

MAINE STATE LEGISLATURE

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L.D. 1816

Date: 2-16-12

(Filing No. H-709)

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

HOUSE AMENDMENT “*F*” 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, O and X.
- Amend the bill in Part Z by striking out all of section 1.
- Amend the bill by striking out all of Parts 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~~ \$104,400,000 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~~ \$104,400,000 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. 36 MRSA §5117 is enacted to read:

§5117. Equalization of tax rates

The State Tax Assessor shall calculate annually the average effective tax rate on all state and local taxes paid by the top 1% of income earners and the bottom 99% of income earners based on the most recent tax incidence study completed by the bureau. The State Tax Assessor shall calculate an income tax amount for each taxpayer that equalizes this tax rate on the top 1% of income earners and the bottom 99% of income earners. This

HOUSE AMENDMENT

ROFS

1 income tax equalization amount may be equal to but not less than zero. This income tax
2 equalization amount is imposed for each taxable year beginning on or after January 1,
3 2012. The State Tax Assessor may adopt rules, which are routine technical rules pursuant
4 to Title 5, chapter 375, subchapter 2-A, to implement this section.

5 **Sec. JJ-2. Appropriations and allocations.** The following appropriations and
6 allocations are made.

7 **ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**
8 **Revenue Services - Bureau of 0002**

9 Initiative: Provides funding for costs incurred to produce and print new tax forms and
10 programming costs.

11	GENERAL FUND	2011-12	2012-13
12	All Other	\$0	\$250,000
13			
14	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$250,000</u>

15 **PART KK**

16 **Sec. KK-1. Transfer from unappropriated surplus; Maine Budget**
17 **Stabilization Fund.** Notwithstanding any other provision of law, the State Controller
18 shall transfer \$15,000,000 during fiscal year 2012-13 from the General Fund
19 unappropriated surplus to the Maine Budget Stabilization Fund within the Department of
20 Administrative and Financial Services.

21 **PART LL**

22 **Sec. LL-1. Appropriations and allocations.** The following appropriations and
23 allocations are made.

24 **EDUCATION, DEPARTMENT OF**
25 **Child Development Services 0449**

26 Initiative: Restores funding reduced in this Act from savings from elimination of the
27 "parent choice" portion of the program.

28	GENERAL FUND	2011-12	2012-13
29	All Other	\$0	\$850,000
30			
31	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$850,000</u>

ROFS

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

1	EDUCATION, DEPARTMENT OF		
2	DEPARTMENT TOTALS	2011-12	2012-13
3			
4	GENERAL FUND	\$0	\$850,000
5			
6	DEPARTMENT TOTAL - ALL FUNDS	\$0	\$850,000

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

8 **Developmental Services - Community 0122**

9 Initiative: Restores funding reduced in this Act for reducing reimbursement in rental
10 assistance to United States Department of Housing and Urban Development levels.

11	GENERAL FUND	2011-12	2012-13
12	All Other	\$0	\$1,200,000
13			
14	GENERAL FUND TOTAL	\$0	\$1,200,000

15 **Developmental Services Waiver - MaineCare 0987**

16 Initiative: Restores funding reduced in this Act from a 5% reduction in rates paid to
17 agency per diem homes.

18	GENERAL FUND	2011-12	2012-13
19	All Other	\$0	\$3,654,635
20			
21	GENERAL FUND TOTAL	\$0	\$3,654,635

22 **HEALTH AND HUMAN SERVICES,**
23 **DEPARTMENT OF (FORMERLY BDS)**
24 **DEPARTMENT TOTALS**

24		2011-12	2012-13
25			
26	GENERAL FUND	\$0	\$4,854,635
27			
28	DEPARTMENT TOTAL - ALL FUNDS	\$0	\$4,854,635

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

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

31 Initiative: Restores funding reduced in this Act from mandating the use of generic drugs
32 to the extent allowed by federal law, with limited exceptions.

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

1	GENERAL FUND	2011-12	2012-13
2	All Other	\$1,168,120	\$5,840,598
3			
4	GENERAL FUND TOTAL	<u>\$1,168,120</u>	<u>\$5,840,598</u>

5	FEDERAL EXPENDITURES FUND	2011-12	2012-13
6	All Other	\$2,023,465	\$9,838,860
7			
8	FEDERAL EXPENDITURES FUND TOTAL	<u>\$2,023,465</u>	<u>\$9,838,860</u>

9 **Medical Care - Payments to Providers 0147**
 10 Initiative: Restores funding reduced in this Act by lowering methadone reimbursement
 11 from \$70 per week to \$60 per week.

