

MAINE STATE LEGISLATURE

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Date: 2/20/13

L.D. 250
(Filing No. H- 2)

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
126TH LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 86, L.D. 250, 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 Year Ending June 30, 2013"

Amend the amendment by striking out all of Part GG and inserting the following:

PART GG

Sec. GG-1. 36 MRS §5111, sub-§6 is enacted to read:

6. Income tax surcharge. In addition to the tax imposed by this section, there is imposed a tax surcharge on the amount of state tax liability due for a tax year that begins in 2012 or after. The surcharge is as follows:

A. For single individuals, legally separated individuals who qualify as heads of households and married persons filing separate returns, if Maine adjusted gross income is \$200,000 or more, the tax surcharge is 2% of the tax otherwise imposed by this section; and

B. For individuals filing married joint returns and surviving spouses permitted to file a joint return, if Maine adjusted gross income is \$250,000 or more, the tax surcharge is 2% of the tax otherwise imposed by this section.

Sec. GG-2. **Retroactive application; filing of tax year 2012 return.** This Part applies to tax years beginning on or after January 1, 2012. Notwithstanding the Maine Revised Statutes, Title 36, section 5227, a taxpayer with a tax liability under Title 36, section 5111, subsection 6 for tax year 2012 shall file a return with the amount due under Title 36, section 5111, subsection 6 no later than June 15, 2013.

PART HH

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

EXECUTIVE DEPARTMENT

R O F S

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 86, L.D. 250

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Ombudsman Program 0103

Initiative: Restores funding for contractual obligations reduced in Part A. This initiative relates to curtailment of allotments.

GENERAL FUND	2012-13	2013-14	2014-15
All Other	\$17,150	\$0	\$0
GENERAL FUND TOTAL	<u>\$17,150</u>	<u>\$0</u>	<u>\$0</u>

EXECUTIVE DEPARTMENT	2012-13	2013-14	2014-15
DEPARTMENT TOTALS			
GENERAL FUND	\$17,150	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	<u>\$17,150</u>	<u>\$0</u>	<u>\$0</u>

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)

Developmental Services - Community 0122

Initiative: Restores funding for client services reduced in Part A. This initiative relates to curtailment of allotments.

GENERAL FUND	2012-13	2013-14	2014-15
All Other	\$92,277	\$0	\$0
GENERAL FUND TOTAL	<u>\$92,277</u>	<u>\$0</u>	<u>\$0</u>

Developmental Services - Community 0122

Initiative: Restores funding for contracted services reduced in Part A. This initiative relates to curtailment of allotments.

GENERAL FUND	2012-13	2013-14	2014-15
All Other	\$445,847	\$0	\$0
GENERAL FUND TOTAL	<u>\$445,847</u>	<u>\$0</u>	<u>\$0</u>

Mental Health Services - Children 0136

Initiative: Restores funding for contracted services reduced in Part A. This initiative relates to curtailment of allotments.

R O F S

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 86, L.D. 250

1	GENERAL FUND	2012-13	2013-14	2014-15
2	All Other	\$90,812	\$0	\$0
3				
4	GENERAL FUND TOTAL	<u>\$90,812</u>	<u>\$0</u>	<u>\$0</u>

5 **Mental Health Services - Community 0121**
6 Initiative: Restores funding for contracted services, including a 5% reduction in crisis
7 services, reduced in Part A. This initiative relates to the curtailment of allotments.

8	GENERAL FUND	2012-13	2013-14	2014-15
9	All Other	\$648,166	\$0	\$0
10				
11	GENERAL FUND TOTAL	<u>\$648,166</u>	<u>\$0</u>	<u>\$0</u>

12 **Office of Substance Abuse 0679**
13 Initiative: Restores funding for contracted training services provided by AdCare
14 Educational Institute of Maine, Inc., reduced in Part A.

15	GENERAL FUND	2012-13	2013-14	2014-15
16	All Other	\$48,706	\$0	\$0
17				
18	GENERAL FUND TOTAL	<u>\$48,706</u>	<u>\$0</u>	<u>\$0</u>

19	HEALTH AND HUMAN			
20	SERVICES, DEPARTMENT OF			
21	(FORMERLY BDS)			
22	DEPARTMENT TOTALS	2012-13	2013-14	2014-15
23				
24	GENERAL FUND	\$1,325,808	\$0	\$0
25				
26	DEPARTMENT TOTAL - ALL	<u>\$1,325,808</u>	<u>\$0</u>	<u>\$0</u>
27	FUNDS			

28 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)**
29 **FHM - Medical Care 0960**
30 Initiative: Notwithstanding any other provisions of law, adjusts funding by decreasing
31 funding in the FHM - Medical Care program and increasing funding in the Medical Care
32 - Payments to Providers program to reflect a redistribution of funding within the Fund for
33 a Healthy Maine.

