

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from electronic originals  
(may include minor formatting differences from printed original)

*State Of Maine  
121st Legislature*

*Second Regular Session and  
Second Special Session*

*Bill Summaries*

*Joint Standing Committee  
on  
Appropriations and Financial Affairs*

*May 2004*

**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*

**Staff:**

*James K. Dionne, Principal Analyst*

*Office of Fiscal and Program Review  
5 State House Station  
Augusta, ME 04333-0005  
(207) 287-1635*



## *Maine State Legislature*

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

#### *121st Maine Legislature Second Regular Session and Second Special 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/billsumm.htm](http://www.state.me.us/legis/opla/billsumm.htm)).

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
ONT P.....	Ought Not To Pass report accepted
OTP-ND .....	Committee report Ought To Pass In New Draft
P&S XXX.....	Chapter # of enacted Private & Special Law
PASSED.....	Joint Order passed in both bodies
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

Please note that the effective date for all non-emergency legislation enacted in the Second Regular Session (unless otherwise specified in a particular law) is April 30, 2004; and non-emergency legislation enacted in the Second Special Session is July 30, 2004. Four bills (LD's 1572, 1629, 1636 and 1637) that were considered at the First Special Session in August 2003 are also included in these summaries.

*David C. Elliott, Director*

**Offices located in Room 215 of the Cross Office Building**

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

**LD 1828**

**An Act To Make Supplemental Appropriations and Allocations  
for the Expenditures of State Government and To Change  
Certain Provisions of the Law Necessary for the Proper  
Operations of State Government for the Fiscal Years Ending  
June 30, 2004 and June 30, 2005**

**PL 513**

<u>Sponsor(s)</u>	<u>Committee Report</u>	<u>Amendments Adopted</u>
BRANNIGAN CATHCART	OTP-AM MAJ OTP-AM MIN	H-642 H-658 BRANNIGAN H-661 BRANNIGAN S-371 CATHCART

LD 1828 proposed the following:

Part A proposed to make appropriations and allocations of funds.

Part B proposed to transfer \$28,952,956 in fiscal year 2003-04 from the Federal Fiscal Relief Funds Reserve account to the unappropriated surplus of the General Fund no later than June 30, 2004.

Part C proposed to:

1. Lapse \$290,064 in the Pollution Control Structures - Carrying Account to the General Fund no later than June 30, 2004.
2. Transfer \$103,566 from the Maine Milk Pool, Other Special Revenue Funds account to the unappropriated surplus of the General Fund no later than June 30, 2004.

Part D proposed to lapse \$207,187 in the Division of Forest Fire Control, General Fund account to the unappropriated surplus of the General Fund no later than June 30, 2004.

Part E proposed to:

1. Amend the law as it relates to the limitation on the reimbursement rate to providers of medical services outside of a county jail.
2. Extend the existing limitation on the medical service costs available to the county jails to the Department of Corrections effective on July 1, 2004.
3. Require that the Department of Corrections' formulary also be consistent with the MaineCare program and authorize the department to create and implement a preferred drug list.

Part F proposed to lapse \$1,365,855 in the General Purpose Aid for Local Schools, General Fund account to the unappropriated surplus of the General Fund in fiscal year 2003-04.

Part G proposed to:

1. Amend the program providing low-cost drugs for the elderly and disabled by removing the copayment amount of 20% plus \$2 of the total cost of the covered prescription as set in statute. It also

## **JOINT STANDING COMMITTEE ON APPROPRIATIONS AND FINANCIAL AFFAIRS**

proposed to provide the Commissioner of Human Services the authority through departmental rulemaking to set a copayment amount as necessary to conform to the program budget.

2. Amend the law authorizing MaineCare to impose copayments on MaineCare members for certain services provided under the program. It proposed to authorize a copayment for transportation, other than by ambulance, if permitted by the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid. The copayment would not be imposed when the member received transportation from an associate or relative and the associate or relative received a mileage reimbursement pursuant to the Friends and Family Program.

