

# MAINE STATE LEGISLATURE

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**STATE OF MAINE  
119TH LEGISLATURE**

**SECOND REGULAR SESSION**

**BILL SUMMARIES  
JOINT STANDING COMMITTEE  
ON  
APPROPRIATIONS AND FINANCIAL AFFAIRS**

**JULY 2000**

**Staff:**

**J. Timothy Leet, Senior Legislative Analyst**

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Rep. Richard A. Nass**



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TO: Members, Joint Standing Committee on Appropriations and Financial Affairs  
 FROM: J. Timothy Leet, Senior Legislative Analyst  
 DATE: July, 2000  
 RE: **BILL SUMMARIES, 119th LEGISLATURE, 2nd REGULAR SESSION**

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the Joint Standing Committee on Appropriations and Financial Affairs during the 2nd Regular Session of the 119th Legislature. The summary describes each bill or order and relevant amendments as well as the final action. Also included is a statistical summary of bill activity by the committee. Please note the effective date for all non-emergency legislation enacted in the 2nd Regular Session (unless a later date is specified in a particular law) is August 11, 2000. Joint Orders are effective when passed.

The bill summaries for your committee also include 4 bills that, although discussed in work sessions, were never referred. LD's 2589, 2646, 2664 and 2692 were discussed as part of your committee process and are therefore included in this document for your information.

The document is organized for convenient reference to information on bills handled by the committee this session. It is organized by bill (LD) number and two indices are located at the back of the document that group bills by subject and by LD number. Final action on each bill is noted to the right of the bill title. The abbreviations used for various categories of final action are as follows:

*CON RES XXX* ..... Chapter # of Constitutional Resolution passed by both Houses  
*CONF CMTE UNABLE TO AGREE*..... Committee of Conference unable to agree; bill died  
*DIED BETWEEN BODIES* ..... House & Senate disagree; bill died  
*DIED IN CONCURRENCE* ... One body accepts ONTP report; the other indefinitely postpones the bill  
*DIED ON ADJOURNMENT*..... Action incomplete when session ended; bill died  
*EMERGENCY* ..... Enacted law takes effect sooner than 90 days  
*FAILED EMERGENCY ENACTMENT/FINAL PASSAGE*..... Emergency bill failed to get 2/3 vote  
*FAILED ENACTMENT/FINAL PASSAGE*..... Bill failed to get majority vote  
*FAILED MANDATE ENACTMENT*..... Bill imposing local mandate failed to get 2/3 vote  
*NOT PROPERLY BEFORE THE BODY* ..... Ruled out of order by the presiding officers; bill died  
*INDEF PP* ..... Bill Indefinitely Postponed  
*ONTP* ..... Ought Not To Pass report accepted  
*OTP ND* ..... Committee report Ought To Pass In New Draft  
*OTP ND/NT*..... Committee report Ought To Pass In New Draft/New Title  
*P&S XXX*..... Chapter # of enacted Private & Special Law  
*PUBLIC XXX* ..... Chapter # of enacted Public Law  
*RESOLVE XXX* ..... Chapter # of finally passed Resolve

*UNSIGNED..... Bill held by Governor*  
*VETO SUSTAINED..... Legislature failed to override Governor's Veto*  
*READ AND PASSED ..... Joint Order passed by the House and Senate*  
*PASSED AS AMENDED..... Joint Order passed as amendment by the House and Senate*

A complete summary of bills for all committees will be available in the very near future. Copies will be on file in the Law and Legislative Reference Library and Senate and House offices. You will also soon be able to access these bill summaries from our website.

I hope you find this information useful. If you have any questions or suggestions, please do not hesitate to contact this office.

Best wishes for an enjoyable summer.

PART A of this amendment proposed to require that revenues deposited into the Fund for a Healthy Maine that are less than estimated for programs and services supported by the Fund for a Healthy Maine must be reduced proportionately to their share of the overall fund, except the Medical Care - Payments to Providers program.

PART A also proposed to amend the law to eliminate the requirement that the Fund for a Healthy Maine return a working capital advance to the General Fund.

PART A also proposed to provide allocations in 5 areas. It proposed to allocate 10% of estimated tobacco settlement revenue to the Trust Fund for a Healthy Maine. The Partnership for a Tobacco-free Maine is proposed to be funded to create a support system for those who want to quit smoking and for other statewide tobacco interventions. Funds are proposed to implement the recommendations of the Substance Abuse Services Commission, and a program is proposed to be established to improve delivery of and access to quality care for Medicaid recipients. Funding is also proposed to cover an anticipated Medicaid shortfall.

