

MAINE STATE LEGISLATURE

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*State Of Maine
121st Legislature*

First Regular Session

Bill Summaries

*Joint Standing Committee
on
Appropriations And Financial Affairs*

July 2003

Members:

*Sen. Mary R. Cathcart, Chair
Sen. Margaret R. Rotundo
Sen. Karl W. Turner*

*Rep. Joseph C. Brannigan, Chair
Rep. Richard H. Mailhot
Rep. Scott W. Cowger
Rep. Benjamin F. Dudley
Rep. Sean Faircloth
Rep. Hannah Pingree
Rep. Richard W. Rosen
Rep. S. Peter Mills
Rep. H. Sawin Millett, Jr.
Rep. Julie Ann O'Brien*

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Maine State Legislature

Office Of Policy And Legal Analysis Office Of Fiscal And Program Review

121st Maine Legislature First Regular Session

Summary Of Legislation Before The Joint Standing Committees

Enclosed please find a summary of all bills, resolves, joint study orders, joint resolutions and Constitutional resolutions that were considered by the joint standing and joint select committees of the Maine Legislature this past session. The document is a compilation of bill summaries which describe each bill and relevant amendments, as well as the final action taken. Also included are statistical summaries of bill activity this session for the Legislature and each of its joint standing committees.

The document is organized for convenient reference to information on bills considered by the committees. It is arranged alphabetically by committee name and within committees by bill (LD) number. The committee report(s), prime sponsor for each bill and the lead co-sponsor(s), if designated, are listed below each bill title. All adopted amendments are listed by paper number. Two indices, a subject index and a numerical index by LD number are provided for easy reference to bills. They are located at the back of the document. A separate publication, History and Final Disposition of Legislative Documents, may also be helpful in providing information on the disposition of bills. These bill summaries also are available at the Law and Legislative Reference Library and on the Internet (www.state.me.us/legis/opla).

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:

<i>CARRIED OVER PURSUANT TO HP 1212</i>	<i>Bills carried over to the 2nd Regular Session</i>
<i>CON RES XXX</i>	<i>Chapter # of Constitutional Resolution passed by both Houses</i>
<i>CONF CMTE UNABLE TO AGREE</i>	<i>Committee of Conference unable to agree; bill died</i>
<i>DIED BETWEEN BODIES</i>	<i>House & Senate disagree; bill died</i>
<i>DIED IN CONCURRENCE</i>	<i>One body accepts ONTP report; the other indefinitely postpones the bill</i>
<i>DIED ON ADJOURNMENT</i>	<i>Action incomplete when session ended; bill died</i>
<i>EMERGENCY</i>	<i>Enacted law takes effect sooner than 90 days</i>
<i>FAILED EMERGENCY ENACTMENT/FINAL PASSAGE</i>	<i>Emergency bill failed to get 2/3 vote</i>
<i>FAILED ENACTMENT/FINAL PASSAGE</i>	<i>Bill failed to get majority vote</i>
<i>FAILED MANDATE ENACTMENT</i>	<i>Bill imposing local mandate failed to get 2/3 vote</i>
<i>NOT PROPERLY BEFORE THE BODY</i>	<i>Ruled out of order by the presiding officers; bill died</i>
<i>INDEF PP</i>	<i>Bill Indefinitely Postponed</i>
<i>ONTP</i>	<i>Ought Not To Pass report accepted</i>
<i>OTP-ND</i>	<i>Committee report Ought To Pass In New Draft</i>
<i>P&S XXX</i>	<i>Chapter # of enacted Private & Special Law</i>
<i>PASSED</i>	<i>Joint Order passed in both bodies</i>
<i>PUBLIC XXX</i>	<i>Chapter # of enacted Public Law</i>
<i>RESOLVE XXX</i>	<i>Chapter # of finally passed Resolve</i>
<i>UNSIGNED</i>	<i>Bill held by Governor</i>
<i>VETO SUSTAINED</i>	<i>Legislature failed to override Governor's Veto</i>

Please note that the effective date for all non-emergency legislation enacted in the First Regular Session (unless otherwise specified in a particular law) is September 13, 2003.

David C. Elliott, Director
Offices located in Room 215 of the Cross Office Building

JOINT STANDING COMMITTEE ON APPROPRIATIONS AND FINANCIAL AFFAIRS

LD 1614

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 Years Ending June 30, 2003, June 30, 2004 and June 30, 2005

**PUBLIC 451
EMERGENCY**

Sponsor(s)
BRANNIGAN
CATHCART

Committee Report
OTP-AM

Amendments Adopted
H-560

LD 1614 proposed the following:

Part A proposed to make supplemental appropriations and allocations from various governmental, internal service and enterprise funds.

Part B proposed to make supplemental appropriations and allocations from various governmental, internal service and enterprise funds for approved reclassifications and range changes.

Part C proposed to adjust appropriations and allocations to achieve General Fund savings.

Part D proposed to amend the statutes to increase the cap for the workers' compensation assessments.