3. Amend the law that required the Department of Human Services to seek authorization from the Legislature in order to implement changes regarding the elimination of services being provided to MaineCare members as of August 1, 1996. It proposed to exempt from this requirement any changes regarding the elimination of elective medical procedures, which are surgeries that can be scheduled in advance, are not emergencies and if delayed would not result in death or permanent impairment of health.

Part H proposed to cap reimbursements to municipalities at 50% for the general assistance program.

Part I proposed to:

1. Amend the current sales tax law by removing the 10% tax on rental or lease of automobiles for less than a year. The sales tax would continue at the existing rate of 5% for rental or lease of automobiles for one year or more.

2. Create a new gross receipts tax on private nonmedical institutions as contemplated by Public Law 2003, chapter 20, Part ZZ to be administered by the State Tax Assessor.

3. Define the 2 entities subject to the new tax: persons that rent or lease automobiles to others for periods of less than a year, and persons who provide private, nonmedical institution services for periods of less than one year.

4. Define "private nonmedical institution" as a person that is licensed by the Department of Human Services or the Department of Behavioral and Developmental Services and provides food, shelter and treatment services to 4 or more residents in single or multiple facilities under a written agreement with the Department of Human Services or the Department of Behavioral and Developmental Services. "Private nonmedical institution" would not include a health insuring organization, hospital, nursing home or a community health care center.

5. Establish the gross receipts tax rate at 10%.

6. Establish July 1, 2004 as the effective date for the gross receipts tax.

Part J proposed to:

1. Authorize the State Controller to accept fiscal year 2002-03 balances returned by providers as General Fund unappropriated surplus in fiscal year 2003-04.

## **JOINT STANDING COMMITTEE ON APPROPRIATIONS AND FINANCIAL AFFAIRS**

2. Authorize the State Controller to accept as General Fund unappropriated surplus balances representing the reimbursement of disproportionate share hospital payments in federal fiscal year 2001-02 from institutes for mental disease.
3. Transfer \$3,691,639 from the Child Support Collections, Other Special Revenue Funds account in the Department of Human Services to the unappropriated surplus of the General Fund no later than June 30, 2004.
4. Direct the Department of Human Services to implement a MaineCare rule change to limit the HIV waiver to 130 enrollees.

Part K proposed to:

1. Authorize the State Controller to transfer up to \$26,202,734 from the Profit and Loss Account of the General Fund to the General Fund TANF Reserve Account no later than June 30, 2004.
2. Authorize the State Controller to transfer \$6,929,748 from the General Fund TANF Reserve Account to the unappropriated surplus of the General Fund no later than June 30, 2004.
3. Authorize the State Controller to transfer \$19,272,986 from the General Fund TANF Reserve Account to the TANF Federal Block Grant Account no later than June 30, 2004.

Part L proposed to transfer \$161,137 in fiscal year 2003-04 and \$121,118 in fiscal year 2004-05 from the State Fire Marshal's Office, Other Special Revenue Funds account to the unappropriated surplus of the General Fund no later than June 30, 2004 and June 30, 2005, respectively.

Part M proposed to lapse \$11,053 in the Bureau of Public Transportation, General Fund account to the unappropriated surplus of the General Fund in fiscal year 2003-04.

**Committee Amendment "A" (H-642)** was the majority report and proposed the following:

### **PART   SECTION   DESCRIPTION**

A	A-1	To make appropriations and allocations of funds.
B	B-1	To transfer \$28,885,017 in fiscal year 2003-04 from the Federal Fiscal Relief Funds Reserve account to the unappropriated surplus of the General Fund no later than June 30, 2004.
C	C-1	To extend the Dairy Stabilization Subsidy Program.
	C-2	To lapse \$290,064 in the Pollution Control Structures - Carrying Account to the General Fund no later than June 30, 2004.
	C-3	To transfer \$103,566 from the Maine Milk Pool, Other Special Revenue Funds account to the unappropriated surplus of the General Fund no later than June 30, 2004.

