

MAINE STATE LEGISLATURE

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Date: 4-16-16

(Filing No. S-545)

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STATE OF MAINE
SENATE
127TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT "A" to S.P. 647, L.D. 1606, Bill, "An Act To Provide Funding to the Maine Budget Stabilization Fund"

Amend the bill by striking out the title and substituting the following:

'An Act To Provide Funding to the Maine Budget Stabilization Fund and To Make Additional Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2016 and June 30, 2017'

Amend the bill by striking out everything after the title and before the summary and inserting the following:

'Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of state departments and institutions will become due and payable immediately; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

PART A

Sec. A-1. Transfer to Maine Budget Stabilization Fund for fiscal year 2016-17. Notwithstanding any other provision of law, no later than October 30, 2016, the State Controller shall transfer \$10,000,000 to the Maine Budget Stabilization Fund established in the Maine Revised Statutes, Title 5, section 1532 from the funds received pursuant to the court order in State of Maine v. McGraw-Hill Companies, Inc. and

SENATE AMENDMENT

POSS

1 Standard & Poor's Financial Services, LLC, Kennebec County Superior Court Docket No.
2 BCD-CV-14-49. The Attorney General has confirmed that the specified use of the funds
3 to be transferred by this Part is consistent with the terms of the court order.

4 **PART B**

5 **Sec. B-1. 36 MRSA §2013, sub-§§2 and 3**, as amended by PL 2011, c. 657, Pt.
6 N, §2 and affected by §3, are further amended to read:

7 **2. Refund authorized.** Any person, association of persons, firm or corporation that
8 purchases electricity or fuel, or that purchases or leases depreciable machinery or
9 equipment, for use in commercial agricultural production, commercial fishing,
10 commercial aquacultural production or commercial wood harvesting ~~or that purchases~~
11 ~~fuel for use in a commercial fishing vessel~~ must be refunded the amount of sales tax paid
12 upon presenting to the State Tax Assessor evidence that the purchase is eligible for refund
13 under this section.

14 Evidence required by the assessor may include a copy or copies of that portion of the
15 purchaser's or lessee's most recent filing under the United States Internal Revenue Code
16 that indicates that the purchaser or lessee is engaged in commercial agricultural
17 production, commercial fishing, commercial aquacultural production or commercial
18 wood harvesting and that the purchased machinery or equipment is depreciable for those
19 purposes or would be depreciable for those purposes if owned by the lessee.

20 In the event that any piece of machinery or equipment is only partially depreciable under
21 the United States Internal Revenue Code, any reimbursement of the sales tax must be
22 prorated accordingly. In the event that electricity or fuel ~~for a commercial fishing vessel~~
23 is used in qualifying and nonqualifying activities, any reimbursement of the sales tax
24 must be prorated accordingly.

25 Application for refunds must be filed with the assessor within 36 months of the date of
26 purchase or execution of the lease.

27 **3. Purchases made free of tax with certificate.** Sales tax need not be paid on the
28 purchase of electricity, fuel ~~for a commercial fishing vessel~~ or a single item of machinery
29 or equipment if the purchaser has obtained a certificate from the assessor stating that the
30 purchaser is engaged in commercial agricultural production, commercial fishing,
31 commercial aquacultural production or commercial wood harvesting and authorizing the
32 purchaser to purchase electricity, fuel ~~for a commercial fishing vessel~~ or depreciable
33 machinery and equipment without paying Maine sales tax. The seller is required to
34 obtain a copy of the certificate together with an affidavit as prescribed by the assessor, to
35 be maintained in the seller's records, attesting to the qualification of the purchase for
36 exemption pursuant to this section. In order to qualify for this exemption, the electricity,
37 fuel ~~for a commercial fishing vessel~~ or depreciable machinery or equipment must be used
38 directly in commercial agricultural production, commercial fishing, commercial
39 aquacultural production or commercial wood harvesting. In order to qualify for this
40 exemption, the electricity or fuel ~~for a commercial fishing vessel~~ must be used in
41 qualifying activities, including support operations.

42 **Sec. B-2. Effective date.** This Part takes effect January 1, 2017.

