MAINE STATE LEGISLATURE

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		L.D. 1137
2		2000
4	DATE: 3-20-97	(Filing No. H-82)
4		
6	Reproduced and distributed under the the House.	direction of the Clerk of
8	CONTA ONE BALA	TALE
10 12	STATE OF MA HOUSE OF REPRESE 118TH LEGISLA FIRST REGULAR S	NTATIVES TURE
1,2	I IKOI KEGULAK	, Lossian
14	HOUSE AMENDMENT 'UJ" to COMMITTE	E AMENDMENT "A" to H.P. 832.
16	L.D. 1137, Bill, "An Act Making Allocations for the Expenditures of	Unified Appropriations and
18	Fund and Other Funds, and Changing Co Necessary to the Proper Operations of	rtain Provisions of the Lav
20	Fiscal Years Ending June 30, 1998 and	
22	Amend the amendment in Part E designated " §1518. " by striking out	
24	221, lines 19 to 24 in amendment) and following:	
26	'1. Tax Relief Fund for Maine I	Residents. There is created
28	the Tax Relief Fund for Maine Reside the following purposes.	
30		
	A. The fund must be used to inc	
32	amount authorized pursuant to T.	
34	State Tax Assessor shall annual the increase allowable in acc	
	rounded down to the nearest	
36	available pursuant to subsection	· -
38	allowable, it is effective for t is incorporated into the income	tax forms and instructions
	of the State Tay Assessor for	that tavable wear And

increase pursuant to this section must be determined before the adjustment authorized in Title 36, section 5126. The adjustment otherwise required by this paragraph is not in effect for any taxable year in which the increase in the personal exemption for state income tax purposes would result in a personal exemption amount higher than that

allowed for federal income tax purposes. 46

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B. In fiscal year 1997-98 only, the State Tax Assessor shall utilize only 50% of the resources available in the Tax

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HOUSE AMENDMENT "JJ" to COMMITTEE AMENDMENT "A" to H.P. 832, L.D.

Relief Fund for Maine Residents in determining the amount of the increase in the personal exemption allowable. In fiscal year 1998-99 and beyond, the State Tax Assessor shall utilize 100% of the resources available in the fund in determining the amount of the increase in the personal exemption allowable.'

Further amend the amendment in Part E in section 1 in that part designated "\$1518." in subsection 2 in paragraph A in the 5th line (page 221, line 35 in amendment) by inserting after the following: "year" the following: ', except that, if 75% of the excess of total General Fund revenue received over accepted estimates is less than \$10,000,000, then 100% of the excess of total General Fund revenue received over accepted estimates must be transferred to the Tax Relief Fund for Maine Residents.'

Further amend the amendment in Part E in section 1 in that part designated "§1518." in subsection 2 in paragraph D in the 4th line (page 222, line 2 in amendment) by striking out the following: "last" and inserting in its place the following: 'first'

Further amend the amendment in Part E by inserting at the end the following:

'Sec. E-2. 36 MRSA §5126, first \P , as repealed and replaced by PL 1989, c. 878, Pt. D, \S 12, is amended to read:

A resident individual shall-be is allowed \$2,000 \$2,100 for each exemption to which the individual is entitled for the taxable year for federal income tax purposes, unless the taxpayer is claimed as a dependent on another return. No additional exemption may be allowed for taxpayers over 65 years of age or blind. The nominal dollar amount of this section shall-be is subject to annual adjustment under-section-5403 pursuant to Title 5, section 1518.

For tax years beginning on or after January 1, 1999, the nominal dollar amount of this section is also subject to annual adjustment by multiplying it by the percentage adjustment factor defined in section 5402, subsection 2 and rounded down to the nearest \$50. If any adjustment is made pursuant to this paragraph, it is effective for the current taxable year and is incorporated into the income tax forms and instructions of the State Tax Assessor for that taxable year.