## JOINT STANDING COMMITTEE ON APPROPRIATIONS AND FINANCIAL AFFAIRS

### PART   SECTION   DESCRIPTION

D	D-1	To lapse \$207,187 in the Division of Forest Protection, General Fund account in the Department of Conservation to the unappropriated surplus of the General Fund no later than June 30, 2004.
E	E-1	To establish a limitation on reimbursement rates to medical service providers for services outside a Department of Corrections facility.
F	F-1	To lapse \$1,365,855 in the General Purpose Aid for Local Schools, General Fund account to the unappropriated surplus of the General Fund in fiscal year 2003-04.
G	G-1	To authorize the Department of Human Services to adopt routine technical rules for the elderly low-cost drug program to maximize state savings from coordinating benefits with those provided under the federal Medicare Prescription Drug Improvement and Modernization Act of 2003.
H	H-1	To amend language regarding the principles of reimbursement established for intermediate care facilities for the mentally retarded. It also proposed to repeal provisions concerning rate setting requirements for fee-for-service or grant-in-aid programs that serve individuals with mental retardation.
I	I-1	To establish a .74% tax on the net operating revenue of each hospital in the state.
	I-2	To provide appropriation and allocation adjustments related to implementation of the hospital tax in fiscal year 2003-04 and restore funding for hospital rate reductions, pharmacy dispensing fees and revisions to the low-cost drugs for the elderly program that were to be reduced by rulemaking.
J	J-1	To increase the amount of intergovernmental transfer funds that must be transferred from the City of Portland to the General Fund as undedicated revenues for fiscal year 2003-04.
	J-2	To authorize the State Controller to accept fiscal year 2002-03 balances returned by health care providers as General Fund unappropriated surplus in fiscal year 2003-04.
	J-3	To authorize the State Controller to accept \$5,800,488 as General Fund unappropriated surplus balances in fiscal year 2003-04 representing the repayment of disproportionate share hospital payments in federal fiscal year 2001-02 from institutes for mental disease.
	J-4	To transfer \$3,691,639 from the Child Support Collections, Other Special Revenue Funds account in the Department of Human Services to the unappropriated surplus of the General Fund no later than June 30, 2004.
K	K-1	To authorize the State Controller to transfer up to \$26,202,734 from the Profit and Loss Account of the General Fund to the General Fund TANF Reserve Account no later than June 30, 2004.

# JOINT STANDING COMMITTEE ON APPROPRIATIONS AND FINANCIAL AFFAIRS

## PART   SECTION   DESCRIPTION

	K-2	To authorize the State Controller to transfer \$6,929,748 from the General Fund TANF Reserve Account to the unappropriated surplus of the General Fund no later than June 30, 2004.
	K-3	To authorize the State Controller to transfer \$19,272,986 from the General Fund TANF Reserve Account to the TANF Federal Block Grant Account no later than June 30, 2004.
	K-4	To authorize the State Controller to transfer \$7,203,139 from the General Fund TANF Account to the General Fund TANF Reserve Account no later than June 30, 2004.
L	L-1	To transfer \$161,137 in fiscal year 2003-04 and \$121,118 in fiscal year 2004-05 from the State Fire Marshal's Office, Other Special Revenue Funds account to the unappropriated surplus of the General Fund no later than June 30, 2004 and June 30, 2005, respectively.
M	M-1	To lapse \$11,053 in the Bureau of Public Transportation, General Fund account to the unappropriated surplus of the General Fund in fiscal year 2003-04.
N	N-1	To direct the State Budget Officer to identify the General Fund savings related to the Department of Human Services/Department of Behavioral and Developmental Services merger and transfer those amounts by Financial Order.
	N-2	To authorize available balances of appropriations in MaineCare General Fund accounts in fiscal years 2003-04 and 2004-05 be transferred between accounts by financial order upon the recommendation of the State Budget Officer and approval of the Governor.
O	O-1	To increase the filing fee for a special marine resources license from \$50 to \$100 and the annual fee for a special license from \$25 to \$50. (See LD 1701)
	O-2	To eliminate the waiver of a particular application filing fee. (See LD 1701)
	O-3	To change the way in which certain license holders are charged for having additional names listed on the license. (See LD 1701)
	O-4	To authorize the Commissioner of Marine Resources to waive certain annual licensing fees. (See LD 1701)
	O-5	To establish a penalty provision creating a civil violation. (See LD 1701)
P	P-1	To authorize the State Controller to transfer up to \$10,000,000 from the Retiree Health Insurance Fund to the unappropriated surplus of the General Fund no later than June 30, 2004. It also proposed to require the State Controller transfer \$10,000,000 plus interest from the General Fund to the Retiree Health Insurance Fund on or after July 1, 2005 as repayment.