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PART C

Sec. C-1. Cost-of-living adjustment. The Department of Health and Human Services shall amend its rules in Chapter 101: MaineCare Benefits Manual, Chapter III, Section 2, Adult Family Care Services and Chapter III, Section 97, Appendix C: Principles of Reimbursement for Medical and Remedial Service Facilities - Room and Board Costs to provide for 2 annual rate adjustments to adjust for inflation. For the fiscal year ending June 30, 2017, the amount of the inflation adjustment is 4%. For the fiscal year ending June 30, 2018, the department shall set the amount of the inflation adjustment in accordance with the United States Department of Labor, Bureau of Labor Statistics Consumer Price Index medical care services index.

Sec. C-2. Appropriations and allocations. The following appropriations and allocations are made.

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)

Medical Care - Payments to Providers 0147

Initiative: Provides funds for a 4% cost-of-living rate increase for MaineCare Appendix C private nonmedical institutions.

| | | |
|---------------------------|----------------|--------------------|
| GENERAL FUND | 2015-16 | 2016-17 |
| All Other | \$0 | \$1,409,644 |
| GENERAL FUND TOTAL | <u>\$0</u> | <u>\$1,409,644</u> |

| | | |
|--|----------------|--------------------|
| FEDERAL EXPENDITURES FUND | 2015-16 | 2016-17 |
| All Other | \$0 | \$3,051,764 |
| FEDERAL EXPENDITURES FUND TOTAL | <u>\$0</u> | <u>\$3,051,764</u> |

| | | |
|--|----------------|------------------|
| OTHER SPECIAL REVENUE FUNDS | 2015-16 | 2016-17 |
| All Other | \$0 | \$310,701 |
| OTHER SPECIAL REVENUE FUNDS TOTAL | <u>\$0</u> | <u>\$310,701</u> |

Medical Care - Payments to Providers 0147

Initiative: Provides funds for a 4% cost-of-living rate increase for adult family care homes that are providing service pursuant to Chapter 101: MaineCare Benefits Manual, Chapter II, Section 2.

4003

SENATE AMENDMENT "A" to S.P. 647, L.D. 1606

| | | | |
|---|---------------------------|----------------|-----------------|
| 1 | GENERAL FUND | 2015-16 | 2016-17 |
| 2 | All Other | \$0 | \$65,773 |
| 3 | | | |
| 4 | GENERAL FUND TOTAL | <u>\$0</u> | <u>\$65,773</u> |

| | | | |
|---|--|----------------|------------------|
| 5 | FEDERAL EXPENDITURES FUND | 2015-16 | 2016-17 |
| 6 | All Other | \$0 | \$116,677 |
| 7 | | | |
| 8 | FEDERAL EXPENDITURES FUND TOTAL | <u>\$0</u> | <u>\$116,677</u> |

9 **PNMI Room and Board Z009**

10 Initiative: Provides funds for a 4% cost-of-living rate increase for MaineCare Appendix C
11 private nonmedical institutions.

| | | | |
|----|---------------------------|----------------|------------------|
| 12 | GENERAL FUND | 2015-16 | 2016-17 |
| 13 | All Other | \$0 | \$406,241 |
| 14 | | | |
| 15 | GENERAL FUND TOTAL | <u>\$0</u> | <u>\$406,241</u> |

16 **PNMI Room and Board Z009**

17 Initiative: Provides funds for a 4% cost-of-living rate increase for adult family care
18 homes that are providing service pursuant to Chapter 101: MaineCare Benefits Manual,
19 Chapter II, Section 2.

| | | | |
|----|---------------------------|----------------|-----------------|
| 20 | GENERAL FUND | 2015-16 | 2016-17 |
| 21 | All Other | \$0 | \$15,532 |
| 22 | | | |
| 23 | GENERAL FUND TOTAL | <u>\$0</u> | <u>\$15,532</u> |

24 **HEALTH AND HUMAN SERVICES,**
25 **DEPARTMENT OF (FORMERLY DHS)**
26 **DEPARTMENT TOTALS**

| | | | |
|----|------------------------------------|----------------|----------------|
| 27 | | 2015-16 | 2016-17 |
| 28 | GENERAL FUND | \$0 | \$1,897,190 |
| 29 | FEDERAL EXPENDITURES FUND | \$0 | \$3,168,441 |
| 30 | OTHER SPECIAL REVENUE FUNDS | \$0 | \$310,701 |

SENATE AMENDMENT

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DEPARTMENT TOTAL - ALL FUNDS

\$0 \$5,376,332

PART D

Sec. D-1. 20-A MRSA §15671, sub-§7, ¶B, as amended by PL 2015, c. 389, Pt. C, §3, is further amended to read:

B. The annual targets for the state share percentage of the statewide adjusted total cost of the components of essential programs and services are as follows.

