

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

LD 3

**An Act to Amend the Membership of the Revenue Forecasting
Committee**

ONTP

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| <u>Sponsor(s)</u> BRUNO | <u>Committee Report</u> ONTP MAJ OTP-AM MIN | <u>Amendments Adopted</u> |
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LD 3 was carried over from the First Regular Session and proposed to change the membership of the Revenue Forecasting Committee by replacing one of the Legislature's nonpartisan staff members with a public member who works for a private, for-profit business.

LD 47

Resolve, to Fund Scholarships to the Seeds of Peace Camp

RESOLVE 147

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| <u>Sponsor(s)</u> HEIDRICH BENNETT, R | <u>Committee Report</u> OTP-AM | <u>Amendments Adopted</u> H-704 S-589 BENNETT, R |
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LD 47 was carried over from the First Regular Session and proposed to provide \$25,000 for each of the next two fiscal years to support scholarships to the Seeds of Peace International Camp in Otisfield, Maine.

Committee Amendment "A" (H-704) proposed to remove the appropriation in the first year and maintain an appropriation of \$25,000 in fiscal year 2004-05 to support scholarships to the Seeds of Peace International Camp in Otisfield, Maine.

Senate Amendment "A" to Committee Amendment "A" (S-589) proposed to provide for up to \$25,000 in the State Contingent Account specified to be used for emergencies to be used to support scholarships for the Seeds of Peace International Camp in the Town of Otisfield in fiscal year 2004-05 only.

Enacted Law Summary:

Resolve 2003, chapter 147 provides for up to \$25,000 in the State Contingent Account specified to be used for emergencies to be used to support scholarships for the Seeds of Peace International Camp in the Town of Otisfield in fiscal year 2004-05 only.

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LD 164

**An Act To Authorize a General Fund Bond Issue in the Amount
of \$30,000,000 To Fund Healthy Schools Through the School
Revolving Renovation Fund**

ONTP

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| <u>Sponsor(s)</u> TREAT | <u>Committee Report</u> ONTP | <u>Amendments Adopted</u> |
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LD 164 was carried over from the First Regular Session and proposed to authorize a General Fund bond issue in the amount of \$30,000,000, to be used to increase funds in the School Revolving Renovation Fund for repairs and improvements in public school facilities to address health, safety and compliance deficiencies, general renovation needs and learning space upgrades.

This bill also proposed that 15% of funds awarded from the School Revolving Renovation Fund for renovation projects would be used for aspects of the renovation that promote energy efficiency.

LD 167

**An Act To Fund the Matching Requirement for Maine's
Successful NASA EPSCoR Award**

ONTP

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| <u>Sponsor(s)</u> FAIRCLOTH BROMLEY | <u>Committee Report</u> ONTP | <u>Amendments Adopted</u> |
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LD 167 was carried over from the First Regular Session and proposed to appropriate \$307,653 for fiscal year 2003-04 to match federal and institutional match requirements for the third and final year of a successful award to the Maine Space Grant Consortium under the National Aeronautics and Space Administration's Experimental Program to Stimulate Competitive Research, a federal and state partnership to build research capacity in 21 states and Puerto Rico and U.S. Virgin Islands that have traditionally received a lower proportion of federal research funding.

LD 1919, Public Law 2003, chapter 673, Part HHH-2 moves \$315,000 from the Maine Microenterprise Initiative Fund to the Administration - Economic and Community Development program in fiscal year 2004-05 to provide one-time funding to match the National Aeronautics and Space Administration's EPSCoR award to the Maine Space Grant Consortium.

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LD 190

**An Act to Expand Funding and Services to Students of Limited
Proficiency in English**

INDEF PP

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| <u>Sponsor(s)</u> CUMMINGS | <u>Committee Report</u> OTP-AM MAJ ONTP MIN | <u>Amendments Adopted</u> H-701 |
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LD 190 was carried over from the First Regular Session and proposed to provide funds for a 10% increase in funding for the English as a second language program in the General Purpose Aid for Local Schools program within the Department of Education for students with limited English proficiency for fiscal years 2003-04 and 2004-05.

Committee Amendment “A” (H-701) proposed to provide a 10% increase in funding from fiscal year 2003-04 for fiscal year 2004-05 for the English as a second language program in the General Purpose Aid for Local Schools program within the Department of Education for students with limited English proficiency.

LD 194

An Act to Increase the Adult Education State Subsidy

INDEF PP

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| <u>Sponsor(s)</u> CUMMINGS | <u>Committee Report</u> OTP-AM MAJ ONTP MIN | <u>Amendments Adopted</u> H-702 |
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LD 194 was carried over from the First Regular Session and proposed to increase the state adult education subsidy by 6% for each year of the 2004-2005 biennium.

Committee Amendment “A” (H-702) proposed to increase the state adult education subsidy in fiscal year 2004-05 to reflect level funding from fiscal year 2003-04.

LD 1919, Public Law 2003, chapter 673, Part CCCC-2 appropriates \$87,000 in fiscal year 2004-05 to Adult Education.

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LD 228

**An Act To Authorize a General Fund Bond Issue in the Amount
of \$20,000,000 To Provide Maine's 7 Technical Colleges with
Essential Facilities Improvements and Classroom Equipment**

ONTP

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| <u>Sponsor(s)</u> COLWELL DAGGETT | <u>Committee Report</u> ONTP | <u>Amendments Adopted</u> |
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LD 228 was carried over from the First Regular Session and proposed to authorize a General Fund bond issue in the amount of \$20,000,000, which would be used to provide essential facilities improvements and classroom equipment for the State's 7 technical colleges.

LD 279

An Act To Support the Regional Library System

P & S 53

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| <u>Sponsor(s)</u> BLANCHETTE | <u>Committee Report</u> OTP-AM | <u>Amendments Adopted</u> H-703 S-590 CATHCART |
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LD 279 was carried over from the First Regular Session and proposed to appropriate \$200,000 in each of the next two fiscal years to offset increasing costs at the area reference and resource centers for the provision of Regional Library System activities.

Committee Amendment "A" (H-703) proposed to appropriate \$200,000 in fiscal year 2004-05 to offset increasing costs at the area reference and resource centers for the provision of Regional Library System activities.

Senate Amendment "A" to Committee Amendment "A" (S-590) proposed to appropriate \$100,000 in fiscal year 2004-05 to offset increasing costs at the area reference and resource centers for the provision of Regional Library System activities.

Enacted Law Summary:

Private and Special 2003, chapter 53 appropriates \$100,000 in fiscal year 2004-05 to offset increasing costs at the area reference and resource centers for the provision of Regional Library System activities.

LD 336

An Act to Fund the Endowment Incentive Fund

ONTP

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| <u>Sponsor(s)</u> CATHCART | <u>Committee Report</u> ONTP | <u>Amendments Adopted</u> |
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LD 336 was carried over from the First Regular Session and proposed to provide funds in fiscal year 2003-04 to carry out the purposes of the Endowment Incentive Fund, which was created by Public Law

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1999, chapter 511 as a nonlapsing fund to match qualified private donations for academic purposes at the University of Maine System, the Maine Technical College System and the Maine Maritime Academy.

LD 337 **An Act to Strengthen State Investment in the University of
Maine System for Applied Research and Development** **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
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| CATHCART THOMAS | ONTP | |

LD 337 was carried over from the First Regular Session and proposed to provide additional funds for the Maine Economic Improvement Fund for applied research and development in the University of Maine System.

LD 1828, Public Law 2003, chapter 513, Part P, provides up to \$2,000,000 in fiscal year 2004-05 for the Maine Economic Improvement Fund, if the unappropriated surplus of the General Fund is sufficient at the close of fiscal year 2003-04.

LD 356 **An Act To Build a Prison in Washington County** **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
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| PELLON HATCH, PH | ONTP | |

LD 356 was carried over from the First Regular Session and proposed to authorize the Maine Governmental Facilities Authority to issue securities in an amount up to \$19,000,000 for the purpose of building a prison in Washington County.

LD 394 **An Act To Authorize a General Fund Bond Issue in the Amount
of \$2,700,000 for Maine Maritime Academy** **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
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| MCKENNEY SAWYER | ONTP | |

LD 394 was carried over from the First Regular Session and proposed to authorize a General Fund bond issue in the amount of \$2,700,000, which would be used to repair and replace health and safety items, to renovate classroom buildings, to dredge the waterfront, to replace bulk heads and to construct a new classroom and a studio for Maine Maritime Academy.

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LD 1572, Private and Special 2003, c. 33 (approved by the voters in November 2003) provides \$1,000,000 to make repairs and replace classroom and other facilities at Maine Maritime Academy.

LD 595 An Act To Appropriate Funds for a Study To Determine the Feasibility of a Medical School in Maine

**DIED IN
CONCURRENCE**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
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| MARTIN SMITH, W | OTP-AM | S-549 |

LD 595 was carried over from the First Regular Session and proposed to appropriate funds to the University of Maine System to hire Medical Care Development, Inc. to study the feasibility of a medical school in the State.

Committee Amendment “A” (S-549) proposed to change the bill into a resolve creating the Commission to Study the Recruitment, Training and Retention of Physicians for Rural and Medically Underserved Areas of Maine.

LD 634 An Act To Provide Funding for the Maine-Canada Trade Ombudsman

PUBLIC 701

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|--------------------|-------------------------|---------------------------|
| SHERMAN STANLEY | OTP-AM | H-722 H-980 BRANNIGAN |

LD 634 was carried over from the First Regular Session and proposed to provide funding in both years of the biennium for the Office of the Maine-Canada Trade Ombudsman, an office created in Public Law 2001, chapter 643. The duties of the ombudsman would be to act as the Maine representative for relations with Canada to ensure the coordination of state policy when dealing with Canada and to work with businesses and individuals to investigate and work toward resolution of complaints that arise concerning trade issues. Funding was originally provided in chapter 643, but was deappropriated in Public Law 2001, chapter 714, Part B.

Committee Amendment “A” (H-722) proposed to provide funding beginning in fiscal year 2004-05 for the Office of the Maine-Canada Trade Ombudsman and clarify the term of appointment for that position.

House Amendment “A” (H-980) proposed to correct the appropriation to reflect the fact that the position already exists. The amendment simply proposed to increase the amount of the Personal Services line category for the existing position.

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Enacted Law Summary:

Public Law 2003, chapter 701 provides funding for the Office of the Maine-Canada Trade Ombudsman, an office created in Public Law 2001, chapter 643. The duties of the ombudsman are to act as the Maine representative for relations with Canada to ensure the coordination of state policy when dealing with Canada and to work with businesses and individuals to investigate and work toward resolution of complaints that arise concerning trade issues. Funding was originally provided in chapter 643, but was deappropriated in Public Law 2001, chapter 714, Part B.

LD 677 **An Act To Authorize a General Fund Bond Issue in the Amount of \$6,000,000 To Enable LifeFlight of Maine to Fully Implement a Statewide, Dedicated Air-medical Response System** **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
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| DAGGETT MAILHOT | ONTP | |

LD 677 was carried over from the First Regular Session and proposed to authorize a General Fund bond issue in the amount of \$6,000,000, to be used by LifeFlight of Maine to develop the expansion of Maine's existing dedicated air-medical response system through constructing additional hospital helipads, building additional refueling facilities, acquiring training equipment and purchasing helicopters and to meet other costs in order to ensure greater and more rapid access to health care for severely ill or injured persons especially from rural hospitals and communities.

LD 716 **An Act To Continue Necessary State Funding of Freestanding, Nonprofit Psychiatric Hospitals for Services Provided to Indigent Patients and for Other Purposes** **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
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| MARTIN | ONTP | |

LD 716 was carried over from the First Regular Session and proposed to provide necessary funding to reimburse the State's two freestanding, nonprofit psychiatric hospitals for services provided to indigent patients when these expenses can not be reimbursed by the Medicaid or Medicaid Disproportionate Share programs. The bill also proposed to provide funds to meet shortfalls projected at Augusta Mental Health Institute and Bangor Mental Health Institute. Of the \$18,000,000 sought for fiscal year 2003-04, \$10,000,000 was projected to be needed for the two freestanding, nonprofit psychiatric hospitals and \$8,000,000 was needed for AMHI and BMHI. The figures were based on preliminary estimates of the Department of Human Services.

The bill also proposed to require the Commissioner of Human Services and the Commissioner of Behavioral and Developmental Services to continue to work with these hospitals to advocate for the elimination of the federal cap on disproportionate share funds that are available for institutes for mental

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disease, or for other federal reforms that would ensure adequate federal funding for the population served by these hospitals. Similar provisions for prior fiscal years were enacted in Public Law 2001, chapter 559, Part X, sections 9 and 10.

LD 791 An Act To Fully Fund Retirement Benefits for Game Wardens and Marine Patrol Officers ONTP

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| <u>Sponsor(s)</u> DAGGETT MILLS, P | <u>Committee Report</u> ONTP | <u>Amendments Adopted</u> |
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LD 791 was carried over from the First Regular Session and proposed to appropriate funds needed to fully fund the liability for the increased value of services rendered by game wardens and marine patrol officers between August 31, 1984 and September 1, 2002. In 2001, a special retirement plan was created for game wardens and marine patrol officers, but the liability to the retirement system created by the increased value under the plan for service rendered prior to September 1, 2002 was not funded. The dollar amount provided in the bill was an estimate based on the amount that would have been required if the full payment had been made on July 1, 2002. The amount would need to be updated with an actuarially determined amount in order to fully fund the liability so that the increased benefits would become payable to game wardens and marine patrol officers.

LD 908 An Act To Authorize a General Fund Bond Issue in the Amount of \$1,000,000 To Provide Funds to Riverfront Municipalities To Develop Riverfront Cultural Heritage Centers ONTP

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| <u>Sponsor(s)</u> GAGNON CANAVAN | <u>Committee Report</u> ONTP | <u>Amendments Adopted</u> |
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LD 908 was carried over from the First Regular Session and proposed to authorize a General Fund bond issue in the amount of \$1,000,000 to be used to provide funds to riverfront municipalities that were suffering hardships due to loss of jobs to develop riverfront cultural heritage centers.

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LD 993

**An Act To Promote Economic Growth by Retaining Engineers in
Maine**

PUBLIC 710

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| <u>Sponsor(s)</u> CATHCART | <u>Committee Report</u> OTP-AM MAJ ONTP MIN | <u>Amendments Adopted</u> S-553 |
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LD 993 was carried over from the First Regular Session and proposed to establish the Maine Engineers Recruitment and Retention Program to provide financial assistance and incentives to any graduate of a college of engineering within the University of Maine System to become an employee in an engineering position in the State. The program proposed to provide loan repayment to up to 10 eligible engineers working in Maine businesses. The employers who would apply for the loan repayment funds would have to match all funds received by their employees. The Finance Authority of Maine would administer the program with assistance in determining recipients provided by an advisory committee.

Committee Amendment “B” (S-553) proposed to provide a mechanism for repayment of student loans for persons who receive an engineering degree from the University of Maine System and who are employed full-time in an engineering position in this State.

The amendment proposed to expand the eligibility for those loan repayments to allow up to 40% of the loan repayment awards to go to persons who received a high school diploma, or its equivalent, in this State and who held a bachelor's degree from a college of engineering in a state other than this State but who returned to work in this State full-time in an engineering position.

The amendment also proposed to clarify that loan repayments would not begin until July 1, 2007 and that the matching funds paid by the employer would need to be paid to the Finance Authority of Maine for payment by the authority to the financial institution holding the employee's student loan.

