

MAINE STATE LEGISLATURE

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DATE: *April 3, 2002* (Filing No. S-*556*)

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STATE OF MAINE
SENATE
120TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT "*A*" to COMMITTEE AMENDMENT "A" to H.P. 1436, L.D. 1933, "Resolve, to Establish a Blue Ribbon Commission to Address Financing of Long-term Care Costs"

Amend the amendment by striking out all of section 2 and inserting in its place the following:

Sec. 2. Commission membership. Resolved: That the commission consists of the following members:

1. Nine members appointed by the President of the Senate as follows:

A. Two members of the Senate. When making these appointments, the President of the Senate shall give preference to a member serving on the Joint Standing Committee on Appropriations and Financial Affairs and to a member serving on the Joint Standing Committee on Health and Human Services;

B. A representative of a provider of long-term care insurance;

C. A member of a statewide organization representing business entities;

D. A member of a statewide organization representing labor;

E. A member of a statewide organization representing providers of long-term care;

F. A member of a statewide organization representing hospitals;

SENATE AMENDMENT

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1436,
L.D. 1933

- 2 G. A member of a statewide organization representing
physicians; and
- 4 H. A member of a statewide organization representing
6 financial institutions;
- 8 2. Ten members appointed by the Speaker of the House as
follows:
- 10 A. Two members of the House of Representatives. When
12 making these appointments, the Speaker of the House shall
14 give preference to a member serving on the Joint Standing
Committee on Health and Human Services and to a member
16 serving on the Joint Standing Committee on Banking and
Insurance;
- 18 B. A member of a statewide organization representing
elderly persons;
- 20 C. A member of a statewide organization representing people
22 with disabilities;
- 24 D. A representative of the long-term care ombudsman program;
- 26 E. A member of a statewide not-for-profit organization
providing legal services to elderly persons;
- 28 F. A member of a statewide organization representing
30 homecare providers;
- 32 G. A member of a statewide organization representing
individuals with Alzheimer's disease or other dementias;
- 34 H. A representative of an academic or public policy
36 institute with expertise in health care economics or
finance; and
- 38 I. A representative of an accounting firm with expertise in
40 health care financing; and
- 42 3. The following 2 members:
- 44 A. The Commissioner of Human Services or the commissioner's
designee; and
- 46 B. The Treasurer of State or the treasurer's designee; and
48 be it further'

2 Further amend the amendment in section 3 in the next to the
last line (page 4, line 8 in amendment) by striking out the
following: "60" and inserting in its place the following: '15'

4
6 Further amend the amendment by striking out all of sections
5, 6, 7, 8, 9, 10 and 11 and inserting in their place the
following:

8
10 **Sec. 5. Meetings and hearings. Resolved:** That the commission
may hold up to 4 meetings per year. One of the meetings of the
12 commission held each year may be a public hearing scheduled
during nonbusiness hours in the State. The commission may not
meet during the legislative session; and be it further

14
16 **Sec. 6. Staff assistance. Resolved:** That, upon approval of the
Legislative Council, the Office of Policy and Legal Analysis
shall provide necessary staffing services to the commission; and
18 be it further

20 **Sec. 7. Funding. Resolved:** That, the commission may seek and
accept other sources of funds to advance its work. Prompt notice
22 of solicitation and acceptance of funds must be sent to the
Legislative Council. All funds accepted must be forwarded to the
24 Executive Director of the Legislative Council along with an
accounting record that includes the amount of funds, date the
26 funds were received, from whom the funds were received and the
purpose and any limitation on the use of the funds. The
28 Executive Director of the Legislative Council administers any
funds received; and be it further

30
32 **Sec. 8. Compensation. Resolved:** That those members of the
commission who are Legislators are entitled to receive the
legislative per diem as defined in the Maine Revised Statutes,
34 Title 3, section 2 and reimbursement for travel and other
necessary expenses related to their attendance at authorized
36 meetings of the commission. Other members of the commission who
are not otherwise compensated by their employers or other
38 entities that they represent are entitled to receive
reimbursement of necessary expenses incurred for their attendance
40 at authorized meetings. If other sources of funds become
available, these funds may be used to compensate members of the
42 commission; and be it further