## JOINT STANDING COMMITTEE ON APPROPRIATIONS AND FINANCIAL AFFAIRS

### PART   SECTION   DESCRIPTION

Q	Q-1	To authorize a prioritized series of transfers from the unappropriated surplus of the General Fund at the end of fiscal year 2003-04 to various programs within state government.
R	R-1	To amend the transfer of funds from the Occupational Safety Loan program account in the Finance Authority of Maine, authorized in PL 2003, c. 451, Pt. O, section 4, by increasing the transfer from \$401,209 to \$559,079, an increase of \$157,870 by June 30, 2004.
	R-2	To authorize the transfer of funds from the Occupational Safety Loan Fund, Other Special Revenue Funds account in the Department of Labor to the General Fund unappropriated surplus no later than June 30, 2004.
S	S-1	To deappropriate funds from the Department of Labor, Rehabilitation Services Program.
T	T-1	To appropriate and allocate funds to the Department of Human Services and the Department of Behavioral and Developmental Services to support the cost of not adopting certain rules to limit MaineCare expenditures during fiscal year 2003-04; including changes affecting private nonmedical institutions, primary care case management fees for Rural Health Clinics (RHC) and Federally Qualified Health Centers (FQHC) hourly rates in the private duty nursing program, reimbursement reductions in the Mental Retardation Waiver program and other reimbursement reductions to certain MaineCare providers not affected by other rulemaking initiatives.
U	U-1	To lapse \$100,000 of the unencumbered balance forward in the Personal Services line category in the Legislative General Fund account to the unappropriated surplus of the General Fund in fiscal year 2003-04.
V	V-1	To appropriate and allocate funds for the Department of Human Services to make payments of outstanding settlements owed to hospitals under the MaineCare program in the current state fiscal year, 2003-04.
W	W-1	To authorize the State Controller to transfer \$1,000,000 from the Department of Conservation, Shore and Harbor Management Fund account to the unappropriated surplus of the General Fund by June 30, 2004.
X	X-1	To authorize the Department of Human Services to adopt routine technical rules to implement incentive payments within existing resources to pharmacies.
Y	Y-1	To authorize the Treasurer of State to transfer funds from the Unclaimed Property Fund to General Fund undedicated revenue. It also proposed to authorize the Treasurer of State to sell MetLife stock and shares of mutual funds that were not planned for sale during this biennium.

# JOINT STANDING COMMITTEE ON APPROPRIATIONS AND FINANCIAL AFFAIRS

## PART   SECTION   DESCRIPTION

AA	AA-1	To establish a mechanism to account for departmental indirect cost allocation plan amounts as an approved use of revenue from the Fund for a Healthy Maine.
	AA-2	To authorize certain revenue transfers from departmental program accounts back to the Fund for a Healthy Maine in fiscal year 2002-03 to reflect the actual transfers that occurred. It also proposed to provide for the recognition of fiscal year 2001-02 expenditures that exceeded legislative authority.
	AA-3	To recognize \$219,187 as an unallocated balance in the Fund for a Healthy Maine.
	AA-4	To provide an allocation from the Fund for a Healthy Maine in fiscal year 2003-04 to support a portion of the cost of not adopting rules to create 2 benefit levels in the low-cost drugs for the elderly program and not increasing the catastrophic cap to \$1,200 per benefit year.
BB	BB-1	To deappropriate Personal Services savings from Maine Revenue Services and the Salary Plan program in fiscal year 2003-04.
CC	CC-1	To deappropriate and deallocate funds from the Medical Care – Payments to Providers account in fiscal year 2003-04.