Enacted Law Summary:

Public Law 2003, chapter 710 establishes the Maine Engineers Recruitment and Retention Program to provide financial assistance and incentives to any graduate of a college of engineering within the University of Maine System who is employed in an engineering position in the State. The program provides loan repayment to up to 10 eligible engineers working in Maine businesses. The employers who apply for the loan repayment funds must match all funds received by their employees. The program is administered by the Finance Authority of Maine with assistance in determining recipients from an advisory committee.

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LD 1021

**Resolve, To Renew the Veterans' Emergency Assistance
Program**

RESOLVE 145

Sponsor(s)
DOUGLASS

Committee Report
OTP

Amendments Adopted
S-600 CATHCART

LD 1021 was carried over from the First Regular Session and proposed to appropriate money from the General Fund in fiscal year 2003-04 for the administration of the veterans' emergency assistance program under the Maine Revised Statutes, Title 37-B, section 505, subsection 1-A, paragraph B.

Senate Amendment "A" (S-600) proposed to reduce the General Fund appropriation from \$250,000 to \$50,000 and to provide the funds in fiscal year 2004-05.

Enacted Law Summary:

Resolve 2003, chapter 145 appropriates \$50,000 from the General Fund in fiscal year 2004-05 for the administration of the veterans' emergency assistance.

LD 1089

**An Act To Authorize a General Fund Bond Issue in the Amount
of \$15,000,000 for Energy Conservation in State Buildings and
Facilities**

ONTP

Sponsor(s)
HALL
BLISS

Committee Report
ONTP

Amendments Adopted

LD 1089 was carried over from the First Regular Session and proposed to authorize a General Fund bond issue in the amount of \$15,000,000 to be used for energy efficiency improvements at state buildings and facilities. The bill also proposed to authorize a transfer of \$250,000 from the Conservation Program Fund to the Department of Administrative and Financial Services for completion of an audit of state energy consumption and opportunities for increased energy efficiency at state buildings and facilities.

LD 1149

**An Act To Support the Kennebec-Chaudiere International
Corridor**

P & S 49

Sponsor(s)
DAGGETT
COLWELL

Committee Report
OTP-AM

Amendments Adopted
S-391
S-591 CATHCART

LD 1149 was carried over from the First Regular Session and proposed ongoing funds in fiscal years 2003-04 and 2004-05 for publicity, signs, kiosks, brochures and other materials and services associated with promoting Franco-American heritage and the Kennebec-Chaudiere International Corridor.

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Committee Amendment “A” (S-391) proposed to provide ongoing funds for publicity, signs, kiosks, brochures and other materials and services associated with promoting Franco-American heritage and the Kennebec-Chaudiere International Corridor in fiscal year 2004-05 only.

Senate Amendment “A” to Committee Amendment “A” (S-591) proposed to provide ongoing funds for publicity, signs, kiosks, brochures and other materials and services associated with promoting the Kennebec-Chaudiere International Corridor.

Enacted Law Summary:

Private and Special 2003, chapter 49 provides on-going funds beginning in fiscal year 2004-05 for publicity, signs, kiosks, brochures and other materials and services associated with promoting the Kennebec-Chaudiere International Corridor.

LD 1249 An Act To Amend the Laws Governing the Quality Child Care Tax Credit ONTP

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| Sponsor(s) SIMPSON DOUGLASS | Committee Report ONTP | Amendments Adopted |
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LD 1249 was referred to the Joint Standing Committee on Taxation, recommitted to the Joint Standing Committee on Appropriations and Financial Affairs and carried over from the First Regular Session. The bill proposed to provide that a taxpayer that made an investment in child care services certified under the Maine Revised Statutes, Title 36, section 5219-Q during the tax year would be eligible for the tax credit provided in that section. A taxpayer would not be required to own or operate a child care site to be eligible for the tax credit.

LD 1292 An Act To Authorize a General Fund Bond Issue in the Amount of \$20,000,000 for Capital Projects and Major Maintenance at State and Municipal Parks and Historic Sites, for Acquiring Land for Coastal and Inland Waterway Access and for Capitalizing a Revolving Loan Fund for Land Trusts and Municipalities To Acquire Land and Conservation Easements for Public Access ONTP

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| Sponsor(s) DAGGETT COLWELL | Committee Report ONTP | Amendments Adopted |
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LD 1292 was carried over from the First Regular Session and proposed to provide funds in the amount of \$20,000,000 to be used to make capital improvements and conduct major maintenance at state parks and

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historic sites, to acquire land for coastal and inland waterway access and to capitalize a revolving loan fund for land trusts and municipalities to acquire land and conservation easements for public access.

LD 1536 **An Act To Authorize the State To Establish a
Multijurisdictional Lottery or Lottery Games** **ONTP**

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| Sponsor(s) GAGNON | Committee Report ONTP | Amendments Adopted |
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LD 1536 was originally referred to the Joint Standing Committee on Legal and Veterans Affairs, rereferred to the Joint Standing Committee on Appropriations and Financial Affairs and carried over from the First Regular Session. The bill proposed to authorize the Director of the Bureau of Alcoholic Beverages and Lottery Operations within the Department of Administrative and Financial Services to enter into an agreement with a multijurisdictional lottery association to operate, market and promote a joint lottery or lottery games.

LD 1919, Public Law 2003, chapter 673, Part MM authorizes the Director of the Bureau of Alcoholic Beverages and Lottery Operations within the Department of Administrative and Financial Services to enter into an agreement with a multijurisdictional lottery association to operate, market and promote a joint lottery or lottery games and provides related allocations.

LD 1569 **An Act To Authorize a General Fund Bond Issue in the Amount
of \$16,800,000 To Construct and Upgrade Water Pollution
Control Facilities, To Remediate Solid Waste Landfills, To Clean
Up Uncontrolled Hazardous Substance Sites and To Make
Drinking Water System Improvements** **ONTP**

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| Sponsor(s) TREAT COWGER | Committee Report ONTP | Amendments Adopted |
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LD 1569 was carried over from the First Regular Session and proposed to authorize a General Fund bond issue in the amount of \$16,800,000 to be used for the following purposes:

1. The sum of \$2,500,000 to construct and upgrade water pollution control facilities, providing the state match for \$12,500,000 in federal funds;
2. The sum of \$10,000,000 to provide grants to construct water pollution control facilities;
3. The sum of \$2,150,000 to clean up uncontrolled hazardous substance sites;
4. The sum of \$350,000 to remediate solid waste landfills; and

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5. The sum of \$1,800,000 to support drinking water system improvements that address public health threats, providing the state match for \$6,000,000 in federal funds.

LD 1572, Public Law 2003, chapter 33, Part B which was approved by the voters in November 2003, authorized the amount of \$6,950,000 as follows:

A. The sum of \$2,000,000 to construct and upgrade water pollution control facilities, providing the state match for \$10,000,000 in federal funds;

B. The sum of \$1,500,000 to provide grants to construct water pollution control facilities;

C. The sum of \$500,000 to clean up uncontrolled hazardous substance sites;

D. The sum of \$500,000 to provide grants to rural communities to solve local pollution problems;

E. The sum of \$500,000 to provide grants to municipalities and individuals to eliminate licensed overboard discharges to shellfish areas, great ponds and drainage areas of less than 10 square miles;

F. The sum of \$1,200,000 to support drinking water system improvements that address public health threats, providing the state match for \$4,140,000 in federal funds; and

G. The sum of \$750,000 to provide grants for the construction of environmentally sound water sources that help avoid drought damage to crops.

LD 1572

**An Act To Authorize Bond Issues for Ratification by the
Voters at the November 2003 Election**

P & S 33

| Sponsor(s) | Committee Report | Amendments Adopted |
|------------|------------------|--------------------|
| HATCH, PH | OTP-AM MAJ | S-317 |
| USHER | OTP-AM MIN | H-622 BRANNIGAN |

LD 1572 was carried over from the First Regular Session and proposed to authorize a General Fund bond issue in the amount of \$75,000,000 to be used for highways and bridges; airports; state-owned ferry vessels and ferry and port facilities; port and harbor structures; development of rail corridors and improvements to railroad structures and intermodal facilities; investment in the statewide public transportation fleet and public park and ride and service facilities; and statewide trail and pedestrian improvements.

Committee Amendment “A” (S-317) was the majority report of the committee. It proposed to replace the bill and authorize a total transportation and General Fund bond issue in the amount of \$93,800,000 for the following purposes:

1. Part A proposed to authorize the amount of \$60,800,000 to be used for highways and bridges, airports, state-owned ferry vessels and ferry and port facilities and port and harbor structures; development of rail corridors and improvements to railroad structures and intermodal facilities; investment in the statewide

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public transportation fleet and public park and ride and service facilities; statewide trail and pedestrian improvements; and statewide expansion of the air-medical response system;

2. Part B proposed to authorize the amount of \$7,500,000 as follows:

- A. The sum of \$2,500,000 to construct and upgrade water pollution control facilities, providing the state match for \$12,500,000 in federal funds;
- B. The sum of \$1,500,000 to provide grants to construct water pollution control facilities;
- C. The sum of \$800,000 to clean up uncontrolled hazardous substance sites;
- D. The sum of \$500,000 to provide grants to rural communities to solve local pollution problems;
- E. The sum of \$500,000 to provide grants to municipalities and individuals to eliminate licensed overboard discharges to shellfish areas, great ponds and drainage areas of less than 10 square miles; and
- F. The sum of \$1,700,000 to support drinking water system improvements that address public health threats, providing the state match for \$5,865,000 in federal funds; and

3. Part C proposed to authorize the amount of \$25,500,000 as follows:

- A. The sum of \$6,000,000 to address health, safety and compliance deficiencies in the University of Maine System;
- B. The sum of \$2,000,000 to improve and expand the facilities and classrooms at the University of Maine Lewiston-Auburn campus;
- C. The sum of \$12,500,000 to make repairs, upgrades and other facility improvements, enhance access to facilities for students with disabilities and update classroom equipment at all community college campuses;
- D. The sum of \$1,000,000 to make repairs and replace classroom and other facilities at the Maine Maritime Academy;
- E. The sum of \$1,500,000 to provide grants to construct and renovate public libraries and to improve community access to electronic resources;
- F. The sum of \$2,500,000 to provide grants for renovations and capital repairs and improvements of public school facilities.

House Amendment “I” to Committee Amendment “A” (H-622) proposed to replace the bill and authorize a total general obligation bond issue in the amount of \$89,400,000 for the following purposes:

Part A proposed to authorize the amount of \$63,450,000 to be used for highways and bridges, airports, state-owned ferry vessels and ferry and port facilities and port and harbor structures; development of rail corridors and improvements to railroad structures and intermodal facilities; investment in the statewide public transportation fleet and public park and ride and service facilities; statewide trail and pedestrian improvements; and statewide expansion of the air-medical response system;

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2. Part B proposed to authorize the amount of \$6,950,000 as follows:
 - A. The sum of \$2,000,000 to construct and upgrade water pollution control facilities, providing the state match for \$10,000,000 in federal funds;
 - B. The sum of \$1,500,000 to provide grants to construct water pollution control facilities;
 - C. The sum of \$500,000 to clean up uncontrolled hazardous substance sites;
 - D. The sum of \$500,000 to provide grants to rural communities to solve local pollution problems;
 - E. The sum of \$500,000 to provide grants to municipalities and individuals to eliminate licensed overboard discharges to shellfish areas, great ponds and drainage areas of less than 10 square miles;
 - F. The sum of \$1,200,000 to support drinking water system improvements that address public health threats, providing the state match for \$4,140,000 in federal funds; and
 - G. The sum of \$750,000 to provide grants for the construction of environmentally sound water sources that help avoid drought damage to crops.
3. Part C proposed to authorize the amount of \$19,000,000 as follows:
 - A. The sum of \$2,500,000 to address health, safety and compliance deficiencies in the University of Maine System;
 - B. The sum of \$2,000,000 to improve and expand the facilities and classrooms at the University of Maine Lewiston-Auburn campus;
 - C. The sum of \$12,000,000 to make repairs, upgrades and other facility improvements, enhance access to facilities for students with disabilities and update equipment at all community college campuses;
 - D. The sum of \$1,000,000 to make repairs and replace classroom and other facilities at the Maine Maritime Academy; and
 - E. The sum of \$1,500,000 to provide grants to construct and renovate public libraries and to improve community access to electronic resources.

Enacted Law Summary:

Private and Special Law 2003, chapter 33 authorizes a total transportation and General Fund bond issue in the amount of \$89,400,000 for the following purposes:

Part A authorizes the amount of \$63,450,000 to be used for highways and bridges, airports, state-owned ferry vessels and ferry and port facilities and port and harbor structures; development of rail corridors and improvements to railroad structures and intermodal facilities; investment in the statewide public transportation fleet and public park and ride and service facilities; statewide trail and pedestrian improvements; and statewide expansion of the air-medical response system through construction of hospital helipads, building additional refueling facilities, upgrading nonfunctional systems and delivering training equipment to improve access to health care;

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Part B authorized the amount of \$6,950,000 as follows:

- A. The sum of \$2,000,000 to construct and upgrade water pollution control facilities, providing the state match for \$10,000,000 in federal funds;
- B. The sum of \$1,500,000 to provide grants to construct water pollution control facilities;
- C. The sum of \$500,000 to clean up uncontrolled hazardous substance sites;
- D. The sum of \$500,000 to provide grants to rural communities to solve local pollution problems;
- E. The sum of \$500,000 to provide grants to municipalities and individuals to eliminate licensed overboard discharges to shellfish areas, great ponds and drainage areas of less than 10 square miles; and
- F. The sum of \$1,200,000 to support drinking water system improvements that address public health threats, providing the state match for \$4,140,000 in federal funds; and
- G. The sum of \$750,000 to provide grants for the construction of environmentally sound water sources that help avoid drought damage to crops.

Part C authorizes the amount of \$19,000,000 as follows:

- A. The sum of \$2,500,000 to address health, safety and compliance deficiencies in the University of Maine System;
- B. The sum of \$2,000,000 to improve and expand the facilities and classrooms at the University of Maine Lewiston-Auburn campus;
- C. The sum of \$12,000,000 to make repairs, upgrades and other facility improvements, enhance access to facilities for students with disabilities and update equipment at all community college campuses;
- D. The sum of \$1,000,000 to make repairs and replace classroom and other facilities at the Maine Maritime Academy; and
- E. The sum of \$1,500,000 to provide grants to construct and renovate public libraries and to improve community access to electronic resources.

Public and Special 2003, chapter 33 was approved by the voters in November 2003.

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

LD 1591

An Act To Authorize a General Fund Bond Issue in the Amount of \$13,300,000 To Address Health, Safety and Compliance Deficiencies in the University of Maine System; To Expedite the Creation of a Community College System; To Make Improvements to State Parks; To Make Cultural Improvements; and To Modernize the State Court System

ONTP

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| <u>Sponsor(s)</u> BRENNAN BRANNIGAN | <u>Committee Report</u> ONTP | <u>Amendments Adopted</u> |
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LD 1591 was carried over from the First Regular Session and proposed to authorize a General Fund bond issue in the amount of \$13,300,000 to be used for the following purposes:

1. The sum of \$4,000,000 to address health, safety and compliance deficiencies in the University of Maine System;
2. The sum of \$2,000,000 to expedite the creation of a community college system;
3. The sum of \$2,000,000 to make improvements to state parks;
4. The sum of \$4,000,000 to make cultural improvements; and
5. The sum of \$1,300,000 to modernize the state court system.

