

# MAINE STATE LEGISLATURE

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m  
R. S.

L.D. 1887

DATE: *May 29, 1997*

(Filing No. S-349)

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STATE OF MAINE  
SENATE  
118TH LEGISLATURE  
FIRST SPECIAL SESSION

SENATE AMENDMENT "A" to HOUSE AMENDMENT "C" to H.P. 1338, L.D. 1887, Bill, "An Act Regarding Health and the Prevention of Smoking"

Amend the amendment by inserting after the title the following:

'Amend the bill in Part A by inserting after section 1 the following:

'Sec. A-2. 22 MRSA §254, as amended by PL 1993, c. 410, Pt. I, §§4 to 6, is further amended by adding after the 3rd paragraph a new paragraph to read:

In any year in which this program is conducted, it must include drugs for multiple sclerosis, Parkinson's disease and thyroid, glaucoma and bone density loss treatment.'

Further amend the amendment in the first paragraph after the title in the first line (page 1, line 18 in amendment) by striking out the following: "Amend" and inserting in its place the following: 'Further amend'

Further amend the amendment in the first paragraph after the title in the 3rd line (page 1, line 20 in amendment) by striking the following: "185%" and inserting in its place the following: '150%'

Further amend the amendment by inserting after the first paragraph after the title the following:

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Further amend the bill in Part A in section 3 in subsection  
1-A by striking out all of the first blocked paragraph (page 1,  
lines 49 and 50 and page 2, lines 1 to 7 in L.D.)

Further amend the bill in Part A by striking out all of  
section 4 (page 2, lines 17 to 26 in L.D.)

Further amend the amendment by inserting after the 4th  
indented paragraph after the title the following:

Further amend the bill by striking out all of Part B and  
inserting in its place the following:

### PART B

Sec. B-1. 22 MRSA §1699-A is enacted to read:

#### §1699-A. Tobacco Prevention and Control Program

The department shall implement the Tobacco Prevention and  
Control Program to reduce tobacco use among youth and young  
adults in this State and to educate citizens about the  
detrimental health effects of secondary tobacco smoke. The  
program must be based on tobacco prevention and control  
guidelines issued by the National Cancer Institute or the Centers  
for Disease Control and Prevention. The program must include,  
but is not limited to, a campaign using all forms of media to  
raise awareness about the facts and issues of tobacco use,  
encouraging youth to quit or to not begin smoking, motivating  
older smokers to quit and facilitating public receptiveness for a  
smoke-free environment. Expenditures for this program may not  
exceed \$2,900,000 annually.

Further amend the amendment on page 2 by inserting after the  
2nd indented paragraph the following:

Further amend the bill in Part C in section 1 in that part  
designated "~~§1546.~~" in paragraph B in subparagraph (3) in the  
last line (page 6, line 43 in L.D.) by striking out the  
following: "and"

Further amend the bill in Part C in section 1 in that part  
designated "~~§1546.~~" in paragraph B by striking out all of  
subparagraph (4) and inserting in its place the following:

(4) The Treasurer of State shall transfer to the  
Department of Administrative and Financial Services for  
the Maine Residents Property Tax Program funds  
sufficient for all allocations from the fund; and

(5) The Treasurer of State shall transfer to the department for elderly low-cost drug program funds sufficient for all allocations from the fund.'

Further amend the amendment on page 2 by striking out all of the 4th indented paragraph and all of Part D section 3 and Part D section 4 (page 2, lines 16 to 50, pages 3, 4, 5 and 6 and page 7 lines 1 to 37 in amendment) and inserting in their place the following:

'Further amend the bill by striking out all of Part D and inserting in its place the following:

**PART D**

**Sec. D-1. Appropriation.** The following funds are appropriated from the General Fund to carry out the purposes of this Act.

	1997-98	1998-99
<b>ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF</b>		
<b>Bureau of Taxation</b>		
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	\$15,903	\$32,904
All Other	38,920	53,440
Capital Expenditures	10,000	
<b>TOTAL</b>	<u>64,823</u>	<u>86,344</u>

Provides funds for one Revenue Agent position, effective January 1, 1998, one contract investigator and related administrative expenses to administer and enforce the cigarette tax laws.

**DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES**  
**TOTAL**

\$64,823      \$86,344

**Sec. D-2. Allocation.** The following funds are allocated from the Federal Expenditure Fund to carry out the purposes of this Act.

2		1997-98	1998-99
4	<b>HUMAN SERVICES, DEPARTMENT OF</b>		
6			
8	<b>Bureau of Family Independence - Regional</b>		
10	Positions - Legislative Count	(10,000)	(10,000)
	Personal Services	\$204,292	\$331,975
12	All Other	63,375	31,500
14			
16	TOTAL	267,667	363,475

18 Provides funds to support the  
 20 additional eligibility  
 22 determination costs of  
 24 extending Medicaid coverage  
 26 to additional children,  
 28 including funds for 8 Income  
 30 Maintenance Specialist  
 32 positions, one Income  
 Maintenance Unit Supervisor  
 position and one Human  
 Service Aide III positions  
 and related costs. These  
 positions may only be  
 established if federal  
 approval for the expansion is  
 granted.