44 **Sec. 9. Report. Resolved:** That the commission shall submit
its report, together with any recommended implementing
46 legislation, to the Legislature no later than November 6, 2003.
The commission may also submit an interim report as it determines
48 necessary. The commission shall also make an interim report to
the Legislature and the Long-term Care Implementation Committee,
50 established pursuant to Public Law 1999, chapter 731, Part BBBB,

section 15, by November 6, 2002. If the commission requires an extension of time to make its reports, it may apply to the Legislative Council, which may grant the extension; and be it further

Sec. 10. Budget. Resolved: That the cochairs of the commission, with assistance from the commission's staff, shall administer the commission's budget. Within 10 days after its first meeting, the commission shall present a work plan and proposed budget to the Legislative Council for approval. The commission may not incur expenses that would result in the commission's exceeding its approved budget. Upon request from the commission, the Executive Director of the Legislative Council shall promptly provide the commission chairs and staff with a status report on the commission's budget, expenditures incurred and paid and available funds; and be it further

Sec. 11. Appropriations and allocations. Resolved: That the following appropriations and allocations are made.

LEGISLATURE

Study Commissions - Funding

Initiative: Provides a base allocation from Other Special Revenue funds in the amount of \$500 in the event grants are awarded and outside funds are received.

Other Special Revenue Funds	2001-02	2002-03
All Other	\$0	\$500'

FISCAL NOTE

This amendment removes the General Fund appropriation for the Blue Ribbon Commission to Address the Financing of Long-term Care. The revised General Fund costs of the commission are estimated to be \$6,480 in fiscal year 2002-03 and can be absorbed within the Legislature's existing budgeted resources utilizing available balance forward from fiscal year 2001-02.

SUMMARY

This amendment has been prepared pursuant to action taken by the Legislative Council on March 26, 2002.

The amendment makes the following changes.

1. It alters the authority for appointing members of the
2 commission. Under this amendment, the Speaker of the House of
Representatives, rather than the Governor, appoints the
4 representative of an academic or public policy institute with
expertise in health care economics or finance and the
6 representative of an accounting firm with expertise in health
care financing. In addition, the President of the Senate, rather
8 than the Governor, appoints the member of a statewide
organization representing financial institutions.

2. It changes from 60 days to 15 days the length of time
12 after the appointment of all members that the first meeting of
the commission must be held.

3. It limits the commission to holding a maximum of 4
16 meetings per year, removes language that would have required that
meetings be held in various areas of the State and prohibits the
18 commission from meeting during the legislative session.

4. It refines language regarding the ability of the
20 commission to seek and accept other sources of funds.

5. It incorporates language from House Amendment "B" to
24 Committee Amendment "A," which allows the commission to seek
staff assistance from the Office of Policy and Legal Analysis
26 through the Legislative Council.

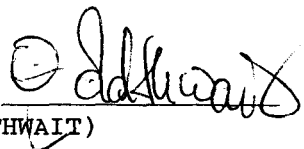
6. It incorporates language from House Amendment "B" to
28 Committee Amendment "A," which gives Legislators who are members
of the commission legislative per diem and reimbursement for
30 their expenses, and in addition specifies that if other sources
of funds become available, they may be used to compensate members
32 of the commission.

7. It clarifies the date by which the commission's reports
36 must be submitted, and requires that the commission's interim
report be presented to the Legislature as well as to the
38 Long-term Care Implementation Committee.

8. It adds language required by the Joint Rules to the
40 section governing the administration of the commission's budget.

SENATE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to H.P. 1436,
L.D. 1933

2 9. It adds a new appropriation and allocation section to
4 reflect these changes.

6
8 SPONSORED BY: 
10 (Senator GOLDTHWAIT)

12 COUNTY: Hancock