (Vol. 1)	306	LD 1195 (Vol. 2)	634
LD 1096 (Vol. 1)	204	LD 1146 (Vol. 1)	306	LD 1196 (Vol. 2)	634
LD 1097 (Vol. 2)	690	LD 1147 (Vol. 1)	307	LD 1197 (Vol. 2)	635
LD 1098 (Vol. 1)	205	LD 1148 (Vol. 1)	494	LD 1198 (Vol. 2)	635
LD 1099 (Vol. 2)	778	LD 1149 (Vol. 2)	629	LD 1199 (Vol. 2)	635
LD 1100 (Vol. 1)	205	LD 1150 (Vol. 2)	629	LD 1200 (Vol. 2)	564

LD # (Vol.)	Page #	LD # (Vol.)	Page #	LD # (Vol.)	Page #
LD 1201 (Vol. 2)	635	LD 1251 (Vol. 1)	308	LD 1301 (Vol. 1)	219
LD 1202 (Vol. 2)	636	LD 1252 (Vol. 1)	309	LD 1302 (Vol. 1)	268
LD 1203 (Vol. 2)	637	LD 1253 (Vol. 2)	567	LD 1303 (Vol. 1)	500
LD 1204 (Vol. 2)	564	LD 1254 (Vol. 2)	734	LD 1304 (Vol. 2)	838
LD 1205 (Vol. 2)	783	LD 1255 (Vol. 2)	786	LD 1305 (Vol. 1)	128
LD 1206 (Vol. 2)	783	LD 1256 (Vol. 2)	786	LD 1306 (Vol. 2)	905
LD 1207 (Vol. 2)	783	LD 1257 (Vol. 2)	836	LD 1307 (Vol. 1)	35
LD 1208 (Vol. 2)	836	LD 1258 (Vol. 2)	899	LD 1308 (Vol. 1)	269
LD 1209 (Vol. 2)	836	LD 1259 (Vol. 2)	641	LD 1309 (Vol. 2)	905
LD 1210 (Vol. 2)	898	LD 1260 (Vol. 1)	126	LD 1310 (Vol. 2)	649
LD 1211 (Vol. 2)	898	LD 1261 (Vol. 1)	216	LD 1311 (Vol. 2)	650
LD 1212 (Vol. 1)	267	LD 1262 (Vol. 1)	309	LD 1312 (Vol. 2)	736
LD 1213 (Vol. 1)	390	LD 1263 (Vol. 1)	498	LD 1313 (Vol. 2)	650
LD 1214 (Vol. 1)	390	LD 1264 (Vol. 1)	500	LD 1314 (Vol. 2)	786
LD 1215 (Vol. 1)	390	LD 1265 (Vol. 1)	500	LD 1315 (Vol. 2)	651
LD 1216 (Vol. 2)	565	LD 1266 (Vol. 1)	445	LD 1316 (Vol. 1)	128
LD 1217 (Vol. 2)	637	LD 1267 (Vol. 2)	641	LD 1317 (Vol. 2)	906
LD 1218 (Vol. 2)	784	LD 1268 (Vol. 2)	837	LD 1318 (Vol. 2)	906
LD 1219 (Vol. 2)	899	LD 1269 (Vol. 2)	837	LD 1319 (Vol. 2)	907
LD 1220 (Vol. 2)	734	LD 1270 (Vol. 2)	900	LD 1320 (Vol. 1)	130
LD 1221 (Vol. 2)	638	LD 1271 (Vol. 2)	900	LD 1321 (Vol. 1)	219
LD 1222 (Vol. 2)	899	LD 1272 (Vol. 2)	901	LD 1322 (Vol. 1)	219
LD 1223 (Vol. 1)	60	LD 1273 (Vol. 2)	735	LD 1323 (Vol. 1)	311
LD 1224 (Vol. 2)	690	LD 1274 (Vol. 1)	392	LD 1324 (Vol. 1)	270
LD 1225 (Vol. 1)	496	LD 1275 (Vol. 2)	642	LD 1325 (Vol. 1)	312
LD 1226 (Vol. 2)	785	LD 1276 (Vol. 2)	647	LD 1326 (Vol. 2)	787
LD 1227 (Vol. 2)	785	LD 1277 (Vol. 1)	446	LD 1327 (Vol. 2)	838
LD 1228 (Vol. 2)	785	LD 1278 (Vol. 1)	310	LD 1328 (Vol. 2)	653
LD 1229 (Vol. 1)	122	LD 1279 (Vol. 2)	735	LD 1329 (Vol. 2)	653
LD 1230 (Vol. 2)	638	LD 1280 (Vol. 2)	736	LD 1330 (Vol. 1)	220
LD 1231 (Vol. 1)	214	LD 1281 (Vol. 2)	648	LD 1331 (Vol. 2)	567
LD 1232 (Vol. 1)	391	LD 1282 (Vol. 1)	33	LD 1332 (Vol. 1)	220
LD 1233 (Vol. 1)	123	LD 1283 (Vol. 1)	33	LD 1333 (Vol. 1)	393
LD 1234 (Vol. 1)	124	LD 1284 (Vol. 1)	393	LD 1334 (Vol. 1)	394
LD 1235 (Vol. 1)	215	LD 1285 (Vol. 1)	34	LD 1335 (Vol. 1)	271
LD 1236 (Vol. 1)	445	LD 1286 (Vol. 1)	34	LD 1336 (Vol. 1)	312