Part E proposed to:

1. Repeal provisions of the law delaying conformity with the federal tax code as it relates to expansion of school construction bonds, taxable school construction bonds and certain private activity bonds.
2. Amend the law to specify that 2003 Maine Tax Amnesty Program apply to tax liabilities delinquent as of August 31, 2003.
3. Amend the law to extend the filing period for the 2003 Maine Tax Amnesty Program by one month.
4. Repeal provisions of the law that delayed the increase in the seed capital investment tax credit.
5. Authorize reimbursement from the Salary Plan program for the costs of contract resolution, administration, implementation and other costs required by the process of collective bargaining and negotiation procedures.
6. Provide for the calculation and transfer of statewide savings in the General Fund in the cost of dental insurance for fiscal year 2004-05 that are identified in Part C, section 1.
7. Transfer \$400,000 from the Bureau of Alcoholic Beverages Internal Service Fund account in the Department of Administrative and Financial Services to the unappropriated surplus of the General Fund no later than June 30, 2005. It returns the working capital advance no longer required due to the proposed closure of the remaining 13 state liquor stores.
8. Authorize the Commissioner of Administrative and Financial Services to advance the schedule of issuance of one or more additional instant ticket lottery games.

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9. Transfer \$57,500 in fiscal year 2003-04 and \$57,500 in fiscal year 2004-05 from the Real Property Lease Internal Service Fund account to the unappropriated surplus of the General Fund no later than June 30th of each fiscal year to reflect savings as a result of the renegotiation of leases.
10. Authorize the Commissioner of Administrative and Financial Services to offer a retirement incentive program to employees who are eligible to retire and who have reached their normal retirement age.
11. Authorize the State Controller to transfer from the unappropriated surplus of the General Fund to the General Purpose Aid for Local Schools account an amount not to exceed \$9,413,299 and allow the funds to be allotted in fiscal year 2004-05.
12. Establish the Tax Conformity Reserve as an account within the General Fund to be used to reserve funds to be used to conform the State's tax laws to the United States Internal Revenue Code and authorize the transfer of balances from General Fund unappropriated surplus to the reserve.
13. Make provisions to increase the percentage share of retired teachers' health insurance contribution that the State is authorized to make in fiscal years 2003-04 and 2004-05 within current appropriations.
14. Authorize the Department of Administrative and Financial Services in cooperation with the Treasurer of State to enter into financing arrangements related to fiscal year 2003-04 and fiscal year 2004-05 for the acquisition of motor vehicles for the Central Motor Pool.
15. Authorize the Commissioner of Administrative and Financial Services to submit legislation to the Second Regular Session of the 121st Legislature to address restructuring of State Government agencies, consolidation of services and other efficiencies in order to achieve cost savings.
16. Authorize the judicial branch of government to replace savings achieved as a result of merit increases not being awarded in fiscal year 2004-05 with other Personal Services by agreement of the State and the bargaining agents representing state employees.
17. Lapse funds from the General Fund Salary Plan account in the Department of Administrative and Financial Services to General Fund unappropriated surplus in fiscal year 2003-04.

Part F proposed to:

1. Establish internal control standards for all state agencies and departments.
2. Establish June 30, 2004 as the date by which agencies and departments must be in compliance with the internal control standards.

Part G proposed to:

1. Amend the law to provide for license fees charged to persons owning honeybees to be credited to the General Fund.
2. Amend the law to provide for registration fees charged for bees shipped or moved into the State to be credited to the General Fund.
3. Amend the law to require that funds received in reimbursement in the meat and poultry inspection program be credited to the General Fund.

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Part H proposed to amend the law regarding the membership of the Atlantic Salmon Commission.

Part I proposed to transfer funds from the Statewide Single Audit - Set Aside, Other Special Revenue Funds account in the Department of Audit to the unappropriated surplus of the General Fund in fiscal years 2003-04 and 2004-05.

Part J proposed to:

1. Authorize the Department of Behavioral and Developmental Services to seek reimbursement of expenditures under Medicaid Title XIX for targeted case management.
2. Authorize the Department of Behavioral and Developmental Services to deposit to the General Fund undedicated revenue no later than June 30, 2004 in the amount of \$1,683,117 generated from audit recoveries and contract settlements with providers.
3. Authorize the Department of Behavioral and Developmental Services by financial order to transfer up to 8 vacant positions and existing funding from General Fund appropriations to establish 8 Mental Health and Mental Retardation Caseworker positions.

Part K proposed to:

1. Amend provisions of the law relating to the accreditation of state correctional institutions.
2. Create the Commission to Improve the Sentencing, Supervision, Management and Incarceration of Prisoners.

Part L proposed to repeal the provision of law that renamed the Department of Economic and Community Development.

Part M proposed to:

1. Amend the law to allow for the implementation of merit increases in fiscal year 2004-05.
2. Repeal that portion of Public Law 2003, chapter 20 that provided for statewide deappropriations to offset a revenue reprojected.

Part N proposed to establish the Blaine House Renovations and Repairs Fund in the Executive Department.

Part O proposed to:

1. Amend the law to expand the Occupational Safety Loan Program to allow interest rate subsidies to businesses receiving loans for workplace safety improvements.
2. Transfer funds from the Waste Reduction and Recycling Fund account in the Finance Authority of Maine to the unappropriated surplus of the General Fund in fiscal year 2003-04.
3. Transfer funds from the Occupational Safety Loan Program in the Finance Authority of Maine to the unappropriated surplus of the General Fund in fiscal year 2003-04.

