

# MAINE STATE LEGISLATURE

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OMG  
ROFS

L.D. 1816

Date: 2-15-12

(Filing No. H-700)

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
125TH LEGISLATURE  
SECOND REGULAR SESSION

HOUSE AMENDMENT "A" to H.P. 1339, L.D. 1816, Bill, "An Act To Implement the Recommendations of the Streamline and Prioritize Core Government Services Task Force for the Fiscal Years Ending June 30, 2012 and June 30, 2013 and To Make Certain Other Allocations and Appropriations and Changes to the Law Necessary to the Operation of State Government"

Amend the bill by striking out all of Parts I, M, O, P, X, Y, Z, AA, BB and CC.

Amend the bill by striking out all of Part II and inserting the following:

PART II

Sec. II-1. PL 2011, c. 380, Pt. JJJ, §1 is amended to read:

Sec. JJJ-1. **Transfer from Other Special Revenue Funds to unappropriated surplus of the General Fund.** Notwithstanding any other provision of law, the State Controller shall transfer ~~\$43,000,000~~ \$115,000,000 on June 30, 2012 from Other Special Revenue Funds to the unappropriated surplus of the General Fund. On July 1, 2012, the State Controller shall transfer ~~\$43,000,000~~ \$115,000,000 from the General Fund unappropriated surplus to Other Special Revenue Funds as repayment. This transfer is considered an interfund advance.

PART JJ

Sec. JJ-1. **Appropriations and allocations.** The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF  
Statewide Radio Network System 0112

Initiative: Deappropriates debt service savings due to an unanticipated delay in the public safety radio system project.

ROFS

HOUSE AMENDMENT "A" to H.P. 1339, L.D. 1816

1	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
2	All Other	(\$1,728,198)	\$0
3			
4	<b>GENERAL FUND TOTAL</b>	<u>(\$1,728,198)</u>	<u>\$0</u>
5	<b>ADMINISTRATIVE AND FINANCIAL</b>		
6	<b>SERVICES, DEPARTMENT OF</b>		
7	<b>DEPARTMENT TOTALS</b>	<b>2011-12</b>	<b>2012-13</b>
8			
9	<b>GENERAL FUND</b>	<b>(\$1,728,198)</b>	<b>\$0</b>
10			
11	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u>(\$1,728,198)</u>	<u>\$0</u>
12	<b>HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)</b>		
13	<b>Developmental Services - Community 0122</b>		
14	Initiative: Reduces funding for reimbursement in rental assistance to United States		
15	Department of Housing and Urban Development levels.		
16	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
17	All Other	\$0	(\$1,200,000)
18			
19	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>(\$1,200,000)</u>
20	<b>Developmental Services Waiver - MaineCare 0987</b>		
21	Initiative: Provides funding in the MaineCare and MaineCare-related accounts necessary		
22	to make cycle payments through the remainder of fiscal year 2011-12.		
23	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
24	All Other	\$5,808,535	\$0
25			
26	<b>GENERAL FUND TOTAL</b>	<u>\$5,808,535</u>	<u>\$0</u>
27	<b>Developmental Services Waiver - Supports Z006</b>		
28	Initiative: Provides funding in the MaineCare and MaineCare-related accounts necessary		
29	to make cycle payments through the remainder of fiscal year 2011-12.		
30	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
31	All Other	\$1,967,371	\$0
32			
33	<b>GENERAL FUND TOTAL</b>	<u>\$1,967,371</u>	<u>\$0</u>

**HOUSE AMENDMENT**

**R O F S**

HOUSE AMENDMENT "A" to H.P. 1339, L.D. 1816

1 **Mental Health Services - Child Medicaid 0731**  
 2 Initiative: Provides funding in the MaineCare and MaineCare-related accounts necessary  
 3 to make cycle payments through the remainder of fiscal year 2011-12.

4	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
5	All Other	\$5,290,051	\$0
6			
7	<b>GENERAL FUND TOTAL</b>	<u>\$5,290,051</u>	<u>\$0</u>

8 **Office of Substance Abuse - Medicaid Seed 0844**  
 9 Initiative: Provides funding in the MaineCare and MaineCare-related accounts necessary  
 10 to make cycle payments through the remainder of fiscal year 2011-12.