- (1) For fiscal year 2005-06, the target is 52.6%.
- (2) For fiscal year 2006-07, the target is 53.86%.
- (3) For fiscal year 2007-08, the target is 53.51%.
- (4) For fiscal year 2008-09, the target is 52.52%.
- (5) For fiscal year 2009-10, the target is 48.93%.
- (6) For fiscal year 2010-11, the target is 45.84%.
- (7) For fiscal year 2011-12, the target is 46.02%.
- (8) For fiscal year 2012-13, the target is 45.87%.
- (9) For fiscal year 2013-14, the target is 47.29%.
- (10) For fiscal year 2014-15, the target is 46.80%.
- (11) For fiscal year 2015-16, the target is 47.54%.
- (12) For fiscal year 2016-17, the target is ~~48.10%~~ 48.14%.

Sec. D-2. 20-A MRSA §15671, sub-§7, ¶C, as amended by PL 2015, c. 389, Pt. C, §4, is further amended to read:

C. Beginning in fiscal year 2011-12, the annual targets for the state share percentage of the total cost of funding public education from kindergarten to grade 12 including the cost of the components of essential programs and services plus the state contributions to teacher retirement, retired teachers' health insurance and retired teachers' life insurance are as follows.

- (1) For fiscal year 2011-12, the target is 49.47%.
- (2) For fiscal year 2012-13, the target is 49.35%.
- (3) For fiscal year 2013-14, the target is 50.44%.
- (4) For fiscal year 2014-15, the target is 50.13%.
- (5) For fiscal year 2015-16, the target is 50.08%.

SENATE AMENDMENT

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1 (6) For fiscal year 2016-17, the target is ~~50.79%~~ 50.82%.

2 (7) For fiscal year 2017-18 and succeeding years, the target is 55%.

3 **Sec. D-3. 20-A MRSA §15671-A, sub-§2, ¶B**, as amended by PL 2015, c. 389,
4 Pt. C, §5, is further amended to read:

5 B. For property tax years beginning on or after April 1, 2005, the commissioner shall
6 calculate the full-value education mill rate that is required to raise the statewide total
7 local share. The full-value education mill rate is calculated for each fiscal year by
8 dividing the applicable statewide total local share by the applicable statewide
9 valuation. The full-value education mill rate must decline over the period from fiscal
10 year 2005-06 to fiscal year 2008-09 and may not exceed 9.0 mills in fiscal year 2005-
11 06 and may not exceed 8.0 mills in fiscal year 2008-09. The full-value education mill
12 rate must be applied according to section 15688, subsection 3-A, paragraph A to
13 determine a municipality's local cost share expectation. Full-value education mill
14 rates must be derived according to the following schedule.

15 (1) For the 2005 property tax year, the full-value education mill rate is the
16 amount necessary to result in a 47.4% statewide total local share in fiscal year
17 2005-06.

18 (2) For the 2006 property tax year, the full-value education mill rate is the
19 amount necessary to result in a 46.14% statewide total local share in fiscal year
20 2006-07.

21 (3) For the 2007 property tax year, the full-value education mill rate is the
22 amount necessary to result in a 46.49% statewide total local share in fiscal year
23 2007-08.

24 (4) For the 2008 property tax year, the full-value education mill rate is the
25 amount necessary to result in a 47.48% statewide total local share in fiscal year
26 2008-09.

27 (4-A) For the 2009 property tax year, the full-value education mill rate is the
28 amount necessary to result in a 51.07% statewide total local share in fiscal year
29 2009-10.

30 (4-B) For the 2010 property tax year, the full-value education mill rate is the
31 amount necessary to result in a 54.16% statewide total local share in fiscal year
32 2010-11.

33 (4-C) For the 2011 property tax year, the full-value education mill rate is the
34 amount necessary to result in a 53.98% statewide total local share in fiscal year
35 2011-12.

36 (5) For the 2012 property tax year, the full-value education mill rate is the
37 amount necessary to result in a 54.13% statewide total local share in fiscal year
38 2012-13.