12	GENERAL FUND	2011-12	2012-13
13	All Other	\$87,490	\$474,902
14			
15	GENERAL FUND TOTAL	<u>\$87,490</u>	<u>\$474,902</u>

16	FEDERAL EXPENDITURES FUND	2011-12	2012-13
17	All Other	\$150,708	\$818,052
18			
19	FEDERAL EXPENDITURES FUND TOTAL	<u>\$150,708</u>	<u>\$818,052</u>

20 **Medical Care - Payments to Providers 0147**
 21 Initiative: Restores funding reduced in this Act by limiting access to buprenorphine and
 22 naloxone combination drugs for MaineCare recipients, effective January 1, 2013, to a 2-
 23 year period, to be applied retroactively.

24	GENERAL FUND	2011-12	2012-13
25	All Other	\$0	\$600,000
26			
27	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$600,000</u>

28	FEDERAL EXPENDITURES FUND	2011-12	2012-13
29	All Other	\$0	\$1,033,542
30			
31	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>\$1,033,542</u>

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

ROFS

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

1 Initiative: Restores funding reduced in this Act due to limitations placed on MaineCare
2 reimbursement for opioids.

3	GENERAL FUND	2011-12	2012-13
4	All Other	(\$90,000)	\$660,000
5			
6	GENERAL FUND TOTAL	<u>(\$90,000)</u>	<u>\$660,000</u>

7	FEDERAL EXPENDITURES FUND	2011-12	2012-13
8	All Other	(\$115,031)	\$1,136,896
9			
10	FEDERAL EXPENDITURES FUND TOTAL	<u>(\$115,031)</u>	<u>\$1,136,896</u>

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

12 Initiative: Restores funding reduced in this Act for the 5% reduction in rates paid to
13 agency per diem homes.

14	FEDERAL EXPENDITURES FUND	2011-12	2012-13
15	All Other	\$0	\$6,295,365
16			
17	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>\$6,295,365</u>

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

19 Initiative: Restores funding reduced in this Act from freezing new enrollment and waiver
20 benefit redesign in the MaineCare childless adult waiver program.

21	GENERAL FUND	2011-12	2012-13
22	All Other	\$0	\$11,000,000
23			
24	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$11,000,000</u>

25	FEDERAL EXPENDITURES FUND	2011-12	2012-13
26	All Other	\$0	\$18,948,271
27			
28	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>\$18,948,271</u>

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

30 Initiative: Restores funding reduced in this Act as a result of a one-time transfer from the
31 Dirigo Health Fund to the Medical Care - Payments to Providers program as a result of
32 reducing eligibility for Medicaid services for parents with a maximum income of 200% to

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

1 a maximum income of 133% of the nonfarm income official poverty line effective
 2 September 1, 2012.

3	GENERAL FUND	2011-12	2012-13
4	All Other	\$0	\$7,210,000
5			
6	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$7,210,000</u>

7	FEDERAL EXPENDITURES FUND	2011-12	2012-13
8	All Other	\$0	\$12,421,096
9			
10	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>\$12,421,096</u>

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

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

14	GENERAL FUND	2011-12	2012-13
15	All Other	\$0	\$3,180,269
16			
17	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$3,180,269</u>

18	FEDERAL EXPENDITURES FUND	2011-12	2012-13
19	All Other	\$0	\$5,478,236
20			
21	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>\$5,478,236</u>

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

23 Initiative: Restores funding reduced in this Act from reducing reimbursement for critical
 24 access hospitals from 109% to 105%.

25	GENERAL FUND	2011-12	2012-13
26	All Other	\$290,834	\$1,179,804
27			
28	GENERAL FUND TOTAL	<u>\$290,834</u>	<u>\$1,179,804</u>

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

1	FEDERAL EXPENDITURES FUND	2011-12	2012-13
2	All Other	\$503,794	\$1,987,455
3			
4	FEDERAL EXPENDITURES FUND TOTAL	<u>\$503,794</u>	<u>\$1,987,455</u>

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

6 Initiative: Restores funding reduced in this Act from limiting reimbursement for hospital
7 admissions to 5 per member per year.

8	GENERAL FUND	2011-12	2012-13
9	All Other	\$91,890	\$490,081
10			
11	GENERAL FUND TOTAL	<u>\$91,890</u>	<u>\$490,081</u>

12	FEDERAL EXPENDITURES FUND	2011-12	2012-13
13	All Other	\$159,176	\$825,573
14			
15	FEDERAL EXPENDITURES FUND TOTAL	<u>\$159,176</u>	<u>\$825,573</u>

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

17 Initiative: Restores funding reduced in this Act from reducing funding for outpatient
18 services at acute care hospitals by 5%, effective July 1, 2012.

