

MAINE STATE LEGISLATURE

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DATE: 4/11/94

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
116TH LEGISLATURE
SECOND REGULAR SESSION

HOUSE AMENDMENT "F" to COMMITTEE AMENDMENT "A" to H.P. 1306, L.D. 1761, 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, 1994 and June 30, 1995"

Amend the amendment in Part F in section 4 in the 3rd line from the end (page 126, line 28 in amendment) by striking out the following: "4,000,000" and inserting in its place the following: '6,980,000'

Further amend the amendment in Part F in section 4 in the last line (page 126, line 30 in amendment) by striking out the following: "\$519,072,022" and inserting in its place the following: '\$522,052,022'

Further amend the amendment in Part F in section 6 in the last line (page 126, line 46 in amendment) by striking out the following: "\$519,072,022." and inserting in its place the following: '\$522,052,022.'

Further amend the amendment in Part BB by striking out all of section 1.

Further amend the amendment in Part BB in section 5 by striking out all of subsection 3-B (page 153, lines 24 to 33 in amendment) and inserting in its place the following:

'3-B. General Fund project positions established. There is established in the Office of State Quality Management General Fund account in the Executive Department 2 project positions authorized by section 20094. There is established in the Human

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2 Resources General Fund account in the Department of
3 Administrative and Financial Services 2 project training
4 positions for total quality management training and coordination.'

6 Further amend the amendment in Part BB in section 8 in that
7 part relating to "ADMINISTRATIVE AND FINANCIAL SERVICES,
8 DEPARTMENT OF" in that part designated "Departments and
9 Agencies - Departmental Total Quality Management Accounts" in the
10 4th line (page 156, line 18 in amendment) by striking out the
11 following: "\$500,000" and inserting in its place the
12 following: '(\$600,000)'

14 Further amend the amendment in Part BB by renumbering the
15 sections to read consecutively.

16 Further amend the amendment in Part CC in section 2 in the
17 5th line (page 159, line 5 in amendment) by striking out the
18 following: "\$2,600,000" and inserting in its place the
19 following: '\$1,250,000'

20 Further amend the amendment by inserting after Part CC the
21 following:

24 **PART DD**

26 **Sec. DD-1. 22 MRSA §396-G, sub-§6,** as enacted by PL 1993, c.
27 410, Pt. FFF, §4, is amended to read:

28 **6. Differentials; Maine Health Program.** The commission
29 shall provide that the differential determined pursuant to this
30 section for the Maine Health Program for charges incurred by the
31 program is equal to 60% 100%.

34 **Sec. DD-2. 22 MRSA §3189, sub-§1,** as amended by PL 1993, c.
35 410, Pt. FFF, §5, is further amended to read:

36 **1. Program created; intent.** The Maine Health Program is
37 created to expand access of Maine citizens to basic health care
38 services. The Maine Health Program is intended to meet, to the
39 extent of available funds, the health care needs of uninsured
40 Maine residents with the highest priority being those needs of
41 residents who are financially needy and under the age of 18.
42 ~~After April 1, 1994, the Maine Health Program is a privately~~
43 ~~administered and funded program that may be governed by state law~~
44 ~~but there is no right or claim of entitlement to health care~~
45 ~~benefits under state law created by operation of the program.~~

48 **Sec. DD-3. 22 MRSA §3189, sub-§2, ¶B,** as enacted by PL 1989,
49 c. 588, Pt. A, §43, is amended to read:

B. "Committee" means the Advisory Board to Privatize the
Maine Health Program Advisory---Committee created in
subsection-4 section 3189-A.

Sec. DD-4. 22 MRSA §3189, sub-§3, ¶E, as enacted by PL 1991,
c. 591, Pt. GG, §3 is repealed

Sec. DD-5. 22 MRSA §3189, sub-§3, ¶F, as enacted by PL 1991,
c. 591, Pt. GG, §3, is amended to read:

F. Notwithstanding subsection 4, paragraph E, the
department shall implement the following asset guidelines
during any recertification and for new enrollees to
determine eligibility.

(1) For adults under the age of 65, the asset limits
are the same as those for medically needy Medicaid
recipients except that there is a 2nd car exclusion for
families with 2 wage earners when the 2nd car is
necessary for work-related travel.

(2) For adults 65 and older, the asset limit is
\$10,000 per household.

The department may adopt rules to implement these asset
guidelines. After January 1, 1992, the department may
reassess and change these asset guidelines with approval
from the Advisory Board to Privatize the Maine Health
Program Advisory-Committee.

Sec. DD-6. 22 MRSA §3189, sub-§8-C, as enacted by PL 1993, c.
410, Pt. FFF, §9, is repealed.

Sec. DD-7. 22 MRSA §3189, sub-§9-A is enacted to read:

9-A. Procedures for adopting rules. In adopting, amending
or repealing any rule required or authorized by this section, the
department shall comply with the Maine Administrative Procedure
Act and shall provide the committee a reasonable opportunity to
review and comment on the proposed rules as a committee prior to
the department giving public notice of rulemaking.