LD 1572, Public and Special 2003, chapter 33, which was approved by the voters in November 2003, authorizes a General Fund issue in the amount of \$2,500,000 to address health, safety and compliance deficiencies in the University of Maine System.

LD 1636

An Act To Make Additional 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, 2004 and June 30, 2005

**PUBLIC 507
EMERGENCY**

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| <u>Sponsor(s)</u> BRANNIGAN | <u>Committee Report</u> OTP | <u>Amendments Adopted</u> S-344 CATHCART S-353 MARTIN |
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LD 1636 was considered during the First Special Session of the 121st Legislature in August 2003.

Part A proposed to correct errors in the original language of the budget bills dealing with the hospital payment equity project. The original language failed to specifically segregate the deappropriations in the state employees health insurance and university employees insurance programs from appropriations made

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to the MaineCare program. The appropriations were for the purpose of funding improvements in Medicaid reimbursement for hospital services and achieving greater parity with payments to providers of public employee health services.

Part B proposed to make appropriations and allocations of funds to the Department of Human Services for elder and adult services, congregate housing and long-term care.

Part C proposed to lower the license fees to operate a hospital from \$100 to \$40 for each bed and to operate a nursing or convalescent home from \$45 to \$26 for each bed to be consistent with assumed revenue associated with enactment of Public Law 2003, chapter 20, Part K. Part C also proposed to provide for a carry-over of federal funds from fiscal year 2002-03 to September 30, 2005 for use by the Area Agencies on Aging. Part C also proposed to recognize undedicated General Fund revenue returned from providers as an offset to the General Fund appropriations in Part B.

Senate Amendment “A” (S-344) proposed to make a technical change to the bill to clarify that the aggregate share of contributions by employees and retirees might increase as a proportion of the total cost.

Senate Amendment “B” (S-353) proposed to repeal the section of chapter 333 that repealed Title 12, section 7467, subsection 8, thus leaving subsection 8 in force. Further, it proposed to make the change effective September 13, 2003, which was the date chapter 333 was to take effect.

Public Law 2003, chapter 333 repealed the Maine Revised Statutes, Title 12, section 7464, subsection 7, which prohibited the illegal possession of a gift moose, and Title 12, section 7464, subsection 8, which prohibited the buying and selling of moose. Although the repeal of Title 12, section 7467, subsection 7 was intentional, Title 12, section 7467, subsection 8 was repealed in error.

Enacted Law Summary:

Public Law 2003, chapter 507 was considered during the First Special Session of the 121st Legislature.

Part A corrects errors in the original language of the budget bills dealing with the hospital payment equity project. The original language failed to specifically segregate the deappropriations in the state employees health insurance and university employees insurance programs from appropriations made to the MaineCare program. The appropriations are for the purpose of funding improvements in Medicaid reimbursement for hospital services and achieving greater parity with payments to providers of public employee health services.

Part B makes appropriations and allocations of funds to the Department of Human Services for elder and adult services, congregate housing and long-term care.

Part C lowers the license fees to operate a hospital from \$100 to \$40 for each bed and to operate a nursing or convalescent home from \$45 to \$26 for each bed to be consistent with assumed revenue associated with enactment of Public Law 2003, chapter 20, Part K. Part C also provides for a carry-over of federal funds from fiscal year 2002-03 to September 30, 2005 for use by the Area Agencies on Aging. Part C also recognizes undedicated General Fund revenue returned from providers as an offset to the General Fund appropriations in Part B.

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This law also repeals the section of chapter 333 that repealed Title 12, section 7467, subsection 8, thus leaving subsection 8 in force. Further, it proposed to make the change effective September 13, 2003, which was the date chapter 333 was to take effect. Public Law 2003, chapter 333 repealed the Maine Revised Statutes, Title 12, section 7464, subsection 7, which prohibited the illegal possession of a gift moose, and Title 12, section 7464, subsection 8, which prohibited the buying and selling of moose. Although the repeal of Title 12, section 7467, subsection 7 was intentional, Title 12, section 7467, subsection 8 was repealed in error.

Public Law 2003, chapter 507 was enacted as an emergency measure and took effect August 26, 2003.

LD 1647 **An Act To Authorize a General Fund Bond Issue in the Amount of \$3,000,000 To Build a Warehouse To Stimulate and Support Maine's Manufacturing, Transportation and Harbor Industries** **ONTP**

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| <u>Sponsor(s)</u> USHER HATCH, PH | <u>Committee Report</u> ONTP | <u>Amendments Adopted</u> |
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LD 1647 proposed to authorize a General Fund bond issue in the amount of \$3,000,000, to be used to construct a warehouse facility at Merrill's Marine Terminal in the Port of Portland.

LD 1673 **An Act To Provide Funding for the Commission on Governmental Ethics and Election Practices** **ONTP**

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| <u>Sponsor(s)</u> COLWELL GAGNON | <u>Committee Report</u> ONTP | <u>Amendments Adopted</u> |
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LD 1673 proposed the following.

Part A of this bill proposed to appropriate funds to the Commission on Governmental Ethics and Election Practices for the following purposes:

1. To provide additional funding for the Maine Clean Election Fund;
2. To provide additional funds for temporary workers needed for election-related data entry and clerical tasks;
3. To provide additional funds for certain technology costs; and
4. To provide additional funds for per diem payments for commission members.

**JOINT STANDING COMMITTEE ON
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Part B of this bill proposed to authorize the commission to request transfers to the Maine Clean Election Fund if it was determined that the likely demand from the fund in the coming year would exceed revenues in the fund. The bill specifically proposed to authorize the commission to request a transfer of up to \$2,000,000 no later than February 28, 2004, reflecting an advance of the transfer of amounts that would be received on or before January 1, 2005.

LD 1919, Public Law chapter 673, Part EE amends the law to allow for a partial transfer of funds from the General Fund to the Maine Clean Election Fund to occur on September 1, 2004.

LD 1682 **An Act To Ensure the State's Commitment to Former Students Who Were Physically or Sexually Abused at the Governor Baxter School for the Deaf or the Maine School for the Deaf** **INDEF PP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
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| EDMONDS BLISS | OTP | |

LD 1682 proposed to appropriate \$6,000,000 to the Baxter Compensation Authority to disperse cash awards to those former students who were found to have suffered physical or sexual abuse while they were students at and under the care of the Governor Baxter School for the Deaf or the Maine School for the Deaf.

In LD 1919, Public Law 2003, chapter 673, Part HHHH-2 appropriated \$6,000,000 in fiscal year 2004-05 to the Baxter Compensation Authority to fund cash awards to former students of the Governor Baxter School for the Deaf.

LD 1707 **An Act To Authorize a General Fund Bond Issue in the Amount of \$1,000,000 To Fund Downtown Revitalization To Preserve the Heritage of Municipalities** **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
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| GAGNON COWGER | ONTP | |

LD 1707 proposed to provide a General Fund bond issue in the amount \$1,000,000, to be used for downtown revitalization to preserve the heritage of municipalities.

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

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| LD 1776 | An Act To Authorize a General Fund Bond Issue in the Amount of \$150,000,000 To Finance the Acquisition of Land and Interest in Land for Conservation, Water Access, Outdoor Recreation, Wildlife and Fish Habitat and Farmland Preservation and To Access \$50,000,000 in Matching Contributions from Public and Private Sources | ONTP |
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| <u>Sponsor(s)</u> RICHARDSON, J TREAT | <u>Committee Report</u> ONTP | <u>Amendments Adopted</u> |
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LD 1776 proposed to provide a General Fund bond issue in the amount of \$150,000,000 to be used by the Land for Maine's Future Board to acquire lands and interests in lands for conservation, water access, outdoor recreation, wildlife and fish habitat and farmland preservation. Up to 10% of the principal would be used to preserve farmland. To maximize the effectiveness of this investment in Maine's future, the board would secure matching contributions greater than or equal to \$50,000,000.

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| LD 1787 | An Act To Support the New Century Community Program | P & S 50 |
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| <u>Sponsor(s)</u> BRUNO ROTUNDO | <u>Committee Report</u> OTP | <u>Amendments Adopted</u> S-594 CATHCART |
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LD 1787 proposed to provide funding to the New Century Community Program. The goals of the program are to strengthen local cultural resources, including community arts activities, humanities programs and historic preservation activities; provide educational services beyond the reach of the standard educational system; and preserve both the State's material culture system and its built environment through grants for preservation and restoration.

Senate Amendment "A" (S-594) proposed to provide reduced funding for the New Century Community Program in 2004-05.

Enacted Law Summary:

Private and Special 2003, chapter 50 provides \$100,000 to the New Century Community Program. The goals of the program are to strengthen local cultural resources, including community arts activities, humanities programs and historic preservation activities; provide educational services beyond the reach of the standard educational system; and preserve both the State's material culture and its built environment through grants for preservation and restoration.

**JOINT STANDING COMMITTEE ON
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LD 1791

**An Act To Restore Funding for Certain Nursing Facilities and
Residential Care Facilities**

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
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| RICHARDSON, J MARTIN | ONTP | |

LD 1791 proposed to require the Department of Human Services to include in its calculation of reimbursement for services provided by residential care facilities an allowance for a reasonable return on equity capital invested in those facilities and an annual adjustment for the cost of living. This bill also proposed to allow an intermediate care facility for persons with mental retardation to retain an incentive payment for savings equal to 75% of the Department of Human Services' estimate of the facility's allowable expenses and the amount actually paid by the department for those expenses.

This bill also proposed to repeal language suspending the inflation and return on equity payments to nursing facilities for fiscal year 2004-05. This bill also proposed to repeal the increase in licensing fees for nursing and convalescent homes.

Finally, this bill proposed to restore for fiscal year 2004-05 various appropriations to nursing facilities and residential care facilities that were cut by Public Law 2003, chapter 20, including the restoration of reimbursement for bed-hold days for residential care facilities; the cost-of-living adjustment to nursing facilities; the return on equity for nursing facilities; the return on equity adjustment to certain residential care facilities; and the cost-of-living increase for certain residential care facilities.

LD 1798

An Act Requiring Long-range Budget Planning

ONTP

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
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| WOODBURY TURNER | ONTP MAJ OTP MIN | |

LD 1798 proposed to amend current law which requires the State Budget Officer to prepare a forecast of revenues and expenditures for the biennium immediately following the biennium in which the forecast is prepared. This bill proposed to extend the forecast to encompass the 6 years following the current biennium and require the Governor to use the forecast to develop a long-range budget plan for the following 3 biennium. The plan would be submitted by the Governor to the Legislature along with the regular biennial budget.

**JOINT STANDING COMMITTEE ON
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LD 1805 **An Act To Restore Funding for the Violence Intervention and Prevention Program** **ONTP**

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| <u>Sponsor(s)</u> COLWELL HALL | <u>Committee Report</u> ONTP | <u>Amendments Adopted</u> |
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LD 1805 proposed to restore funding to the violence intervention and prevention program within the Department of Human Services.

LD 1808 **An Act To Ensure Adequate Home-based Care Services and Provide the Most Cost-effective Long-term Care for Maine Seniors** **ONTP**

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| <u>Sponsor(s)</u> RICHARDSON, J ROTUNDO | <u>Committee Report</u> ONTP | <u>Amendments Adopted</u> |
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LD 1808 proposed to provide funding in the amount of \$1,500,000 for fiscal year 2004-05 for approximately 300 persons who are on waiting lists for home-based care for persons who are elderly or disabled.

LD 1812 **An Act To Authorize a General Fund Bond Issue in the Amount of \$1,000,000 for the Renovation of Millinocket Municipal Airport** **ONTP**

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| <u>Sponsor(s)</u> DUPREY, G STANLEY | <u>Committee Report</u> ONTP | <u>Amendments Adopted</u> |
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LD 1812 proposed to provide a General Fund bond issue in the amount of \$1,000,000 to be used to renovate the Millinocket Municipal Airport in order to bring the airport into compliance with Federal Aviation Administration requirements, to study the potential advantages of expanding the service area of the airport through regionalization, to conduct a study on improving access to the airport and to study any infrastructure improvements necessary to accommodate the construction of an airport industrial park.

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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> |
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| 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

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| 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

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| 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
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PART SECTION DESCRIPTION

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| 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

| | | |
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| 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:

| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
|--------------------|-----------------------|---|
| 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
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| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
|--------------------|-----------------------|--|
| | 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
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| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
|--------------------|-----------------------|--|
| | 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
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| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
|--------------------|-----------------------|--|
| 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. |

**JOINT STANDING COMMITTEE ON
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LD 1841

**An Act To Appropriate Funds for World War II and Korean
War Memorial Plaques in the Hall of Flags**

P & S 51

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| <u>Sponsor(s)</u> MCGLOCKLIN GAGNON | <u>Committee Report</u> OTP | <u>Amendments Adopted</u> S-597 CATHCART |
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LD 1841 proposed to provide funds for World War II and Korean War memorial plaques in the Hall of Flags.

Senate Amendment “A” (S-597) proposed to reduce the General Fund appropriation from \$25,000 to \$20,000.

Enacted Law Summary:

Public Law 2003, chapter 51 provides \$20,000 for World War II and Korean War memorial plaques in the Hall of Flags.

LD 1875

**An Act To Authorize Bond Issues for Ratification by Voters
at the November 2004 Election**

**FAILED
ENACTMENT**

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| <u>Sponsor(s)</u> DAMON MARLEY | <u>Committee Report</u> OTP-AM | <u>Amendments Adopted</u> S-560 |
|--------------------------------------|-----------------------------------|------------------------------------|

LD 1875 proposed to provide a General Fund bond issue in the amount of \$18,250,000 to be used for improvements to and development of highways and bridges; airports; ferry vessels, port facilities and marine infrastructure; rail corridors and structures; intermodal facilities; and trail and pedestrian facilities.

Committee Amendment “A” (S-560) proposed 4 referenda questions to approve bond issues for the following purposes:

Part A proposed a bond issue, in the amount of \$18,250,000 that would be used for improvements to and development of highways and bridges; airports; ferry vessels, port facilities and marine infrastructure; rail corridors and structures; intermodal facilities; and trail and pedestrian facilities.

Part B proposed a bonds issue for the following:

1. Three million seven hundred thousand dollars for Maine Technology Institute's Natural Resources Applied Research Fund competitive grants for applied research in natural-resource-based industries, including forest bio-products, marine fisheries and agriculture. These funds leverage \$4,000,000 in required matching funds;
2. Two million dollars for the Small Enterprise Growth Fund for equity investments in small Maine companies with potential for high growth. These funds leverage private equity investments;

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3. One million dollars for the New Century Community Program for capital improvements to cultural resources;
4. Two million dollars for weatherization of single and multifamily homes occupied by low-income persons;
5. Two million dollars for family and elderly housing options for Native American tribes through the Four Directions Development Corporation. These funds would help attract \$2,000,000 in federal funds;
6. Two million dollars for critical improvements and expansion plans for the Raymond H. Fogler Library at the University of Maine, the state research library for business, science and technology;
7. Three million dollars to repair and upgrade Maine Army National Guard armories and facilities located throughout the State; and
8. One million two hundred thousand dollars to purchase the property known as Black Duck Cove on Great Wass Island, which includes a 9,000-square-foot building, a working wharf and 2 lobster pounds, to serve as the home of the Downeast Institute for Applied Marine Research and Education.