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Part P proposed to:

1. Amend Public Law 2003, chapter 51, Part H to specify that the intergovernmental transfer from the City of Portland must be at least \$2,400,000 in fiscal year 2003-04 and \$2,400,000 in fiscal year 2004-05.
2. Require that municipally funded hospitals in Dover-Foxcroft, Caribou and Lincoln transfer a combined total of \$650,000 in fiscal year 2003-04 and \$650,000 in fiscal year 2004-05 to the State as undedicated General Fund revenue.
3. Provide for balances in the Bureau of Medical Services, General Fund account in the Department of Human Services to lapse to the General Fund in fiscal year 2002-03.
4. Provide for balances in the Department of Human Services accounts to lapse to the General Fund in fiscal year 2002-03.
5. Authorize the Department of Human Services to seek reimbursement of expenditures under Medicaid Title XIX for targeted case management.

Part Q proposed to:

1. Transfer funds from the Safety Education and Training Fund, Other Special Revenue Funds account in the Department of Labor to the unappropriated surplus of the General Fund in fiscal years 2003-04 and 2004-05.
2. Transfer funds from the Blind and Visually Impaired, Other Special Revenue Funds account in the Department of Labor to the unappropriated surplus of the General Fund in fiscal years 2003-04 and 2004-05.

Part R proposed to:

1. Provide for balances in the Commission on Interstate Cooperation account in the Legislature to lapse to the General Fund in fiscal year 2003-04.
2. Provide for balances in the Commission on Uniform State Laws account in the Legislature to lapse to the General Fund in fiscal year 2003-04.
3. Provide for balances in the legislative account in the Legislature to lapse to the General Fund in fiscal year 2003-04.
4. Provide for balances in the Office of Program Evaluation and Government Accountability account to lapse to the General Fund in fiscal year 2003-04.
5. Amend the law to allow for the implementation of merit increases in fiscal year 2004-05 for the legislative branch.

Part S proposed to:

1. Amend the law to increase the fees charged for issuance of licenses and permits issued by the Department of Public Safety, Bureau of State Police, licensing division for games of chance and

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beano. It also proposed to amend the law regarding application of a former felon to carry a concealed weapon and reporting requirements.

2. Amend the law relating to the type of organizations the Department of Public Safety, State Bureau of Identification may charge fees.
3. Authorize the Commissioner of Public Safety to increase the number of speed enforcement details using aircraft.

Part T proposed to amend the law to provide for the transition of functions previously performed by the Bureau of Liquor Enforcement in the Department of Public Safety.

Part U proposed to:

1. Establish the Help America Vote Act of 2002 Other Special Revenue Funds account in the Department of the Secretary of State as a nonlapsing account to which all interest earned must accrue.
2. Authorize the State Controller to transfer \$100,000 of unencumbered balance forward in fiscal year 2003-04 in the Bureau of Corporations, Elections and Commissions, General Fund account in the Department of the Secretary of State, to the Help America Vote Act of 2002, Other Special Revenue Funds account.
3. Authorize the Help America Vote Act of 2002 Federal Expenditures Fund account in the Department of the Secretary of State to accrue all interest earned on funds in the account.

Part V proposed to amend the law to extend the temporary terms of the Acting Commissioner of the Department of Behavioral and Developmental Services and the Acting Commissioner of the Department of Human Services.

Part W proposed to:

1. Amend the law relating to the ability of state departments and agencies to transfer positions and appropriation and allocation balances.
2. Authorize the State Budget Officer to delegate the authority to department and agency heads to reallocate cumulative allotment from prior quarters.

Part X proposed to:

1. Establish the Maine Budget Stabilization Fund and transfer statutory obligations from the Maine Rainy Day Fund.
2. Amend provisions of the law related to the Reserve for General Fund Operating Capital.
3. Repeal that portion of the law related to the Maine Rainy Day Fund.
4. Amend provisions of the law related to the Capital Construction and Improvements Reserve Fund.
5. Repeal that portion of law that related to transfers to the Retirement Allowance Fund.
6. Amend provisions of the law related to the Retiree Health Insurance Internal Service Fund.

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7. Require the Revenue Forecasting Committee to calculate the long-term growth rate limitation.
8. Amend provisions of the law related to the transfer of balances from the Job Retention Program in the Department of Economic and Community Development.
9. Authorize any balances in the Maine Rainy Day Fund to be transferred to the Maine Budget Stabilization Fund.

Part Y proposed to:

1. Amend Department of Human Services allocations in Public Law 2003, chapter 20, Part A.
2. Amend University of Maine System allocations in Public Law 2003, chapter 20, Part A.

Part Z proposed to authorize the Chancellor of the University of Maine System and any insurance company or 3rd-party administrator insuring or administering the university employee health insurance program to negotiate agreements with hospitals to reduce expenses incurred by the university's plan.

Part AA proposed to:

1. Amend provisions of the law relating to the development of the biennial economic assumptions by the Consensus Economic Forecasting Commission.
2. Amend provisions of the law relating to use of economic forecasting models by the Consensus Economic Forecasting Commission.
3. Amend provisions of the law relating to staff support for the Consensus Economic Forecasting Commission.
4. Amend provisions of the law relating to the development of the biennial revenue projections by the Revenue Forecasting Committee.
5. Amend provisions of the law relating to staff support for the Revenue Forecasting Committee.

Part BB proposed to transfer \$180,000 from the IV-D Cooperative Agreement, Other Special Revenue Funds account in the Judicial Department to the General Fund in fiscal year 2003-04.