**House Amendment “I” to Committee Amendment “A” (H-658)** proposed to amend Committee Amendment “A” by striking out all of the emergency preamble and the emergency clause.

**House Amendment “L” to Committee Amendment “A” (H-661)** proposed the following:

1. To amend language regarding the deappropriation and deallocation of funds from the Department of Human Services, Medical Care - Payments to Providers, General Fund account to clarify that the savings were from the requirement of prior authorization for certain elective surgeries;
2. To amend the definition of "initial discounted price" in the Maine Rx Plus Program to mean the amount, as set by the Department of Human Services through rulemaking, that participating pharmacies may charge qualified residents participating in the Maine Rx Plus program for a drug. It also proposed to require the Department of Human Services to do emergency rulemaking to establish the amount;
3. To strike Part H, which amends language regarding the principles of reimbursement established for intermediate care facilities for the mentally retarded. It also proposed to eliminate provisions concerning rate-setting requirements for fee-for-service or grant-in-aid programs that serve individuals with mental retardation;
4. To strike Part Z, which requires that, beginning July 1, 2004, MaineCare reimbursement and access to services are subject to the rules, policies, principles and guidelines that were in effect on January 15, 2004 and requires that changes on or after July 1, 2004 be done in accordance with the major substantive rule-making procedures;
5. To allocate \$75,000 to the Highway Fund and deappropriate \$75,000 from the Office of Program Evaluation and Government Accountability; and

## JOINT STANDING COMMITTEE ON APPROPRIATIONS AND FINANCIAL AFFAIRS

6. To give the Commissioner of Human Services the authority to withhold the Medicaid payments of a hospital that is delinquent in making the tax payments required by the Maine Revised Statutes, Title 36, chapter 377.

**Senate Amendment “F” to Committee Amendment “A” (S-371)** proposed to remove language concerning the increase of revenue estimates for the sale of spirits and make deappropriations to reflect the majority vote of the Joint Standing Committee on Appropriations and Financial Affairs.

Public Law 2003, chapter 513 does the following:

### ***Enacted Law:***

<b><u>PART</u></b>	<b><u>SECTION</u></b>	<b><u>DESCRIPTION</u></b>
A	A-1	Makes appropriations and allocations of funds.
B	B-1	Transfers \$28,885,017 in fiscal year 2003-04 from the Federal Fiscal Relief Funds Reserve account to the unappropriated surplus of the General Fund no later than June 30, 2004.
C	C-1	Extends the Dairy Stabilization Subsidy Program.
	C-2	Lapses \$290,064 in the Pollution Control Structures - Carrying Account to the General Fund no later than June 30, 2004.
	C-3	Transfers \$103,566 from the Maine Milk Pool, Other Special Revenue Funds account to the unappropriated surplus of the General Fund no later than June 30, 2004.
D	D-1	Lapses \$207,187 in the Division of Forest Protection, General Fund account in the Department of Conservation to the unappropriated surplus of the General Fund no later than June 30, 2004.
E	E-1	Establishes a limitation on reimbursement rates to medical service providers for services outside a Department of Corrections facility.
F	F-1	Lapses \$1,365,855 in the General Purpose Aid for Local Schools, General Fund account to the unappropriated surplus of the General Fund in fiscal year 2003-04.
G	G-1:G-3	Authorizes the Department of Human Services to adopt routine technical rules for the elderly low-cost drug program to maximize state savings from coordinating benefits with those provided under the federal Medicare Prescription Drug Improvement and Modernization Act of 2003.
H	H-1	Establishes a .74% tax on the net operating revenue of each hospital in the state.