Part C proposed a bond issue in the amount of \$17,775,000 to be used for the following purposes:

1. The sum of \$11,000,000 to construct and upgrade water pollution control facilities, providing the state match for \$12,500,000 in federal funds;
2. The sum of \$3,275,000 to abate, clean up and remediate threats to public health and the environment from uncontrolled hazardous substance sites, landfills and municipal brownfields;
3. The sum of \$500,000 to provide grants to assist urban municipalities and publicly funded higher education institution generators in complying with new federal stormwater regulations;
4. The sum of \$2,000,000 to construct and upgrade public water systems to address public health threats, providing the state match for \$10,000,000 in federal funds; and
5. The sum of \$1,000,000 to provide grants for lead paint remediation in low-income households.

Part D proposed to recapitalize the program administered by the Land for Maine's Future Board with \$60,000,000 over 3 years to continue Maine's land conservation efforts, leveraging a minimum of \$30,000,000 in required matching funds. The funding priorities proposed to include:

1. Conservation properties in the rapidly developing areas of southern and coastal Maine;
2. Public access to outdoor recreational opportunities statewide;
3. Protection via easement of traditional public access and uses in the North Woods and support for sustainable forestry and strategically targeted fee acquisitions in areas of very high public value;
4. Farmland protection to support an economically viable agricultural sector;

**JOINT STANDING COMMITTEE ON
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- 5. Public access to coastal and inland waters; and
- 6. Highly significant wildlife habitat and ecological areas.

This part of the bond issue also proposed to provide additional funds of \$5,000,000 for capital improvements to state parks, historic sites and other state-owned parks, including \$1,000,000 for Capitol Park in Augusta. This bond anticipates a total of an additional \$30,250,000 in matching funds from federal and other sources.

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| LD 1876 | An Act To Authorize a General Fund Bond Issue in the Amount of \$16,600,000 To Construct and Upgrade Water Pollution Control Facilities, To Remediate Solid Waste Landfills, To Clean Up Uncontrolled Hazardous Substance Sites, To Provide Municipal Stormwater Management Assistance, To Investigate and Remediate Municipal Brownfields, To Construct and Upgrade Public Water Systems and To Remediate Lead Paint in Low-income Households | ONTP |
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| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
| MARTIN KOFFMAN | ONTP | |

LD 1876 proposed to provide a General Fund bond issue in the amount of \$16,600,000 to be used for the following purposes:

- 1. The sum of \$11,000,000 to construct and upgrade water pollution control facilities, providing the state match for \$12,500,000 in federal funds;
- 2. The sum of \$2,100,000 to abate, clean up and remediate threats to public health and the environment from uncontrolled hazardous substance sites, landfills and municipal brownfields;
- 3. The sum of \$500,000 to provide grants to assist urban municipalities in complying with new federal stormwater regulations;
- 4. The sum of \$2,000,000 to construct and upgrade public water systems to address public health threats, providing the state match for \$10,000,000 in federal funds; and
- 5. The sum of \$1,000,000 to provide grants for lead paint remediation in low-income households.

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LD 1877

**An Act To Authorize a General Fund Bond Issue in the Amount
of \$20,000,000 To Sustain and Improve Maine's Economy**

ONTP

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| <u>Sponsor(s)</u> CATHCART BROMLEY | <u>Committee Report</u> ONTP | <u>Amendments Adopted</u> |
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LD 1877 proposed to provide a General Fund bond issue in the amount of \$20,000,000 to be used to support applied research and to provide for equity investments in promising Maine companies, public improvements in cultural buildings, weatherization and family and elderly housing, school renovations and improvements at the Raymond H. Fogler Library. Under this bond, the funds provided by this bond issue, in the amount of \$20,000,000, would be used for the following purposes:

1. Five million dollars for Maine Technology Institute Natural Resources Applied Research Fund competitive grants for applied research in natural-resource-based industries, including forest bio-products, marine fisheries and agriculture. These funds leverage \$5,000,000 in required matching funds;
2. Two million dollars for the Small Enterprise Growth Fund for equity investments in small Maine companies with potential for high growth. These funds leverage private equity investments;
3. One million dollars for the New Century Community Program for communities with a Pine Tree Development Zone designation for capital improvements to cultural resources;
4. Two million dollars for weatherization of single and multifamily homes occupied by low-income persons;
5. Two million dollars for family and elderly housing options for Native American tribes through the Four Directions Development Corporation. These funds would help attract \$2,000,000 in federal funds;
6. Six million dollars for repairs, improvements and renovations to public schools. The funds leverage \$3,000,000 in matching local funds; and
7. Two million dollars for critical improvements and expansion plans for the Raymond H. Fogler Library at the University of Maine, the state research library for business, science and technology.

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LD 1878

An Act To Authorize a General Fund Bond Issue in the Amount of \$65,000,000 To Finance the Acquisition of Land and Interest in Land for Conservation, Water Access, Outdoor Recreation, Wildlife and Fish Habitat and Farmland Preservation: To Fund Capital Improvements to State Parks and Other Historic Public Areas: and To Access \$30,250,000 in Matching Contributions from Public and Private Sources

ONTP

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| <u>Sponsor(s)</u> RICHARDSON, J TREAT | <u>Committee Report</u> ONTP | <u>Amendments Adopted</u> |
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LD 1878 proposed to provide a General Fund bond issue in the amount of \$65,000,000 to be used for the purpose of recapitalizing the Land for Maine's Future program with \$60,000,000 over 3 years to continue Maine's land conservation efforts, leveraging a minimum of \$30,000,000 in required matching funds. The funding priorities include:

1. Conservation properties in the rapidly developing areas of southern and coastal Maine;
2. Public access to outdoor recreational opportunities statewide;
3. Protection via easement of traditional public access and uses in the north woods and support for sustainable forestry and strategically targeted fee acquisitions in areas of very high public value;
4. Farmland protection to support an economically viable agricultural sector;
5. Public access to coastal and inland waters; and
6. Highly significant wildlife habitat and ecological areas.

This bond issue also proposed to provide additional funds of \$5,000,000 for capital improvements to state parks, historic sites and other state-owned parks, including \$1,000,000 for Capitol Park in Augusta. This bond anticipates a total of an additional \$30,250,000 in matching funds from federal and other sources.

LD 1888

An Act To Authorize a General Fund Bond Issue in the Amount of \$1,200,000 for the Downeast Institute for Applied Marine Research and Education

ONTP

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| <u>Sponsor(s)</u> DAMON PELLON | <u>Committee Report</u> ONTP | <u>Amendments Adopted</u> |
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LD 1888 proposed to provide a General Fund bond issue in the amount of \$1,200,000 to be used to purchase the property known as Black Duck Cove on Great Wass Island, which includes a 9,000 square-

**JOINT STANDING COMMITTEE ON
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foot building, a working wharf and 2 lobster pounds, to serve as the home of the Downeast Institute for Applied Marine Research and Education.

LD 1894 **An Act To Authorize a General Fund Bond Issue in the Amount of \$2,000,000 for Disaster Relief and To Provide Further Relief Measures** **ONTP**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
|-------------------|-------------------------|---------------------------|
| BRYANT PATRICK | ONTP | |

LD 1894 proposed the following:

Part A of the bill proposed to provide a General Fund bond issue in the amount of \$2,000,000 to provide funding for the Emergency Management Preparedness and Assistance Trust Fund for grants and loans for disaster relief.

Part B proposed to establish the Emergency Management Preparedness and Assistance Trust Fund to provide grants and loans to persons or municipalities that suffer loss as a result of disaster.

Part B also proposed to make appropriations to the Maine Emergency Management Agency to:

1. Serve as a match for federal planning assistance to develop a flood mitigation program for Androscoggin, Oxford and
2. Provide immediate assistance to private property owners in the Town of Canton who suffered damages from the flooding in late 2003.

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LD 1919 **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, 2004 and June 30, 2005** **PUBLIC LAW 673**

| <u>Sponsor(s)</u> | <u>Committee Report</u> | <u>Amendments Adopted</u> |
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| BRANNIGAN CATHCART | OTP-AM MAJ ONTP MIN | H-904 H-932 BRANNIGAN H-935 BRANNIGAN H-937 BRANNIGAN H-958 BRANNIGAN H-964 BRANNIGAN H-965 BRANNIGAN S-518 YOUNGBLOOD S-543 CATHCART |

LD 1919 proposed the following:

| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
|-------------|----------------|--|
| A | A-1 | To make appropriations and allocations of funds. |
| B | B-1 | To make appropriations and allocations of funds for approved reclassifications and range changes. |
| C | C-1 | To authorize the Commissioner of the Department of Administrative and Financial Services to appoint an associate commissioner for administrative services. |
| | C-2 | To establish the Associate Commissioner, Administrative Services as a major policy influencing position within the Department of Administrative and Financial Services. |
| | C-3 | To amend PL 2003, c. 20 as it related to positions established in Maine Revenue Services by removing the stipulation that they are limited period positions. |
| | C-4 | To amend the provisions of PL 2003, c.20 to clarify the lease-purchase language for Central Fleet Management to be applicable for each year of the biennium. |
| | C-5 | To authorize the State Budget Officer to transfer savings resulting from the Retirement Incentive Program from General Fund and Other Special Revenue Fund accounts to the General Fund Salary Plan account. |
| | C-6 | To authorize the State Budget Officer to transfer savings from the Retirement Incentive Program from Highway Fund accounts to the Highway Fund Salary Plan account. |

**JOINT STANDING COMMITTEE ON
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| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
|--------------------|-----------------------|---|
| | C-7 | To authorize payment to be made to those employees who were denied merit increases in fiscal year 2003-04. |
| | C-8 | To authorize payment to be made to those Institutional Services employees who would have been eligible to receive a step increase from Step 6 to Step 7 during the period July 1, 2003 to June 30, 2004. |
| | C-9 | To provide for the calculation and transfer of statewide savings in the General Fund in the cost of health insurance for fiscal year 2004-05 that are identified in Part A, section 1. |
| | C-10 | To authorize the allotment of funds in the Bureau of Alcoholic Beverages and the Alcoholic Beverage Freight accounts in the Department of Administrative and Financial Services to be made by financial order during fiscal year 2004-05 upon the request of the State Budget Officer and approval of the Governor. |
| | C-11 | To authorize the Department of Administration and Financial Services to manage the Retiree Health Insurance Fund on a cost reimbursement basis of funding and accounting beginning June 30, 2005. |
| | C-12 | To authorize the Department of Administrative and Financial Services to calculate and return the amount of the excess equity to each participating fund and ancillary group contributing to the Retiree Health Insurance Fund, after retaining a reasonable amount of working capital. |
| | C-13 | To authorize the State Controller to recover, through the state cost allocation program, \$915,640 associated with prior year payments by the General Fund to the Maine State Retirement System. |
| | C-14 | To authorize the State Controller to recover, through the state cost allocation program, \$28,000 in fiscal year 2003-04 and \$142,000 in fiscal year 2004-05 associated with Home Land Security Grant Programs awarded to the Department of Defense, Veterans and Emergency Management. |
| | C-15 | To authorize the Bureau of General Services to use funds no longer required for the Thomaston State Prison Demolition project, for the Hazardous Material Abatement and Removal and Demolition of the State Armory in Caribou. |
| D | D-1 | To adopt pre-EGTRRA federal law for the Maine estate tax for decedents dying after 2004. The bill does not address estates of decedents dying in 2010 when the federal estate tax is fully repealed (for that year only) along with the federal determination of the value of the estate, upon which Maine relies in its determination of the Maine estate tax. |
| E | E-1 | To repeal the minimum taxability thresholds for nonresident taxpayers. |

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

| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
|--------------------|-----------------------|--|
| F | F-1 | To disallow the use of Maine credits against the Maine minimum tax for tax years beginning after 2003. |
| G | G-1 | To establish criteria to disqualify certain tax-motivated lease transactions from the credit transfer provisions of the high-technology investment tax credit. |
| H | H-1 | To lapse \$36,000 in the Pollution Control Structures General Fund account in the Department of Agriculture, Food and Rural Resources to the unappropriated surplus of the General Fund in fiscal year 2003-04. |
| I | I-1 | To amend the law as it relates to rulemaking for access to home health care. |
| | I-2 | To amend the law to permit the establishment of cost caps in the ICF/MR program. |
| | I-3 | To amend the law to allow the Commissioner of the Department of Behavioral and Developmental Services to establish a retail store at the Riverview Psychiatric Center. |
| | I-4 | To amend the law to establish a non-lapsing account for the funds associated with the retail store operation. |
| J | J-1 | To amend the law relating to the use of the Boating Facilities Fund in the Department of Conservation. |
| | J-2 | To repeal Part V of PL 2003, chapter 513 that transferred funds from the Shore and Harbor Management Fund to the General Fund. |
| | J-3 | To authorize the State Controller to transfer \$1,000,000 from the Boating Facilities Fund, Other Special Revenue Fund account in the Department of Conservation, to the unappropriated surplus of the General Fund by June 30, 2004. |
| | J-4 | Authorizes the State Controller to transfer \$1,000,000 from the Shore and Harbor Management Fund, Other Special Revenue Fund account to the Boating Facilities Fund, Other Special Revenue Fund account in the Department of Conservation by June 30, 2004. |
| | J-5 | To lapse \$193,241 in the Division of Forest Fire Control, General Fund - carrying account in the Department of Conservation to the unappropriated surplus of the General Fund in fiscal year 2003-04. |
| K | K-1:K-5 | To amend the law to specify that savings in health insurance costs related to hospital rate adjustments do not apply to fiscal year 2004-05. |

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

| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
|--------------------|-----------------------|--|
| L | L-1 | To authorize the Department of Corrections to enter into a lease-purchase arrangement for the acquisition of energy savings equipment. |
| M | M-1 | To amend the law related to the policy influencing positions in the Department of Economic and Community Development. |
| | M-2 | To amend the law to establish the Office of Innovation in the Department of Economic and Community Development and reallocates statutory provisions related to the State's science and technology plan and comprehensive research and development evaluation to that office. |
| | M-3 | To move the duties of the Maine Technology Institute and the Applied Technology Development Centers under the Office of Innovation. |
| | M-4 | To repeal the section of the statutes related to the Maine Promotion Council Cooperative. |
| | M-5 | To repeal outdated duties of the Commissioner of the Department of Economic and Community Development. |
| N | N-1 | To amend the law to establish the maximum debt service limits for school construction for 2008 and 2009. |
| | N-2 | To clarify the lease purchase language for the replacement of Carpenter buses authorized by Resolve 2003, Chapter 92, Part B. |
| | N-3 | To specify the general purpose aid for local schools actual education certification and appropriation levels for fiscal year 2004-05 as required by the Maine Revised Statutes, Title 20-A, section 15605. |
| O | O-1 | To authorize encumbered balances for automating the department's licensing, registration and permitting processes to carry forward until June 30, 2005. |
| P | P-1 | To amend the law to authorize the Chief Justice to use General Fund appropriations to cover miscellaneous costs associated with the operation of the account of deposited cash bail. |
| | P-2 | To authorize the Chief Justice to use \$23,000 of current General Fund appropriations to cover a shortage in the Judicial Department bail account. |
| Q | Q-1 | To repeal those provisions of law related to the Occupational Safety Loan Fund in the Department of Labor. |