11	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
12	All Other	\$983,953	\$0
13			
14	<b>GENERAL FUND TOTAL</b>	<u>\$983,953</u>	<u>\$0</u>

15	<b>HEALTH AND HUMAN SERVICES,</b>		
16	<b>DEPARTMENT OF (FORMERLY BDS)</b>		
17	<b>DEPARTMENT TOTALS</b>	<b>2011-12</b>	<b>2012-13</b>
18			
19	<b>GENERAL FUND</b>	<b>\$14,049,910</b>	<b>(\$1,200,000)</b>
20			
21	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u><b>\$14,049,910</b></u>	<u><b>(\$1,200,000)</b></u>

22 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)**  
 23 **Departmentwide 0019**

24 Initiative: Reduces funding from salary savings. Notwithstanding any other provision of  
 25 law, the State Budget Officer shall calculate the amount of savings in this Part that  
 26 applies to each General Fund account in the Department of Health and Human Services  
 27 and shall transfer the amounts by financial order upon the approval of the Governor.  
 28 These transfers are considered adjustments to appropriations in fiscal year 2011-12 and  
 29 fiscal year 2012-13.

30	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
31	Personal Services	(\$5,000,000)	(\$3,000,000)
32			
33	<b>GENERAL FUND TOTAL</b>	<u>(\$5,000,000)</u>	<u>(\$3,000,000)</u>

34 **Low-cost Drugs To Maine's Elderly 0202**

**HOUSE AMENDMENT**

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HOUSE AMENDMENT "A" to H.P. 1339, L.D. 1816

1 Initiative: Provides funding in the MaineCare and MaineCare-related accounts necessary  
2 to make cycle payments through the remainder of fiscal year 2011-12.

3	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
4	All Other	\$1,401,437	\$0
5			
6	<b>GENERAL FUND TOTAL</b>	<u>\$1,401,437</u>	<u>\$0</u>

7 **Medical Care - Payments to Providers 0147**

8 Initiative: Restores funding reduced in this Act from limiting access to buprenorphine and  
9 naloxone combination drugs for MaineCare recipients.

10	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
11	All Other	\$0	\$600,000
12			
13	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>\$600,000</u>

14	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
15	All Other	\$0	\$1,033,542
16			
17	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>\$0</u>	<u>\$1,033,542</u>

18 **Medical Care - Payments to Providers 0147**

19 Initiative: Restores funding reduced in this Act from reducing the number of specialty  
20 pharmacy providers to a single exclusive provider.

21	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
22	All Other	\$0	\$200,000
23			
24	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>\$200,000</u>

25	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
26	All Other	\$0	\$344,514
27			
28	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>\$0</u>	<u>\$344,514</u>

29 **Medical Care - Payments to Providers 0147**

30 Initiative: Restores funding reduced in this Act for outpatient services at acute care  
31 hospitals.

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HOUSE AMENDMENT "A" to H.P. 1339, L.D. 1816

1	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
2	All Other	\$0	\$3,180,269
3			
4	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>\$3,180,269</u>

5	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
6	All Other	\$0	\$5,478,236
7			
8	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>\$0</u>	<u>\$5,478,236</u>

9       **Medical Care - Payments to Providers 0147**  
10       Initiative: Restores funding reduced in this Act from eliminating coverage of certain  
11       diabetic supplies when purchased in medical supply stores.

12	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
13	All Other	\$0	\$100,000
14			
15	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>\$100,000</u>

16	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2011-12</b>	<b>2012-13</b>
17	All Other	\$0	(\$100,000)
18			
19	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>(\$100,000)</u>

20       **Medical Care - Payments to Providers 0147**  
21       Initiative: Reduces funding as a result of the collection of overpayments to MaineCare  
22       providers due to errors in calculating cost of care.

23	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
24	All Other	\$0	(\$11,000,000)
25			
26	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>(\$11,000,000)</u>

27       **Medical Care - Payments to Providers 0147**  
28       Initiative: Reduces funding on a one-time basis as a result of the collection of legal  
29       settlement payments from MaineCare providers.