PART B proposed to establish and fund the position of school nurse consultant within the Department of Human Services and the Department of Education. The school nurse consultant's duties would include acting as a liaison to school health care providers and policy-setting groups; providing health care, nursing, policy and legal information regarding school nursing, school health care programs and professional development; promoting staff development, nursing excellence and optimal health of school children.

PART C proposed to create the Maine Biomedical Research Program, using a \$10,000,000 allocation from the Fund for a Healthy Maine. Funds are proposed to support biomedical research with priority given to research and research technologies with the potential to affect diseases, biomedical mechanisms or conditions that are either caused by or related to tobacco use. A report is proposed to be due to the First Regular Session of the 120th Legislature concerning ways to share revenue, including royalties, generated by biomedical research funded by this Act.

PART D proposed to expand the supplemental program of the Low-cost Drug to Maine's Elderly to cover 80% of the cost of generic drugs not covered in the basic program, to institute a catastrophic component whereby the Department of Human Services would establish an annual limit on the total costs to be paid by eligible persons in the program, after which the program must pay 80% of all covered drugs or medications and make the Low-cost Drugs to Maine's Elderly program the payor of last resort through a 3rd-party liability recovery process.

The amendment also proposed to add a fiscal note.

**House Amendment "A "to Committee Amendment "A " (H-964 )** proposed to remove the emergency preamble and emergency clause. It also proposed to adjust the allocation to the Trust Fund for a Healthy Maine accordingly and remove the requirement that the working capital advance be repaid prior to May 1, 2000.

While this bill was indefinitely postponed, allocations from the Fund for a Healthy Maine were included in Public Law 1999, Chapter 731, Part GG to Part VV and Part HHHH-3.

**LD 2555**

**An Act to Make Supplemental Allocations from the Fund for a Healthy Maine and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2001**

**ONTP**

Sponsor(s)  
MURPHY T

Committee Report  
ONTP

Amendments Adopted

LD 2555 proposed to require that revenues deposited into the Fund for a Healthy Maine that are less than estimated for programs and services supported by the Fund for a Healthy Maine must be reduced proportionately to their share of the overall fund, except the Medical Care - Payments to Providers program.

The bill also proposed to create a program, administered by the Department of Human Services, Bureau of Health to encourage and assist primary and secondary schools to develop comprehensive school health education and school health services that, in coordination with a program of community health initiatives, would reduce the rates of tobacco addiction, physical inactivity, poor nutrition and tobacco-related chronic disease.

The bill further proposed to create a similar program for communities that develop comprehensive community health interventions and health services that reduce the rates of tobacco addiction, physical inactivity, poor nutrition and tobacco-related chronic disease.

Sections 4 and 5 proposed to make allocations from the Fund for a Healthy Maine for a comprehensive health effort that encourages state agencies, communities, schools and health care providers to work together to address tobacco-related chronic disease in Maine.

While this bill was reported Ought Not to Pass, allocations from the Fund for a Healthy Maine were included in Public Law 1999, Chapter 731, Part GG to Part VV and Part HHHH-3.

**LD 2568**

**Resolve, to Provide Temporary Relief from the Excise Tax on Diesel Fuel**

**DIED ON  
ADJOURNMENT**

Sponsor(s)  
WINSOR

Committee Report  
OTP-AM MAJ  
ONTP MIN

Amendments Adopted  
H-901  
H-912 WINSOR

LD 2568 proposed to provide immediate relief to the trucking industry in Maine by suspending the excise tax of 23¢ per gallon imposed on distillates, also known as "diesel fuel." The suspension would have been for 30 days, but may have been extended for 15 more days if the Governor determined that the retail price of distillates had not decreased below \$1.50 per gallon. The Department of Administrative and Financial Services, Bureau of Revenue Services would be required to provide notice of the provisions of this bill to suppliers and retail dealers of distillates.

The bill also proposed to transfer from the General Fund to the Highway Fund the amount of revenue lost due to the suspension of the distillates excise tax, as determined by the Bureau of Revenue Services.

This bill was jointly referred to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Transportation.

**Committee Amendment "A" (H-901)** proposed to change the bill to a resolve. It proposed to establish a rebate for qualifying diesel fuel purchases made in this State during the period from February 1, 2000 to March 15, 2000. The rebate would have been equal to the 23¢-per-gallon excise tax on diesel fuel.