Sec. DD-8. 22 MRSA §3189, sub-§§10-A and 12-A are enacted to
read:

10-A. Fund balances. Any balances of funds appropriated
for services under this section may not lapse, but must be
carried forward from year to year to be expended for the same
purpose.

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12-A. Repeal. This section is repealed March 31, 1995.

Sec. DD-9. 22 MRSA §3189-A, sub-§4 is enacted to read:

4. Repeal. This section is repealed March 31, 1995.

Sec. DD-10. 22 MRSA §3760-D, sub-§1, as amended by PL 1993,
c. 410, Pt. I, §13, is further amended to read:

1. Amount of payment. The department shall provide a special housing allowance in the amount of \$75 per month for each assistance unit to recipients of Aid to Families with Dependent Children whose shelter expenses for rent, mortgage or similar payments, property insurance and property taxes equal or exceed 75% of their monthly assistance unit income. ~~Effective July 1, 1994 the special housing allowance is limited to \$50 per month for each assistance unit.~~ For purposes of this subsection "monthly assistance unit income" means the total of the unit's Aid to Families with Dependent Children monthly benefit, plus income countable under Aid to Families with Dependent Children program rules, plus child support received by the unit, excluding the so-called \$50 pass-through payment.

Sec. DD-11. PL 1993, c. 410, Pt. R, §4, as affected by PL 1993, c. 477, Pt. F, §1 and amended by Pt. G, §1, is further amended to read:

Sec. R-4. Effective date; transition provisions. Sections 1 to 3 of this Part take effect January 1, 1997, except that no new policies of insurance may not be issued providing coverage by the Maine High-Risk Insurance Organization on or after the effective date of this Act. During the period prior to July 1, 1997, the board of directors and the administrator of the organization shall continue to exercise those powers and responsibilities necessary to the operation of the Maine High-Risk Insurance Organization with respect to policies issued prior to the effective date of this Act and necessary to concluding the affairs of the organization. Coverage under all policies issued by the organization terminates as of January 1, 1995, except that, if at any time after December 1, 1993 an actuarial review indicates that the organization's remaining funds may be insufficient to provide continuing coverage to all remaining policies in force until January 1, 1995, the board may cancel these policies on 30 days' notice. The Maine High-Risk Insurance Organization must deposit \$200,000 of its remaining funds to the General Fund as undedicated revenue no later than June 30, 1994. Any additional funds remaining when the affairs of the organization are concluded revert to the General Fund.

2 **Sec. DD-12. Managed care.** The Department of Human Services
4 must ensure that by October 1, 1994 all Maine Health Program
6 participants are enrolled in a capitated managed care program,
including but not limited to health maintenance organizations,
hospital networks and primary care case management.

8 **Sec. DD-13. Transfer of funds.** Notwithstanding the Maine
10 Revised Statutes, Title 5, section 1585 or any other provision of
12 law, the State Budget Officer is authorized to transfer to the
14 Maine Health Program the funds necessary to support program costs
through June 30, 1994 from available balances in other Department
of Human Services General Fund programs. Any transfer must be
based on the recommendations of the Commissioner of Human
Services.

16 **Sec. DD-14. General Purpose Aid for Local Schools; lapsed**
18 **balances.** Notwithstanding any other provision of law, \$160,000 in
20 fiscal year 1993-94 in the General Purpose Aid for Local Schools
account lapse to the General Fund as a result of construction
audit recoveries.

22 **Sec. DD-15. Transfer of funds.** Notwithstanding the Maine
24 Revised Statutes, Title 5, sections 1728-A to 1736, or any other
26 provision of law, the Commissioner of Administrative and
28 Financial Services is authorized to transfer \$2,000,000 from the
reserve fund for self-insured retention losses to the
unappropriated surplus General Fund no later than June 30, 1995.

30 **Sec. DD-16. Transfer to Reserve Fund for Self-insured Retention**
32 **losses.** Notwithstanding any other provision of law, after the
34 State Controller officially closes the financial accounts of the
36 State for the fiscal year ending June 30, 1994, \$1,350,000 must
38 be transferred to the Reserve Fund for Self-Insured Retention
losses as the single highest priority from the available balance
remaining in the General Fund after the deduction of all
appropriations, financial commitments or other designated funds
to be made available by financial order upon the recommendation
of the State Budget Officer and approval of the Governor.

40 **Sec. DD-17. Repayment of transfer.** The remainder of any
42 General Fund repayment of the \$2,000,000 transfer authorized in
44 section 15 of this Part must be made no later than September 30,
1995.

46 **Sec. DD-18. Appropriation.** The following funds are
48 appropriated from the General Fund to carry out the purposes of
this Part.

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1993-94

1994-95

2

EDUCATION, STATE BOARD OF

4

State Board of Education

6

All Other

(\$260,000)

8

10

Provides for the
deappropriation of funds from
the Task Force on Learning
Results to offset an
appropriation in Part A,
section 1.