LD 1237 (Vol. 1)	124	LD 1287 (Vol. 1)	35	LD 1337 (Vol. 1)	395
LD 1238 (Vol. 2)	639	LD 1288 (Vol. 2)	648	LD 1338 (Vol. 2)	736
LD 1239 (Vol. 1)	32	LD 1289 (Vol. 1)	128	LD 1339 (Vol. 2)	567
LD 1240 (Vol. 1)	124	LD 1290 (Vol. 1)	216	LD 1340 (Vol. 1)	272
LD 1241 (Vol. 1)	216	LD 1291 (Vol. 1)	217	LD 1341 (Vol. 2)	653
LD 1242 (Vol. 1)	308	LD 1292 (Vol. 1)	267	LD 1342 (Vol. 1)	312
LD 1243 (Vol. 1)	308	LD 1293 (Vol. 1)	311	LD 1343 (Vol. 1)	396
LD 1244 (Vol. 1)	391	LD 1294 (Vol. 1)	393	LD 1344 (Vol. 2)	737
LD 1245 (Vol. 1)	391	LD 1295 (Vol. 2)	649	LD 1345 (Vol. 1)	447
LD 1246 (Vol. 1)	392	LD 1296 (Vol. 2)	838	LD 1346 (Vol. 1)	220
LD 1247 (Vol. 1)	392	LD 1297 (Vol. 2)	786	LD 1347 (Vol. 1)	221
LD 1248 (Vol. 1)	497	LD 1298 (Vol. 2)	901	LD 1348 (Vol. 1)	313
LD 1249 (Vol. 2)	566	LD 1299 (Vol. 2)	902	LD 1349 (Vol. 1)	222
LD 1250 (Vol. 2)	640	LD 1300 (Vol. 1)	217	LD 1350 (Vol. 1)	223

LD # (Vol.)	Page #	LD # (Vol.)	Page #	LD # (Vol.)	Page #
LD 1351 (Vol. 2)	654	LD 1401 (Vol. 2)	572	LD 1451 (Vol. 2)	663
LD 1352 (Vol. 2)	654	LD 1402 (Vol. 2)	788	LD 1452 (Vol. 2)	693
LD 1353 (Vol. 1)	223	LD 1403 (Vol. 1)	315	LD 1453 (Vol. 1)	450
LD 1354 (Vol. 2)	657	LD 1404 (Vol. 1)	399	LD 1454 (Vol. 2)	740
LD 1355 (Vol. 2)	907	LD 1405 (Vol. 2)	739	LD 1455 (Vol. 1)	62
LD 1356 (Vol. 2)	839	LD 1406 (Vol. 2)	788	LD 1456 (Vol. 1)	317
LD 1357 (Vol. 2)	737	LD 1407 (Vol. 1)	400	LD 1457 (Vol. 1)	318
LD 1358 (Vol. 2)	907	LD 1408 (Vol. 2)	739	LD 1458 (Vol. 2)	663
LD 1359 (Vol. 1)	272	LD 1409 (Vol. 2)	788	LD 1459 (Vol. 2)	740
LD 1360 (Vol. 2)	657	LD 1410 (Vol. 1)	449	LD 1460 (Vol. 2)	845
LD 1361 (Vol. 1)	224	LD 1411 (Vol. 1)	400	LD 1461 (Vol. 1)	63
LD 1362 (Vol. 1)	273	LD 1412 (Vol. 1)	226	LD 1462 (Vol. 1)	404
LD 1363 (Vol. 1)	273	LD 1413 (Vol. 1)	449	LD 1463 (Vol. 2)	790
LD 1364 (Vol. 1)	396	LD 1414 (Vol. 2)	789	LD 1464 (Vol. 2)	847
LD 1365 (Vol. 2)	840	LD 1415 (Vol. 2)	908	LD 1465 (Vol. 2)	848
LD 1366 (Vol. 1)	225	LD 1416 (Vol. 1)	401	LD 1466 (Vol. 1)	450
LD 1367 (Vol. 1)	448	LD 1417 (Vol. 1)	401	LD 1467 (Vol. 2)	848
LD 1368 (Vol. 2)	658	LD 1418 (Vol. 1)	61	LD 1468 (Vol. 1)	318
LD 1369 (Vol. 2)	738	LD 1419 (Vol. 1)	130	LD 1469 (Vol. 2)	574
LD 1370 (Vol. 2)	787	LD 1420 (Vol. 2)	661	LD 1470 (Vol. 1)	138
LD 1371 (Vol. 2)	840	LD 1421 (Vol. 2)	789	LD 1471 (Vol. 1)	319
LD 1372 (Vol. 2)	840	LD 1422 (Vol. 2)	908	LD 1472 (Vol. 1)	320
LD 1373 (Vol. 2)	658	LD 1423 (Vol. 1)	402	LD 1473 (Vol. 1)	63
LD 1374 (Vol. 1)	501	LD 1424 (Vol. 2)	572	LD 1474 (Vol. 1)	503
LD 1375 (Vol. 1)	313	LD 1425 (Vol. 1)	315	LD 1475 (Vol. 2)	575
LD 1376 (Vol. 2)	659	LD 1426 (Vol. 1)	316	LD 1476 (Vol. 2)	664
LD 1377 (Vol. 2)	568	LD 1427 (Vol. 1)	274	LD 1477 (Vol. 2)	790
LD 1378 (Vol. 2)	739	LD 1428 (Vol. 2)	573	LD 1478 (Vol. 2)	791