# HOUSE AMENDMENT

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HOUSE AMENDMENT "A" to H.P. 1339, L.D. 1816

1	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
2	All Other	(\$363,696)	\$0
3			
4	<b>GENERAL FUND TOTAL</b>	<u>(\$363,696)</u>	<u>\$0</u>

5 **Medical Care - Payments to Providers 0147**

6 Initiative: Reduces funding through increased cost avoidance efforts due to claims being  
 7 submitted to a 3rd-party carrier as the primary payer and MaineCare as the payer of last  
 8 resort.

9	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
10	All Other	(\$500,000)	(\$500,000)
11			
12	<b>GENERAL FUND TOTAL</b>	<u>(\$500,000)</u>	<u>(\$500,000)</u>

13	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
14	All Other	(\$861,285)	(\$861,285)
15			
16	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>(\$861,285)</u>	<u>(\$861,285)</u>

17 **Medical Care - Payments to Providers 0147**

18 Initiative: Provides funding in the MaineCare and MaineCare-related accounts necessary  
 19 to make cycle payments through the remainder of fiscal year 2011-12.

20	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
21	All Other	\$91,805,960	\$0
22			
23	<b>GENERAL FUND TOTAL</b>	<u>\$91,805,960</u>	<u>\$0</u>

24	<b>FEDERAL EXPENDITURES FUND</b>	<b>2011-12</b>	<b>2012-13</b>
25	All Other	\$207,077,368	\$0
26			
27	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>\$207,077,368</u>	<u>\$0</u>

28 **State-funded Foster Care/Adoption Assistance 0139**

29 Initiative: Eliminates funding for the supplemental services for children with complex  
 30 emotional and behavioral needs.

HOUSE AMENDMENT "A" to H.P. 1339, L.D. 1816

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1	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
2	All Other	\$0	(\$1,999,984)
3			
4	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>(\$1,999,984)</u>

5 **State-funded Foster Care/Adoption Assistance 0139**

6 Initiative: Reduces funding by reducing contracts in the alternative response program.

7	<b>GENERAL FUND</b>	<b>2011-12</b>	<b>2012-13</b>
8	All Other	\$0	(\$1,290,000)
9			
10	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>(\$1,290,000)</u>

11 **HEALTH AND HUMAN SERVICES,**  
 12 **DEPARTMENT OF (FORMERLY DHS)**  
 13 **DEPARTMENT TOTALS**

13		<b>2011-12</b>	<b>2012-13</b>
14			
15	<b>GENERAL FUND</b>	<b>\$87,343,701</b>	<b>(\$13,709,715)</b>
16	<b>FEDERAL EXPENDITURES FUND</b>	<b>\$206,216,083</b>	<b>\$5,995,007</b>
17	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$0</b>	<b>(\$100,000)</b>
18			
19	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u><b>\$293,559,784</b></u>	<u><b>(\$7,814,708)</b></u>

20 **SECTION TOTALS**

20		<b>2011-12</b>	<b>2012-13</b>
21			
22	<b>GENERAL FUND</b>	<b>\$99,665,413</b>	<b>(\$14,909,715)</b>
23	<b>FEDERAL EXPENDITURES FUND</b>	<b>\$206,216,083</b>	<b>\$5,995,007</b>
24	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$0</b>	<b>(\$100,000)</b>
25			
26	<b>SECTION TOTAL - ALL FUNDS</b>	<u><b>\$305,881,496</b></u>	<u><b>(\$9,014,708)</b></u>

27 **PART KK**

28 **Sec. KK-1. 36 MRSA §5111, sub-§1-B,** as amended by PL 2011, c. 380, Pt. N,  
 29 §1 and affected by §19, is further amended to read:

30 **1-B. Single individuals and married persons filing separate returns; tax years**  
 31 **from 2002 to 2013.** For tax years beginning on or after January 1, 2002 but not later than  
 32 December 31, ~~2012~~ 2013, for single individuals and married persons filing separate  
 33 returns:



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2 3 4 5	If Maine Taxable income is: Less than \$4,200 At least \$4,200 but less than \$8,350 At least \$8,350 but less than \$16,700 \$16,700 or more	The tax is: 2% of the Maine taxable income \$84 plus 4.5% of the excess over \$4,200 \$271 plus 7% of the excess over \$8,350 \$856 plus 8.5% of the excess over \$16,700
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6  
7       **Sec. KK-2. 36 MRSA §5111, sub-§1-C**, as enacted by PL 2011, c. 380, Pt. N,  
8 §2 and affected by §19, is amended to read:

9       **1-C. Single individuals and married persons filing separate returns; tax years**  
10 **beginning 2014.** For tax years beginning on or after January 1, ~~2013~~ 2014, for single  
11 individuals and married persons filing separate returns:

12 13 14 15	If Maine Taxable income is: At least \$5,000 but less than \$19,950 \$19,950 or more	The tax is: 6.5% of the excess over \$5,000 \$972 plus 7.95% of the excess over \$19,950
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16  
17       **Sec. KK-3. 36 MRSA §5111, sub-§2-B**, as amended by PL 2011, c. 380, Pt. N,  
18 §3 and affected by §19, is further amended to read:

19       **2-B. Heads of households; tax years from 2002 to 2013.** For tax years beginning  
20 on or after January 1, 2002 but not later than December 31, ~~2012~~ 2013, for unmarried  
21 individuals or legally separated individuals who qualify as heads of households:

22 23 24 25 26 27	If Maine Taxable income is: Less than \$6,300 At least \$6,300 but less than \$12,500 At least \$12,500 but less than \$25,050 \$25,050 or more	The tax is: 2% of the Maine taxable income \$126 plus 4.5% of the excess over \$6,300 \$405 plus 7% of the excess over \$12,500 \$1,284 plus 8.5% of the excess over \$25,050
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28  
29       **Sec. KK-4. 36 MRSA §5111, sub-§2-C**, as enacted by PL 2011, c. 380, Pt. N,  
30 §4 and affected by §19, is amended to read:

31       **2-C. Heads of households; tax years beginning 2014.** For tax years beginning on  
32 or after January 1, ~~2013~~ 2014, for unmarried individuals or legally separated individuals  
33 who qualify as heads of households:

34 35 36 37	If Maine Taxable income is: At least \$7,500 but less than \$29,900 \$29,900 or more	The tax is: 6.5% of the excess over \$7,500 \$1,456 plus 7.95% of the excess over \$29,900
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2       **Sec. KK-5. 36 MRSA §5111, sub-§3-B**, as amended by PL 2011, c. 380, Pt. N, §5 and affected by §19, is further amended to read:

3       **3-B. Individuals filing married joint return or surviving spouses; tax years from**  
4 **2002 to 2013.** For tax years beginning on or after January 1, 2002 but not later than  
5 December 31, ~~2012~~ 2013, for individuals filing married joint returns or surviving spouses  
6 permitted to file a joint return:

7	If Maine Taxable income is:	The tax is:
8	Less than \$8,400	2% of the Maine taxable income
9	At least \$8,400 but less than \$16,700	\$168 plus 4.5% of the excess over \$8,400
10	At least \$16,700 but less than \$33,400	\$542 plus 7% of the excess over \$16,700
11	\$33,400 or more	\$1,711 plus 8.5% of the excess over
12		\$33,400

13  
14       **Sec. KK-6. 36 MRSA §5111, sub-§3-C**, as enacted by PL 2011, c. 380, Pt. N, §6  
15 and affected by §19, is amended to read:

16       **3-C. Individuals filing married joint return or surviving spouses; tax years**  
17 **beginning 2014.** For tax years beginning on or after January 1, ~~2013~~ 2014, for  
18 individuals filing married joint returns or surviving spouses permitted to file a joint  
19 return:

20	If Maine Taxable income is:	The tax is:
21	At least \$10,000 but less than \$39,900	6.5% of the excess over \$10,000
22	\$39,900 or more	\$1,944 plus 7.95% of the excess over
23		\$39,900