12

14

16

**STATE BOARD OF EDUCATION
TOTAL**

(260,000)

18

EDUCATION, DEPARTMENT OF

20

**General Purpose Aid for
Local Schools**

22

24

All Other

2,980,000

26

Provides additional funds for
General Purpose Aid for Local
Schools.

28

30

Preschool Handicapped

32

All Other

\$225,000

34

Provides funds for grants to
Child Development Services
sites for Free and
Appropriate Public Education
(FAPE) services to eligible
children.

36

38

40

**Educational Restructuring
and Improvements**

42

44

All Other

(500,000)

(450,000)

46

Provides for the
deappropriation of funds in
fiscal year 1993-94 that are
no longer required and in
fiscal year 1994-95 from the

48

50

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HOUSE AMENDMENT "F" to COMMITTEE AMENDMENT "A" to H.P. 1306,
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2 Reading Recovery Program to
partially offset an
4 appropriation in Part A,
section 1.

6 **General Purpose Aid for
Local Schools**

8 All Other (230,000)

10 Notwithstanding any other
12 provision of law, provides
14 for the deappropriation of
funds from the minimum state
16 allocation in fiscal year
1994-95.

18 **DEPARTMENT OF EDUCATION**
20 **TOTAL** (275,000) 2,300,000

22 **HUMAN SERVICES, DEPARTMENT OF**

24 **Aid to Families with Dependent
Children**

26 All Other 555,000

28 Provides for the
30 appropriation of funds to
increase the Special Housing
32 Needs payment from \$50 per
month to \$75 per month in
fiscal year 1994-95.

34 **General Assistance**

36 All Other (555,000)

38 Provides for the
40 deappropriation of funds due
to the increase in the Aid to
42 Families with Dependent
Children Special Housing
44 Needs payment.

46 **Maine Health Program**

48 All Other 1,395,000

50 Notwithstanding the Maine

HOUSE AMENDMENT

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HOUSE AMENDMENT "F" to COMMITTEE AMENDMENT "A" to H.P. 1306,
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2 Revised Statutes, Title 22,
3 section 3189, subsection 3,
4 paragraph E-1, provides for
5 the appropriation of funds to
6 continue the adult portion of
7 the Maine Health Program
8 until March 31, 1995 based on
9 March 1994 enrollment
10 figures, no new enrollees and
11 a 100% differential on
12 hospital payments.

13 DEPARTMENT OF HUMAN SERVICES
14 TOTAL 1,395,000

15 LABOR, DEPARTMENT OF

16 Job Training Partnership Program

17 All Other (400,000)

18 Provides for the
19 deappropriation of funds no
20 longer required.

21 DEPARTMENT OF LABOR (400,000)
22 TOTAL

23 MAINE TECHNICAL COLLEGE SYSTEM,
24 BOARD OF TRUSTEES OF THE

25 Maine Technical College System -
26 Board of Trustees

27 All Other (300,000)

28 Provides for the
29 deappropriation of funds from
30 the Youth Apprenticeship
31 Program to offset an
32 appropriation in Part A,
33 section 1.

34 BOARD OF TRUSTEES OF THE
35 MAINE TECHNICAL COLLEGE SYSTEM (300,000)
36 TOTAL

37 SECTION DD-18
38 TOTAL APPROPRIATIONS (275,000) 2,735,000

39

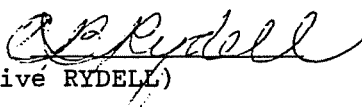
2 STATEMENT OF FACT

4 This amendment reinstates the Maine Health Program and
6 increases the Aid to Families with Dependent Children special
8 housing allowance from \$50 to \$75, both effective July 1, 1994.
10 It also provides additional funds to the General Purpose Aid for
Local Schools program in fiscal year 1994-95 and the Preschool
Handicapped program in fiscal year 1993-94.

12 Funding for these supplemental appropriations is achieved by
14 reducing a number of supplemental appropriations provided in Part
A, section 1 of the committee amendment, transferring an
16 available balance from the Maine High-Risk Insurance
Organization, reducing the fiscal year 1994-95 appropriation to
18 the General Assistance program due to the reinstatement of the
special housing allowance and the Maine Health Program, reducing
20 available Total Quality Management account balances, authorizing
additional school construction audit recoveries to lapse,
22 deappropriating fiscal year 1994-95 Department of Labor, Job
Training Partnership program savings, transferring \$2,000,000
24 from the Reserve Fund for Self-insured Retention Losses, which is
to be repaid in fiscal year 1995-96.

26 This amendment also decreases the maximum amount of
unappropriated surplus that can be transferred to the new Quality
28 Centers program from \$2,600,000 to \$1,250,000 in fiscal year
1994-95 and adds language that will transfer \$1,350,000 from
30 unappropriated surplus to start to repay the Reserve Fund for
Self-insured Retention Losses early in fiscal year 1994-95.

32 This amendment also deletes certain sections of the
34 committee amendment that would amend existing statutory language
concerning Total Quality Management in State Government and
36 authorizes the 4 new positions as "project positions."

38 SPONSORED BY: 
40 (Representative RYDELL)

42 TOWN: Brunswick