## JOINT STANDING COMMITTEE ON APPROPRIATIONS AND FINANCIAL AFFAIRS

<b><u>PART</u></b>	<b><u>SECTION</u></b>	<b><u>DESCRIPTION</u></b>
	H-2	Adjusts appropriations and allocations to implement the hospital tax in fiscal year 2003-04 and restores funding for hospital rate reductions, pharmacy dispensing fees and revisions to the low-cost drugs for the elderly program that were to be reduced by rulemaking.
I	I-1	Increases by \$761,910 the amount of intergovernmental transfer funds that must be transferred from the City of Portland to the General Fund as undedicated revenue for fiscal year 2003-04.
	I-2	Authorizes the State Controller to accept fiscal year 2002-03 balances of \$569,000 returned by health care providers as General Fund unappropriated surplus in fiscal year 2003-04.
	I-3	Authorizes the State Controller to accept \$5,800,488 as General Fund unappropriated surplus balances in fiscal year 2003-04 representing the repayment of disproportionate share hospital payments in federal fiscal year 2001-02 from institutes for mental disease.
	I-4	Transfers \$3,691,639 from the Child Support Collections, Other Special Revenue Funds account in the Department of Human Services to the unappropriated surplus of the General Fund no later than June 30, 2004.
J	J-1	Authorizes the State Controller to transfer up to \$26,202,734 from the Profit and Loss Account of the General Fund to the General Fund TANF Reserve Account no later than June 30, 2004.
	J-2	Authorizes the State Controller to transfer \$6,929,748 from the General Fund TANF Reserve Account to the unappropriated surplus of the General Fund no later than June 30, 2004.
	J-3	Authorizes the State Controller to transfer \$19,272,986 from the General Fund TANF Reserve Account to the TANF Federal Block Grant Account no later than June 30, 2004.
	J-4	Authorizes the State Controller to transfer \$7,203,139 from the General Fund TANF Account to the General Fund TANF Reserve Account no later than June 30, 2004.
K	K-1	Transfers \$161,137 in fiscal year 2003-04 and \$121,118 in fiscal year 2004-05 from the State Fire Marshal's Office, Other Special Revenue Funds account to the unappropriated surplus of the General Fund no later than June 30, 2004 and June 30, 2005, respectively.
L	L-1	Lapses \$11,053 in the Bureau of Public Transportation, General Fund account to the unappropriated surplus of the General Fund in fiscal year 2003-04.
M	M-1	Directs the State Budget Officer to identify the General Fund savings related to the Department of Human Services/Department of Behavioral and Developmental Services merger and transfer those amounts by Financial Order.