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

| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
|--------------------|-----------------------|---|
| | Q-2 | To amend the law to provide for transfers of payments of outstanding Occupational Safety Loan Fund loans from the Finance Authority of Maine to the Safety Education and Training Fund in the Department of Labor. |
| R | R-1 | To amend the law as it relates to the borrowing capacity of the Maine Maritime Academy. |
| S | S-1 | To amend the law to move the State Nuclear Safety Advisor position from the State Planning Office to the Office of the Public Advocate. |
| T | T-1 | To repeal that provision of law that sunsets the Maine Computer Crimes Task Force. |
| | T-2 | To establish the repeal of the sunset provision retroactively to January 1, 2004. |
| U | U-1 | To amend the law related to the Uniform Unclaimed Property Act to establish the definition of a store-value card. |
| | U-2 | To amend the law to include a provision mandating that records of the owner of store-value cards be maintained. |
| V | V-1 | To authorize the Department of Human Services and Behavioral and Developmental Services to establish separate categories of licensure for facilities providing private non-medical institutional services to MaineCare eligible individuals. |
| | V-2 | To enact a 5% tax, effective July 1, 2004, on the value of the following services provided in this State: extended cable television services; fabrication services; video rentals; rent-to-own services; telecommunications services; installation, maintenance or repair of telecommunications equipment; and private nonmedical institution services. |
| | V-3 | To provide that if the seller of a taxable service includes the tax on a customer's bill, it must be shown as a separate line item and identified as a "Service Provider Tax." |
| | V-4 | To amend the sales tax law by removing from the tax base those services that are subject to the newly-enacted service provider tax. |
| | V-5 | Provides that revenue sharing will continue with respect to revenues derived from services currently covered by the sales tax but covered as of July 1, 2004 by the service provider tax. |

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

| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
|--------------------|-----------------------|---|
| W | W-1 | To amend the law to authorize the Department of Human Services to collect fees for researching its files for child protective records, and providing child protective records to licensing agencies, employers, and other non-governmental persons. |
| | W-2 | To amend the law to authorize the Department of Human Services to promulgate rules regarding the payment of fees, and provides that the fees be deposited in the General Fund. |
| X | X-1 | To authorize the Department of Human Services to increase the maximum license fee from \$40 to \$100 for schools; from \$10 to \$60 for each eating establishment in municipalities authorized by the department to conduct such inspections; and from \$125 to \$150 for other licensed establishments. |
| | X-2 | To require the Department of Human Services to issue a conditional license to a new applicant that does not meet the regulations. The current language requires the department to issue a conditional license to all applicants, even those that are renewing. |
| | X-3 | To authorize the Department of Human Services to conduct rulemaking to require all licensed eating establishments to employ at least one certified food service manager no later than January 1, 2007. The phase in period will begin in 2005. The rules would establish different categories for differing eating places. |
| | X-4 | To authorize the Department of Human Services to increase the fines from \$50 to \$100 for each unresolved violation, and increase the penalty for operating without a license from an existing range of \$10-\$100, to a new range of \$25-\$200. |
| | X-5 | Proposed to increase the fee from \$10 to \$60 for eating establishments in municipalities that do their own inspections. |
| | X-6 | Proposed to make a technical correction. |
| Y | Y-1 | To amend the law to clarify the State's existing authority to file a claim against the surviving spouse of a MaineCare recipient. |
| Z | Z-1 | To make changes to the mandatory reporting requirements for abuse and neglect, consistent with changes recommended by the U.S. Department of Health and Human Services, Administration for Families and Children. It would require the Department of Human Services to collect and investigate all reports regarding infants born affected by substance abuse or after prenatal exposure to drugs, and to provide services to the child and family which address that set of circumstances. |

**JOINT STANDING COMMITTEE ON
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| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
|--------------------|-----------------------|--|
| AA | AA-1 | To redefine a mass gathering event to include persons staying, camping or otherwise temporarily residing on property contiguous to the property of the event. |
| | AA-2 | To authorize the department to require an application with a fee prior to reviewing and issuing a permit to any mass outdoor gathering. |
| | AA-3 | To require any applicant to submit an application no later than 120 days prior to the anticipated event, while requiring the department to respond within 30 days. Final approval or disapproval by the department would be not later than 30 days prior to the event. |
| | AA-4 | To clarify the bonding requirement by specifically allowing an applicant to obtain personal liability insurance for such an event. |
| | AA-5 | To authorize the department to raise the permit fee from \$100 to a maximum of \$750 and to include travel costs when billing the applicant. |
| BB | BB-1:BB-3 | To amend the law to clarify MaineCare's authority to include non probate assets in estate recovery, specifically those in which the individual had any legal title or interest at the time of death, including such assets conveyed through joint tenancy, tenancy in common, survivorship, life estate, living trust, or other arrangement. |
| CC | CC-1 | To amend the law to require that retail tobacco licenses be renewed annually and directs the revenue to the General Fund. |
| DD | DD-1 | To amend the law to change the requirement mandating that the MaineCare program provide dental services to adults 21 years of age and older. |
| | DD-2 | Amends the law related to the medical eye care program to redefine the income levels and copayment provisions. |
| | DD-3 | To authorize unencumbered balances of funds in the General Assistance program in the Department of Human Services to be carried forward each fiscal year to be used for the same purposes. |
| | DD-4 | To amend the law to provide the Department of Human Services with access to information on real estate transfers for the purpose of determining financial eligibility for MaineCare services. |
| | DD-5 | To authorize the State Controller to accept fiscal year 2002-03 balances returned by providers as General Fund unappropriated surplus in fiscal year 2004-05. |
| | DD-6 | To authorize the Commissioner of the Department of Human Services to make changes in coverage and place limitations on the extent of coverage for adults qualifying for MaineCare coverage. |

**JOINT STANDING COMMITTEE ON
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| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
|--------------------|-----------------------|--|
| DD-7 | | To authorize the Department of Human Services to implement a retroactive rule to recover funds for return on equity, previously allowable as an expense to nursing facilities. |
| DD-8 | | To authorize the Department of Human Services to establish minimum record keeping requirements for agencies administering Temporary Assistance for Needy Families programs. |
| DD-9 | | To specify that \$1,100,000 of unencumbered balance forward in fiscal year 2003-04 in the State Supplement to Federal Supplemental Security Income General Fund account in the Department of Human Services lapses to the General Fund in fiscal year 2003-04. |
| EE | EE-1 | To amend the law to allow for a partial transfer of funds from the General Fund to the Maine Clean Election Fund to occur on September 1, 2004. |
| FF | FF-1:FF-3 | To amend the law to require group health insurance policies and contracts, other than those covering employees of employers with 20 or fewer employees, to provide coverage for crisis and crisis residential services. |
| GG | GG-1: GG-3 | To amend the law to allow fees from Borrow Pits and Mining to be deposited in the Maine Environmental Protection Fund consistent with the merger of the Borrow Pit Account into the Fund as a sub-account in Part A of the bill. |
| HH | HH-1 | To amend the law to increase the allowable level of tax that may be imposed on hospital net revenues up to but not exceeding 2.03%. |
| | HH-2 | To amend the law to allow hospitals to pay any tax levied against them in two equal payments, one due in November of the state fiscal year and the other due in May. |
| II | II-1 | To assess a fee on all pass-through entities required to file with Maine Revenue Services. The fee would be assessed to cover processing, tax compliance, audit activities, handling, storage, other administrative costs and revenues lost because of noncompliance by members of pass-through entities. Revenue generated by the service fee would not be subject to the calculation for determining the amount for the Local Government Fund. |
| | II-2 | To impose a failure to file penalty for pass-through entities required to file an informational return. |
| JJ | JJ-1 | To amend the law to provide for a calculation of Maine alternative minimum taxable income for purposes of imposing the Maine alternative minimum tax and removes the inequity of having artificially lower dividend and capital gains rates under Maine alternative minimum tax, but not for regular tax. |

**JOINT STANDING COMMITTEE ON
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| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
|--------------------|-----------------------|---|
| | JJ-2 | To change the rate structure for Maine alternative minimum tax from a flat rate (27%) applied to adjusted federal minimum tax to a graduated rate applied to Maine alternative minimum taxable income. The calculation would maintain the exemption amounts provided by the Internal Revenue Code effective as of December 31, 2002. |
| KK | KK-1:KK-2 | To change the calculation of the interest rate on payments as well as refunds to that of the prime rate plus 3 percentage points, rather than the current formula of the prime rate plus 2 percentage points. This change would be effective July 1, 2004. |
| LL | LL-1 | To implement the recommendations of a review of the functions of the ACE Service Center to place the center under the direct authority of the Department of Environmental Protection. |
| | LL-2 | To amend the law to increase the transfer from the Maine Environmental Protection Fund in the Department of Environmental Protection to the General Fund by \$2,500 each year of the biennium. |
| | LL-3 | To repeal the provision of law authorizing a transfer from the State Revolving Fund account in the Department of Environmental Protection to the General Fund. |
| | LL-4 | To require that \$172,573 of the unencumbered balance forward in the Administrative Services Unit – ACE Cluster Other Special Revenue Funds account in the Department of Environmental Protection would be transferred to the General Fund in fiscal year 2003-04. |
| MM | MM-1 | To authorize the Director of the Bureau of Alcoholic Beverages and Lottery Operations within the Department of Administrative and Financial Services to enter into an agreement with a multijurisdictional lottery association to operate, market and promote a joint lottery or lottery games. |
| NN | NN-1 | Amends the definition of personal care agency to include individuals who are managing their own services with public funds. |
| | NN-2 | To amend the Controlled Substances Prescription Monitoring Program to allow staff managing the pharmacy benefit within the Bureau of Medical Services, Department of Human Services, or those designated to assist in the administration of that benefit, to access prescription information regarding individuals in MaineCare for the purposes of detecting and preventing substance abuse. |
| OO | OO-1 | To clarify the administrative and financial relationship between the Maine Military Authority and the State. |

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

| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
|--------------------|-----------------------|--|
| | OO-2 | To express the intent of the Legislature for the Maine Military Authority to preserve existing terms and conditions of employment for those employees and the management practices relating to the terms and conditions of their employment to the greatest extent possible, as consistent with the Civil Service Law and the State Employees Labor Relations Act. |
| | OO-3 | To provide that employees who were hired after the effective date of this bill would have the same rights and benefits as transferred employees. |
| | OO-4: OO-14 | To require that agreements between the Maine Military Authority and the bargaining agents in effect at the time of the Authority's status change to an Executive Branch agency must be maintained for bargaining unit personnel until changed in accordance with applicable labor law principles. |
| PP | PP-1 | To amend the law to increase the statewide E-9-1-1 surcharge by seven cents. |
| | PP-2 | To amend the law to specify that the increased amount of the surcharge be deposited in the General Fund. |
| QQ | QQ-1 | To amend the law to allow the program to pay expenses of advisory committee members who represent account holders, who must be individuals whose income is below 200% of the nonfarm income official poverty line. |
| | QQ-2: QQ-3 | To amend the law to delete the sunset on the provision which allows an institution to apply a Maine State Grant to reduce institutional or other grant aid provided the institution grants the institutional or grant aid to a student with demonstrated financial need. |
| RR | RR-1 | To amend the law to move forward to July 1, 2004 the sales tax exemption on construction contractors and tangible personal property for Pine Tree Development Zones. |
| SS | SS-1 | To authorize the Department of Transportation to sell the Payne Road Bridge in Scarborough to the Maine Turnpike Authority. |
| | SS-2 | To authorize the State Controller to transfer \$5,000,000 from the unallocated surplus of the Highway Fund to the unappropriated surplus of the General Fund at the close of fiscal year 2004-05. |
| | SS-3 | To transfer the Transportation Building from the Bureau of General Services within the Department of Administrative and Financial Services to the Department of Transportation. This is the only state property related to transportation that is not currently owned by the Department of Transportation. |

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

| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
|--------------------|-----------------------|--|
| SS-4 | | To direct the Commissioner of Administrative and Financial Services and the Commissioner of the Department of Transportation to determine the scope of services and responsibilities of each Department and to report to the Joint Standing Committees of the Legislature for Appropriations and Financial Affairs, Transportation, and State and Local Government by January 30, 2005 with respect to the management and oversight of the Transportation Building Property. |
| SS-5 | | To direct the Commissioner of Administrative and Financial Services and the Commissioner of the Department of Transportation to present any necessary budget adjustments related to the management and operation of the Transportation Building Property to the next regular session of the Legislature. |
| SS-6 | | To authorize the State Controller to transfer \$6,400,000 from the unallocated surplus of the Highway Fund to the unappropriated surplus of the General Fund at the close of fiscal year 2004-05. |
| TT | TT-1 | To increase the surcharge on every fine, forfeiture or penalty imposed by State courts and appropriates the monies generated by that increase to the General Fund. |
| | TT-2 | To increase the minimum mandatory fine for suspensions related to operating under the influence offenses. |
| | TT-3 | To increase and makes mandatory the minimum fine for first time operating after suspension offenses. |
| | TT-4 | To impose a new minimum fine for second and subsequent operating after suspension offenses. |
| | TT-5 | To impose a minimum fine for operating after revocation offenses. |
| | TT-6 | To increase the minimum mandatory fines for operating under the influence offenses. |
| UU | UU-1 | To amend the law to provide for repayment of funds to the Retiree Health Insurance Fund on or after July 1, 2004. |
| VV | VV-1 | To authorize the Department of Public Safety to establish two State Police Sergeant project positions to be temporarily assigned to the Criminal Justice Academy for each training class. |

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

Committee Amendment “A” (H-904) was the majority report and proposed the following:

| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
|-------------|----------------|---|
| A | A-1 | To make appropriations and allocations of funds. |
| B | B-1 | To make appropriations and allocations for approved reclassifications and range changes. |
| C | C-1:C-4 | To authorize the Commissioner of the Department of Administrative and Financial Services to appoint an Associate Commissioner, Administrative Services as a major policy influencing position. |
| | C-5 | To amend the provisions of PL 2003, c.20 to clarify the lease-purchase language for Central Fleet Management to be applicable for each year of the biennium. |
| | C-6:C-7 | To authorize the State Budget Officer to transfer savings resulting from the Retirement Incentive Program from General Fund and Other Special Revenue Fund accounts to the General Fund Salary Plan account and from Highway Fund accounts to the Highway Fund Salary Plan account. |
| | C-8 | To authorize the State Controller to recover, through the state cost allocation program, \$915,640 associated with prior year payments by the General Fund to the Maine State Retirement System. |
| | C-9 | To authorize the State Controller to recover, through the state cost allocation program, \$28,000 in fiscal year 2003-04 and \$142,000 in fiscal year 2004-05 associated with homeland security grant programs awarded to the Department of Defense, Veterans and Emergency Management. |
| | C-10 | To authorize the Bureau of General Services to use \$111,856 no longer required for the Thomaston State Prison Demolition project, for the Hazardous Material Abatement and Removal and Demolition of the State Armory in Caribou. |
| | C-11 | To authorize the use of \$44,000 in FY 2004-05 in the State Contingent Account designated for the promotion of Maine for emergency purposes. |
| D | D-1:D-9 | To adopt pre-EGTRRA federal law for the Maine estate tax for decedents dying after 2004. The bill does not address estates of decedents dying in 2010 when the federal estate tax is fully repealed (for that year only) along with the federal determination of the value of the estate, upon which Maine relies in its determination of the Maine estate tax. |
| E | E-1:E-3 | To amend the minimum taxability threshold for nonresident taxpayers by reducing the number of days spent in Maine that triggers a nonresident income tax liability from 21 days to 11 days. The income threshold of \$6,000 is eliminated. |