SENATE AMENDMENT

2018

- 1 (6) For the 2013 property tax year, the full-value education mill rate is the
- 2 amount necessary to result in a 52.71% statewide total local share in fiscal year
- 3 2013-14.
- 4 (7) For the 2014 property tax year, the full-value education mill rate is the
- 5 amount necessary to result in a 53.20% statewide total local share in fiscal year
- 6 2014-15.
- 7 (8) For the 2015 property tax year, the full-value education mill rate is the
- 8 amount necessary to result in a 52.46% statewide total local share in fiscal year
- 9 2015-16.
- 10 (9) For the 2016 property tax year, the full-value education mill rate is the
- 11 amount necessary to result in a ~~51.90%~~ 51.86% statewide total local share in
- 12 fiscal year 2016-17.
- 13 (10) For the 2017 property tax year and subsequent tax years, the full-value
- 14 education mill rate is the amount necessary to result in a 45% statewide total
- 15 local share in fiscal year 2017-18 and after.

16 **Sec. D-4. PL 2015, c. 389, Pt. C, §12** is amended to read:

17 **Sec. C-12. Total cost of funding public education from kindergarten to**
18 **grade 12.** The total cost of funding public education from kindergarten to grade 12 for
19 fiscal year 2016-17 is as follows:

| | 2016-17 |
|---|---|
| | TOTAL |
| Total Operating Allocation | |
| Total operating allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683 and total other subsidizable costs pursuant to Title 20-A, section 15681-A | \$1,882,494,984 |
| Total Debt Service Allocation | |
| Total debt service allocation pursuant to the Maine Revised Statutes, Title 20-A, section 15683-A | \$88,428,148 |
| Enhancing Student Performance and Opportunity | \$4,397,105 |
| Total Adjustments and Miscellaneous Costs | |
| Total adjustments and miscellaneous costs pursuant to the Maine Revised Statutes, Title 20-A, sections 15689 and 15689-A | \$67,138,019 <u>\$68,638,019</u> |

SENATE AMENDMENT

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| | | |
|----|---|------------------------|
| 1 | Total Normal Cost of Teacher Retirement | \$38,357,583 |
| 2 | | |
| 3 | Total Cost of Funding Public Education from | |
| 4 | Kindergarten to Grade 12 | |
| 5 | | |
| 6 | Total cost of funding public education from kindergarten | \$2,080,815,839 |
| 7 | to grade 12 for fiscal year 2016-17 pursuant to the Maine | <u>\$2,082,315,839</u> |
| 8 | Revised Statutes, Title 20-A, chapter 606-B | |
| 9 | | |
| 10 | Total cost of the state contribution to teacher retirement, | \$156,985,489 |
| 11 | teacher retirement health insurance and teacher | |
| 12 | retirement life insurance for fiscal year 2016-17 pursuant | |
| 13 | to the Maine Revised Statutes, Title 5, chapters 421 and | |
| 14 | 423 excluding the normal cost of teacher retirement | |
| 15 | | |
| 16 | Adjustment pursuant to the Maine Revised Statutes, Title | \$42,200,635 |
| 17 | 20-A, section 15683, subsection 2 | |
| 18 | | |
| 19 | Total cost of funding public education from kindergarten | \$2,280,001,963 |
| 20 | to grade 12 | <u>\$2,281,501,963</u> |

21 **Sec. D-5. PL 2015, c. 389, Pt. C, §13** is amended to read:

22 **Sec. C-13. Local and state contributions to total cost of funding public**
23 **education from kindergarten to grade 12.** The local contribution and the state
24 contribution appropriation provided for general purpose aid for local schools for the fiscal
25 year beginning July 1, 2016 and ending June 30, 2017 is calculated as follows:

| | | | |
|----|---|-----------------|------------------------|
| 26 | | 2016-17 | 2016-17 |
| 27 | | LOCAL | STATE |
| 28 | Local and State Contributions to the | | |
| 29 | Total Cost of Funding Public Education | | |
| 30 | from Kindergarten to Grade 12 | | |
| 31 | | | |
| 32 | Local and state contributions to the total | \$1,079,854,324 | \$1,000,961,515 |
| 33 | cost of funding public education from | | <u>\$1,002,461,515</u> |
| 34 | kindergarten to grade 12 pursuant to the | | |
| 35 | Maine Revised Statutes, Title 20-A, | | |
| 36 | section 15683, subject to statewide | | |
| 37 | distributions required by law | | |
| 38 | | | |

3005
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SENATE AMENDMENT "A" to S.P. 647, L.D. 1606

| | | |
|----|---|-----------------|
| 1 | State contribution to the total cost of | \$156,985,489 |
| 2 | teacher retirement, teacher retirement | |
| 3 | health insurance and teacher retirement | |
| 4 | life insurance for fiscal year 2016-17 | |
| 5 | pursuant to the Maine Revised Statutes, | |
| 6 | Title 5, chapters 421 and 423 | |
| 7 | | |
| 8 | State contribution to the total cost of | \$1,157,947,004 |
| 9 | funding public education from | \$1,159,447,004 |
| 10 | kindergarten to grade 12 | |

11 **Sec. D-6. Appropriations and allocations.** The following appropriations and
12 allocations are made.