Sec. E-3. General Fund Revenue revised projections; reserving for tax receivables; fiscal year 1996-97. Notwithstanding any other provision of law, the accepted revenue estimate for General Fund undedicated revenue in fiscal year

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48

	HOUSE AMENDMENT "JJ" to COMMITTEE AMENDMENT "A" to H.P. 832, L.D. 1137
	1996-97 may not be increased without approval by the
2	Legislature. Notwithstanding any other provision of law, additional reserves for General Fund tax receivables may not be
4	increased for fiscal year 1996-97 without approval of the Legislature.
6	
8	Sec. E-4. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.
10	1997-98
12	ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF
14	Tax Relief Fund for Maine
16	Residents
18	Unallocated \$10,000,000
20	Provides funds as an initial investment in the Tax Relief Fund for Maine Residents. In
22	accordance with the provisions of the Maine Revised Statutes, Title 5, section 1518,
24	subsection 1, paragraph B, 50% of these funds may be used in fiscal year 1997-98 to
26	increase the personal exemption authorized pursuant to Title 36, section 5126 and the
28	balance may be used in fiscal year 1998-99 for the same purpose.'
30	
32	Further amend the amendment in Part Z in section 1 in the 2nd line (page 261, line 25 in amendment) by striking out the following: "\$500,000" and inserting in its place the following:
34	'\$1,000,000' and in the 3rd line from the end (page 261, line 28
36	in amendment) by striking out the following: "\$500,000" and inserting in its place the following: '\$1,000,000'
38	Further amend the amendment by striking out all of Part AA.
40	Further amend the amendment in Part GG in section 2 in subsection 12-A in the last line (page 266, line 40 in amendment)
42	by striking out the following: "\$1,000,000" and inserting in its place the following: '\$850,000'
44	Further amend the amendment by inserting at the end before
46	the emergency clause the following:

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PART XX

A. 45.

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HOUSE	AMENDMENT	"JJ"	to	COMMITTEE	AMENDMENT	"A"	to	н.Р.	832,	L.D.
1137										

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XX-3. T	ransfer o	of funds.	Notwit	hstanding	any othe	a r
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aicated re	evenue no	later th	an June s	30, 1997.		
		PART V	\mathbf{v}			
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YY-1.	Appropri	ation.	The fo	llowing	funde au	^ A
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	anding any ized to to to a record to	anding any other placed to transfer \$ I Fund undedicated XX-3. Transfer of law, the State of law, the State of Professional dicated revenue no YX-4. Transfer of law, the State of law, the State of Banking - to of Professional dicated revenue no YY-1. Appropriated from the General from the Ge	anding any other provision ized to transfer \$100,000 in Fund undedicated revenue. XX-3. Transfer of funds. of law, the State Control fine revenue from the Burtment of Professional and undedicated revenue now. XX-4. Transfer of funds. of law, the State Control au of Banking - Securities to of Professional and Find dicated revenue no later the PARTY YY-1. Appropriation. ted from the General Fund. TRATIVE AND FINANCIAL S, DEPARTMENT OF	anding any other provision of law, ized to transfer \$100,000 in the Ab I Fund undedicated revenue no later XX-3. Transfer of funds. Notwitt of law, the State Controller may I fine revenue from the Bureau of rtment of Professional and Finaund undedicated revenue no later that of law, the State Controller may the fine of Banking - Securities Divite of Professional and Financial Financial and Financial Financial and Financial Financial for Professional and Financial Financial for Professional and Financial Financ	anding any other provision of law, the State ized to transfer \$100,000 in the Abandoned Property of Fund undedicated revenue no later than June XX-3. Transfer of funds. Notwithstanding of law, the State Controller may transfer in fine revenue from the Bureau of Insurance retirent of Professional and Financial Regular undedicated revenue no later than June 30 XX-4. Transfer of funds. Notwithstanding of law, the State Controller may transfer \$100 au of Banking - Securities Division account of Professional and Financial Regulation dicated revenue no later than June 30, 1997. PARTYY YY-1. Appropriation. The following the form the General Fund to carry out the 1997-98 TRATIVE AND FINANCIAL S, DEPARTMENT OF 1997 ats and Agencies -	anding any other provision of law, the State Controlled ized to transfer \$100,000 in the Abandoned Property Fund I Fund undedicated revenue no later than June 30, 1997. XX-3. Transfer of funds. Notwithstanding any other of law, the State Controller may transfer \$100,000 of the fine revenue from the Bureau of Insurance account in the professional and Financial Regulation that undedicated revenue no later than June 30, 1997. XX-4. Transfer of funds. Notwithstanding any other of law, the State Controller may transfer \$900,000 from the professional and Financial Regulation to General account in the conference of the state of Professional and Financial Regulation to General account in the conference of the state of Professional and Financial Regulation to General account in the conference of the state of Professional and Financial Regulation to General account in the conference of the state of Professional and Financial Regulation to General account in the conference of the state of Professional and Financial Regulation to General account in the conference of the state of Professional and Financial Regulation to General account in the conference of the state of Professional and Financial Regulation to General account in the conference of the state of Professional and Financial Regulation to General account in the conference of the state of Professional Account in the conference of the state of Professional Account in the conference of the state of Professional Account in the conference of the state of Professional Account in the conference of the state of Professional Account in the conference of the state of Professional Account in the conference of the state of Professional Account in the conference of the state of Professional Account in the conference of the state of Professional Account in the conference of the state of Professional Account in the conference of the state of Professional Account in the conference of the state of Professional Account in the conference of the state of Professional Account in the