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

| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
|--------------------|-----------------------|--|
| F | F-1:F-2 | To disallow the use of Maine income tax credits against the Maine alternative minimum income tax for tax years beginning after 2003. |
| G | G-1:G-3 | To establish criteria to disqualify certain tax-motivated lease transactions from the high-technology investment tax credit beginning after 2003. |
| H | H-1 | To lapse \$36,000 in FY04 and \$84,306 in FY05 in the Pollution Control Structures General Fund account in the Department of Agriculture, Food and Rural Resources to the unappropriated surplus of the General Fund in fiscal year 2003-04. |
| | H-2 | To appropriate \$16,000 in FY04 and \$20,000 in FY05 to recognize All Other savings from lapsing \$36,000 in the Pollution Control Structures General Fund account in the Department of Agriculture, Food and Rural Resources. |
| | H-3 | To appropriate \$84,306 in FY05 to establish one limited-period Nutrient Management Coordinator position to direct and further develop the Nutrient Management Program. |
| I | I-1:I-2 | To amend the law to allow the Commissioner of the Department of Behavioral and Developmental Services to establish a retail store at the Riverview Psychiatric Center and to establish a non-lapsing dedicated account for store income and expenses. |
| J | J-1 | To amend the law relating to the use of the Boating Facilities Fund in the Department of Conservation so that funds may be provided to state agencies. |
| | J-2 | To repeal Part V of PL 2003, chapter 513 that transferred \$1,000,000 from the Shore and Harbor Management Fund to the General Fund. |
| | J-3 | To authorize the State Controller to transfer \$1,000,000 from the Boating Facilities Fund, Other Special Revenue Funds account in the Department of Conservation, to the unappropriated surplus of the General Fund by June 30, 2004. |
| | J-3 | To authorize the State Controller to transfer \$1,000,000 from the Boating Facilities Fund, Other Special Revenue Funds account in the Department of Conservation, to the unappropriated surplus of the General Fund by June 30, 2004. |
| | J-4 | To authorize the State Controller to transfer \$1,000,000 from the Shore and Harbor Management Fund, Other Special Revenue Fund account to the Boating Facilities Fund, Other Special Revenue Fund account in the Department of Conservation by June 30, 2004. |
| | J-5 | To lapse \$193,241 in the Division of Forest Fire Control, General Fund - carrying account in the Department of Conservation to the unappropriated surplus of the General Fund in fiscal year 2003-04. |

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

| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
|--------------------|-----------------------|---|
| K | K-1:K-5 | To provide that savings in health insurance costs related to hospital rate adjustments do not apply to fiscal year 2004-05 and makes the necessary offsets to statewide appropriations and allocations. |
| L | L-1 | To authorize the Department of Corrections to enter into a lease-purchase arrangement for the acquisition of energy-savings equipment. |
| M | M-1:M-9 | To amend the laws related to the Department of Economic and Community Development to reorganize certain activities and to establish the Office of Innovation in the Department of Economic and Community Development and reallocate statutory provisions related to the State's science and technology plan and comprehensive research and development evaluation to that office. Also proposed to reallocate resources within the Department as part of a departmental reorganization. |
| N | N-1 | To amend the statewide local share amount of the operating costs allocation for fiscal year 2004-05 for purposes of education funding. |
| | N-2 | To establish the maximum debt service limits for school construction for 2008 and 2009. |
| | N-3 | To clarify the lease purchase language for the replacement of Carpenter buses authorized by Resolve 2003, Chapter 92, Part B. |
| | N-4:N-18 | To specify the general purpose aid for local schools actual education certification and appropriation levels for fiscal year 2004-05 as required by the Maine Revised Statutes, Title 20-A, section 15605. |
| | N-19 | To deappropriate funds in fiscal year 2003-04 due to lower than expected costs for state agency clients and from construction audit recoveries and to provide additional funding for general purpose aid for local schools in fiscal year 2004-05. |
| O | O-1 | To authorize encumbered balances for automating the Department of Inland Fisheries and Wildlife's licensing, registration and permitting processes to carry forward until June 30, 2005. |
| P | P-1 | To amend the law to authorize the Chief Justice to use General Fund appropriations to cover miscellaneous costs associated with the operation of the account of deposited cash bail. |
| | P-2 | To authorize the Chief Justice to use \$23,000 of current General Fund appropriations to cover a shortage in the Judicial Department bail account. |
| Q | Q-1:Q-4 | To repeal those provisions of law related to the Occupational Safety Loan Fund in the Department of Labor. |

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

| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
|--------------------|-----------------------|--|
| | Q-5 | To amend the law to provide for transfers of payments of outstanding Occupational Safety Loan Fund loans from the Finance Authority of Maine to the Safety Education and Training Fund in the Department of Labor. |
| R | R-1 | To increase the maximum borrowing capacity of the Maine Maritime Academy, from \$4,000,000 to \$10,000,000. |
| S | S-1:S-2 | To move the State Nuclear Safety Advisor position from the State Planning Office to the Office of the Public Advocate and make related allocations. |
| T | T-1:T-2 | To reenact the Maine Computer Crimes Task Force retroactively to January 1, 2004. |
| U | U-1:U-2 | To amend the law related to the Uniform Unclaimed Property Act to establish the definition of a store-value card and to mandate record-keeping by sellers of store-value cards. |
| V | V-1:V-3;V-6 | To authorize the Department of Human Services and the Department of Behavioral and Developmental Services to establish separate categories of licensure for facilities providing private non-medical institutional services to MaineCare eligible individuals. |
| | V-4;V-5; V-7:V-24 | To make changes to the sales tax and municipal revenue sharing to account for the establishment of a "Service Provider Tax." |
| | V-25 | To enact a 5% tax, effective July 1, 2004, on the value of following services provided in this State: extended cable television services; fabrication services; video rentals; certain rentals of furniture and audio equipment; telecommunications services; installation, maintenance or repair of telecommunications equipment; and private non-medical institution services. |
| | V-26 | To transfer \$105,000 between accounts to offset implementation costs associated with this Part. |
| | V-27 | To authorize Department of Human Services to implement rules retroactively to July 1, 2003 to address the recovery of return on equity for private non-medical institutions. |
| | V-28 | To adjust appropriations and allocations as a result of the implementation of the service provider tax imposed by this Part. |
| | V-29 | To provide effective date and timing of returns and payments. |

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

| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
|--------------------|-----------------------|---|
| W | W-1 | To authorize the Department of Human Services to collect fees for researching its files for child protective records and providing child protective records to licensing agencies, employers, and other non-governmental persons. The department would establish the fee schedule by routine technical rule. |
| X | X-1 | To authorize the Department of Human Services to increase the maximum license fee for certain eating and lodging facilities -- from \$40 to \$100 for schools; from \$10 to \$60 for inspections of eating establishment in municipalities authorized by the department to conduct such inspections; and from \$125 to \$150 for other licensed eating establishments. |
| | X-2 | To require the Department of Human Services to issue a conditional license to a new applicant that does not meet the regulations. The current language requires the department to issue a conditional license to all applicants, even those that are renewing. |
| | X-3 | To authorize the Department of Human Services to increase fines and penalties for operating without a license. |
| | X-4 | To increase the fee from \$10 to \$60 for eating establishments in municipalities that do their own inspections. |
| | X-5 | To make a technical correction. |
| | X-6 | To direct the Department of Human Services to review municipalities that do their own inspections of eating and lodging facilities. |
| Y | Y-1:3 | To authorize the Department of Human Services to adopt rules providing that infants and children under 19 years of age in families with income over 150% and up to 200% of the nonfarm income official poverty line who meet the eligibility requirements of the Cub Care program are eligible for Cub Care instead of Medicaid. |
| Z | Z-1:Z-5 | To make changes to the mandatory reporting requirements for abuse and neglect, consistent with changes recommended by the U.S. Department of Health and Human Services, Administration for Families and Children. It would require the Department of Human Services to collect and investigate all reports regarding infants born affected by substance abuse or after prenatal exposure to drugs, and to provide services to the child and family which address that set of circumstances. |
| AA | AA-1 | To expand the definition of a "mass outdoor gathering" for which a permit is required. |

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| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
|--------------------|-----------------------|--|
| | AA-2:AA-3 | To authorize the department to require an application with a fee prior to reviewing and issuing a permit to any mass outdoor gathering, changes application and bonding procedures and increases fees. |
| BB | BB-1:BB-2 | To require the State Controller to transfer monthly an amount equivalent to benefits certified under the Maine Residents Property Tax Program from General Fund undedicated revenue within the individual income tax category to the Circuit Breaker reserve. The State Tax Assessor is required to pay benefit amounts to approved applicants. No interest on payments may be allowed. This section also proposed to eliminate funding to the Maine Residents Property Tax Program since it is being converted to an offset to the individual income tax line. In fiscal year 2004-05, the amount of the transfers are limited to the amounts that were appropriated in fiscal year 2004-05 for this program. |
| CC | CC-1:CC-2 | To require that retail tobacco licenses be renewed annually, increase the fee and direct the revenue to the General Fund. Also proposed to repeal language requiring the transfer of dedicated funds from the Department of Human Services to the Judicial Department. |
| DD | DD-1 | To authorize unencumbered balances of funds in the General Assistance program in the Department of Human Services to be carried forward each fiscal year to be used for the same purposes. |
| | DD-2 | To amend the law to provide the Department of Human Services with access to information on real estate transfers for the purpose of determining financial eligibility for MaineCare services. |
| | DD-3 | To authorize the State Controller to accept fiscal year 2002-03 balances returned by providers as General Fund unappropriated surplus in fiscal year 2004-05. |
| | DD-4 | To authorize the Department of Human Services to establish minimum record keeping requirements for agencies administering Temporary Assistance for Needy Families programs. |
| | DD-5 | To specify that \$1,100,000 of unencumbered balance forward in fiscal year 2003-04 in the State Supplement to Federal Supplemental Security Income General Fund account in the Department of Human Services lapse to the General Fund in fiscal year 2003-04. |
| EE | EE-1 | To amend the law to allow for a partial transfer of funds from the General Fund to the Maine Clean Election Fund to occur on September 1, 2004. |

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| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
|--------------------|-----------------------|--|
| FF | FF-1 | To require the Commissioner of Administrative and Financial Services to convene a working group to facilitate claims processing and reimbursement for medically necessary behavioral health services, including but not limited to, emergency and urgent care services. The working group would need to submit a report to legislative committees by January 15, 2005. |
| | FF-2 | To deappropriate and deallocate funds associated with the mental health parity provisions. |
| GG | GG-1:GG-3 | To amend the law to allow fees from Borrow Pits and Mining to be deposited in the Maine Environmental Protection Fund consistent with the merger of the Borrow Pit Account into the MEPF Fund as a sub-account in Part A of the bill. |
| HH | HH-1; HH-2; HH-5 | To amend the definition of critical access hospital. |
| | HH-3 | To amend the law to increase the tax on hospital net operating revenues to 2.23% |
| | HH-4 | To amend the law to allow hospitals to pay any tax levied against them in two equal payments, one due in November of the state fiscal year and the other due in May. |
| | HH-6:HH-7 | To establish contingency provisions for the hospital tax and hospital payments included in Part HH-8. |
| | HH-8 | To allocate funds to increase MaineCare payments to hospitals in accordance with rules duly adopted by DHS. |
| | HH-9 | To deappropriate funds to be replaced by dedicated revenue from the hospital tax. |
| II | II-1 | To lapse \$600,000 of interest earnings savings in the Debt Service - Government Facilities Authority, General Fund account to the unappropriated surplus of the General Fund by June 30, 2005. |
| JJ | JJ-1:JJ-6 | To change the rate structure for Maine alternative minimum tax from a flat rate (27%) applied to adjusted federal minimum tax to a graduated rate applied to Maine alternative minimum taxable income. The calculation would maintain the exemption amounts provided by the Internal Revenue Code effective as of December 31, 2002. |
| KK | KK-1:KK-3 | To change the calculation of the interest rate on unpaid taxes as well as refunds to the prime interest rate plus 3 percentage points, rather than the current formula of the prime rate plus 2 percentage points. This change would be effective July 1, 2004. |

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| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
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| LL | LL-1 | To place the ACE Service Center under the direct authority of the Department of Environmental Protection. |
| | LL-2 | To amend the law to increase the transfer from the Maine Environmental Protection Fund in the Department of Environmental Protection to the General Fund by \$2,500 each year of the biennium. |
| | LL-3 | To repeal the provision of law authorizing a transfer from the State Revolving Fund account in the Department of Environmental Protection to the General Fund. |
| | LL-4 | To require that \$172,573 of the unencumbered balance forward in the Administrative Services Unit – ACE Cluster Other Special Revenue Funds account in the Department of Environmental Protection be transferred to the General Fund in fiscal year 2003-04. |
| | LL-5 | To provide appropriations and allocations related to the reorganization of the ACE Service Center. |
| MM | MM-1:MM-2 | To authorize the Director of the Bureau of Alcoholic Beverages and Lottery Operations within the Department of Administrative and Financial Services to enter into an agreement with a multijurisdictional lottery association to operate, market and promote a joint lottery or lottery games and provides related allocations. |
| NN | NN-1 | To amend the definition of personal care agency to include individuals who hire unlicensed assistance personnel for their own care when permitted by rule of the Department of Human Services. |
| OO | OO-1:OO-2 | To direct the State Budget Officer to calculate savings as a result of increased efforts in pursuing federal and commercial reimbursement of state-funded programs, improved eligibility verification and procedures and other data integration improvements to state funded services. Deappropriates \$2,500,000 from the General Fund and allocates \$2,500,000 Other Special Revenue Funds to reflect those savings. |
| PP | PP-1 | To require the State Controller to transfer \$1,043,460 from the Emergency Services Communications, Other Special Revenue Funds account in the Public Utilities Commission to the unappropriated surplus of the General Fund by June 30, 2004. |
| QQ | QQ-1 | To amend the law to allow the program to pay expenses of members of the Advisory Committee on Family Development Accounts who represent account holders, who must be individuals whose income is below 200% of the nonfarm income official poverty line. |

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| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
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| | QQ-2:QQ-3 | To amend the law to delete the sunset on the provision which allows an institution to apply a Maine State Grant to reduce institutional or other grant aid if the institution grants the institutional or grant aid to a student with demonstrated financial need. |
| RR | RR-1 | To require the State Budget Officer to calculate the amount of savings in each General Fund account from information technology savings achieved by extending the use of personal computers and peripheral devices to a minimum of 4 years before replacement. |
| | RR-2 | To require that exceptions to the replacement schedule must be approved by the Chief Information Officer. |
| | RR-3 | To deappropriate funds associated with savings achieved from extending the use of personal computers and peripheral devices to a minimum of 4 years before replacement. |
| SS | SS-1 | To authorize the Department of Transportation to sell the Payne Road Bridge in Scarborough to the Maine Turnpike Authority. |
| | SS-2 | To authorize the State Controller to transfer \$5,000,000 from the unallocated surplus of the Highway Fund to the unappropriated surplus of the General Fund at the close of fiscal year 2004-05. |
| | SS-3 | To require the transfer of the Transportation Building from the Bureau of General Services within the Department of Administrative and Financial Services to the Department of Transportation. |
| | SS-4 | To direct the Commissioner of Administrative and Financial Services and the Commissioner of the Department of Transportation to determine the scope of services and responsibilities of each Department and to report to the Joint Standing Committees of the Legislature for Appropriations and Financial Affairs, Transportation, and State and Local Government by January 30, 2005 with respect to the management and oversight of the Transportation Building Property. |
| | SS-5 | To direct the Commissioner of Administrative and Financial Services and the Commissioner of the Department of Transportation to present any necessary budget adjustments related to the management and operation of the Transportation Building Property to the next regular session of the Legislature. |
| | SS-6 | To authorize the State Controller to transfer \$6,400,000 from the unallocated surplus of the Highway Fund to the unappropriated surplus of the General Fund at the close of fiscal year 2004-05. |