13 **EDUCATION, DEPARTMENT OF**

14 **General Purpose Aid for Local Schools 0308**

15 Initiative: Provides one-time funds for the Jobs for Maine's Graduates - College Program.

| | | | |
|----|---------------------------|----------------|--------------------|
| 16 | GENERAL FUND | 2015-16 | 2016-17 |
| 17 | All Other | \$0 | \$1,500,000 |
| 18 | | | |
| 19 | GENERAL FUND TOTAL | <u>\$0</u> | <u>\$1,500,000</u> |

20 **PART E**

21 **Sec. E-1. 25 MRSA Pt. 13** is enacted to read:

22 **PART 13**

23 **SUBSTANCE ABUSE ASSISTANCE**

24 **CHAPTER 601**

25 **SUBSTANCE ABUSE ASSISTANCE PROGRAM**

26 **§5101. Substance Abuse Assistance Program**

27 **1. Substance Abuse Assistance Program.** The Substance Abuse Assistance
28 Program, referred to in this chapter as "the program," is established to support persons
29 with presumed substance use disorders by providing grants to municipalities and counties
30 to carry out projects designed to reduce substance abuse, substance abuse-related crimes
31 and recidivism.

32 **2. Eligibility; program targets; projects.** Grants may be awarded to:

33 **A. Municipal or county governments or regional jails for projects designed to assist**
34 **persons with presumed substance use disorders by diverting alleged low-level**

SENATE AMENDMENT

1 offenders into community-based treatment and support services. Projects may
 2 include, but are not limited to:

3 (1) Referral of program participants to evidence-based treatment programs,
 4 including medically assisted treatment; and

5 (2) Provision of case management services to program participants in order to
 6 secure appropriate treatment and support services such as housing, health care,
 7 job training and mental health services for program participants; and

8 B. County governments or regional jails for projects in county or regional jails
 9 designed to assist persons with presumed substance use disorders. Projects may
 10 include, but are not limited to:

11 (1) Provision of evidence-based treatment programs, including medically
 12 assisted treatment, to jail inmates; and

13 (2) Provision of case management or other support services to program
 14 participants to assist in transition from jail upon release.

15 **3. Requirements. A grant application for a project described in subsection 2 must**
 16 **include the following:**

17 A. A statement of purpose and measurable goals for the project and use for the
 18 funds;

19 B. The elements of the project, which must include the targeted population, the
 20 nature of services or assistance to be provided and expected outcomes;

21 C. For diversion projects, a statement of the municipality's or county's diversion
 22 policy, including criteria for selecting participants for the project;

23 D. A review of other substance abuse services available in the applicant municipality
 24 or county and communities adjacent to the applicant municipality or county and a
 25 statement of the unmet needs to be addressed by the project;

26 E. A review of efforts to collaborate among relevant law enforcement agencies,
 27 treatment providers, harm reduction services, recovery support services and other
 28 community resources and a summary of collaborative approaches included in the
 29 project, if any; and

30 F. A summary of data to be collected to assess the effectiveness of the project and
 31 the methodology that will be used to make that assessment. The data to be collected
 32 must include measurements of the long-term health, treatment and criminal justice
 33 involvement outcomes for participants and must be included in reports filed under
 34 subsection 6 as part of a rigorous evaluation process.

35 **4. Selection of grant recipients; steering committee.** The Commissioner of Public
 36 Safety shall review applications submitted by municipalities and counties for grants under
 37 this chapter. Preference must be given to collaborative approaches that include treatment
 38 providers or community-based organizations. The following steering committee shall
 39 advise the Commissioner of Public Safety in selecting grant recipients. The steering
 40 committee consists of the Commissioner of Corrections or the commissioner's designee
 41 and representatives of the following organizations, programs and associations selected by

1 the Commissioner of Public Safety from suggestions provided by the organizations,
2 programs and associations: a statewide organization of police chiefs; a statewide
3 organization of sheriffs; a statewide organization representing physicians; a statewide
4 organization representing prosecutors; a statewide organization representing providers of
5 legal services for the indigent; peer recovery programs; and harm reduction associations.