LD 1379 (Vol. 2)	787	LD 1429 (Vol. 1)	131	LD 1479 (Vol. 1)	321
LD 1380 (Vol. 2)	660	LD 1430 (Vol. 1)	274	LD 1480 (Vol. 2)	849
LD 1381 (Vol. 2)	660	LD 1431 (Vol. 1)	227	LD 1481 (Vol. 1)	227
LD 1382 (Vol. 2)	841	LD 1432 (Vol. 1)	132	LD 1482 (Vol. 2)	664
LD 1383 (Vol. 1)	397	LD 1433 (Vol. 1)	134	LD 1483 (Vol. 1)	275
LD 1384 (Vol. 2)	570	LD 1434 (Vol. 1)	316	LD 1484 (Vol. 2)	854
LD 1385 (Vol. 1)	60	LD 1435 (Vol. 1)	502	LD 1485 (Vol. 1)	452
LD 1386 (Vol. 1)	314	LD 1436 (Vol. 2)	661	LD 1486 (Vol. 1)	405
LD 1387 (Vol. 1)	398	LD 1437 (Vol. 2)	661	LD 1487 (Vol. 1)	406
LD 1388 (Vol. 1)	399	LD 1438 (Vol. 1)	136	LD 1488 (Vol. 2)	791
LD 1389 (Vol. 2)	571	LD 1439 (Vol. 1)	138	LD 1489 (Vol. 2)	707
LD 1390 (Vol. 2)	660	LD 1440 (Vol. 1)	61	LD 1490 (Vol. 1)	275
LD 1391 (Vol. 1)	36	LD 1441 (Vol. 1)	227	LD 1491 (Vol. 1)	139
LD 1392 (Vol. 2)	841	LD 1442 (Vol. 1)	317	LD 1492 (Vol. 1)	64
LD 1393 (Vol. 2)	707	LD 1443 (Vol. 1)	403	LD 1493 (Vol. 1)	139
LD 1394 (Vol. 1)	225	LD 1444 (Vol. 1)	449	LD 1494 (Vol. 2)	909
LD 1395 (Vol. 1)	61	LD 1445 (Vol. 2)	573	LD 1495 (Vol. 1)	453
LD 1396 (Vol. 1)	314	LD 1446 (Vol. 2)	790	LD 1496 (Vol. 2)	791
LD 1397 (Vol. 2)	691	LD 1447 (Vol. 2)	909	LD 1497 (Vol. 1)	277
LD 1398 (Vol. 1)	501	LD 1448 (Vol. 2)	691	LD 1498 (Vol. 2)	664
LD 1399 (Vol. 1)	501	LD 1449 (Vol. 1)	403	LD 1499 (Vol. 2)	665
LD 1400 (Vol. 2)	571	LD 1450 (Vol. 2)	573	LD 1500 (Vol. 1)	406

LD # (Vol.)	Page #	LD # (Vol.)	Page #	LD # (Vol.)	Page #
LD 1501 (Vol. 1)	322	LD 1551 (Vol. 1)	236		
LD 1502 (Vol. 1)	228	LD 1552 (Vol. 1)	407		
LD 1503 (Vol. 1)	228	LD 1553 (Vol. 1)	324		
LD 1504 (Vol. 2)	910	LD 1554 (Vol. 2)	665		
LD 1505 (Vol. 1)	229	LD 1555 (Vol. 1)	74		
LD 1506 (Vol. 2)	665	LD 1556 (Vol. 1)	407		
LD 1507 (Vol. 1)	322	LD 1557 (Vol. 2)	742		
LD 1508 (Vol. 1)	453	LD 1558 (Vol. 2)	914		
LD 1509 (Vol. 1)	64	LD 1559 (Vol. 1)	325		
LD 1510 (Vol. 1)	229	LD 1560 (Vol. 1)	237		
LD 1511 (Vol. 2)	575	LD 1561 (Vol. 2)	743		
LD 1512 (Vol. 1)	453	LD 1562 (Vol. 1)	329		
LD 1513 (Vol. 1)	145	LD 1563 (Vol. 1)	76		
LD 1514 (Vol. 1)	73	LD 1564 (Vol. 2)	580		
LD 1515 (Vol. 1)	145	LD 1565 (Vol. 2)	666		
LD 1516 (Vol. 2)	741	LD 1566 (Vol. 1)	237		
LD 1517 (Vol. 1)	323	LD 1567 (Vol. 1)	38		
LD 1518 (Vol. 2)	910	LD 1568 (Vol. 1)	38		
LD 1519 (Vol. 1)	454	LD 1569 (Vol. 1)	39		
LD 1520 (Vol. 2)	911	LD 1570 (Vol. 2)	795		
LD 1521 (Vol. 1)	36	LD 1571 (Vol. 1)	77		
LD 1522 (Vol. 1)	230	LD 1572 (Vol. 1)	77		
LD 1523 (Vol. 2)	576	LD 1573 (Vol. 1)	238		
LD 1524 (Vol. 1)	230	LD 1574 (Vol. 1)	407		
LD 1525 (Vol. 1)	456	LD 1575 (Vol. 2)	855		
LD 1526 (Vol. 1)	231	LD 1576 (Vol. 1)	78		
LD 1527 (Vol. 1)	36	LD 1577 (Vol. 1)	79		
LD 1528 (Vol. 1)	278				
LD 1529 (Vol. 1)	231				
LD 1530 (Vol. 1)	231				