Part CC proposed to:

1. Authorize the Bureau of Resource Management, General Fund account in the Department of Marine Resources to carry forward \$90,000 in All Other funds to fiscal year 2003-04 to be used for the purposes originally intended.
2. Authorize the Bureau of Marine Patrol, General Fund account in the Department of Marine Resources to carry forward \$58,000 in Capital Expenditures to fiscal year 2003-04 to be used for the purposes originally intended.
3. Authorize the Division of Community Resource Development, General Fund account in the Department of Marine Resources to carry forward \$8,000 in All Other funds to fiscal year 2003-04 to be used for the purposes originally intended.

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4. Authorize the Division of Administrative Services, General Fund account in the Department of Marine Resources to carry forward \$80,000 in All Other funds and \$59,908 in Capital Expenditures funds to fiscal year 2003-04 to be used for the purposes originally intended.

Enacted Law Summary:

Public Law 2003, chapter 451 does the following:

<u>PART</u>	<u>SECTION</u>	<u>DESCRIPTION</u>
A	A-1	Makes supplemental appropriations and allocations for fiscal years 2003-04 and 2004-05.
B	B-1	Makes supplemental appropriations and allocations in fiscal years 2003-04 and 2004-05 for approved reclassifications and range changes.
C	C-1	Adjusts appropriations and allocations to achieve General Fund savings.
D	D-1	Adjusts appropriations and allocations in fiscal year 2002-03.
E	E-1:E-5; E-8	Repeals provisions of the law that delayed the increase in the seed capital investment tax credit.
	E-6:E-7	Repeals provisions of the law that delayed conformity with the federal tax code as it relates to income from school construction bonds and exempt facility bonds used to provide qualified public educational facilities.
	E-9	Amends the law to specify that the 2003 Maine Tax Amnesty Program applies to tax liabilities delinquent as of August 31, 2003.
	E-10	Amends the law to extend the filing period for the 2003 Maine Tax Amnesty Program by one month.
	E-11	Authorizes the Department of Administrative and Financial Services to be reimbursed from the Salary Plan program for the costs of contract resolution, administration, implementation and other costs required by the process of collective bargaining and negotiation procedures.
	E-12	Provides for the calculation and transfer of statewide savings in the General Fund in the cost of dental insurance for fiscal year 2004-05 that are identified in Part C, section 1.

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<u>PART</u>	<u>SECTION</u>	<u>DESCRIPTION</u>
	E-13	Transfers \$400,000 from the Bureau of Alcoholic Beverages Internal Service Fund account in the Department of Administrative and Financial Services to the unappropriated surplus of the General Fund no later than June 30, 2005. It returns the working capital advance no longer required due to the proposed closure of the remaining 13 state liquor stores.
	E-14	Authorizes the Commissioner of the Department of Administrative and Financial Services to advance the schedule of issuance of one or more additional instant ticket lottery games.
	E-15	Transfers \$57,500 annually in fiscal years 2003-04 and 2004-05 from the Real Property Lease Internal Service Fund account to the unappropriated surplus of the General Fund no later than June 30th of each fiscal year to reflect savings as a result of the renegotiation of leases.
	E-16	Authorizes the Commissioner of the Department of Administrative and Financial Services to offer a retirement incentive program to employees who are eligible to retire and who have reached their normal retirement age.
	E-17	Provides lease-purchase authorization for the acquisition of motor vehicles for the Maine State Police.
	E-18	Authorizes the Commissioner of the Department of Administrative and Financial Services to submit legislation to the Second Regular Session of the 121st Legislature to address restructuring of State Government agencies, consolidation of services and other efficiencies in order to achieve cost savings.
	E-19	Authorizes the judicial branch of government to replace savings achieved as a result of merit increases not being awarded with other Personal Services by agreement of the State and the bargaining agents representing state employees.
	E-20	Lapses \$150,000 from the General Fund Salary Plan account in the Department of Administrative and Financial Services to General Fund unappropriated surplus in fiscal year 2003-04.
F	F-1	Establishes internal control standards for all state agencies and departments.

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<u>PART</u>	<u>SECTION</u>	<u>DESCRIPTION</u>
	F-2	Provides that legislatively created public instrumentalities and related organizations for which the State is financially accountable or that have a significant relationship with the State must comply with fiscal reporting policies established by the State Controller if not already doing so. Also specifies that those public instrumentalities and related organizations that must comply with OMB Budget Circulars or other accounting, auditing and reporting requirements may submit that information to the State Controller to satisfy these requirements.
	F-3	Establishes June 30, 2004 as the date by which agencies and departments must be in compliance with the internal control standards.
	F-4	Provides lease-purchase authorization for the Bureau of Information Services to acquire hardware, software and systems to support the operations of state government.
G	G-1	Amends the law to require that funds received in reimbursement in the meat and poultry inspection program be credited to the General Fund
H	H-1:H-3	Provides funds to delay for one year the \$3 per patient day copay for federally qualified health center (FQHC) MaineCare services that was authorized in PL 2003, c. 20.
I	I-1	Transfers \$29,096 in fiscal year 2003-04 and \$28,306 in fiscal year 2004-05 from the Statewide Single Audit - Set Aside, Other Special Revenue Funds account in the Department of Audit to the unappropriated surplus of the General Fund.
J	J-1	Requires the Department of Behavioral and Developmental Services to seek reimbursement of expenditures under Medicaid Title XIX for targeted case management and deposit \$400,000 annually as undedicated General Fund revenue.
	J-2	Requires the Department of Behavioral and Developmental Services to deposit \$2,483,117 in the General Fund in fiscal year 2003-04 from funds received from audit recoveries and contract settlements with providers.
	J-3	Authorizes the Department of Behavioral and Developmental Services by financial order to transfer up to 8 vacant positions and existing funding from General Fund appropriations to establish 8 Mental Health and Mental Retardation Caseworker positions.
	J-4	Provides \$800,000 in fiscal year 2003-04 to partially restore funding for children's mental health services.