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| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
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| TT | TT-1:TT-2 | To increase the surcharge on every fine, forfeiture or penalty imposed by State courts and deposits the monies generated by that increase to the General Fund. |
| | TT-3:TT-7 | To increase fines for suspensions related to operating under the influence offenses, operating after suspension and operating after revocation of license. |
| UU | UU-1 | To amend the law to provide for repayment of funds to the Retiree Health Insurance Fund on or after July 1, 2004. |
| | UU-2 | To require the Department of Administration and Financial Services to manage the Retiree Health Insurance Fund on a cost reimbursement basis of funding and accounting beginning June 30, 2005. |
| | UU-3 | To require the Department of Administrative and Financial Services to calculate and return the amount of the excess equity to each participating fund and ancillary group contributing to the Retiree Health Insurance Fund, after retaining a reasonable amount of working capital. |
| | UU-4 | To provide an appropriation of \$1,100,000 to distribute funds to the Maine Community College System as a result of the divestiture of the Retiree Health Insurance Fund. |
| VV | VV-1 | To authorize the Department of Public Safety to establish two State Police Sergeant project positions to be temporarily assigned to the Criminal Justice Academy for each training class. |
| WW | WW-1:WW-5 | To amend provisions of Maine Revised Statutes Title 26 to reflect that the Medicaid portion of the consumer-directed personal care assistance services are to be administered by the Department of Human Services and to specify the responsibilities of that Department and the Department of Labor. |
| | WW-6 | To transfer funds from the Department of Labor's Rehabilitation Services - Medicaid program to the Medical Care - Payments to Providers program within the Department of Human Services in FY 2004-05. |
| XX | XX-1 | To repeal a requirement for an annual report to the Appropriations Committee regarding positions vacant for more than 6 months. |
| YY | YY-1 | To prohibit hospital-based physician practices that bill as "hospital services" provided to MaineCare patients from discontinuing acceptance of new MaineCare patients or limiting services to MaineCare patients in a way that differs from policies that apply to other patients funded from any other payment source. |

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| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
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| ZZ | ZZ-1 | To add the Long Term Care Ombudsman Program and Legal Services for the Elderly to the agencies receiving federal Administration on Aging funds that may carry funds forward for the purposes of those programs. |
| AAA | AAA-1:AAA-3; AAA-5; AAA-6 | To amend language related to sales tax registration certificates to provide enhanced enforcement of resale certificate eligibility for applications filed on or after July 1, 2004 or the effective date of this Act, whichever is later. |
| | AAA-4 | To amend PL 2003, c. 20 as it relates to positions established in Maine Revenue Services removing the stipulation that they are limited period positions. |
| | AAA-7 | To appropriate funds for tax enforcement initiatives. |
| BBB | BBB-1 | To authorize payment to be made to those employees who were denied merit increases in fiscal year 2003-04. |
| | BBB-2 | To authorize payment to be made to those Institutional Services employees who would have been eligible to receive a step increase from Step 6 to Step 7 during the period July 1, 2003 to June 30, 2004. |
| | BBB-3 | To provide \$250,000 to the Salary Plan for the step increases authorized in section 2 of this Part. |
| CCC | CCC-1 | To provide for the calculation and transfer of statewide savings in the General Fund related to the cost of health insurance for fiscal year 2004-05. |
| | CCC-2 | To deappropriate \$400,000 in FY05 as a result of health insurance savings. |
| DDD | DDD-1 | To provide for the calculation and transfer of statewide savings in the General Fund in the cost of workers' compensation claims for fiscal year 2004-05. |
| | DDD-2 | To deappropriate \$232,118 in FY04 and \$426,925 in FY05 as a result of savings in workers' compensation claims. |
| EEE | EEE-1 | To provide for the calculation and transfer of statewide savings in the General Fund from projected savings in electricity costs for FY05. |
| | EEE-2 | To deappropriate \$750,000 in FY05 as a result of projected savings in electricity costs. |
| FFF | FFF-1:FFF-2 | To amend the required practices of pharmacy benefits managers by deleting authority to substitute lower-priced and therapeutically equivalent drugs and changing the procedures for substituting higher-priced substitute drugs and transferring payments received by the pharmacy benefits manager as a result of substitution of drugs. |

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| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
|--------------------|-----------------------|---|
| FFF-3 | | To amend the law to add a pharmacy's status as independent provider to the criteria for awarding incentive payments to pharmacies. |
| FFF-4 | | To require the MaineCare Advisory Committee to establish a standing subcommittee to review the prior authorization process used in the MaineCare and Drugs for the Elderly benefit programs. |
| FFF-5 | | To make appropriations and deappropriations as a result of the collection of settlement proceeds; increased administrative costs of stricter prior authorization and pharmacist support; review of pharmacy use in restrictive settings; stricter prior authorization criteria; implementing a voluntary pharmacy mail order program and making incentive payments to pharmacies to mitigate its impact; and the creation of a preferred drug list for the DEL program. |
| GGG | GGG-1:GGG-2 | To establish Maine Ground fish Fund to support the ground fish industry to be administered by the Commissioner of Marine Resources. |
| HHH | HHH-1 | To remove the Maine Community College System from the list of priority items that would receive funding from the unappropriated surplus of the General Fund at the end of fiscal year 2003-04 after all required deductions of appropriations, budgeted financial commitments and adjustments have been made and adds the Maine Microenterprise Initiative Fund within the Department of Economic and Community Development to the list of priority items. |
| | HHH-2 | To move \$315,000 from the Maine Microenterprise Initiative Fund to Administration - Economic and Community Development to provide one-time funding to match the National Aeronautics and Space Administration's ESPCoR award to the Maine Space Grant Consortium. |
| III | III-1:III-2 | To eliminate 31 positions as a result of the merger of the Department of Human Services and the Department of Behavioral and Developmental Services. |
| JJJ | JJJ-1:JJJ-5 | To eliminate the Northern Androscoggin Division of the Eleventh District Court in Livermore Falls and transfer that jurisdiction to the Eighth District. |
| KKK | KKK-1:KKK-2 | To transfer funds appropriated to the Educational and General Activities - UMS program for fiscal year 2004-05 for the Maine Economic Improvement Fund in Public Law 2003, c. 20, Part RR to the Maine Economic Improvement Fund program within the University of Maine System. |
| LLL | LLL-1:LLL-4 | To add the Maine Endangered and Nongame Wildlife Fund in the Department of Inland Fisheries and Wildlife to the list of accounts that are not included in transfers of savings to the General Fund. |

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| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
|--------------------|-----------------------|---|
| MMM | MMM-1: MMM-4 | To establish the MaineCare Basic program to deliver medically necessary health care services to adult members of the MaineCare program; to establish limits on certain benefits and services for adults; to establish savings targets for these benefits and services; to appropriate funds to administer the program; and to deappropriate funds to reflect reductions in estimated MaineCare spending as a result of the program. |
| NNN | NNN-1:NNN-3 | To require the Attorney General to study discrimination against homeless individuals and report the results of the study and any necessary legislation to the Legislature by January 5, 2005. |
| OOO | OOO-1 | To provide that the cap on reimbursement for certain mental health services may not be set lower than the amount necessary to achieve the savings identified in this Act. |
| | OOO-2 | To require the establishment of an advisory working group to examine and make recommendations regarding methods of achieving savings in mental health costs. |
| PPP | PPP-1 | To lapse \$2,400,000 in the Education in the Unorganized Territory General Fund account in the Department of Education to the General Fund in fiscal year 2003-04. |
| | PPP-2 | To deappropriate \$63,989, due to one-time savings in the Professional Development program within the Department of Education in fiscal year 2003-04. |
| QQQ | QQQ-1:QQQ-2 | To authorize the Executive Director of the Legislative Council to sell, in accordance with Legislative Council procedures, unneeded legislative equipment and materials and directs proceeds from the sale to the legislative account. |
| | QQQ-3 | To appropriate funds to cover the expenses of 3 Maine commissioners to attend the annual conference of the Commission on Uniform State Laws and for a portion of the dues of that organization. |
| RRR | RRR-1:RRR-3 | To increase the filing fee for registration statements for securities offered for sale from \$500 to \$1,000 effective July 1, 2004. |
| SSS | SSS-1:SSS-3 | To require the Department of Behavioral and Developmental Services to adopt rules to require service providers to charge fees for certain services for children and families funded by grant programs from the department. |
| | SSS-4 | To appropriate \$1,250,000 in fiscal year 2004-05 for the Mental Health Services -- Children program for room and board, flexibility funds and training to partially offset other decreases in funding. |

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| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
|--------------------|-----------------------|---|
| TTT | TTT-1:TTT-3 | To make permanent the schedule of premiums for the Cub Care program that is scheduled to expire on July 1, 2004 and directs the Department of Human Services to evaluate premiums periodically. |
| | TTT-4 | To make appropriations and allocations to reflect the changes in Cub Care premiums and to partially restore funding for adult transportation under the MaineCare program. |
| UUU | UUU-1 | To require that the information shared by the Finance Authority of Maine to the Department of Human Services to be used to determine which Maine State Grant Program recipients are also eligible for TANF job preparation funds or to participate in the Parents as Scholars Program is confidential. |
| | UUU-2 | To deappropriate funds in fiscal year 2004-05 only that will be paid from TANF block grant funds to provide preparation funds for Parents as Scholars participants. |
| VVV | VVV-1 | To require the Commission to Improve the Sentencing, Supervision, Management and Incarceration of Prisoners to report monthly to the legislative committees with jurisdiction over appropriations and financial affairs and criminal justice on the status of the state prisoner and probation population and the staffing necessary to provide adequate supervision. |
| WWW | WWW-1: WWW-37 | To increase fees for various business entity filings with the Secretary of State. |
| XXX | XXX-1: XXX-10 | To increase fees for various annual report filings with the Secretary of State. |
| YYY | YYY-1 | To establish standards for determination of whether a business entity with a debt owed to the Department of Human Services is considered out of business. |
| ZZZ | ZZZ-1 | To require the State Controller to transfer \$500,000 from the Office of Information Services Fund account in the Department of Administrative and Financial Affairs to the unappropriated surplus of the General Fund by June 30, 2005. |
| | ZZZ-2 | To require the State Controller to transfer \$93,551 from the A & C Audit Recovery, Other Special Revenue Fund account in the Department of Administrative and Financial Affairs to the unappropriated surplus of the General Fund by June 30, 2005. |
| AAAA | AAAA-1 | To establish one limited-period Senior Planner position in FY 2004-05 and FY 2005-06 funded with federal funds. |

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| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
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| BBBB | BBBB-1: BBBB-2 | To provide that a statement of intent for compensation would need to be filed by a former student of the Maine School for the Deaf or the Governor Baxter School for the Deaf and that an estate would not be eligible to submit a statement of intent. If a claimant were to die before compensation was paid, the compensation would be payable to the estate of the claimant. |
| | BBBB-3: BBBB-4 | To create a process by which the Maine Enterprise Initiative Fund within the Department of Economic and Community Development and the Baxter Compensation Authority would receive funding, if there were sufficient unappropriated surplus remaining after all other required deductions and transfers at the close of fiscal year 2004-05. |
| CCCC | CCCC-1 | To transfer \$104,357 from the Natural Disaster Business Assistance Fund in the Finance Authority of Maine to the General Fund as undedicated revenue no later than June 30, 2005. |
| | CCCC-2 | To appropriate \$87,000 in fiscal year 2004-05 to Adult Education. |
| DDDD | DDDD-1 | <p>To classify certain aspects of the State’s group health plan for retired state employees as “solemn contractual commitments,” under conditions set forth in this Part. The commitment would be made to state employees who were eligible for membership in the Maine State Retirement System, the Maine Legislative Retirement System or the State Police Retirement System and to employees of the Maine Turnpike Authority, the Maine Community College System and the Maine State Retirement System.</p> <p>To provide that the eligibility criteria for health plan coverage as a retiree or a family member of a retiree could not be more stringent than the criteria that existed at the time the employee became vested, which for most state employees is after 5 years of creditable service. It also proposed to provide that the State contribution percentage toward the premium cost for retirees may not be less than at the time the employee became vested. Finally, it proposed to provide that retirees would continue to be eligible to participate in the same group health plans as active employees, or substantially similar plans. The State Employee Health Commission would determine whether plans were substantially similar. In determining whether the plan offered to Medicare-eligible retirees would be substantially similar to that offered to active employees, the Commission would look at the combination of Medicare or successor federal plan benefits and benefits included in any supplemental plan provided by the State.</p> |

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PART SECTION DESCRIPTION

EEEE EEEE-1 To clarify the intent of the use of the \$3,000,000 portion of the transportation bonds proceeds of Private and Special Law 2003, chapter 33. The Department of Public Safety would be required to award grants of \$3,000,000 to expand existing air-medical response system throughout the state, up to \$400,000 of these grants would need to be for the costs of acquisition of a mobile advance human patient simulator mannequin system.

House Amendment “Q” (H-932) proposed to clarify that the committee amendment would not create a contractual commitment on the part of the State to offer group health plans at all or to continue to offer health insurance coverage for any type of benefit or to offer a specific level of benefit payment. However, the State could reduce coverage for retirees only if it made the same or substantially similar reductions for active employees. It also proposed to include employees of the Maine Maritime Academy in the list of vested employees eligible to receive health insurance as state retirees.

House Amendment “T” (H-935) proposed to correct a drafting error.

House Amendment “V” (H-937) proposed to deappropriate \$32,000 in fiscal year 2004-05 from the General Purpose Aid for Local Schools program within the Department of Education and appropriate one-time funding of \$32,000 in fiscal year 2004-05 for the Maine School of Science and Mathematics in Limestone.

House Amendment “Z” (H-958) proposed to strike the emergency preamble and emergency clause from Committee Amendment "A." It proposed to make the necessary adjustments to appropriations and allocations and language to reflect the delay in the effective date.

House Amendment “AA” (H-964) proposed to direct the Public Utilities Commission, when determining the level of financial assistance to be provided from the Maine Telecommunications Education Access Fund to qualified libraries, to mitigate the impact of lost federal funding in those cases in which libraries have determined they could not meet conditions for receiving the federal funding without substantially compromising their standards or missions.

House Amendment “BB” (H-965) proposed to require the first payment to private nonmedical institutions, PNMI's, authorized in Committee Amendment "A" to be made by August 1, 2004.

Senate Amendment “A” (S-518) proposed to make the following changes to the statutes governing the Office of Program Evaluation and Government Accountability, or OPEGA.

1. It proposed to authorize the legislative oversight committee to direct OPEGA to conduct evaluations of local government, quasi-municipal entities and municipal or nonprofit corporations when determined necessary by the committee and to examine expenditures of private money by public officials or employees.
2. It proposed to remove language concerning the Department of Audit from the subsection that defines program evaluation and instead enact language under the duties of the committee to give the committee the discretion to request that the department conduct an examination or, if the department were unable to perform the examination in a timely manner, to direct OPEGA to obtain the services of a qualified auditor.

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3. It proposed to clarify what information would be made available to the committee and to OPEGA.
4. It proposed to require the director and employees of OPEGA to be nonpartisan.

Senate Amendment “P” to Committee Amendment “A” (S-543) proposed to require the Treasurer of State to structure the June 2004 bond issues into semiannual payments for a period of not more than 9 years, rather than the recent practice of annual installments over 10 years. This amendment also proposed to appropriate one-time funding of \$6,000,000 to the Baxter Compensation Authority. This amendment also proposed to eliminate the transfer of funds to the Baxter Compensation Authority from the unappropriated surplus at the close of fiscal year 2004-05.