6 **5. Administration of funds.** The policy board established in this State to carry out
7 the State's responsibilities under the federal Justice Assistance Act of 1984, the federal
8 Anti-Drug Abuse Act of 1986, the federal Anti-Drug Abuse Act of 1988 and the federal
9 Violent Crime Control and Law Enforcement Act of 1994, known as "the Justice
10 Assistance Council," shall administer grant funds appropriated for use under this chapter
11 and disburse the funds to municipalities, counties and regional jails selected under
12 subsection 4. The department may retain up to 5% of funds to cover administrative
13 expenses.

14 **6. Reports.** A recipient of a grant under subsection 4 shall report to the
15 Commissioner of Public Safety annually on the anniversary date of the grant award
16 regarding the status of the project for which the grant was awarded. The report must
17 include a description of how the grant funds were spent, the results of the project and any
18 recommendations for modification of the project, including any available information
19 concerning the project's effectiveness in reducing substance abuse and recidivism.

20 **Sec. E-2. Reports to committees.** The Commissioner of Public Safety shall
21 report to the joint standing committee of the Legislature having jurisdiction over criminal
22 justice matters and the joint standing committee of the Legislature having jurisdiction
23 over judiciary matters by January 15, 2017 regarding the recipients and the amounts of
24 the grants awarded under the Substance Abuse Assistance Program established in the
25 Maine Revised Statutes, Title 25, chapter 601. The Commissioner of Public Safety shall
26 provide a report summarizing the results of the grant program and providing
27 recommendations as to the program's continuation or modification and any need for
28 additional funding by January 15, 2018 and January 15, 2019 to the joint standing
29 committee of the Legislature having jurisdiction over criminal justice and public safety
30 matters and the joint standing committee of the Legislature having jurisdiction over
31 judiciary matters.

32 **Sec. E-3. Pilot projects.** The Commissioner of Public Safety shall implement the
33 Substance Abuse Assistance Program established in the Maine Revised Statutes, Title 25,
34 section 5101 by selecting, with the advice of the steering committee described in Title 25,
35 section 5101, subsection 4, at least 8 pilot projects in communities around the State, at
36 least 2 projects of which are administered by municipalities and at least 2 projects of
37 which are administered by county or regional jails.

38 **Sec. E-4. Appropriations and allocations.** The following appropriations and
39 allocations are made.

40 **PUBLIC SAFETY, DEPARTMENT OF**

41 **Administration - Public Safety 0088**

42 Initiative: Provides funding for one Contract Grant Specialist position and related
43 administrative costs to administer and oversee the Substance Abuse Assistance Program.

SENATE AMENDMENT "A" to S.P. 647, L.D. 1606

1 This funding comes from the 5% allowed for administrative costs as specified in the
 2 Maine Revised Statutes, Title 25, section 5101, subsection 5.

| | | | |
|---|-------------------------------|----------------|-----------------|
| 3 | GENERAL FUND | 2015-16 | 2016-17 |
| 4 | POSITIONS - LEGISLATIVE COUNT | 0.000 | 1.000 |
| 5 | Personal Services | \$0 | \$73,898 |
| 6 | All Other | \$0 | \$3,270 |
| 7 | | | |
| 8 | GENERAL FUND TOTAL | <u>\$0</u> | <u>\$77,168</u> |

9 **Administration - Public Safety 0088**

10 Initiative: Provides funds for the Substance Abuse Assistance Program.

| | | | |
|----|---------------------------|----------------|--------------------|
| 11 | GENERAL FUND | 2015-16 | 2016-17 |
| 12 | All Other | \$0 | \$1,022,832 |
| 13 | | | |
| 14 | GENERAL FUND TOTAL | <u>\$0</u> | <u>\$1,022,832</u> |

15 **PUBLIC SAFETY, DEPARTMENT OF**
 16 **DEPARTMENT TOTALS**

| | | | |
|----|-------------------------------------|-------------------|---------------------------|
| 17 | | 2015-16 | 2016-17 |
| 18 | GENERAL FUND | \$0 | \$1,100,000 |
| 19 | | | |
| 20 | DEPARTMENT TOTAL - ALL FUNDS | <u>\$0</u> | <u>\$1,100,000</u> |

