

# MAINE STATE LEGISLATURE

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*State Of Maine  
121st Legislature*

*Second Regular Session and  
Second Special Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Appropriations and Financial Affairs*

*May 2004*

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**Members:**

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Sen. Margaret R. Rotundo  
Sen. Karl W. Turner*

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Rep. H. Sawin Millett, Jr.  
Rep. Julie Ann O'Brien*

*Maine State Legislature*



*Office Of Policy And Legal Analysis  
Office Of Fiscal And Program Review*

*121st Maine Legislature  
Second Regular Session and  
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*Summary Of Legislation Before The Joint Standing Committees*

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint select committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills considered by the committees. It is arranged alphabetically by committee name and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet ([www.state.me.us/legis/opla/billsumm.htm](http://www.state.me.us/legis/opla/billsumm.htm)).

Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

- CON RES XXX..... Chapter # of Constitutional Resolution passed by both Houses*
- CONF CMTE UNABLE TO AGREE ..... Committee of Conference unable to agree; bill died*
- DIED BETWEEN BODIES..... House & Senate disagree; bill died*
- DIED IN CONCURRENCE..... One body accepts ONTP report; the other indefinitely postpones the bill*
- DIED ON ADJOURNMENT..... Action incomplete when session ended; bill died*
- EMERGENCY ..... Enacted law takes effect sooner than 90 days*
- FAILED EMERGENCY ENACTMENT/FINAL PASSAGE..... Emergency bill failed to get 2/3 vote*
- FAILED ENACTMENT/FINAL PASSAGE..... Bill failed to get majority vote*
- FAILED MANDATE ENACTMENT ..... Bill imposing local mandate failed to get 2/3 vote*
- NOT PROPERLY BEFORE THE BODY ..... Ruled out of order by the presiding officers; bill died*
- INDEF PP ..... Bill Indefinitely Postponed*
- ONTP..... Ought Not To Pass report accepted*
- OTP-ND ..... Committee report Ought To Pass In New Draft*
- P&S XXX..... Chapter # of enacted Private & Special Law*
- PASSED..... Joint Order passed in both bodies*
- PUBLIC XXX..... Chapter # of enacted Public Law*
- RESOLVE XXX..... Chapter # of finally passed Resolve*
- UNSIGNED..... Bill held by Governor*
- VETO SUSTAINED ..... Legislature failed to override Governor's Veto*

Please note that the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is April 30, 2004; and non-emergency legislation enacted in the Second Special Session is July 30, 2004. Four bills (LD's 1572, 1629, 1636 and 1637) that were considered at the First Special Session in August 2003 are also included in these summaries.

*David C. Elliott, Director*  
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**JOINT STANDING COMMITTEE ON  
APPROPRIATIONS AND FINANCIAL AFFAIRS**

**LD 1791**

**An Act To Restore Funding for Certain Nursing Facilities and  
Residential Care Facilities**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
RICHARDSON, J MARTIN	ONTP	

LD 1791 proposed to require the Department of Human Services to include in its calculation of reimbursement for services provided by residential care facilities an allowance for a reasonable return on equity capital invested in those facilities and an annual adjustment for the cost of living. This bill also proposed to allow an intermediate care facility for persons with mental retardation to retain an incentive payment for savings equal to 75% of the Department of Human Services' estimate of the facility's allowable expenses and the amount actually paid by the department for those expenses.

This bill also proposed to repeal language suspending the inflation and return on equity payments to nursing facilities for fiscal year 2004-05. This bill also proposed to repeal the increase in licensing fees for nursing and convalescent homes.

Finally, this bill proposed to restore for fiscal year 2004-05 various appropriations to nursing facilities and residential care facilities that were cut by Public Law 2003, chapter 20, including the restoration of reimbursement for bed-hold days for residential care facilities; the cost-of-living adjustment to nursing facilities; the return on equity for nursing facilities; the return on equity adjustment to certain residential care facilities; and the cost-of-living increase for certain residential care facilities.

**LD 1798**

**An Act Requiring Long-range Budget Planning**

**ONTP**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
WOODBURY TURNER	ONTP MAJ OTP MIN	

LD 1798 proposed to amend current law which requires the State Budget Officer to prepare a forecast of revenues and expenditures for the biennium immediately following the biennium in which the forecast is prepared. This bill proposed to extend the forecast to encompass the 6 years following the current biennium and require the Governor to use the forecast to develop a long-range budget plan for the following 3 biennium. The plan would be submitted by the Governor to the Legislature along with the regular biennial budget.