

MAINE STATE LEGISLATURE

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Date: 3-27-08

(Filing No. H- 846)

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
123RD LEGISLATURE
SECOND REGULAR SESSION**

HOUSE AMENDMENT "U" to COMMITTEE AMENDMENT "A" to H.P. 1547,
L.D. 2173, 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, 2008 and June 30, 2009"

Amend the amendment by striking out all of Parts BBBB and LLLL.

Amend the amendment by inserting after Part MMMM the following:

PART NNNN

Sec. NNNN-1. 36 MRSA §6652, sub-§1, as repealed and replaced by PL 2007,
c. 438, §114, is amended to read:

1. Generally. A person against whom taxes have been assessed pursuant to Part 2,
except for chapters 111 and 112, with respect to eligible property and who has paid those
taxes is entitled to reimbursement of a portion of those taxes from the State as provided in
this chapter. The reimbursement under this chapter is the percentage of the taxes assessed
and paid with respect to eligible property specified in subsection 4, except that for claims
filed for the application period that begins on August 1, 2006 the reimbursement is
limited to 90% of the taxes assessed and paid with respect to eligible property. For
purposes of this chapter, a tax applied as a credit against a tax assessed pursuant to
chapter 111 or 112 is a tax assessed pursuant to chapter 111 or 112. A taxpayer that
included eligible property in its investment credit base under section 5219-E or 5219-M
and claimed the credit provided in one or more of those sections on its income tax return
may not be reimbursed under this chapter for taxes assessed on that same eligible
property in a year in which one or more of those credits are taken. A successor in interest
of a person against whom taxes have been assessed with respect to eligible property is
entitled to reimbursement pursuant to this section, whether the tax was paid by the person
assessed or by the successor, as long as a transfer of the property in question to the
successor has occurred and the successor is the owner of the property as of August 1st of
the year in which a claim for reimbursement may be filed pursuant to section 6654. For
purposes of this subsection, "successor in interest" includes the initial successor and any
subsequent successor. When an eligible successor in interest exists, the successor is the
only person to whom reimbursement under this chapter may be made with respect to the

HOUSE AMENDMENT



1 transferred property. For an item of eligible property that is first subject to assessment
 2 under Part 2 on or after April 1, 2008, and for any item of eligible property for which
 3 reimbursement is paid under subsection 4, paragraph B, the reimbursement otherwise
 4 payable under this section with respect to that item of eligible property must be reduced
 5 by an amount equal to the amount, if any, by which the reimbursement otherwise payable
 6 under this section plus payments received by the taxpayer under a tax increment
 7 financing arrangement pursuant to Title 30-A, chapter 206, subchapter 1 with respect to
 8 that item of eligible property exceeds 100% of the property taxes assessed with respect to
 9 that item of eligible property. For an item of eligible property that is first subject to
 10 assessment under Part 2 before April 1, 2008, the reimbursement otherwise payable under
 11 this section with respect to that item of eligible property must be reduced by an amount
 12 equal to 68.1% of the amount, if any, by which the reimbursement otherwise payable
 13 under this section plus payments received by the taxpayer under a tax increment
 14 financing arrangement pursuant to Title 30-A, chapter 206, subchapter 1 with respect to
 15 that item of eligible property exceeds 100% of the property taxes assessed with respect to
 16 that item of eligible property.

17 **Sec. NNN-2. Application.** This Part applies to reimbursements attributable to
 18 the application period that begins on August 1, 2008.

19 **Sec. NNN-3. Appropriations and allocations.** The following appropriations
 20 and allocations are made.

21 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)**

22 **Mental Health Services - Child Medicaid 0731**

23 Initiative: Appropriates funds to offset a deappropriation in Part A, section 27 that
 24 proposed to reduce funding by consolidating crisis services to one provider per district.

25	GENERAL FUND	2007-08	2008-09
26	All Other	\$0	\$200,000
27			
28	GENERAL FUND TOTAL	\$0	\$200,000

29 **Mental Health Services - Children 0136**

30 Initiative: Appropriates funds to offset a deappropriation in Part A, section 27 that
 31 proposed to reduce funding by consolidating crisis services to one provider per district.

32	GENERAL FUND	2007-08	2008-09
33	All Other	\$0	\$50,000
34			
35	GENERAL FUND TOTAL	\$0	\$50,000

36 **Mental Health Services - Community 0121**

BDS

1 Initiative: Appropriates funds to offset a deappropriation in Part A, section 27 that
 2 proposed to reduce funding by consolidating crisis services to one provider per district.

3	GENERAL FUND	2007-08	2008-09
4	All Other	\$0	\$50,000
5			
6	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$50,000</u>

7 **Mental Health Services - Community 0121**

8 Initiative: Appropriates funds to partially offset a deappropriation in Part A, section 27
 9 that proposed to eliminate funding for community integration services for consumers who
 10 are not eligible for MaineCare.

