

MAINE STATE LEGISLATURE

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L.D. 1919

DATE: 4-15-04

(Filing No. S-531)

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STATE OF MAINE
SENATE
121ST LEGISLATURE
SECOND SPECIAL SESSION

SENATE AMENDMENT "L" to COMMITTEE AMENDMENT "A" to H.P. 1420, L.D. 1919, Bill, "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 Years Ending June 30, 2004 and June 30, 2005"

Amend the amendment by striking out all of Part D.

Further amend the amendment by striking out all of Part X.

Further amend the amendment by striking out all of Parts BB and CC.

Further amend the amendment by striking out all of Part PP.

Further amend the amendment by adding at the end before the emergency clause the following:

PART FFFF

Sec. FFFF-1. 22 MRSA §3174-G, sub-§1, ¶E, as amended by PL 2001, c. 450, Pt. A, §1, is further amended to read:

E. The parent or caretaker relative of a child described in paragraph B or D when the child's family income is equal to or below 150% of the nonfarm income official poverty line, subject to adjustment by the commissioner under this paragraph. Medicaid services provided under this paragraph must be provided within the limits of the program budget. Funds appropriated for services under this paragraph must include an annual inflationary adjustment equivalent to the

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2 rate of inflation in the Medicaid program. On a quarterly
 3 basis, the commissioner shall determine the fiscal status of
 4 program expenditures under this paragraph. If the
 5 commissioner determines that expenditures will exceed the
 6 funds available to provide Medicaid coverage pursuant to
 7 this paragraph, the commissioner must adjust the income
 8 eligibility limit for new applicants to the extent necessary
 9 to operate the program within the program budget. If, after
 10 an adjustment has occurred pursuant to this paragraph,
 11 expenditures fall below the program budget, the commissioner
 12 must raise the income eligibility limit to the extent
 13 necessary to provide services to as many eligible persons as
 14 possible within the fiscal constraints of the program
 15 budget, as long as the income limit does not exceed 150% of
 16 the nonfarm income official poverty line. Notwithstanding
 17 any other provision of law, beginning July 1, 2004, all
 18 individuals eligible under this paragraph with incomes at or
 19 below 150% of the nonfarm income official poverty line are
 20 deemed participants in the Dirigo Health Program with the
 21 Dirigo Health Fund responsible for providing state matching
 22 funds for their Medicaid services. Individuals eligible
 23 under this paragraph with incomes above 150% and not more
 24 than 200% of the nonfarm income official poverty line are
 25 deemed participants in the Dirigo Health Program upon the
 26 date coverage is first provided to eligible enrollees and
 27 eligible individuals under the Dirigo Health Program
 28 established under Title 24-A, section 6910, as amended, with
 29 the Dirigo Health Fund responsible for providing all state
 30 matching funds for their Medicaid services; and

PART GGGG

34 **Sec. GGGG-1. Appropriations and allocations.** The following
 35 appropriations and allocations are made.

36
 37 **ADMINISTRATIVE AND FINANCIAL SERVICES,**
 38 **DEPARTMENT OF**

39
 40 **Maine Residents Property Tax Program 0648**

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 42 Initiative: Provides funding in fiscal year 2003-04 for the
 43 circuitbreaker program.

44	General Fund	2003-04	2004-05
45	All Other	\$933,244	\$0
46		<hr/>	<hr/>
47	General Fund Total	\$933,244	\$0

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 49 **ADMINISTRATIVE AND FINANCIAL SERVICES,**

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SENATE AMENDMENT "L" to COMMITTEE AMENDMENT "A" to H.P. 1420,
L.D. 1919

2	DEPARTMENT OF		
	DEPARTMENT TOTALS	2003-04	2004-05
4	GENERAL FUND	\$933,244	\$0
6	DEPARTMENT TOTAL - ALL FUNDS	\$933,244	\$0

8 **BEHAVIORAL AND DEVELOPMENTAL SERVICES,**
 10 **DEPARTMENT OF**
 12 **Mental Health Services - Community 0121**

14 Initiative: Provides for the appropriation of funds for housing assistance to persons with mental illness.

16	General Fund	2003-04	2004-05
18	All Other	\$0	\$900,000
20	General Fund Total	\$0	\$900,000

22	BEHAVIORAL AND DEVELOPMENTAL SERVICES,		
	DEPARTMENT OF		
24	DEPARTMENT TOTALS	2003-04	2004-05
26	GENERAL FUND	\$0	\$900,000
28	DEPARTMENT TOTAL - ALL FUNDS	\$0	\$900,000

30 **BAXTER COMPENSATION AUTHORITY**
 32 **Baxter Compensation Authority 0117**

34 Initiative: Provides additional funds to disburse to those former students who are found to have suffered physical or sexual abuse while they were students at and under the care of the Governor Baxter School for the Deaf or the Maine School for the Deaf.