19	GENERAL FUND	2011-12	2012-13
20	All Other	\$0	\$3,180,269
21			
22	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$3,180,269</u>

23	FEDERAL EXPENDITURES FUND	2011-12	2012-13
24	All Other	\$0	\$5,357,366
25			
26	FEDERAL EXPENDITURES FUND TOTAL	<u>\$0</u>	<u>\$5,357,366</u>

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

28 Initiative: Restores funding reduced in this Act from reducing reimbursement for hospital
29 inpatient services by 10%.

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

1	GENERAL FUND	2011-12	2012-13
2	All Other	\$768,208	\$3,127,406
3			
4	GENERAL FUND TOTAL	<u>\$768,208</u>	<u>\$3,127,406</u>

5	FEDERAL EXPENDITURES FUND	2011-12	2012-13
6	All Other	\$2,098,929	\$5,268,314
7			
8	FEDERAL EXPENDITURES FUND TOTAL	<u>\$2,098,929</u>	<u>\$5,268,314</u>

9 **State-funded Foster Care/Adoption Assistance 0139**
 10 Initiative: Restores funding reduced in this Act from reducing funding for supplemental
 11 services for children with complex emotional and behavioral needs.

12	GENERAL FUND	2011-12	2012-13
13	Personal Services	\$0	\$44,286
14	All Other	\$0	\$2,142,400
15			
16	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$2,186,686</u>

17 **State-funded Foster Care/Adoption Assistance 0139**
 18 Initiative: Restores funding reduced in this Act from eliminating funding for
 19 supplemental services for children with complex emotional and behavioral needs.

20	GENERAL FUND	2011-12	2012-13
21	All Other	\$0	\$1,999,984
22			
23	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$1,999,984</u>

24 **State-funded Foster Care/Adoption Assistance 0139**
 25 Initiative: Restores funding reduced in this Act from reducing contracts in the alternative
 26 response program.

27	GENERAL FUND	2011-12	2012-13
28	All Other	\$0	\$1,290,000
29			
30	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$1,290,000</u>

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HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)		
DEPARTMENT TOTALS	2011-12	2012-13
GENERAL FUND	\$2,316,542	\$42,419,999
FEDERAL EXPENDITURES FUND	\$4,821,041	\$69,409,026
DEPARTMENT TOTAL - ALL FUNDS	\$7,137,583	\$111,829,025

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SECTION TOTALS	2011-12	2012-13
GENERAL FUND	\$2,316,542	\$48,124,634
FEDERAL EXPENDITURES FUND	\$4,821,041	\$69,409,026
SECTION TOTAL - ALL FUNDS	\$7,137,583	\$117,533,660

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Amend the bill 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 restores funding for MaineCare and other services that were reduced in the bill by requiring that the wealthiest 1% of Maine residents pay at least the same average state and local tax rate as all other Maine residents. It increases the intergovernmental transfer from \$102,000,000 to \$104,400,000 and makes a transfer of \$15,000,000 from the General Fund unappropriated surplus to the Maine Budget Stabilization Fund within the Department of Administrative and Financial Services.

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FISCAL NOTE REQUIRED

26

(See attached)

27

SPONSORED BY: 

28

(Representative BERRY)

29

TOWN: Bowdoinham



125th MAINE LEGISLATURE

LD 1816

LR 2701(16)

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 "F"

Sponsor: Rep. Berry of Bowdoinham

Fiscal Note Required: Yes

Fiscal Note

	FY 2011-12	FY 2012-13	Projections FY 2013-14	Projections FY 2014-15
Net Cost (Savings)				
General Fund	(\$83,458)	(\$875,366)	(\$33,644,035)	(\$44,260,922)
Appropriations/Allocations				
General Fund	\$2,316,542	\$48,374,634	\$35,515,965	\$27,665,478
Federal Expenditures Fund	\$4,821,041	\$69,409,026	\$47,513,795	\$38,039,659
Revenue				
General Fund	\$0	\$66,650,000	\$69,160,000	\$71,926,400
Other Special Revenue Funds	\$0	\$3,500,000	\$3,640,000	\$3,785,600
Transfers				
General Fund	\$2,400,000	(\$17,400,000)	\$0	\$0
Other Special Revenue Funds	(\$2,400,000)	(\$4,810,000)	\$0	\$0
Dirigo Health Fund	\$0	\$7,210,000	\$0	\$0

Fiscal Detail and Notes

This amendment reduces the General Fund cost of the bill by \$83,458 in fiscal year 2011-12 and \$875,366 in fiscal year 2012-13. The amendment implements an income tax equalization assessment to generate additional General Fund revenue that provides the resources to restore funding for a number of MaineCare and other programs that are proposed for reductions in the bill. The amendment also increases the one-day borrowing from Other Special Revenue Funds by \$2,400,000 and transfers \$15,000,000 from General Fund unappropriated surplus to the Maine Budget Stabilization Fund in fiscal year 2012-13.