LD 1531 (Vol. 1)	37				
LD 1532 (Vol. 1)	324				
LD 1533 (Vol. 1)	232				
LD 1534 (Vol. 2)	795				
LD 1535 (Vol. 2)	795				
LD 1536 (Vol. 2)	576				
LD 1537 (Vol. 1)	324				
LD 1538 (Vol. 1)	407				
LD 1539 (Vol. 2)	741				
LD 1540 (Vol. 1)	233				
LD 1541 (Vol. 2)	741				
LD 1542 (Vol. 1)	235				
LD 1543 (Vol. 2)	911				
LD 1544 (Vol. 2)	693				
LD 1545 (Vol. 2)	694				
LD 1546 (Vol. 2)	912				
LD 1547 (Vol. 2)	742				
LD 1548 (Vol. 2)	913				
LD 1549 (Vol. 2)	697				
LD 1550 (Vol. 2)	855				

APPENDIX C

APPENDIX C

CUMULATIVE INDEX BY LAW TYPE AND CHAPTER NUMBER

Law Type and Ch # (Vol.)	Page #	Law Type and Ch # (Vol.)	Page #	Law Type and Ch # (Vol.)	Page #
PUBLIC 1 (Vol. 1)	48	PUBLIC 51 (Vol. 2)	813	PUBLIC 101 (Vol. 2)	608
PUBLIC 2 (Vol. 2)	869	PUBLIC 52 (Vol. 1)	429	PUBLIC 102 (Vol. 2)	591
PUBLIC 3 (Vol. 1)	462	PUBLIC 53 (Vol. 1)	180	PUBLIC 103 (Vol. 1)	191
PUBLIC 4 (Vol. 1)	159	PUBLIC 54 (Vol. 2)	524	PUBLIC 104 (Vol. 2)	714
PUBLIC 5 (Vol. 2)	593	PUBLIC 55 (Vol. 2)	809	PUBLIC 105 (Vol. 2)	601
PUBLIC 6 (Vol. 2)	591	PUBLIC 56 (Vol. 1)	110	PUBLIC 106 (Vol. 1)	183
PUBLIC 7 (Vol. 1)	158	PUBLIC 57 (Vol. 1)	110	PUBLIC 107 (Vol. 2)	825
PUBLIC 8 (Vol. 2)	675	PUBLIC 58 (Vol. 2)	532	PUBLIC 108 (Vol. 1)	341
PUBLIC 9 (Vol. 2)	682	PUBLIC 59 (Vol. 1)	425	PUBLIC 109 (Vol. 2)	539
PUBLIC 10 (Vol. 2)	750	PUBLIC 60 (Vol. 1)	423	PUBLIC 110 (Vol. 2)	543
PUBLIC 11 (Vol. 1)	10	PUBLIC 61 (Vol. 2)	804	PUBLIC 111 (Vol. 2)	611
PUBLIC 12 (Vol. 1)	7	PUBLIC 62 (Vol. 1)	93	PUBLIC 112 (Vol. 2)	832
PUBLIC 13 (Vol. 1)	6	PUBLIC 63 (Vol. 2)	589	PUBLIC 113 (Vol. 2)	551
PUBLIC 14 (Vol. 1)	346	PUBLIC 64 (Vol. 1)	8	PUBLIC 114 (Vol. 1)	99
PUBLIC 15 (Vol. 1)	164	PUBLIC 65 (Vol. 1)	9	PUBLIC 115 (Vol. 1)	14
PUBLIC 16 (Vol. 2)	717	PUBLIC 66 (Vol. 2)	816	PUBLIC 116 (Vol. 1)	300
PUBLIC 17 (Vol. 1)	9	PUBLIC 67 (Vol. 2)	755	PUBLIC 117 (Vol. 1)	19
PUBLIC 18 (Vol. 1)	7	PUBLIC 68 (Vol. 1)	112	PUBLIC 118 (Vol. 2)	881
PUBLIC 19 (Vol. 1)	293	PUBLIC 69 (Vol. 1)	252	PUBLIC 119 (Vol. 1)	308
PUBLIC 20 (Vol. 1)	365	PUBLIC 70 (Vol. 2)	602	PUBLIC 120 (Vol. 1)	288
PUBLIC 21 (Vol. 1)	349	PUBLIC 71 (Vol. 1)	418	PUBLIC 121 (Vol. 1)	373
PUBLIC 22 (Vol. 1)	250	PUBLIC 72 (Vol. 1)	420	PUBLIC 122 (Vol. 1)	259
PUBLIC 23 (Vol. 2)	602	PUBLIC 73 (Vol. 1)	481	PUBLIC 123 (Vol. 2)	838
PUBLIC 24 (Vol. 2)	811	PUBLIC 74 (Vol. 2)	522	PUBLIC 124 (Vol. 1)	264
PUBLIC 25 (Vol. 2)	755	PUBLIC 75 (Vol. 2)	778	PUBLIC 125 (Vol. 2)	547
PUBLIC 26 (Vol. 2)	714	PUBLIC 76 (Vol. 1)	109	PUBLIC 126 (Vol. 1)	260
PUBLIC 27 (Vol. 1)	96	PUBLIC 77 (Vol. 2)	824	PUBLIC 127 (Vol. 2)	829
PUBLIC 28 (Vol. 1)	96	PUBLIC 78 (Vol. 1)	345	PUBLIC 128 (Vol. 2)	866
PUBLIC 29 (Vol. 1)	8	PUBLIC 79 (Vol. 1)	292	PUBLIC 129 (Vol. 2)	867