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1997-98

1998-99

HOUSE AMENDMENT "J" to COMMITTEE AMENDMENT "A" to H.P. 832, L.D. 1137

2	ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF		
4	Departments and Agencies - Statewide		
O	Statewide		
8	Personal Services	(\$17,500)	(\$17,500)
10	Deallocates funds from savings in workers'		
12	compensation rates for state employees.		
14			
16 18	Sec. YY-3. Calculation and transfer Revised Statutes, Title 5, section shall calculate the amount of saviand 2 that apply against each affer	1585, the State Buings identified in ected account in	dget Officer n sections 1 the Personal
20	Service line category appropriation transfer the calculated amounts	by financial or	der. These
22	transfers are to be considered adju allocations. The State Budget Offi standing committee of the Legislat	cer shall report	to the joint
24	appropriations and financial Affai 1998 and June 15, 1999 on the implem	rs annually befo	re June 15,
26			
28	PART Z	Z	
30	Sec. ZZ-1. Appropriation.	The following	funds are
3 2	appropriated from the General Fund this Part.	to carry out the	purposes of
34		1997-98	1998-99
36	ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF		
38			
	Salary Plan		
40	Democral Court and	/ # EO . OOO)	(#EO OOO)
42	Personal Services	(\$50,000)	(\$50,000)
14	Deappropriates funds as a		•
44	result of the continuation of		
46	the Voluntary Employee Incentive Program pursuant to provisions outlined in this		
48	Act.		
50			

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HOUSE AMENDMENT "J" to COMMITTEE AMENDMENT "A" to H.P. 832, L.D.

PART AAA

	Sec. A	A A 1	A ==	neoneia	tion	mh -	·e . 1				
	opriated Part.										are of
										1990	6-97
HUN	MAN SER	VICES	, DE	PARTM	ENT O	F				,	
	rmediate (ments to P		rs		· · · · ·						
	All Othe	er							(\$7,	000,0	100)
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	Sec. B copriated Part.			propria (Genera)				lowing out th	-		are of
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HUI	MAN SER	VICES	, DE	PARTM	ENT O	F					
Dep	artmentwi	ide									
	Persona	l Serv	ices						(\$1.	200.0	(00)

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HOUSE AMENDMENT "JJ" to COMMITTEE AMENDMENT "A" to H.P. 832, L.D. 1137