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<u>PART</u>	<u>SECTION</u>	<u>DESCRIPTION</u>
K	K-1	Amends provisions of the law relating to the accreditation of state correctional institutions.
	K-2	Creates the Commission to Improve the Sentencing, Supervision, Management and Incarceration of Prisoners.
	K-3	Appropriates funds to support the Commission to Improve the Sentencing, Supervision, Management and Incarceration of Prisoners.
L	L-1:L-3	Repeals the provisions of law that renamed the Department of Economic and Community Development.
M	M-1	Amends a provision of law to allow for the implementation of merit increases in fiscal year 2004-05.
	M-2	Repeals that portion of Public Law 2003, chapter 20 that provided for statewide deappropriations of \$24,330,049 in fiscal year 2003-04 and \$23,933,097 in fiscal year 2004-05 to offset a downward revenue reprojected.
N	N-1	Establishes the Blaine House Renovations and Repairs Fund in the Executive Department.
	N-2	Lapses \$4,094 of unencumbered balance forward to the General Fund in fiscal year 2003-04 in the Planning Office - Smart Growth Initiative General Fund account in the Executive Department.
	N-3	Lapses \$47,441 of unencumbered balance forward to the General Fund in fiscal year 2003-04 in the Land for Maine's Future General Fund account in the Executive Department.
O	O-1:O-3	Amends the law to expand the Occupational Safety Loan Program to allow interest rate subsidies to businesses receiving loans for workplace safety improvements.
	O-4	Transfers \$401,209 from the Occupational Safety Loan Program in the Finance Authority of Maine to the unappropriated surplus of the General Fund in fiscal year 2003-04.
P	P-1	Authorizes the Department of Human Services to create a preferred drug list for the Low-cost Drugs for Maine's Elderly program.
	P-2	Repeals a mail order prescription drug provision that was contained in PL 2003, c. 20.

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<u>PART</u>	<u>SECTION</u>	<u>DESCRIPTION</u>
	P-3;P-6	Establishes the Youth in Need of Services Program within the Department of Human Services and requires that all funding be distributed equally among the Bangor, Lewiston and Portland programs.
	P-4	Amends PL 2003, c. 51, Part H to specify that the intergovernmental transfer from the City of Portland must be at least \$2,492,618 in fiscal year 2003-04 and \$2,544,709 in fiscal year 2004-05.
	P-5	Requires that municipally-funded hospitals in Dover-Foxcroft and Caribou transfer a combined total of \$2,590,000 in fiscal year 2003-04 and \$2,630,000 in fiscal year 2004-05 to the State as undedicated General Fund revenue through an intergovernmental transfer.
	P-7	Requires the Department of Human Services to deposit \$1,134,035 of reimbursements under Title XXI of the United States Social Security Act in the General Fund in fiscal year 2002-03.
	P-8	Requires emergency rule making to adopt MaineCare hospital payment standards.
	P-9	Lapses \$100,000 of encumbered balance forward in the Bureau of Medical Services, General Fund account in the Department of Human Services to the General Fund in fiscal year 2002-03.
	P-10	Disencumbers and lapses \$500,000 of encumbered balances carried forward in the Department of Human Services accounts to the General Fund in fiscal year 2002-03.
	P-11	Requires the Department of Human Services to seek reimbursement of expenditures under Medicaid Title XIX for targeted case management and deposit \$579,638 annually as undedicated General Fund revenue.
Q	Q-1	Transfers \$100,000 annually from the Safety Education and Training Fund, Other Special Revenue Funds account in the Department of Labor to the unappropriated surplus of the General Fund in fiscal years 2003-04 and 2004-05.
	Q-2	Transfers \$100,000 annually from the Blind and Visually Impaired, Other Special Revenue Funds account in the Department of Labor to the unappropriated surplus of the General Fund in fiscal years 2003-04 and 2004-05.
R	R-1	Amends the law to allow for the implementation of merit increases in fiscal year 2004-05 for the legislative branch.
	R-2	Lapses \$13,032 from the Commission on Interstate Cooperation account in the Legislature to the General Fund in fiscal year 2003-04.