PUBLIC 30 (Vol. 2)	806	PUBLIC 80 (Vol. 1)	97	PUBLIC 130 (Vol. 1)	32
PUBLIC 31 (Vol. 1)	346	PUBLIC 81 (Vol. 2)	527	PUBLIC 131 (Vol. 2)	879
PUBLIC 32 (Vol. 1)	338	PUBLIC 82 (Vol. 1)	178	PUBLIC 132 (Vol. 1)	349
PUBLIC 33 (Vol. 1)	345	PUBLIC 83 (Vol. 2)	606	PUBLIC 133 (Vol. 1)	107
PUBLIC 34 (Vol. 1)	166	PUBLIC 84 (Vol. 2)	821	PUBLIC 134 (Vol. 2)	537
PUBLIC 35 (Vol. 1)	7	PUBLIC 85 (Vol. 2)	883	PUBLIC 135 (Vol. 2)	536
PUBLIC 36 (Vol. 2)	825	PUBLIC 86 (Vol. 2)	768	PUBLIC 136 (Vol. 1)	483
PUBLIC 37 (Vol. 1)	13	PUBLIC 87 (Vol. 2)	613	PUBLIC 137 (Vol. 2)	514
PUBLIC 38 (Vol. 1)	425	PUBLIC 88 (Vol. 1)	468	PUBLIC 138 (Vol. 1)	470
PUBLIC 39 (Vol. 1)	422	PUBLIC 89 (Vol. 1)	160	PUBLIC 139 (Vol. 1)	478
PUBLIC 40 (Vol. 1)	292	PUBLIC 90 (Vol. 2)	530	PUBLIC 140 (Vol. 1)	253
PUBLIC 41 (Vol. 2)	601	PUBLIC 91 (Vol. 2)	512	PUBLIC 141 (Vol. 2)	614
PUBLIC 42 (Vol. 2)	812	PUBLIC 92 (Vol. 1)	17	PUBLIC 142 (Vol. 2)	608
PUBLIC 43 (Vol. 1)	254	PUBLIC 93 (Vol. 1)	485	PUBLIC 143 (Vol. 2)	721
PUBLIC 44 (Vol. 1)	157	PUBLIC 94 (Vol. 1)	431	PUBLIC 144 (Vol. 2)	564
PUBLIC 45 (Vol. 2)	761	PUBLIC 95 (Vol. 1)	92	PUBLIC 145 (Vol. 1)	489
PUBLIC 46 (Vol. 2)	603	PUBLIC 96 (Vol. 1)	113	PUBLIC 146 (Vol. 1)	94
PUBLIC 47 (Vol. 2)	675	PUBLIC 97 (Vol. 1)	339	PUBLIC 147 (Vol. 1)	132
PUBLIC 48 (Vol. 2)	810	PUBLIC 98 (Vol. 2)	595	PUBLIC 148 (Vol. 1)	500
PUBLIC 49 (Vol. 2)	683	PUBLIC 99 (Vol. 2)	511	PUBLIC 149 (Vol. 2)	883
PUBLIC 50 (Vol. 2)	819	PUBLIC 100 (Vol. 2)	830	PUBLIC 150 (Vol. 2)	552

Law Type and Ch # (Vol.)	Page #	Law Type and Ch # (Vol.)	Page #	Law Type and Ch # (Vol.)	Page #
PUBLIC 151 (Vol. 2)	557	PUBLIC 201 (Vol. 2)	551	PUBLIC 251 (Vol. 2)	871
PUBLIC 152 (Vol. 2)	621	PUBLIC 202 (Vol. 1)	364	PUBLIC 252 (Vol. 1)	4
PUBLIC 153 (Vol. 2)	718	PUBLIC 203 (Vol. 1)	159	PUBLIC 253 (Vol. 2)	893
PUBLIC 154 (Vol. 1)	18	PUBLIC 204 (Vol. 1)	31	PUBLIC 254 (Vol. 2)	688
PUBLIC 155 (Vol. 1)	18	PUBLIC 205 (Vol. 1)	199	PUBLIC 255 (Vol. 2)	554
PUBLIC 156 (Vol. 2)	768	PUBLIC 206 (Vol. 2)	721	PUBLIC 256 (Vol. 1)	29
PUBLIC 157 (Vol. 1)	302	PUBLIC 207 (Vol. 2)	906	PUBLIC 257 (Vol. 2)	623
PUBLIC 158 (Vol. 1)	406	PUBLIC 208 (Vol. 2)	826	PUBLIC 258 (Vol. 2)	896
PUBLIC 159 (Vol. 2)	546	PUBLIC 209 (Vol. 2)	900	PUBLIC 259 (Vol. 1)	263
PUBLIC 160 (Vol. 2)	516	PUBLIC 210 (Vol. 2)	739	PUBLIC 260 (Vol. 1)	263
PUBLIC 161 (Vol. 1)	100	PUBLIC 211 (Vol. 1)	130	PUBLIC 261 (Vol. 2)	731
PUBLIC 162 (Vol. 2)	898	PUBLIC 212 (Vol. 2)	875	PUBLIC 262 (Vol. 2)	639
PUBLIC 163 (Vol. 2)	840	PUBLIC 213 (Vol. 1)	466	PUBLIC 263 (Vol. 2)	787
PUBLIC 164 (Vol. 2)	659	PUBLIC 214 (Vol. 1)	354	PUBLIC 264 (Vol. 1)	398
PUBLIC 165 (Vol. 2)	874	PUBLIC 215 (Vol. 1)	480	PUBLIC 265 (Vol. 1)	134
PUBLIC 166 (Vol. 1)	170	PUBLIC 216 (Vol. 1)	187	PUBLIC 266 (Vol. 1)	136