HOUSE AMENDMENT

ROFS

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 86, L.D. 250

1	FUND FOR A HEALTHY MAINE	2012-13	2013-14	2014-15
2	All Other	(\$1,233,807)	\$0	\$0
3				
4	FUND FOR A HEALTHY MAINE	(\$1,233,807)	\$0	\$0
5	TOTAL			

6 **FHM - Medical Care 0960**

7 Initiative: Notwithstanding any other provisions of law, adjusts funding by decreasing

8 funding in the FHM - Medical Care program and increasing funding in the Medical Care

9 - Payments to Providers program to reflect a redistribution of funding within the Fund for

10 a Healthy Maine.

11	FUND FOR A HEALTHY MAINE	2012-13	2013-14	2014-15
12	All Other	(\$190,000)	\$0	\$0
13				
14	FUND FOR A HEALTHY MAINE	(\$190,000)	\$0	\$0
15	TOTAL			

16 **Long Term Care - Human Services 0420**

17 Initiative: Restores funding for contracted services reduced in Part A. This initiative

18 relates to curtailment of allotments.

19	GENERAL FUND	2012-13	2013-14	2014-15
20	All Other	\$15,000	\$0	\$0
21				
22	GENERAL FUND TOTAL	\$15,000	\$0	\$0

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

24 Initiative: Restores funding reduced in Part A from a 5% rate reduction for services

25 provided under the MaineCare Benefits Manual, Chapters II and III, Section 65,

26 Behavioral Health Services, by licensed clinical professional counselors and licensed

27 marriage and family therapists, effective March 1, 2013.

28	GENERAL FUND	2012-13	2013-14	2014-15
29	All Other	\$194,913	\$0	\$0
30				
31	GENERAL FUND TOTAL	\$194,913	\$0	\$0

HOUSE AMENDMENT

R O F S

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 86, L.D. 250

1	FEDERAL EXPENDITURES	2012-13	2013-14	2014-15
2	FUND			
3	All Other	\$327,641	\$0	\$0
4				
5	FEDERAL EXPENDITURES FUND	<u>\$327,641</u>	<u>\$0</u>	<u>\$0</u>
6	TOTAL			

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

8 Initiative: Restores funding reduced in Part A from limiting hospital and therapeutic leave
9 days in the MaineCare Benefits Manual, Chapters II and III, Sections 45 and 67, to 4
10 hospital and one therapeutic leave days per year.

11	GENERAL FUND	2012-13	2013-14	2014-15
12	All Other	\$78,500	\$0	\$0
13				
14	GENERAL FUND TOTAL	<u>\$78,500</u>	<u>\$0</u>	<u>\$0</u>

15	FEDERAL EXPENDITURES	2012-13	2013-14	2014-15
16	FUND			
17	All Other	\$132,210	\$0	\$0
18				
19	FEDERAL EXPENDITURES FUND	<u>\$132,210</u>	<u>\$0</u>	<u>\$0</u>
20	TOTAL			

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

22 Initiative: Notwithstanding any other provisions of law, adjusts funding by decreasing
23 funding in the FHM - Medical Care program and increasing funding in the Medical Care
24 - Payments to Providers program to reflect a redistribution of funding within the Fund for
25 a Healthy Maine.

26	GENERAL FUND	2012-13	2013-14	2014-15
27	All Other	\$1,233,807	\$0	\$0
28				
29	GENERAL FUND TOTAL	<u>\$1,233,807</u>	<u>\$0</u>	<u>\$0</u>

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

31 Initiative: Notwithstanding any other provisions of law, adjusts funding by decreasing
32 funding in the FHM - Medical Care program and increasing funding in the Medical Care
33 - Payments to Providers program to reflect a redistribution of funding within the Fund for
34 a Healthy Maine.

R O F S

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 86, L.D. 250

1	GENERAL FUND	2012-13	2013-14	2014-15
2	All Other	\$190,000	\$0	\$0
3				
4	GENERAL FUND TOTAL	<u>\$190,000</u>	<u>\$0</u>	<u>\$0</u>

5 **Office of Management and Budget 0142**

6 Initiative: Restores funding for contracted services reduced in Part A. This initiative
7 relates to curtailment of allotments.

8	GENERAL FUND	2012-13	2013-14	2014-15
9	All Other	\$15,319	\$0	\$0
10				
11	GENERAL FUND TOTAL	<u>\$15,319</u>	<u>\$0</u>	<u>\$0</u>

12 **Purchased Social Services 0228**

13 Initiative: Restores funding for contracted services reduced in Part A. This initiative
14 relates to curtailment of allotments.

15	GENERAL FUND	2012-13	2013-14	2014-15
16	All Other	\$82,044	\$0	\$0
17				
18	GENERAL FUND TOTAL	<u>\$82,044</u>	<u>\$0</u>	<u>\$0</u>

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

20 Initiative: Restores funding for child adoption subsidies reduced in Part A. This initiative
21 relates to curtailment of allotments.

22	GENERAL FUND	2012-13	2013-14	2014-15
23	All Other	\$700,000	\$0	\$0
24				
25	GENERAL FUND TOTAL	<u>\$700,000</u>	<u>\$0</u>	<u>\$0</u>

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

27 Initiative: Restores funding for contracted services reduced in Part A. This initiative
28 relates to curtailment of allotments.