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<u>PART</u>	<u>SECTION</u>	<u>DESCRIPTION</u>
	R-3	Lapses \$8,833 from the Commission on Uniform State Laws account in the Legislature to the General Fund in fiscal year 2003-04.
	R-4	Lapses \$215,000 from the Legislative General Fund account to the General Fund in fiscal year 2003-04.
	R-5	Lapses \$17,223 from the Office of Program Evaluation and Government Accountability account to the General Fund in fiscal year 2003-04.
S	S-1	Amends the law relating to the type of organizations the Department of Public Safety, State Bureau of Identification may charge fees for criminal history record checks.
	S-2	Authorizes the Commissioner of Public Safety to increase the number of speed enforcement details using aircraft.
T	T-1:T-16	Amends the law to provide for the transition of functions previously performed by the Bureau of Liquor Enforcement in the Department of Public Safety.
U	U-1	Establishes the Help America Vote Act of 2002 Other Special Revenue Funds account in the Department of the Secretary of State as a nonlapsing account and dedicates all interest earned on fund balances to the fund.
	U-2	Authorizes the State Controller to transfer \$100,000 of unencumbered balance forward in fiscal year 2003-04 in the Bureau of Corporations, Elections and Commissions, General Fund account in the Department of the Secretary of State, to the Help America Vote Act of 2002, Other Special Revenue Funds account.
	U-3	Establishes the Help America Vote Act of 2002 Federal Expenditures Fund account in the Department of the Secretary of State and allows all interest earned on funds in the account to accrue to the account.
V	V-1	Amends the law to extend the temporary terms of the Acting Commissioner of the Department of Behavioral and Developmental Services, the Acting Commissioner of the Department of Human Services and the Acting Commissioner of the Department of Economic and Community Development.
W	W-1:	Requires the Department of Human Services to continue to fund the 5 Healthy Community Coalitions funded under the Bureau of Health sustainability grant program through fiscal year 2003-04.

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<u>PART</u>	<u>SECTION</u>	<u>DESCRIPTION</u>
X	X-1:X-6;X-9: X-13	Changes the name of the Maine Rainy Day Fund to the Maine Budget Stabilization Fund and increases the amount of the limit from 6% of General Fund revenue of the immediately preceding fiscal year to 10%.
	X-7:X-8	Places restrictions on the amount of General Fund appropriations that may be requested by state department and agencies and on the amount of the total General Fund budget to be submitted by the Governor. The Governor may exceed the limit if exceptional circumstances exist.
	X-14	Requires the Joint Standing Committee on Appropriations and Financial Affairs to review the need for and funding of special purpose funds, including, but not limited to, a capital improvement fund.
Y	Y-1	Amends Department of Human Services Fund for a Healthy Maine allocations and University of Maine System Other Special Revenue Funds allocations in Public Law 2003, chapter 20, Part A.
Z	Z-1	Authorizes the Chancellor of the University of Maine System and any insurance company or 3rd-party administrator insuring or administering the university employee health insurance program to negotiate agreements with hospitals to reduce expenses incurred by the university's plan.
AA	AA-1	Provides a sales tax exemption for nonprofit organizations that provide food and lodging for family members of patients in hospitals. (see LD 154 and LD 583 as amended by Committee Amendment "A")
BB	BB-1	Transfers \$180,000 from the IV-D Cooperative Agreement, Other Special Revenue Funds account in the Judicial Department to the General Fund in fiscal year 2003-04.
CC	CC-1	Authorizes the Bureau of Resource Management, General Fund account in the Department of Marine Resources to carry forward \$90,000 in All Other funds to fiscal year 2003-04 to be used for the purposes originally intended.
	CC-2	Authorizes the Bureau of Marine Patrol, General Fund account in the Department of Marine Resources to carry forward \$58,000 in Capital Expenditures to fiscal year 2003-04 to be used for the purposes originally intended.
	CC-3	Authorizes the Division of Community Resource Development, General Fund account in the Department of Marine Resources to carry forward \$8,000 in All Other funds to fiscal year 2003-04 to be used for the purposes originally intended.

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<u>PART</u>	<u>SECTION</u>	<u>DESCRIPTION</u>
	CC-4	Authorizes the Division of Administrative Services, General Fund account in the Department of Marine Resources to carry forward \$80,000 in All Other funds and \$59,908 in Capital Expenditures funds to fiscal year 2003-04 to be used for the purposes originally intended.
DD	DD-1	Limits investments in repurchase agreements to maturities of 12 months or less. It removes the 36 month maturity limit for the collateral repurchase agreements. It also limits state investment in "no load" funds to those investment companies that comply with Rule 2a-7 guidelines.
EE	EE-1	Authorizes the Governor to accept public assistance grant funds from the Federal Government for the Federal Emergency Management Agency's disaster declaration concerning 10 Maine counties and related to extreme winter conditions.
FF	FF-1	Transfers \$12,500 annually in fiscal years 2003-04 and 2004-05 from the Hazardous Waste Fund Other Special Revenue Funds account in the Department of Environmental Protection to the General Fund.
	FF-2	Transfers \$17,995 annually in fiscal years 2003-04 and 2004-05 from the Groundwater Oil Clean-up Fund Other Special Revenue Funds account in the Department of Environmental Protection to the General Fund.
	FF-3	Transfers \$59,877 in fiscal year 2003-04 and \$58,049 in fiscal year 2004-05 from the Maine Environmental Protection Fund Other Special Revenue Funds account in the Department of Environmental Protection to the General Fund.
	FF-4	Transfers \$2,500 annually in fiscal years 2003-04 and 2004-05 from the State Revolving Fund Other Special Revenue Funds account in the Department of Environmental Protection to the General Fund.
GG	GG-1:GG-3	Amends certain retirement provisions concerning the liquor inspector or chief inspector positions laid off pursuant to public law.
HH	HH-1:HH-2	Expands the 6-year statute of limitations on assessments under the tax laws to remove the requirement that the liability be attributable to information not reported by the taxpayer and to change the standard for determining the 50% threshold.
II	II-1:II-2	Delays conformity with the federal tax code with regard to the deduction of interest paid on certain student loans after 60 months after the start of the loan repayment period.
JJ	JJ-1:JJ-6	Delays the first year of availability of the credits under the income tax and the insurance premium tax for contributions to qualified scholarship organizations and for certain employer payments of student loans of