PUBLIC 167 (Vol. 1)	174	PUBLIC 217 (Vol. 2)	616	PUBLIC 267 (Vol. 1)	139
PUBLIC 168 (Vol. 2)	880	PUBLIC 218 (Vol. 2)	907	PUBLIC 268 (Vol. 2)	576
PUBLIC 169 (Vol. 2)	682	PUBLIC 219 (Vol. 2)	657	PUBLIC 269 (Vol. 1)	74
PUBLIC 170 (Vol. 1)	430	PUBLIC 220 (Vol. 2)	847	PUBLIC 270 (Vol. 2)	742
PUBLIC 171 (Vol. 1)	182	PUBLIC 221 (Vol. 1)	272	PUBLIC 271 (Vol. 1)	435
PUBLIC 172 (Vol. 1)	433	PUBLIC 222 (Vol. 2)	553	PUBLIC 272 (Vol. 1)	171
PUBLIC 173 (Vol. 2)	890	PUBLIC 223 (Vol. 1)	384	PUBLIC 273 (Vol. 1)	443
PUBLIC 174 (Vol. 2)	785	PUBLIC 224 (Vol. 1)	445	PUBLIC 274 (Vol. 1)	431
PUBLIC 175 (Vol. 2)	640	PUBLIC 225 (Vol. 2)	647	PUBLIC 275 (Vol. 1)	262
PUBLIC 176 (Vol. 1)	216	PUBLIC 226 (Vol. 1)	471	PUBLIC 276 (Vol. 1)	453
PUBLIC 177 (Vol. 1)	252	PUBLIC 227 (Vol. 1)	111	PUBLIC 277 (Vol. 1)	263
PUBLIC 178 (Vol. 2)	741	PUBLIC 228 (Vol. 1)	449	PUBLIC 278 (Vol. 1)	436
PUBLIC 179 (Vol. 1)	401	PUBLIC 229 (Vol. 2)	575	PUBLIC 279 (Vol. 1)	377
PUBLIC 180 (Vol. 2)	641	PUBLIC 230 (Vol. 2)	688	PUBLIC 280 (Vol. 1)	496
PUBLIC 181 (Vol. 1)	205	PUBLIC 231 (Vol. 1)	253	PUBLIC 281 (Vol. 1)	173
PUBLIC 182 (Vol. 2)	767	PUBLIC 232 (Vol. 1)	251	PUBLIC 282 (Vol. 2)	678
PUBLIC 183 (Vol. 1)	256	PUBLIC 233 (Vol. 1)	449	PUBLIC 283 (Vol. 2)	537
PUBLIC 184 (Vol. 2)	764	PUBLIC 234 (Vol. 1)	117	PUBLIC 284 (Vol. 1)	429
PUBLIC 185 (Vol. 1)	477	PUBLIC 235 (Vol. 1)	399	PUBLIC 285 (Vol. 1)	434
PUBLIC 186 (Vol. 2)	712	PUBLIC 236 (Vol. 1)	492	PUBLIC 286 (Vol. 1)	487
PUBLIC 187 (Vol. 1)	85	PUBLIC 237 (Vol. 2)	870	PUBLIC 287 (Vol. 2)	686
PUBLIC 188 (Vol. 2)	823	PUBLIC 238 (Vol. 1)	454	PUBLIC 288 (Vol. 2)	890
PUBLIC 189 (Vol. 1)	500	PUBLIC 239 (Vol. 2)	693	PUBLIC 289 (Vol. 1)	373
PUBLIC 190 (Vol. 1)	478	PUBLIC 240 (Vol. 2)	863	PUBLIC 290 (Vol. 1)	28
PUBLIC 191 (Vol. 1)	90	PUBLIC 241 (Vol. 2)	845	PUBLIC 291 (Vol. 2)	831
PUBLIC 192 (Vol. 1)	347	PUBLIC 242 (Vol. 1)	254	PUBLIC 292 (Vol. 2)	620
PUBLIC 193 (Vol. 1)	274	PUBLIC 243 (Vol. 1)	255	PUBLIC 293 (Vol. 2)	556
PUBLIC 194 (Vol. 1)	138	PUBLIC 244 (Vol. 1)	192	PUBLIC 294 (Vol. 2)	560
PUBLIC 195 (Vol. 2)	854	PUBLIC 245 (Vol. 1)	477	PUBLIC 295 (Vol. 2)	637
PUBLIC 196 (Vol. 1)	20	PUBLIC 246 (Vol. 2)	598	PUBLIC 296 (Vol. 2)	650
PUBLIC 197 (Vol. 2)	724	PUBLIC 247 (Vol. 1)	468	PUBLIC 297 (Vol. 1)	128
PUBLIC 198 (Vol. 2)	839	PUBLIC 248 (Vol. 1)	76	PUBLIC 298 (Vol. 2)	574
PUBLIC 199 (Vol. 1)	489	PUBLIC 249 (Vol. 1)	248	PUBLIC 299 (Vol. 1)	452
PUBLIC 200 (Vol. 2)	758	PUBLIC 250 (Vol. 1)	290	PUBLIC 300 (Vol. 1)	277

Law Type and Ch # (Vol.)	Page #	Law Type and Ch # (Vol.)	Page #	Law Type and Ch # (Vol.)	Page #
PUBLIC 301 (Vol. 2)	694	PUBLIC 351 (Vol. 2)	909	PUBLIC 401 (Vol. 2)	894
PUBLIC 302 (Vol. 2)	594	PUBLIC 352 (Vol. 2)	893	PUBLIC 402 (Vol. 2)	568