21 **PART F**

22 **Sec. F-1. Department to create 3 new peer centers.** The Department of
 23 Health and Human Services shall create 3 new peer centers, 2 of which will begin
 24 operation in fiscal year 2016-17 and one of which will begin operation in fiscal year
 25 2017-18, in different parts of the State to coordinate and run peer support programs to
 26 help persons in recovery from drug addiction. In order to serve populations in rural parts
 27 of the State, 2 of these peer centers must be located in currently underserved areas that
 28 are outside of Maine's largest cities. These peer centers must be situated in geographic
 29 areas of the State different from each other and in areas different from any peer support
 30 recovery centers established pursuant to Public Law 2015, chapter 378, Part D. Funding
 31 for each peer center must be used to support the hiring of a coordinator who shall support
 32 recovery group facilitation, peer mentoring and peer recovery resource connections. The
 33 peer centers may be coordinated and housed within existing health care settings, such as a
 34 rural health care center.

35 **Sec. F-2. Appropriations and allocations.** The following appropriations and
 36 allocations are made.

1 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)**
 2 **Office of Substance Abuse and Mental Health Services 0679**

3 Initiative: Provides funding to create 2 new peer centers beginning in fiscal year 2016-17
 4 and one new peer center beginning in fiscal year 2017-18 in different parts of the State to
 5 coordinate and run peer support programs to help persons in recovery from drug
 6 addiction.

| | | | |
|----|---------------------------|----------------|------------------|
| 7 | GENERAL FUND | 2015-16 | 2016-17 |
| 8 | All Other | \$0 | \$400,000 |
| 9 | | | |
| 10 | GENERAL FUND TOTAL | <u>\$0</u> | <u>\$400,000</u> |

11 **PART G**

12 **Sec. G-1. Transfer of funds.** Notwithstanding any other provision of law, no
 13 later than October 30, 2016, the State Controller shall transfer to the unappropriated
 14 surplus of the General Fund \$10,555,982 from the funds received pursuant to the court
 15 order in State of Maine v. McGraw-Hill Companies, Inc. and Standard & Poor's Financial
 16 Services, LLC, Kennebec County Superior Court Docket No. BCD-CV-14-49. The
 17 Attorney General has confirmed that the specified use of the funds to be transferred by
 18 this Part is consistent with the terms of the court order.

19 **PART H**

20 **Sec. H-1. Transfer of settlement funds; fiscal year 2016-17.**
 21 Notwithstanding any other provision of law, the State Controller shall transfer \$979,732
 22 of the funds received pursuant to court order in State of Maine v. McGraw-Hill
 23 Companies, Inc. and Standard and & Poor's Financial Services, LLC held by the Office of
 24 the State Controller to the Office of the Treasurer, Private Trust Fund no later than
 25 October 1, 2016. Funds transferred pursuant to this Part must be used solely for
 26 consumer and antitrust activities identified in the court decree and approved by the
 27 Attorney General with the consent of the President of the Senate, the Speaker of the
 28 House of Representatives, the Minority Leader of the Senate and the Minority Leader of
 29 the House of Representatives.

30 **PART I**

31 **Sec. I-1. Appropriations and allocations.** The following appropriations and
 32 allocations are made.

33 **FINANCE AUTHORITY OF MAINE**

34 **Student Financial Assistance Programs 0653**

35 Initiative: Provides one-time funding to the Maine State Grant Program for scholarships.

1 must be situated in geographic areas of the State different from each other and in areas
2 different from any peer support recovery centers established pursuant to Public Law
3 2015, chapter 378, Part D. Funding for each peer center must be used to support the
4 hiring of a coordinator who must support recovery group facilitation, peer mentoring and
5 peer recovery resource connections. The peer centers may be coordinated and housed
6 within existing health care settings, such as a rural health care center.

7 It directs the State Controller to transfer \$10,555,982 in fiscal year 2016-17 from the
8 funds received pursuant to the court order in State of Maine v. McGraw-Hill Companies,
9 Inc. and Standard & Poor's Financial Services, LLC, Kennebec County Superior Court
10 Docket No. BCD-CV-14-49, to the unappropriated surplus of the General Fund.

11 It requires the transfer of \$979,732 in fiscal year 2016-17 from the funds received
12 pursuant to court order in State of Maine v. McGraw-Hill Companies, Inc. and Standard
13 & Poor's Financial Services, LLC to the Office of the Treasurer to be used solely for
14 consumer and antitrust activities identified in the court decree and approved by the
15 Attorney General with the consent of the President of the Senate, the Speaker of the
16 House of Representatives, the Minority Leader of the Senate and the Minority Leader of
17 the House of Representatives.