			•
2	Deappropriates funds from sal from various programs within th		
4		-	
6	DEPARTMENT OF HUMAN SERVICES TOTAL	S	(1,200,000)
8	MENTAL HEALTH, MENTAL RETARI AND SUBSTANCE ABUSE SERVICES,	DATION	
10	DEPARTMENT OF		
12	Departmentwide		
14	Personal Services		(300,000)
16	Deappropriates funds from sal from various programs within th	_	
18	· · · · · · · · · · · · · · · · · · ·	_	
20	DEPARTMENT OF MENTAL HEALTH MENTAL RETARDATION AND SUBST ABUSE SERVICES		
22	TOTAL		(300,000)
24	TOTAL APPROPRIATIONS		(\$1,500,000)
26	PART CO	CC	
28			
30	Sec. CCC-1. Appropriation. appropriated from the General Fund this Part.		
32		1997-98	1998-99
34		1997-90	1990-99
36	TREASURER OF STATE, OFFICE OF		
38	Debt Service - Treasury		
40	All Other	(\$1,158,900)	(\$1,178,000)
42	Deappropriates funds through the transfer of funds to the		
44	Debt Service account from the Debt Service Earnings		
46	account. This deappropriation and transfer		
4.8	are a result of interest earnings in the Debt Service		
50	Earnings account projected to		

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HOUSE AMENDMENT "J" to COMMITTEE AMENDMENT "A" to H.P. 832, L.D. 1137

2	be greater than ori budgeted.	ginally		•
4	OFFICE OF TREASURER OF STATE			
6	TOTAL		(1,158,900)	(1,178,000)
8	ADMINISTRATIVE AND FI SERVICES, DEPARTMENT			
10	Capital Construction/Repairs	/		
12	Improvements - Administration			
14	Capital Expenditures		(150,000)	(150,000)
16	DEPARTMENT OF ADMINI	The state of the s		
18	TOTAL		(150,000)	(150,000)
20	TOTAL APPROPRIATIONS		(\$1,308,900)	\$1,328,000)'
22	Further amend the b	ill by relet	ttering or ren	umbering any
24		_	section number	
26				
28		FISCAL NOT	E	
30		1996-97	1997-98	1998-99
32	APPROPRIATIONS/ ALLOCATIONS			
34	General Fund (\$ Highway Fund	4,000,000)	\$8,391,100 (17,500)	(\$1,628,000) (17,500)
38	REVENUES			•
40		#1 000 000	# 500 000	#F00 000
42	General rund	\$1,800,000	\$500,000	\$500,000
44	This amendment will the biennium, including		t General Fund	
46	decreases the General Fu fiscal year 1996-97, incr	nd cost of	the bill by \$5	5,800,000 in
48	by \$7,891,100 in fiscal Fund cost by \$2,128,000 in	year 1997-98	and decreases	
50				

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HOUSE AMENDMENT 'UJ" to COMMITTEE AMENDMENT "A" to H.P. 832, L.D. 1137

The Tax Relief for Maine Residents Fund will increase the personal income tax exemption as a result of a General Fund appropriation and any transfers of certain General Fund surpluses. These increases in the personal income tax exemption will result in reductions of General Fund revenue below current projections beginning in the 2000-2001 biennium.

This amendment also decreases the Highway Fund cost of the bill by \$17,500 in fiscal year 1997-98 and \$17,500 in fiscal year 1998-99.

SUMMARY

This amendment accomplishes the following.

It amends Part E to prioritize the expenditures authorized from the Tax Relief Fund for Maine Residents. The first use of the fund is to increase the personal exemption authorized for state income tax purposes, except that in fiscal year 1997-98, only 50% of the resources available in the fund may be utilized in determining the amount of the increase. It also adds that the personal exemption would be adjusted at the same percentage rate as used by the Federal Government for federal income tax purposes starting in fiscal year 1999-2000.