PUBLIC 303 (Vol. 1)	206	PUBLIC 353 (Vol. 1)	387	PUBLIC 403 (Vol. 1)	1
PUBLIC 304 (Vol. 1)	24	PUBLIC 354 (Vol. 2)	849	PUBLIC 404 (Vol. 1)	481
PUBLIC 305 (Vol. 2)	865	PUBLIC 355 (Vol. 2)	661	PUBLIC 405 (Vol. 1)	24
PUBLIC 306 (Vol. 2)	874	PUBLIC 356 (Vol. 1)	190	PUBLIC 406 (Vol. 2)	549
PUBLIC 307 (Vol. 2)	732	PUBLIC 357 (Vol. 2)	723	PUBLIC 407 (Vol. 1)	119
PUBLIC 308 (Vol. 2)	627	PUBLIC 358 (Vol. 1)	495	PUBLIC 408 (Vol. 1)	502
PUBLIC 309 (Vol. 2)	679	PUBLIC 359 (Vol. 2)	885	PUBLIC 409 (Vol. 2)	528
PUBLIC 310 (Vol. 2)	566	PUBLIC 360 (Vol. 1)	323	PUBLIC 410 (Vol. 1)	210
PUBLIC 311 (Vol. 2)	628	PUBLIC 361 (Vol. 1)	383	PUBLIC 411 (Vol. 2)	559
PUBLIC 312 (Vol. 2)	784	PUBLIC 362 (Vol. 2)	892	PUBLIC 412 (Vol. 1)	3
PUBLIC 313 (Vol. 1)	446	PUBLIC 363 (Vol. 2)	664	PUBLIC 413 (Vol. 2)	599
PUBLIC 314 (Vol. 2)	650	PUBLIC 364 (Vol. 1)	394	PUBLIC 414 (Vol. 1)	101
PUBLIC 315 (Vol. 1)	271	PUBLIC 365 (Vol. 2)	887	PUBLIC 415 (Vol. 1)	301
PUBLIC 316 (Vol. 2)	658	PUBLIC 366 (Vol. 1)	313	PUBLIC 416 (Vol. 2)	782
PUBLIC 317 (Vol. 2)	570	PUBLIC 367 (Vol. 1)	236	PUBLIC 417 (Vol. 1)	217
PUBLIC 318 (Vol. 1)	226	PUBLIC 368 (Vol. 1)	64	PUBLIC 418 (Vol. 1)	229
PUBLIC 319 (Vol. 2)	691	PUBLIC 369 (Vol. 1)	325	PUBLIC 419 (Vol. 2)	665
PUBLIC 320 (Vol. 1)	275	PUBLIC 370 (Vol. 2)	720	PUBLIC 420 (Vol. 2)	771
PUBLIC 321 (Vol. 2)	855	PUBLIC 371 (Vol. 1)	37	PUBLIC 421 (Vol. 2)	715
PUBLIC 322 (Vol. 1)	474	PUBLIC 372 (Vol. 1)	485	PUBLIC 422 (Vol. 2)	629
PUBLIC 323 (Vol. 1)	3	PUBLIC 373 (Vol. 2)	596	PUBLIC 423 (Vol. 1)	396
PUBLIC 324 (Vol. 2)	872	PUBLIC 374 (Vol. 1)	404	PUBLIC 424 (Vol. 2)	576
PUBLIC 325 (Vol. 1)	293	PUBLIC 375 (Vol. 1)	467	PUBLIC 425 (Vol. 1)	78
PUBLIC 326 (Vol. 1)	359	PUBLIC 376 (Vol. 1)	396	PUBLIC 426 (Vol. 1)	79
PUBLIC 327 (Vol. 2)	533	PUBLIC 377 (Vol. 1)	77	PUBLIC 427 (Vol. 2)	630
PUBLIC 328 (Vol. 1)	109	PUBLIC 378 (Vol. 1)	320	PUBLIC 428 (Vol. 1)	157
PUBLIC 329 (Vol. 2)	540	PUBLIC 379 (Vol. 2)	756	P&S 1 (Vol. 2)	712
PUBLIC 330 (Vol. 2)	889	PUBLIC 380 (Vol. 1)	491	P&S 2 (Vol. 2)	598
PUBLIC 331 (Vol. 2)	773	PUBLIC 381 (Vol. 2)	841	P&S 3 (Vol. 1)	286
PUBLIC 332 (Vol. 1)	380	PUBLIC 382 (Vol. 2)	557	P&S 4 (Vol. 2)	716
PUBLIC 333 (Vol. 1)	493	PUBLIC 383 (Vol. 1)	438	P&S 5 (Vol. 1)	289
PUBLIC 334 (Vol. 2)	902	PUBLIC 384 (Vol. 2)	743	P&S 6 (Vol. 2)	517
PUBLIC 335 (Vol. 2)	654	PUBLIC 385 (Vol. 2)	795	P&S 7 (Vol. 2)	544
PUBLIC 336 (Vol. 1)	366	PUBLIC 386 (Vol. 1)	470	P&S 8 (Vol. 1)	191
PUBLIC 337 (Vol. 1)	176	PUBLIC 387 (Vol. 1)	472	P&S 9 (Vol. 2)	833
PUBLIC 338 (Vol. 1)	155	PUBLIC 388 (Vol. 1)	441	P&S 10 (Vol. 1)	304
PUBLIC 339 (Vol. 2)	513	PUBLIC 389 (Vol. 1)	126	P&S 11 (Vol. 1)	318
PUBLIC 340 (Vol. 1)	361	PUBLIC 390 (Vol. 2)	736	P&S 12 (Vol. 1)	11