18 **FISCAL NOTE REQUIRED**

19 (See attached)

20 SPONSORED BY: _____

21 (Senator ALFOND)

22 COUNTY: Cumberland



127th MAINE LEGISLATURE

LD 1606

LR 2716(18)

An Act To Provide Funding to the Maine Budget Stabilization Fund and To Make Additional Supplemental Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2016 and June 30, 2017

Fiscal Note for Senate Amendment 'A' to Original Bill

Sponsor: Sen. Alfond of Cumberland

Fiscal Note Required: Yes

(5-545)

Fiscal Note

| | FY 2015-16 | FY 2016-17 | Projections FY 2017-18 | Projections FY 2018-19 |
|-----------------------------------|----------------|----------------|---------------------------|---------------------------|
| Net Cost (Savings) | | | | |
| General Fund | (\$67,292,995) | (\$5,539,377) | \$15,007,456 | \$15,891,478 |
| Appropriations/Allocations | | | | |
| General Fund | \$0 | \$6,897,190 | \$4,990,304 | \$4,990,304 |
| Federal Expenditures Fund | \$0 | \$3,168,441 | \$5,594,813 | \$5,594,813 |
| Other Special Revenue Funds | \$0 | \$310,701 | \$544,970 | \$544,970 |
| Revenue | | | | |
| General Fund | \$0 | (\$3,508,792) | (\$10,017,152) | (\$10,901,174) |
| Federal Expenditures Fund | \$0 | \$3,168,441 | \$5,594,813 | \$5,594,813 |
| Other Special Revenue Funds | \$0 | \$239,093 | \$340,538 | \$322,497 |
| Transfers | | | | |
| General Fund | \$67,292,995 | \$15,945,359 | \$0 | \$0 |
| Private Trust Funds | \$0 | (\$10,555,982) | \$0 | \$0 |

Fiscal Detail and Notes

This amendment eliminates the transfer of \$67,292,995 in fiscal year 2015-16 and \$5,389,377 in fiscal year 2016-17 from the unappropriated surplus of the General Fund to the Maine Budget Stabilization Fund. Part A of this amendment provides for a transfer of \$10,000,000 in fiscal year 2016-17 from the funds received pursuant to court order in State of Maine v. McGraw-Hill Companies, Inc, and Standard and & Poor's Financial Services, LLC to the Maine Budget Stabilization Fund.

Part B provides a sales tax exemption for fuel used in commercial agricultural production, aquacultural production and wood harvesting and would result in a loss of General Fund and Local Government Fund revenues of \$3,508,792 and \$71,608 respectively, in fiscal year 2016-17.

Part C includes General Fund appropriations to the Department of Health and Human Services of \$1,897,190 in fiscal year 2016-17 for a 4% cost-of-living rate increase for MaineCare Appendix C private nonmedical institutions and adult family care homes. This part also includes a Federal Expenditures Fund allocation for the FMAP match and an Other Special Revenue Funds allocation for the Service Provider Tax.

Part D appropriates one time funds of \$1,500,000 in fiscal year 2016-17 to the General Purpose Aid for Local Schools program within the Department of Education for the Jobs for Maine's Graduates - College Program.

Part E establishes the Substance Abuse Assistance Program to provide grants to municipalities and counties. It includes a General Fund appropriation of \$1,100,000 to the Department of Public Safety in fiscal year 2016-17 for one Contract Grant Specialist position and grants to municipalities and counties.

Part F creates 3 new peer centers in different parts of the State to coordinate and run peer support programs to help persons in recovery from drug addiction. The bill includes a General Fund appropriation to the Department of Health and Human Services of \$400,000 in fiscal year 2016-17 to create 2 new peer centers, while the third peer center is identified for creation in fiscal year 2017-18.

Part G of this amendment provides for a transfer of \$10,555,982 in fiscal year 2016-17 from the funds received pursuant to the court order in State of Maine v. McGraw-Hill Companies, Inc. and Standard & Poor's Financial Services, LLC to the unappropriated surplus of the General Fund.

Part H requires the State Controller to transfer \$979,732 from the Office of the State Controller to the Office of the Treasurer, Private Trust Funds no later than October 1, 2016. These funds will be used for consumer and antitrust activities within the Department of the Attorney General and identified in the court decree.

Part I appropriates one time funds of \$2,000,000 in fiscal year 2016-17 to the Student Financial Assistance Program within the Finance Authority of Maine for the Maine State Grant Program.