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		employees.
KK	KK-1	Repeals a delay in federal tax conformity for the deduction of interest earned and distributed from section 529 qualified tuition programs other than the section 529 program authorized by Maine law.
LL	LL-1	Adjusts appropriations and allocations related to the Maine Space Grant Consortium.
MM	MM-1	Transfers \$300,000 from the Fund for a Healthy Maine to the General Fund in fiscal year 2003-04.
NN	NN-1	Raises the tax-exempt borrowing authority of the University of Maine System from \$150,000,000 to \$170,000,000.
OO	OO-1	Increases the State's contribution for retired teachers' health insurance from 35% to 40% effective August 1, 2003.
PP	PP-1	Transfers \$50,000 each year in fiscal years 2003-04 and 2004-05 from the Job Retention Program Other Special Revenue Funds account to the Administration - Economic and Community Development Other Special Revenue Funds account to provide funds to the Millinocket Area Growth and Investment Council for economic development in the Katahdin region.
QQ	QQ-1	Requires the Department of Human Services to receive authorization from the Legislature before reducing TANF and Parents as Scholars benefit levels during the 2004-2005 biennium.
RR	RR-1	Clarifies that \$450,000 of funds allocated from the Fund for a Healthy Maine to the FHM - Medical Care account must be used by the Department of Human Services to purchase vaccines for adults and other purposes as defined in PL 1999, c. 731, Pt. UU.
SS	SS-1	Establishes an assessment to be levied on those towns and plantations within the Land Use Regulation Commission's jurisdiction that elect not to administer land use controls. The assessment is equal to 0.01% of the most recent equalized state valuation for each town and plantation.
	SS-2	Appropriates funds for one Environmental Specialist II position for the Land Use Regulation Commission.
TT	TT-1:TT-2	Establishes the Epinephrine Training Fund as an Other Special Revenue funds account within the Department of Public Safety that may accept private and public contributions and provides a base allocation to authorize expenditures of these private and public contributions.

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<u>PART</u>	<u>SECTION</u>	<u>DESCRIPTION</u>
UU	UU-1	Establishes the Maine Economic Improvement Fund as a separate program with the University of Maine System and transfers funds from the Educational and General Activities - UMS program.
VV	VV-1	Requires the Department of Human Services to implement rulemaking to cap the monthly hours of housekeeping assistance for Level 1 consumers in its Home Based Care program with the savings to be used to serve individuals on the Home Based Care waiting list.
WW	WW-1	Amends the provisions of PL 2003, c. 20 that related to the suspension of merit increases funded by the General Fund and Other Special Revenue Funds to account for adjustments to appropriations and allocations made in this bill.
XX	XX-1:XX-4	Clarifies that any savings measures implemented by the Department of Human Services in fiscal year 2003-04 that change retail pharmacy dispensing fees or pharmaceutical reimbursement are temporary in nature and remain in effect only until a permanent savings measure or measures can be implemented.
YY	YY-1:YY-3	Authorizes the Maine Government Facilities Authority to issue securities in an amount of \$1,750,000 for architectural and engineering studies for courthouse facilities and for replacements of or improvements to technology-related projects at the Judicial Branch Violations Bureau and also adjusts appropriations within the Judicial Department to provide for the debt service costs.
ZZ	ZZ-1:ZZ-2	Partially restores funding of MaineCare adult transportation services through transfers from department wide savings within the Department of Human Services.
AAA	AAA-1	Restores \$5,575,000 of General Fund reductions from children's mental health services in fiscal year 2003-04 to bring service funding back up to the fiscal year 2002-03 level.
BBB	BBB-1	Provides \$1,000,000 to the University of Maine System to reduce in-state tuition in fiscal year 2003-04.
CCC	CCC-1:CCC-2	Provides funds to postpone for one year the increase in MaineCare premiums established in PL 2003, c. 20 for children in families with income levels between 151% and 200% of the federal poverty level.
DDD	DDD-1	Provides funds for merit increases in fiscal year 2004-05 for the Maine Community College System.

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<u>PART</u>	<u>SECTION</u>	<u>DESCRIPTION</u>
EEE	EEE-1	Restores the headcount for 6 Assistant District Attorney positions eliminated in PL 2003, c. 20 and adjusts funding within the Department of the Attorney General.
FFF	FFF-1	Makes adjustments to fiscal year 2002-03 allocations from the Fund for a Healthy Maine for collective bargaining costs.
GGG	GGG-1	Adjusts allocations of Other Special Revenue funds within the Department of Secretary of State.
HHH	HHH-1	Repeals the authorization to increase Inland Fisheries and Wildlife Fees by an inflation adjustment that was enacted in PL 2003, c. 20.
	HHH-2	Increases the supersport fee from \$15 to \$20.
	HHH-3	Makes adjustments to appropriations and allocations to the Department of Inland Fisheries and Wildlife.
III	III-1:III-4	Makes adjustments to appropriations and allocations for the Department of Economic Development and for the Department of the Secretary of State.
JJJ	JJJ-1:	Repeals a provision that would have set aside the fiscal year 2002-03 savings from an increase in the federal medical assistance percentage in the Maine Rainy Day Fund.
	JJJ-2	Establishes the Federal Relief Funds Reserve, a General Fund reserve account to set aside savings resulting from recent federal fiscal relief.
	JJJ-3:JJJ-4	Requires the State Controller to shift eligible General Fund expenditures to the flexible federal fiscal relief grants to create savings in the General Fund.
	JJJ-5	Transfers \$26,687,473 from the General Fund to the Federal Relief Funds Reserve in fiscal year 2003-04.
	JJJ-6	Requires the State Controller in consultation with the Revenue Forecasting Committee to calculate the amount of additional General Fund revenue from MaineCare reimbursement that is generated by the increase in the federal medical assistance percentage contained in the Jobs and Growth Tax Relief Reconciliation Act of 2003. The calculated amount must be deposited in the Federal Relief Funds Reserve established in section 2. The State Controller shall provide to the Revenue Forecasting Committee with a report of the amount of revenue to be deposited in the Federal Relief Funds Reserve no later than December 1, 2003.