Part E further clarifies that if the 75% of excess General Fund revenue over accepted estimates in fiscal years 1996-97, 1997-98 and 1998-99 transferred to the fund at the end of fiscal year 1996-97 is less than \$10,000,000, then 100% of the excess General Fund revenue over accepted estimates must be transferred to the fund. A General Fund appropriation of \$10,000,000 is also provided as an initial investment in the fund.

This amendment also amends Part E as follows:

1. It clarifies that transfers to the Tax Relief Fund for Maine Residents in fiscal year 1999-2000 and thereafter are based on the first rather than last accepted revenue estimates;

2. It precludes the accepted General Fund revenue estimates for fiscal year 1996-97 and reserves for General Fund tax receivables for fiscal year 1996-97 from being increased without the approval of the Legislature; and

3. It provides a General Fund appropriation of \$10,000,000 in fiscal year 1997-98 to the Tax Relief Fund for Maine Residents as an initial investment. Fifty percent of funds in the fund may used in fiscal year 1997-98 to increase the personal exemption and the remaining 50% must remain for use in fiscal year 1998-99.

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HOUSE	AMENDMENT	ייטטיי	to	COMMITTEE	AMENDMENT	"A"	to	H.P.	832,	L.D.
1137										

2	This	amer	ndmen	t fur	ther	amend	s Par	t Z	to	increa	ase	the
	transfer	from	the	Underg	ground	0il	Storag	ge Re	plac	ement	Fund	to
4	General F	und u	ndedi	cated	reven	ue fr	om \$50	0,000) to	\$1,000	,000	in
	each year	of th	e bie	ennium.	•							

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It strikes Part AA of the amendment, which deappropriated \$4,500,000 from amounts available in fiscal year 1996-97 that would have otherwise lapsed.

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It amends Part GG to reduce by \$150,000 the amount that must be transferred each year from the Capital Construction/Repairs/Improvements - Administration account to the Legislature's Reserve Fund for State House Preservation and Maintenance.

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It adds a new Part XX, which:

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1. Lapses \$700,000 in unencumbered balances forward in the Education in the Unorganized Territory program to General Fund revenue in fiscal year 1996-97;

22

2. Authorizes the transfer of \$100,000 from the Abandoned Property Fund to General Fund undedicated revenue in fiscal year 1996-97;

26

3. Authorizes the transfer of \$100,000 in fine money from the Bureau of Insurance account to General Fund undedicated revenue in fiscal year 1996-97; and

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2.8

4. Authorizes the transfer of \$900,000 from the Bureau of Banking - Securities Division account to General Fund undedicated revenue in fiscal year 1996-97.

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The amendment also adds Part YY, which identifies General Fund and Highway Fund savings from the workers' compensation rates for state employees.

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It adds Part ZZ, which increases the savings identified in the Voluntary Employee Incentive Program.

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1996-97 from the Department of Human Services, Intermediate Care - Payments to Providers account from an anticipated surplus in fiscal year 1996-97 and from funds originally appropriated in

It adds Part AAA, which deappropriates funds in fiscal year

fiscal year 1994-95 for the settlement on the loss of federal financial participation for the former provider-specific gross

48 receipts tax on nursing facilities.

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H. & S.

HOUSE AMENDMENT 'JJ" to COMMITTEE AMENDMENT "A" to H.P. 832, L.D. 1137

It adds Part BBB, which deappropriates \$1,500,000 in fiscal year 1996-97 from salary savings within the Department of Human Services and the Department of Mental Health, Mental Retardation and Substance Abuse Services.

It adds Part CCC, which:

8 1. Deappropriates funds from the Debt Service - Treasury account available from additional interest earnings in the Debt 10 Service Earnings account; and

2. Deappropriates \$150,000 annually from the amount provided for capital construction, repairs and improvements.

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SPONSORED BY:

(Representative KERR)

20

18

TOWN: Old Orchard Beach

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