38	General Fund	2003-04	2004-05
40	All Other	\$0	\$1,000,000
42	General Fund Total	\$0	\$1,000,000

44	BAXTER COMPENSATION AUTHORITY		
	DEPARTMENT TOTALS	2003-04	2004-05
46	GENERAL FUND	\$0	\$1,000,000
48	DEPARTMENT TOTAL - ALL FUNDS	\$0	\$1,000,000

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SENATE AMENDMENT

R. 019

SENATE AMENDMENT "L" to COMMITTEE AMENDMENT "A" to H.P. 1420,
L.D. 1919

CORRECTIONS, DEPARTMENT OF

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Correctional Center 0162

Initiative: Provides funds to establish 6 Correctional Officer positions, one Personnel/Payroll Technician position, one Correctional Trades Instructor position and one Correctional Sergeant position and related All Other to open a vacant unit at the Maine Correctional Center in Windham.

General Fund	2003-04	2004-05
Positions - Legislative Count	(0.000)	(9.000)
Personal Services	\$0	\$495,573
All Other	0	87,040
General Fund Total	\$0	\$582,613

Correctional Center 0162

Initiative: Deappropriates funds to offset a General Fund appropriation in Part A of this Act.

General Fund	2003-04	2004-05
Personal Services	\$0	(\$385,360)
All Other	0	(87,040)
General Fund Total	\$0	(\$472,400)

Charleston Correctional Facility 0400

Initiative: Provides funds to establish 9 Correctional Officer positions, 2 Correctional Trades Instructor positions, one Correctional Unit Manager position, one Clerk Typist II position, one Correctional Sergeant position and one Correctional Caseworker position and related All Other to open a vacant unit at the Charleston Correctional Facility in Charleston.

General Fund	2003-04	2004-05
Positions - Legislative Count	(0.000)	(15.000)
Personal Services	\$0	\$867,493
All Other	0	123,768
General Fund Total	\$0	\$991,261

State Prison 0144

Initiative: Provides funds to establish 14 Correctional Officer positions and related All Other expenses at the Maine State Prison in Warren.

SENATE AMENDMENT

Page

SENATE AMENDMENT "L" to COMMITTEE AMENDMENT "A" to H.P. 1420,
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2	General Fund	2003-04	2004-05
	Positions - Legislative Count	(0.000)	(14.000)
	Personal Services	\$0	\$821,688
4	All Other	0	11,635
6	General Fund Total	<u>\$0</u>	<u>\$833,323</u>

8 **State Prison 0144**

10 Initiative: Deappropriates funds to offset a General Fund
12 appropriation in Part A of this Act.

14	General Fund	2003-04	2004-05
	Personal Services	\$0	(\$762,996)
	All Other	0	(10,804)
16	General Fund Total	<u>\$0</u>	<u>(\$773,800)</u>

18 **CORRECTIONS, DEPARTMENT OF**
20 **DEPARTMENT TOTALS**

22	GENERAL FUND	2003-04	2004-05
		\$0	\$1,160,997
24	DEPARTMENT TOTAL - ALL FUNDS	<u>\$0</u>	<u>\$1,160,997</u>

26 **CULTURAL AFFAIRS COUNCIL, MAINE STATE**

28 **New Century Community Program**

30 Initiative: Provides funds for the New Century Community Program
32 to be administered by the Maine State Cultural Affairs Council.

34	General Fund	2003-04	2004-05
	All Other	\$0	\$1,000,000
36	General Fund Total	<u>\$0</u>	<u>\$1,000,000</u>

38 **CULTURAL AFFAIRS COUNCIL, MAINE STATE**
40 **DEPARTMENT TOTALS**

42	GENERAL FUND	2003-04	2004-05
		\$0	\$1,000,000
44	DEPARTMENT TOTAL - ALL FUNDS	<u>\$0</u>	<u>\$1,000,000</u>

46 **DEFENSE, VETERANS AND EMERGENCY**
48 **MANAGEMENT, DEPARTMENT OF**

Veterans Services 0110

Ref's

SENATE AMENDMENT "L" to COMMITTEE AMENDMENT "A" to H.P. 1420,
L.D. 1919

2 Initiative: Appropriates funds for a veterans cemetery to be
established in southern Maine.

4	General Fund	2003-04	2004-05
	All Other	\$0	\$150,000
6		<hr/>	<hr/>
	General Fund Total	\$0	\$150,000

8	DEFENSE, VETERANS AND EMERGENCY MANAGEMENT,		
10	DEPARTMENT OF		
12	DEPARTMENT TOTALS	2003-04	2004-05
	GENERAL FUND	\$0	\$150,000
14		<hr/>	<hr/>
	DEPARTMENT TOTAL - ALL FUNDS	\$0	\$150,000