## JOINT STANDING COMMITTEE ON APPROPRIATIONS AND FINANCIAL AFFAIRS

<b><u>PART</u></b>	<b><u>SECTION</u></b>	<b><u>DESCRIPTION</u></b>
	M-2	Authorizes available balances of appropriations in MaineCare General Fund accounts in fiscal years 2003-04 and 2004-05 be transferred between accounts by financial order upon the recommendation of the State Budget Officer and approval of the Governor.
	M-3	Authorizes transfers of appropriation and allocation balances in the Department of Human Services and the Department of Behavioral and Developmental Services between line categories and accounts to implement merger of the 2 departments.
N	N-1:N-4	Increases fees for a special marine resources license, the filing fee is increased from \$50 to \$100 and annual renewal fee is increased from \$25 to \$50; changes the fees for having multiple individuals on the special license; and establishes a civil violation for license violations. (See LD 1701.)
O	O-1	Authorizes the State Controller to transfer up to \$10,000,000 from the Retiree Health Insurance Fund to the unappropriated surplus of the General Fund no later than June 30, 2004. It also requires the State Controller to transfer \$10,000,000 plus interest from the General Fund to the Retiree Health Insurance Fund on or after July 1, 2005 as repayment.
P	P-1:P-3	Authorizes a prioritized series of transfers from the unappropriated surplus of the General Fund at the end of fiscal year 2003-04 to various programs within state government.
Q	Q-1	Amends the transfer of funds from the Occupational Safety Loan program account in the Finance Authority of Maine, authorized in PL 2003, c. 451, Pt. O, section 4, by increasing the transfer from \$401,209 to \$559,079, an increase of \$157,870 by June 30, 2004.
	Q-2	Authorizes the transfer of \$57,652 from the Occupational Safety Loan Fund, Other Special Revenue Funds account in the Department of Labor to the General Fund unappropriated surplus no later than June 30, 2004.
R	R-1	Deappropriates funds from the Department of Labor, Rehabilitation Services program.
S	S-1	Appropriates and allocates funds to the Department of Human Services and the Department of Behavioral and Developmental Services to support the cost of not adopting certain rules to limit MaineCare expenditures during fiscal year 2003-04; including changes affecting private nonmedical institutions, primary care case management fees for Rural Health Clinics (RHC) and Federally Qualified Health Centers (FQHC) hourly rates in the private duty nursing program, reimbursement reductions in the Mental Retardation Waiver program and other reimbursement reductions to certain MaineCare providers not affected by other rulemaking initiatives.
T	T-1	Lapses \$100,000 of the unencumbered balance forward in the Personal Services line category in the Legislative General Fund account to the unappropriated surplus of the General Fund in fiscal year 2003-04.

## JOINT STANDING COMMITTEE ON APPROPRIATIONS AND FINANCIAL AFFAIRS

<b><u>PART</u></b>	<b><u>SECTION</u></b>	<b><u>DESCRIPTION</u></b>
U	U-1	Appropriates and allocates funds for the Department of Human Services to make payments of outstanding settlements owed to hospitals under the MaineCare program in the current state fiscal year, 2003-04.
V	V-1	Authorizes the State Controller to transfer \$1,000,000 from the Department of Conservation, Shore and Harbor Management Fund account to the unappropriated surplus of the General Fund by June 30, 2004.
W	W-1	Authorizes the Department of Human Services to adopt routine technical rules to implement incentive payments within existing resources to pharmacies.
X	X-1	Authorizes the Treasurer of State to transfer \$547,000 from the Unclaimed Property Fund to General Fund undedicated revenue. It also authorizes the Treasurer of State to sell MetLife stock and shares of mutual funds that were not planned for sale during this biennium.
Y	Y-1	Establishes a mechanism to account for departmental indirect cost allocation plan amounts as an approved use of revenue from the Fund for a Healthy Maine.
	Y-2	Authorizes certain revenue transfers from departmental program accounts back to the Fund for a Healthy Maine in fiscal year 2002-03 to reflect the actual transfers that occurred. It also provides for the recognition of fiscal year 2001-02 expenditures that exceeded legislative authority.
	Y-3	Recognizes \$219,187 as an adjustment to the balance in the Fund for a Healthy Maine.
	Y-4	Provides an allocation from the Fund for a Healthy Maine in fiscal year 2003-04 to support a portion of the cost of not adopting rules to create 2 benefit levels in the low-cost drugs for the elderly program and not increasing the catastrophic cap to \$1,200 per benefit year.
Z	Z-1	Deappropriates Personal Services savings from Maine Revenue Services and the Salary Plan program in fiscal year 2003-04.
AA	AA-1	Deappropriates and deallocates funds from the Department of Human Services, Medical Care - Payments to Providers program.
BB	BB-1	Deallocates the \$75,000 of Highway Fund allocations to the Office of Program Evaluation and Government Accountability in fiscal year 2004-05.
CC	CC-1	Authorizes the Commissioner of Human Services to withhold a hospital's Medicaid payments, if that hospital is delinquent in paying the hospital tax established in Part H.
DD	DD-1	Deappropriates funds from several departments.