PUBLIC 341 (Vol. 1)	105	PUBLIC 391 (Vol. 1)	61	P&S 13 (Vol. 1)	295
PUBLIC 342 (Vol. 2)	689	PUBLIC 392 (Vol. 1)	139	P&S 14 (Vol. 1)	161
PUBLIC 343 (Vol. 2)	561	PUBLIC 393 (Vol. 1)	402	P&S 15 (Vol. 1)	311
PUBLIC 344 (Vol. 2)	910	PUBLIC 394 (Vol. 1)	355	P&S 16 (Vol. 1)	329
PUBLIC 345 (Vol. 2)	913	PUBLIC 395 (Vol. 1)	269	P&S 17 (Vol. 1)	317
PUBLIC 346 (Vol. 1)	324	PUBLIC 396 (Vol. 1)	399	P&S 18 (Vol. 2)	710
PUBLIC 347 (Vol. 1)	237	PUBLIC 397 (Vol. 1)	354	RESOLVE 1 (Vol. 1)	103
PUBLIC 348 (Vol. 1)	33	PUBLIC 398 (Vol. 2)	592	RESOLVE 2 (Vol. 1)	1
PUBLIC 349 (Vol. 1)	272	PUBLIC 399 (Vol. 1)	450	RESOLVE 3 (Vol. 1)	124
PUBLIC 350 (Vol. 2)	565	PUBLIC 400 (Vol. 1)	157	RESOLVE 4 (Vol. 2)	814

Law Type and Ch # (Vol.)	Page #	Law Type and Ch # (Vol.)	Page #	Law Type and Ch # (Vol.)	Page #
RESOLVE 5 (Vol. 2)	523	RESOLVE 55 (Vol. 1)	363		
RESOLVE 6 (Vol. 2)	805	RESOLVE 56 (Vol. 1)	36		
RESOLVE 7 (Vol. 2)	822	RESOLVE 57 (Vol. 1)	372		
RESOLVE 8 (Vol. 1)	162	RESOLVE 58 (Vol. 1)	342		
RESOLVE 9 (Vol. 1)	285	RESOLVE 59 (Vol. 2)	515		
RESOLVE 10 (Vol. 1)	480	RESOLVE 60 (Vol. 1)	370		
RESOLVE 11 (Vol. 1)	476	RESOLVE 61 (Vol. 1)	376		
RESOLVE 12 (Vol. 2)	529	RESOLVE 62 (Vol. 2)	728		
RESOLVE 13 (Vol. 1)	10	RESOLVE 63 (Vol. 1)	2		
RESOLVE 14 (Vol. 2)	815	RESOLVE 64 (Vol. 2)	848		
RESOLVE 15 (Vol. 1)	336	RESOLVE 65 (Vol. 2)	547		
RESOLVE 16 (Vol. 1)	463	RESOLVE 66 (Vol. 2)	910		
RESOLVE 17 (Vol. 1)	350	RESOLVE 67 (Vol. 1)	23		
RESOLVE 18 (Vol. 1)	462	RESOLVE 68 (Vol. 1)	367		
RESOLVE 19 (Vol. 1)	426	RESOLVE 69 (Vol. 1)	169		
RESOLVE 20 (Vol. 1)	291	RESOLVE 70 (Vol. 1)	213		
RESOLVE 21 (Vol. 2)	820	RESOLVE 71 (Vol. 2)	908		
RESOLVE 22 (Vol. 1)	167	RESOLVE 72 (Vol. 1)	389		
RESOLVE 23 (Vol. 1)	343	RESOLVE 73 (Vol. 1)	369		
RESOLVE 24 (Vol. 1)	336	RESOLVE 74 (Vol. 1)	195		
RESOLVE 25 (Vol. 1)	352	RESOLVE 75 (Vol. 2)	580		
RESOLVE 26 (Vol. 2)	610	RESOLVE 76 (Vol. 1)	194		
RESOLVE 27 (Vol. 2)	545	RESOLVE 77 (Vol. 1)	407		
RESOLVE 28 (Vol. 1)	300	RESOLVE 78 (Vol. 1)	379		
RESOLVE 29 (Vol. 2)	720				
RESOLVE 30 (Vol. 1)	19				
RESOLVE 31 (Vol. 2)	834				
RESOLVE 32 (Vol. 2)	789				
RESOLVE 33 (Vol. 2)	510				
RESOLVE 34 (Vol. 1)	165				
RESOLVE 35 (Vol. 2)	726				
RESOLVE 36 (Vol. 2)	599				
RESOLVE 37 (Vol. 2)	614				
RESOLVE 38 (Vol. 1)	161				
RESOLVE 39 (Vol. 1)	436				
RESOLVE 40 (Vol. 2)	605				
RESOLVE 41 (Vol. 2)	834				
RESOLVE 42 (Vol. 1)	185				
RESOLVE 43 (Vol. 1)	249				
RESOLVE 44 (Vol. 1)	259				
RESOLVE 45 (Vol. 1)	287				
RESOLVE 46 (Vol. 1)	273				
RESOLVE 47 (Vol. 1)	294				
RESOLVE 48 (Vol. 1)	16				
RESOLVE 49 (Vol. 1)	171				
RESOLVE 50 (Vol. 2)	739				
RESOLVE 51 (Vol. 2)	571				
RESOLVE 52 (Vol. 1)	166				
RESOLVE 53 (Vol. 2)	726				
RESOLVE 54 (Vol. 1)	374				