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<u>PART</u>	<u>SECTION</u>	<u>DESCRIPTION</u>
	JJJ-7	Adjusts appropriations and allocations to reflect the impact on Medicaid program expenditures as a result of the increase in the federal medical assistance percentage contained in the Jobs and Growth Tax Relief Reconciliation Act of 2003.
KKK	KKK-1	Eliminates language allowing the Office of Program Evaluation and Government Accountability (OPEGA) to examine expenditures by public officials and private money for agency purposes.
	KKK-2	Requires a majority vote of the committee to issue a subpoena.
	KKK-3	Requires the Commissioner of the Department of Administrative and Financial Services to provide office space to OPEGA at no charge.
	KKK-4	Repeals a provision requiring state agency information to be available to the office and establishes a new section clarifying that information available to the office is governed by 1 MRSA, chapter 13 and 3 MRSA, chapter 21.
	KKK-5	Requires the Oversight Committee to review and identify the confidential information needed by OPEGA and submit these findings and recommendations to the 2nd Regular Session of the 121st Legislature.
	KKK-6	Provides General Fund appropriations of \$300,000 annually in fiscal years 2003-04 and 2004-05 for the OPEGA.
LLL	LLL-1	Requires that any fiscal year 2002-03 savings that is generated by the Department of Behavioral and Developmental Services as a result of the change in the federal medical assistance percentage be applied to support a portion of the projected MaineCare shortfall in the Department of Human Services. This amount is estimated to be \$2,939,580.
	LLL-2	Requires that any fiscal year 2002-03 savings that is generated in the Nursing Facilities program within the Department of Human Services as a result of the change in the federal medical assistance percentage be applied to support a portion of the projected MaineCare shortfall in the Department of Human Services. This amount is estimated to be \$1,879,212.
	LLL-3:LLL-4	Adjusts appropriations and allocations to reflect fiscal year 2002-03 savings in various departments and agencies and also authorizes the State Budget Officer to transfer the departmentwide savings by financial order to the appropriate accounts.
MMM	MMM-1: MMM-2	Provides a General Fund appropriation of \$850,000 in fiscal year 2003-04 for the Maine Microenterprise Initiative Fund and required a microenterprise initiative fund program review.

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<u>PART</u>	<u>SECTION</u>	<u>DESCRIPTION</u>
NNN	NNN-1: NNN-8	Authorizes the establishment of the Pine Tree Development Zone program which allows qualified businesses in the manufacturing, target technology and financial services sectors to receive favorable tax benefits as a result of new or expanded investment within a designated zone. (LD 1385)
Public Law 2003, chapter 451 was enacted as an emergency measure effective June 12, 2003, unless a provision indicates otherwise.		

LD 1628	Resolve, Concerning Reauthorization of a 1997 Pollution Control Bond Issue	RESOLVE 72
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<u>Sponsor(s)</u> MARTIN KOFFMAN	<u>Committee Report</u> OTP	<u>Amendments Adopted</u>
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LD 1628 proposed to reauthorize \$1,000,000 in bonds not yet issued from a \$13,000,000 bond issue for pollution control approved by the voters of the State in November 1997, pursuant to Public Law 1997, chapter 561. Two million dollars of the bond issue was for tire stockpile abatement and \$1,000,000 of this amount remains unissued.

The \$1,000,000 remaining from the 1997 bond issue was not previously issued because approximately \$1,700,000 in previously available dedicated funds and additional money from already issued bonds were expended first and were sufficient to meet obligations to date.

Under the Constitution of Maine, bonds may be issued any time within the first 5 years of the date of ratification by the voters. When the 5-year period has expired, the bonds may not be issued unless the Legislature acts on the matter. By majority vote, the Legislature may extend the 5-year time frame by an additional 5 years if the body takes action within 2 years of the original expiration date. If the Legislature fails to take action within those 2 years, the bond issue is considered deauthorized.

Senate Amendment “A” (S-252) proposed to incorporate a fiscal note.

Enacted law summary:

Resolve 2003, chapter 72 reauthorizes \$1,000,000 in bonds not yet issued from a \$13,000,000 bond issue for pollution control approved by the voters of the State in November 1997, pursuant to Public Law 1997, chapter 561.

\$2,000,000 of the bond issue was for tire stockpile abatement and \$1,000,000 of this amount remains unissued. The \$1,000,000 remaining from the 1997 bond issue was not previously issued because approximately \$1,700,000 in previously available dedicated funds and additional money from already issued bonds were expended first and were sufficient to meet obligations to date.