29	GENERAL FUND	2012-13	2013-14	2014-15
30	All Other	\$75,000	\$0	\$0
31				
32	GENERAL FUND TOTAL	<u>\$75,000</u>	<u>\$0</u>	<u>\$0</u>

R O F S

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 86, L.D. 250

1	HEALTH AND HUMAN			
2	SERVICES, DEPARTMENT OF			
3	(FORMERLY DHS)			
4	DEPARTMENT TOTALS	2012-13	2013-14	2014-15
5				
6	GENERAL FUND	\$2,584,583	\$0	\$0
7	FEDERAL EXPENDITURES	\$459,851	\$0	\$0
8	FUND			
9	FUND FOR A HEALTHY MAINE	(\$1,423,807)	\$0	\$0
10				
11	DEPARTMENT TOTAL - ALL	\$1,620,627	\$0	\$0
12	FUNDS			
13	SECTION TOTALS	2012-13	2013-14	2014-15
14				
15	GENERAL FUND	\$3,927,541	\$0	\$0
16	FEDERAL EXPENDITURES	\$459,851	\$0	\$0
17	FUND			
18	FUND FOR A HEALTHY MAINE	(\$1,423,807)	\$0	\$0
19				
20	SECTION TOTAL - ALL FUNDS	\$2,963,585	\$0	\$0
21				

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

24 **SUMMARY**

25 This amendment removes that part of the amendment that requires the Department of
26 Health and Human Services to reduce by 5% the reimbursement rates under the
27 MaineCare program for licensed clinical professional counselors and marriage and family
28 therapists. Instead, this amendment creates an income tax surcharge of 2% on the Maine
29 income tax imposed on persons filing as single individuals, heads of households and
30 married persons filing separate returns who have Maine adjusted gross income of
31 \$200,000 or more and on married persons filing jointly and surviving spouses who have
32 Maine adjusted gross income of \$250,000 or more. The surcharge is retroactive to
33 January 1, 2012. A person with a tax liability for 2012 for the surcharge must file a
34 return with the amount due no later than June 15, 2013.
35

R O F S

HOUSE AMENDMENT "A" to COMMITTEE AMENDMENT "A" to S.P. 86, L.D. 250

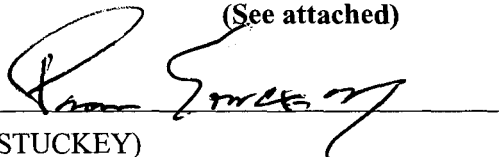
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This amendment also adds an appropriations and allocations section that restores a number of reductions made in Part A related to Department of Health and Human Services programs.

FISCAL NOTE REQUIRED

(See attached)

SPONSORED BY:



(Representative STUCKEY)

TOWN: Portland

**126th MAINE LEGISLATURE****LD 250****LR 1045(05)**

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 Year Ending June 30, 2013

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

Sponsor: Rep. Stuckey of Portland

Fiscal Note Required: Yes

Fiscal Note

	FY 2012-13	FY 2013-14	FY 2014-15	Projections FY 2015-16	Projections FY 2016-17
Net Cost (Savings)					
General Fund	(\$3,054,959)	\$0	\$0	\$0	\$0
Fund for a Healthy Maine	(\$1,423,807)	\$0	\$0	\$0	\$0
Appropriations/Allocations					
General Fund	\$3,927,541	\$0	\$0	\$0	\$0
Federal Expenditures Fund	\$459,851	\$0	\$0	\$0	\$0
Fund for a Healthy Maine	(\$1,423,807)	\$0	\$0	\$0	\$0
Revenue					
General Fund	\$6,982,500	\$0	\$0	\$0	\$0
Other Special Revenue Funds	\$367,500	\$0	\$0	\$0	\$0
Fund Detail by Section					
Appropriations/Allocations					
General Fund					
PART HH, Section 1	\$3,927,541	\$0	\$0	\$0	\$0
Federal Expenditures Fund					
PART HH, Section 1	\$459,851	\$0	\$0	\$0	\$0
Fund for a Healthy Maine					
PART HH, Section 1	(\$1,423,807)	\$0	\$0	\$0	\$0

HA to CA

	FY 2012-13	FY 2013-14	FY 2014-15	Projections FY 2015-16	Projections FY 2016
Revenue					
General Fund					
PART GG, Section 1	\$6,982,500	\$0	\$0	\$0	\$0
Other Special Revenue Funds					
PART GG, Section 1	\$367,500	\$0	\$0	\$0	\$0

Fiscal Detail and Notes

This amendment results in net General Fund savings of \$3,054,959 in fiscal year 2012-13. It restores a number of reductions made in Part A related to Department of Health and Human Services programs. The additional costs associated with the restorations is offset by additional Individual Income Tax revenue generated by a 2% surcharge on income taxes imposed on state adjusted gross income over \$200,000 for persons filing as single, head of household or married persons filing separately and over \$250,000 for married persons filing jointly.