16 **EDUCATION, DEPARTMENT OF**

18 **Magnet Schools 0791**

20 Initiative: Provides funds to support the Maine School of
22 Science and Mathematics in Limestone.

24	General Fund	2003-04	2004-05
	All Other	\$0	\$32,000
26		<hr/>	<hr/>
	General Fund Total	\$0	\$32,000

28	EDUCATION, DEPARTMENT OF		
30	DEPARTMENT TOTALS	2003-04	2004-05
	GENERAL FUND	\$933,244	\$4,242,997
32		<hr/>	<hr/>
	DEPARTMENT TOTAL - ALL FUNDS	\$933,244	\$4,242,997

36 **HUMAN SERVICES, DEPARTMENT OF**

38 **General Assistance - Reimbursement to**
Cities and Towns 0130

40 Initiative: Appropriates funds as a result of an anticipated
42 shortfall in fiscal year 2004-05.

44	General Fund	2003-04	2004-05
	All Other	\$0	\$700,000
46		<hr/>	<hr/>
	General Fund Total	\$0	\$700,000

48 **Medical Care - Payment to Providers 0147**

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SENATE AMENDMENT

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SENATE AMENDMENT "L" to COMMITTEE AMENDMENT "A" to H.P. 1420,
L.D. 1919

Initiative: Deappropriates and allocates funds to reflect the
2 movement of current MaineCare participating parents of State
3 Child Health Insurance Program-eligible children to the Dirigo
4 Health program, with the Dirigo Health Fund providing the seed
5 for the federal Medicaid matching funds for their services
6 beginning July 1, 2004, by increasing the transfer from the
7 Dirigo Health Fund to the Medical Care - Payments to Providers
8 Other Special Revenue Funds.

10	General Fund	2003-04	2004-05
	All Other	\$0	(\$8,965,242)
12			
	General Fund Total	\$0	(\$8,965,242)

14	Other Special Revenue Funds	2003-04	2004-05
16	All Other	\$0	\$8,965,242
18			
	Other Special Revenue Funds Total	\$0	\$8,965,242

20	HUMAN SERVICES, DEPARTMENT OF		
22	DEPARTMENT TOTALS	2003-04	2004-05
	GENERAL FUND	\$0	(\$8,265,242)
24	OTHER SPECIAL REVENUE FUNDS	0	8,965,242
26			
	DEPARTMENT TOTAL - ALL FUNDS	\$0	\$700,000

28 **JUDICIAL DEPARTMENT**

30 **Courts - Supreme, Superior and District 0063**

32 Initiative: Provides funds for contracted court security.

34	General Fund	2003-04	2004-05
	All Other	\$0	\$194,000
36			
	General Fund Total	\$0	\$194,000

38	JUDICIAL DEPARTMENT		
40	DEPARTMENT TOTALS	2003-04	2004-05
42	GENERAL FUND	\$0	\$194,000
44	DEPARTMENT TOTAL - ALL FUNDS	\$0	\$194,000

46	SECTION TOTALS	2003-04	2004-05
48	GENERAL FUND	\$933,244	(\$3,828,245)
50	OTHER SPECIAL REVENUE FUNDS	0	8,965,242

SENATE AMENDMENT

NASS

SENATE AMENDMENT "L" to COMMITTEE AMENDMENT "A" to H.P. 1420,
L.D. 1919

2 13. It provides funding for the Augusta Mental Health
Institute consent decree.

4 14. It eliminates certain estate tax provisions.

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FISCAL NOTE REQUIRED
(See attached)

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SPONSORED BY: Richard Nass
(Senator NASS)

14

COUNTY: York

16

**121st Maine Legislature
Office of Fiscal and Program Review**

**LD 1919**

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 Years Ending June 30, 2004 and June 30, 2005

LR 2833(09)**Fiscal Note for Senate Amendment "L" to Committee Amendment "A"****Sponsor: Sen. Nass****Fiscal Note Required: Yes****Fiscal Note**

Current biennium cost decrease - General Fund

	2003-04	2004-05
Net Cost (Savings)		
General Fund	\$1,976,704	(\$2,310,639)
Appropriations/Allocations		
General Fund	\$933,244	\$20,914,612
Other Special Revenue Funds	\$0	\$8,965,242
Revenue		
General Fund	\$0	\$23,225,251
Transfers		
General Fund	(\$1,043,460)	\$0
Other Special Revenue Funds	\$0	\$0

Fiscal Detail and Notes

This amendment will increase the General Fund cost of the bill by \$1,976,704 in fiscal year 2003-04 and will decrease the General Fund cost of the bill by \$2,310,639 in fiscal year 2004-05. Based on the estimated year-end balances, this amendment maintains a balanced budget for the 2004-2005 biennium.