24  
25       **Sec. KK-7. 36 MRSA §5126, first ¶**, as amended by PL 2011, c. 380, Pt. N, §11  
26 and affected by §19, is further amended to read:

27       For income tax years beginning on or after January 1, 1998 but before January 1,  
28 1999, a resident individual is allowed \$2,400 for each exemption that the individual  
29 properly claims for the taxable year for federal income tax purposes, unless the taxpayer  
30 is claimed as a dependent on another return. For income tax years beginning on or after  
31 January 1, 1999 but before January 1, 2000, a resident individual is allowed \$2,750 for  
32 each exemption that the individual properly claims for the taxable year for federal income  
33 tax purposes, unless the taxpayer is claimed as a dependent on another return. For  
34 income tax years beginning on or after January 1, 2000 but before January 1, ~~2013~~ 2014,  
35 a resident individual is allowed \$2,850 for each exemption that the individual properly  
36 claims for the taxable year for federal income tax purposes, unless the taxpayer is claimed  
37 as a dependent on another return. For income tax years beginning on or after January 1,  
38 ~~2013~~ 2014, a resident individual is allowed a deduction equal to the total amount of  
39 deductions allowed for personal exemptions in accordance with the Code, Section 151.'

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

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**SUMMARY**

2 This amendment delays for one year the effective date of the decrease in the  
3 individual income tax rates and the conformity of the personal exemption with the  
4 amount allowed under federal law, scheduled to take effect beginning January 1, 2013, as  
5 enacted in Public Law 2011, chapter 380.

6 This amendment restores MaineCare reductions proposed in the bill.

7 This amendment increases the one-day interfund advance from \$102,000,000 as  
8 proposed in the bill to \$115,000,000.

9 The effect of the one-year delay in the individual income tax rate decrease and  
10 personal exemption conformity, when combined with the removal of those parts of the  
11 bill that reduced MaineCare benefits, is that a savings is created in fiscal year 2011-12 in  
12 the amount of \$30,866 and in fiscal year 2012-13 of \$600,612.

**FISCAL NOTE REQUIRED**

(See attached)

15 SPONSORED BY:  \_\_\_\_\_

16 (Representative CHIPMAN)

17 TOWN: Portland

**125th MAINE LEGISLATURE****LD 1816****LR 2701(04)**

**An Act To Implement the Recommendations of the Streamline and Prioritize Core Government Services Task Force for the Fiscal Years Ending June 30, 2012 and June 30, 2013 and To Make Certain Other Allocations and Appropriations and Changes to the Law Necessary to the Operation of State Government**

**Fiscal Note for House Amendment "A"****Sponsor: Rep. Chipman of Portland****Fiscal Note Required: Yes****Fiscal Note**

	<b>FY 2011-12</b>	<b>FY 2012-13</b>	<b>Projections FY 2013-14</b>	<b>Projections FY 2014-15</b>
<b>Net Cost (Savings)</b>				
General Fund	(\$30,866)	(\$600,612)	(\$57,066,157)	\$23,635,174
<b>Appropriations/Allocations</b>				
General Fund	\$12,969,134	\$44,712,055	\$29,135,176	\$23,635,174
Federal Expenditures Fund	\$5,034,486	\$70,903,885	\$49,008,654	\$39,534,518
Other Special Revenue Funds	(\$10,472,800)	(\$2,956,881)	(\$100,000)	(\$100,000)
<b>Revenue</b>				
General Fund	\$0	\$58,312,667	\$86,201,333	\$0
Other Special Revenue Funds	\$0	\$2,535,333	\$5,070,667	\$0
Dirigo Health Fund	\$0	(\$4,812,061)	\$0	\$0
<b>Transfers</b>				
General Fund	\$13,000,000	(\$13,000,000)	\$0	\$0
Other Special Revenue Funds	(\$23,472,800)	\$3,233,119	\$0	\$0
Dirigo Health Fund	\$10,472,800	\$9,766,881	\$0	\$0

**Fiscal Detail and Notes**

This amendment reduces the General Fund cost of the bill by \$30,866 in fiscal year 2011-12 and \$600,612 in fiscal year 2012-13.