34	<b>OMB Operations - Regional</b>		
36	Positions - Legislative Count	(2,500)	(2,500)
	Personal Services	7,072	61,293
38	All Other	12,563	7,875
40			
42	TOTAL	19,635	69,168

44 Provides funds to support the  
 46 additional eligibility  
 48 determination costs of  
 50 extending Medicaid coverage  
 to additional children,  
 including funds for 2.5 Clerk  
 Typist II positions and  
 related costs. These

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2 positions may only be  
3 established if federal  
4 approval for the expansion is  
5 granted.

6 **Medical Care - Payments  
7 to Providers**

8 All Other 2,274,113 7,197,332

10 Provides funds to support the  
11 federal share of the cost of  
12 extending Medicaid coverage  
13 to additional children.

16 **DEPARTMENT OF HUMAN  
17 SERVICES**

18 **TOTAL** \$2,561,415 \$7,629,975

20 **Sec. D-3. Allocation.** The following funds are allocated from  
21 Other Special Revenue to carry out the purposes of this Act.

22  
23 1997-98 1998-99

24 **ADMINISTRATIVE AND FINANCIAL  
25 SERVICES, DEPARTMENT OF**

28 **Maine Residents Property  
29 Tax Program**

30 All Other \$4,602,809 \$5,160,642

32 Provides funds for additional  
33 claims under the  
34 circuitbreaker program.

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

38 **TOTAL** \$4,602,809 \$5,160,642

40 **HUMAN SERVICES,  
41 DEPARTMENT OF**

44 **Elderly Low-cost Drugs Program**

46 All Other \$159,773 \$330,091

48 Provides funds to support the  
49 cost of covering additional  
50 drugs under the program.

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SENATE AMENDMENT "A" to HOUSE AMENDMENT "C" to H.P. 1338, L.D. 1887

2	<b>Medical Care - Payments to</b>		
4	<b>Providers</b>		
6	All Other	1,199,937	3,701,112
8	Provides funds to support the		
10	state share of the cost of		
	extending Medicaid coverage		
	to additional children.		
12	<b>Bureau of Health</b>		
14	All Other	2,900,000	2,900,000
16	Provides funds to support the		
18	Tobacco Prevention and		
	Control Program.		
20	<b>Bureau of Family</b>		
22	<b>Independence - Regional</b>		
24	Positions - Legislative Count	(10,000)	(10,000)
	Personal Services	204,292	331,975
26	All Other	63,375	31,500
28	TOTAL	<u>267,667</u>	<u>363,475</u>
30	Provides funds to support the		
32	additional eligibility		
34	determination costs of		
36	extending Medicaid coverage		
38	to additional children,		
40	including funds for 8 Income		
42	Maintenance Specialist		
44	positions, one Income		
46	Maintenance Unit Supervisor		
48	position and one Human		
	Service Aide III position and		
	related costs. These		
	positions may only be		
	established if federal		
	approval for the expansion is		
	granted.		
48	<b>OMB Operations - Regional</b>		
50	Positions - Legislative Count	(2,500)	(2,500)
	Personal Services	7,072	61,293

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2	All Other	12,563	7,875
4	TOTAL	<u>19,635</u>	<u>69,168</u>
6	Provides funds to support the		
8	additional eligibility		
10	determination costs of		
12	extending Medicaid coverage		
14	to additional children,		
16	including funds for 2.5 Clerk		
18	Typist II positions and		
20	related costs. These		
22	positions may only be		
24	established if federal		
	approval for the expansion is		
	granted.		
	<b>DEPARTMENT OF HUMAN</b>		
	<b>SERVICES</b>		
	TOTAL	<u>\$4,547,012</u>	<u>\$7,363,846</u>
	<b>TOTAL</b>		
	<b>ALLOCATIONS</b>	<u>\$9,149,821</u>	<u>\$12,524,488</u>

**PART E**

28 **Sec. E-1. 36 MRSA §191, sub-§2, ¶S.** as corrected by RR 1995, c.  
30 2, §89, is repealed.

32 **Sec. E-2. 36 MRSA §6207, sub-§1, ¶A-1.** as amended by PL 1995,  
34 c. 639, §32, is further amended to read:

36 A-1. Fifty percent of that portion of the benefit base that  
38 exceeds ~~5.0%~~ 4.0% but does not exceed ~~10.0%~~ 8.0% of income  
plus 100% of that portion of the benefit base that exceeds  
10% 8% of income to a maximum payment of \$700 \$1,000.

40 **Sec. E-3. 36 MRSA §6207, sub-§3.** as amended by PL 1995, c.  
42 395, Pt. S, §4, is repealed.'

44 Further amend the bill by relettering or renumbering any  
46 nonconsecutive Part letter or section number to read  
48 consecutively.'

**FISCAL NOTE**

48		1997-98	1998-99
50	<b>APPROPRIATIONS/ALLOCATIONS</b>		

**SENATE AMENDMENT**



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1998-99, respectively, for the Low-Cost Drugs for Maine's Elderly  
program to cover additional drugs under the program.

#### SUMMARY

This amendment lowers the income level for the children's  
Medicaid program to 150% of the federal poverty level. It adds  
certain drugs to the drugs provided by the elderly low-cost drug  
program. It broadens eligibility for the circuit breaker program.

The amendment deletes the Medicaid prescription drug program  
for the elderly. It reduces funding for the Tobacco Prevention  
and Control Program to \$2,900,000 per year.

SPONSORED BY:   
(Senator MILLS)

COUNTY: Somerset