11	GENERAL FUND	2007-08	2008-09
12	All Other	\$0	\$871,967
13			
14	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$871,967</u>

15 **Mental Health Services - Community Medicaid 0732**

16 Initiative: Appropriates funds to offset a deappropriation in Part A, section 27 that
 17 proposed to reduce funding by consolidating crisis services to one provider per district.

18	GENERAL FUND	2007-08	2008-09
19	All Other	\$0	\$200,000
20			
21	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$200,000</u>

22 **Mental Retardation Waiver - MaineCare 0987**

23 Initiative: Appropriates funds to partially offset a deappropriation in Part A, section 27
 24 that proposed to reduce funding for home-based and community-based waiver services.

25	GENERAL FUND	2007-08	2008-09
26	All Other	\$0	\$1,834,793
27			
28	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$1,834,793</u>

29 **HEALTH AND HUMAN SERVICES,**
 30 **DEPARTMENT OF (FORMERLY BDS)**

2013

1	DEPARTMENT TOTALS	2007-08	2008-09
2			
3	GENERAL FUND	\$0	\$3,206,760
4			
5	DEPARTMENT TOTAL - ALL FUNDS	\$0	\$3,206,760
6	HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)		
7	Medical Care - Payments to Providers 0147		
8	Initiative: Allocates funds to offset a deallocation in Part A, section 28 that proposed to		
9	reduce funding by consolidating crisis services to one provider per district.		
10	FEDERAL EXPENDITURES FUND	2007-08	2008-09
11	All Other	\$0	\$715,138
12			
13	FEDERAL EXPENDITURES FUND TOTAL	\$0	\$715,138
14	Medical Care - Payments to Providers 0147		
15	Initiative: Allocates funds to partially offset a deallocation in Part A, section 28 that		
16	proposed to reduce funding for home-based and community-based waiver services.		
17	FEDERAL EXPENDITURES FUND	2007-08	2008-09
18	All Other	\$0	\$3,280,325
19			
20	FEDERAL EXPENDITURES FUND TOTAL	\$0	\$3,280,325
21	HEALTH AND HUMAN SERVICES,		
22	DEPARTMENT OF (FORMERLY DHS)		
23	DEPARTMENT TOTALS	2007-08	2008-09
24			
25	FEDERAL EXPENDITURES FUND	\$0	\$3,995,463
26			
27	DEPARTMENT TOTAL - ALL FUNDS	\$0	\$3,995,463
28	SECTION TOTALS	2007-08	2008-09
29			
30	GENERAL FUND	\$0	\$3,206,760
31	FEDERAL EXPENDITURES FUND	\$0	\$3,995,463
32			
	SECTION TOTAL - ALL FUNDS	\$0	\$7,202,223

BRS

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Amend the amendment by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

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SUMMARY

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This amendment accomplishes the following.

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1. It removes from Committee Amendment "A" the part that repeals the Office of Program Evaluation and Government Accountability.

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2. It strikes from Committee Amendment "A" the provision repealing circuit breaker indexing.

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3. It restores some funding for community integration services for non-MaineCare-eligible consumers.

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4. It restores funding to outpatient crisis services for mental health.

5. It restores some funding for MaineCare home and community-based waiver services.

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6. It reduces the reimbursement of property taxes under the Business Equipment Tax Reimbursement program if the taxes are also reimbursed under a tax increment financing district agreement.

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FISCAL NOTE REQUIRED

(See attached)

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SPONSORED BY: 

(Representative RAND)

23

TOWN: Portland



123rd MAINE LEGISLATURE

LD 2173

LR 3445(43)

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, 2008 and June 30, 2009

Fiscal Note for House Amendment "K" to Committee Amendment "A"

Sponsor: Rep. Rand of Portland

Fiscal Note Required: Yes

Fiscal Note

	2007-08	2008-09	Projections 2009-10	Projections 2010-11
Net Cost (Savings)				
General Fund	\$0	(\$192)	\$589,164	\$1,898,706
Appropriations/Allocations				
General Fund	\$0	\$4,027,146	\$4,044,863	\$4,063,127
Federal Expenditures Fund	\$0	\$3,995,463	\$3,995,463	\$3,995,463
Revenue				
General Fund	\$0	\$4,394,819	\$3,455,699	\$2,164,421
Other Special Revenue Funds	\$0	\$236,181	\$189,553	\$118,724
Transfers				
General Fund	\$0	(\$367,481)	\$0	\$0

Fiscal Detail and Notes

This amendment will decrease the General Fund cost of the bill by \$192 in fiscal year 2008-09. Based on the estimated year-end balances, this amendment maintains a balanced budget for the 2008-2009 biennium.