Enacted Law Summary:

Public Law 2003, chapter 673 does the following, summarized below by part and section.

| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
|-------------|----------------|---|
| A | A-1 | Part A makes appropriations and allocations of funds for various purposes. |
| B | B-1 | Part B makes appropriations and allocations for approved reclassifications and range changes. |
| | B-2 | Authorizes the use of the Salary Plan program for additional interest expense caused by delays in funding approved reclassifications and range changes. |
| C | C-1:C-4 | Authorizes the Commissioner of the Department of Administrative and Financial Services to appoint an Associate Commissioner, Administrative Services as a major policy influencing position. |
| | C-5 | Amends the provisions of PL 2003, c.20 to clarify the lease-purchase language for Central Fleet Management to be applicable for each year of the biennium. |
| | C-6:C-7 | Authorizes the State Budget Officer to transfer savings resulting from the Retirement Incentive Program from General Fund and Other Special Revenue Fund accounts to the General Fund Salary Plan account and from Highway Fund accounts to the Highway Fund Salary Plan account. |
| | C-8 | Authorizes the State Controller to recover, through the state cost allocation program, \$915,640 associated with prior year payments by the General Fund to the Maine State Retirement System. |
| | C-9 | Authorizes the State Controller to recover, through the state cost allocation program, \$170,000 in fiscal year 2004-05 associated with homeland security grant programs awarded to the Department of Defense, Veterans and Emergency Management. |

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| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
|--------------------|-----------------------|---|
| | C-10 | Authorizes the Bureau of General Services to use \$111,856 no longer required for the Thomaston State Prison Demolition project, for the Hazardous Material Abatement and Removal and Demolition of the State Armory in Caribou. |
| D | D-1:D-9 | Adopts pre-EGTRRA (Economic Growth and Tax Relief Reconciliation Act of 2001) federal law for the Maine estate tax for decedents dying after 2004. The bill does not address estates of decedents dying in 2010 when the federal estate tax is fully repealed (for that year only) along with the federal determination of the value of the estate, upon which Maine relies in its determination of the Maine estate tax. |
| E | E-1:E-3 | Amends the minimum taxability threshold for nonresident taxpayers by reducing the number of days spent in Maine that triggers a nonresident income tax liability from 21 days to 11 days. The income threshold of \$6,000 is eliminated. |
| F | F-1:F-2 | Disallows the use of Maine income tax credits against the Maine alternative minimum income tax for tax years beginning after 2003. |
| G | G-1:G-3 | Establishes criteria to disqualify certain tax-motivated lease transactions from the high-technology investment tax credit beginning after 2003. |
| H | H-1 | Lapses \$120,306 in the Pollution Control Structures General Fund account in the Department of Agriculture, Food and Rural Resources to the unappropriated surplus of the General Fund in fiscal year 2004-05. |
| | H-2 | Appropriates \$36,000 in fiscal year 2004-05 to partially offset a statewide All Other deappropriation. |
| | H-3 | Appropriates \$84,306 in fiscal year 2004-05 to establish one limited-period Nutrient Management Coordinator position to direct and further develop the Nutrient Management Program. |
| I | I-1:I-2 | Amends the law to allow the Commissioner of the Department of Behavioral and Developmental Services to establish a retail store at the Riverview Psychiatric Center and establishes a non-lapsing dedicated account for store income and expenses. |
| J | J-1 | Amends the law relating to the use of the Boating Facilities Fund in the Department of Conservation so that funds may be provided to state agencies. |
| | J-2 | Transfers \$1,000,000 from the General Fund to the Shore and Harbor Management Fund to offset a transfer pursuant to PL 2003, c. 513, V-1. |
| | J-3 | Authorizes the State Controller to transfer \$1,000,000 from the Boating Facilities Fund, Other Special Revenue Funds account in the Department of Conservation, to the unappropriated surplus of the General Fund by June 30, 2005. |

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| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
|--------------------|-----------------------|---|
| | J-4 | Authorizes the State Controller to transfer \$1,000,000 from the Shore and Harbor Management Fund, Other Special Revenue Fund account to the Boating Facilities Fund, Other Special Revenue Fund account in the Department of Conservation by June 30, 2005. |
| | J-5 | Lapses \$193,241 in the Division of Forest Fire Control, General Fund - carrying account in the Department of Conservation to the unappropriated surplus of the General Fund in fiscal year 2004-05. |
| K | K-1:K-5 | Provides that savings in health insurance costs related to hospital rate adjustments do not apply to fiscal year 2004-05 and makes the necessary offsets to statewide appropriations and allocations. |
| L | L-1 | Authorizes the Department of Corrections to enter into a lease-purchase arrangement for the acquisition of energy-savings equipment. |
| M | M-1:M-9 | Amends the laws related to the Department of Economic and Community Development to reorganize certain activities and to establish the Office of Innovation in the Department of Economic and Community Development and reallocates statutory provisions related to the State's science and technology plan and comprehensive research and development evaluation to that office. Also reallocates resources within the Department as part of a departmental reorganization. |
| N | N-1 | Amends the statewide local share amount of the operating costs allocation for fiscal year 2004-05 for purposes of education funding. |
| | N-2 | Establishes the maximum debt service limits for school construction for 2008 and 2009. |
| | N-3 | Clarifies the lease purchase language for the replacement of Carpenter buses authorized by Resolve 2003, Chapter 92, Part B. |
| | N-4:N-18 | Specifies the General Purpose Aid for Local Schools actual education certification and appropriation levels for fiscal year 2004-05 as required by the Maine Revised Statutes, Title 20-A, section 15605. |
| | N-19 | Clarifies that the amounts available for distribution through General Purpose Aid for Local Schools includes \$5,050,000 of funds carried forward from fiscal year 2003-04. |
| | N-20 | Appropriates an additional \$9,950,000 in fiscal year 2004-05 for General Purpose Aid for Local Schools in fiscal year 2004-05. |

**JOINT STANDING COMMITTEE ON
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| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
|--------------------|-----------------------|--|
| O | O-1 | Authorizes encumbered balances for automating the Department of Inland Fisheries and Wildlife's licensing, registration and permitting processes that will lapse at the end of fiscal year 2003-04 to be transferred from the Carrying Balance account to the License and Registration account within the department to be used for the same purposes in fiscal year 2004-05. |
| P | P-1 | Amends the law to authorize the Chief Justice to use General Fund appropriations to cover miscellaneous costs associated with the operation of the account of deposited cash bail. |
| | P-2 | Authorizes the Chief Justice to use \$23,000 of current General Fund appropriations to cover a shortage in the Judicial Department bail account. |
| Q | Q-1:Q-4 | Repeals those provisions of law related to the Occupational Safety Loan Fund in the Department of Labor. |
| | Q-5 | Amends the law to provide for transfers of payments of outstanding Occupational Safety Loan Fund loans from the Finance Authority of Maine to the Safety Education and Training Fund in the Department of Labor. |
| R | R-1 | Increases the maximum borrowing capacity of the Maine Maritime Academy, from \$4,000,000 to \$10,000,000. |
| S | S-1:S-2 | Moves the State Nuclear Safety Advisor position from the State Planning Office to the Office of the Public Advocate and makes related allocations. |
| T | T-1:T-2 | Reenacts the Maine Computer Crimes Task Force retroactively to January 1, 2004. |
| U | U-1:U-2 | Amends the law related to the Uniform Unclaimed Property Act to establish the definition of a store-value card and to mandate record keeping by sellers of store-value cards. |
| V | V-1:V-3;V-6 | Authorizes the Department of Human Services and the Department of Behavioral and Developmental Services to establish separate categories of licensure for facilities providing private non-medical institutional services to MaineCare eligible individuals. |
| | V-4:V-5; V-7:V-24 | Makes changes to the sales tax and municipal revenue sharing to account for the establishment of a "Service Provider Tax". |
| | V-25 | Enacts a 5% tax, effective July 1, 2004, on the value of following services provided in this State: extended cable television services; fabrication services; video rentals; certain rentals of furniture and audio equipment; telecommunications services; installation, maintenance or repair of telecommunications equipment; and private non-medical institution services. |

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| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
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| | V-26 | Transfers \$105,000 between accounts to offset implementation costs associated with this Part. |
| | V-27 | Authorizes the Department of Human Services to implement rules retroactively to July 1, 2003 to address the recovery of return on equity for private non-medical institutions. |
| | V-28 | Adjusts appropriations and allocations as a result of the implementation of the service provider tax imposed by this Part. |
| | V-29 | Establishes effective dates and the timing of returns and payments. |
| W | W-1 | Authorizes the Department of Human Services to collect fees for researching its files for child protective records, and providing child protective records to licensing agencies, employers, and other non-governmental persons. The department will establish the fee schedule by routine technical rule. |
| X | X-1 | Authorizes the Department of Human Services to increase the maximum license fee for certain eating and lodging facilities -- from \$40 to \$100 for schools; from \$10 to \$60 for inspections of eating establishment in municipalities authorized by the department to conduct such inspections; from \$125 to \$150 for other licensed eating establishments; and from \$20 to \$35 to cover the costs of each additional inspection. |
| | X-2 | Requires the Department of Human Services to issue a conditional license to a new applicant that does not meet the regulations. The current language requires the department to issue a conditional license to all applicants, even those that are renewing. |
| | X-3 | Authorizes the Department of Human Services to increase fines and penalties for operating without a license. |
| | X-4 | Increases the fee from \$10 to \$60 for eating establishments in municipalities that do their own inspections. |
| | X-5 | Makes a technical correction. |
| | X-6 | Directs the Department of Human Services to review municipalities that do their own inspections of eating and lodging facilities. |
| Y | Y-1:Y-2 | Authorizes the Department of Human Services to adopt rules providing that infants in families with income over 185% and children under 19 years of age in families with income over 150% and up to 200% of the nonfarm income official poverty line who meet the eligibility requirements of the Cub Care program are eligible to participate in Cub Care instead of Medicaid. |
| | Y-3 | Delays for 3 months the effective date of MaineCare eligibility expansions authorized by the Dirigo Health legislation, PL 2003, c. 469. |

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| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
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| Z | Z-1:Z-5 | Makes changes to the mandatory reporting requirements for abuse and neglect, consistent with changes recommended by the U.S. Department of Health and Human Services, Administration for Families and Children. It requires the Department of Human Services to collect and investigate all reports regarding infants born affected by substance abuse or after prenatal exposure to drugs, and to provide services to the child and family which address that set of circumstances. |
| AA | AA-1 | Expands the time frame for an applicant to appeal a denial of a mass gathering permit. |
| | AA-2:AA-3 | Authorizes the department to require an application with a fee prior to reviewing and issuing a permit to any mass outdoor gathering, changes application and bonding procedures and increases fees. |
| BB | BB-1:BB-4 | Requires the State Controller to transfer monthly an amount equivalent to benefits certified under the Maine Residents Property Tax Program from General Fund undedicated revenue within the individual income tax category to the Circuit Breaker reserve. The State Tax Assessor is required to pay benefit amounts to approved applicants. No interest on payments may be allowed. Also eliminates funding to the Maine Residents Property Tax Program since it is being converted to an offset to the individual income tax line. In fiscal year 2004-05, the amount of the transfers is limited to the amounts that were appropriated in fiscal year 2004-05 for this program. |
| CC | CC-1:CC-2 | Requires that retail tobacco licenses be renewed annually, increases the fee and directs the revenue to the General Fund. Repeals language requiring the transfer of dedicated funds from the Department of Human Services to the Judicial Department. |
| DD | DD-1 | Authorizes unencumbered balances of funds in the General Assistance program in the Department of Human Services to be carried forward each fiscal year to be used for the same purposes. |
| | DD-2 | Amends the law to provide the Department of Human Services with access to information on real estate transfers for the purpose of determining financial eligibility for MaineCare services. |
| | DD-3 | Authorizes the State Controller to accept fiscal year 2002-03 balances of \$177,232 returned by providers as General Fund unappropriated surplus in fiscal year 2004-05. |
| | DD-4 | Authorizes the Department of Human Services to establish minimum record keeping requirements for agencies administering Temporary Assistance for Needy Families programs. |
| | DD-5 | Specifies that \$1,100,000 of unencumbered balance forward in fiscal year 2003-04 in the State Supplement to Federal Supplemental Security Income General Fund account in the Department of Human Services lapses to the General Fund in fiscal year 2004-05. |

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| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
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| EE | EE-1 | Amends the law to allow for a partial transfer of funds from the General Fund to the Maine Clean Election Fund to occur on September 1, 2004. (See LD 1673) |
| FF | FF-1 | Requires the Commissioner of Administrative and Financial Services to convene a working group to facilitate claims processing and reimbursement for medically necessary behavioral health services, including but not limited to, emergency and urgent care services. The working group must submit a report to legislative committees by January 15, 2005. |
| | FF-2 | Deappropriates and deallocates funds associated with the mental health parity provisions. |
| GG | GG-1:GG-3 | Amends the law to allow fees from Borrow Pits and Mining to be deposited in the Maine Environmental Protection Fund (MEPF) consistent with the merger of the Borrow Pit Account into the MEPF Fund as a sub-account in Part A of the bill. |
| HH | HH-1:HH-2; HH-5 | Amends the definition of critical access hospital. |
| | HH-3 | Amends the law to increase the tax on hospital net operating revenues to 2.23% |
| | HH-4 | Amends the law to allow hospitals to pay the tax levied against them in two equal payments, one due in November of the state fiscal year and the other due in May. |
| | HH-6:HH-7 | Establishes contingency provisions for the hospital tax and hospital payments included in Part HH-8. |
| | HH-8 | Allocates funds to increase MaineCare payments to hospitals in accordance with rules duly adopted by the Department of Human Services. |
| | HH-9 | Deappropriates funds to be replaced by dedicated revenue from the hospital tax. |
| II | II-1 | Lapses \$600,000 of interest earnings savings in the Debt Service - Government Facilities Authority, General Fund account to the unappropriated surplus of the General Fund by June 30, 2005. |
| JJ | JJ-1:JJ-6 | Changes the rate structure for Maine alternative minimum tax from a flat rate (27%) applied to adjusted federal minimum tax to a graduated rate applied to Maine alternative minimum taxable income. The calculation maintains the exemption amounts provided by the Internal Revenue Code effective as of December 31, 2002. |
| KK | KK-1:KK-3 | Changes the calculation of the interest rate on unpaid taxes as well as refunds to the prime interest rate plus 3 percentage points, rather than the current formula of the prime rate plus 2 percentage points. This change is effective July 1, 2004. |
| LL | LL-1 | Places the ACE Service Center under the direct authority of the Department of Environmental Protection. |

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| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
|--------------------|-----------------------|---|
| | LL-2 | Amends the law to increase the transfer from the Maine Environmental Protection Fund in the Department of Environmental Protection to the General Fund by \$2,500 in fiscal year 2004-05. |
| | LL-3 | Repeals the provision of law authorizing a transfer from the State Revolving Fund account in the Department of Environmental Protection to the General Fund. |
| | LL-4 | Requires that \$172,573 of the unencumbered balance forward in the Administrative Services Unit – ACE Cluster Other Special Revenue Funds account in the Department of Environmental Protection be transferred to the General Fund in fiscal year 2004-05. |
| | LL-5 | Provides appropriations and allocations related to the reorganization of the ACE Service Center. |
| MM | MM-1:MM-2 | Authorizes the Director of the Bureau of Alcoholic Beverages and Lottery Operations within the Department of Administrative and Financial Services to enter into an agreement with a multijurisdictional lottery association to operate, market and promote a joint lottery or lottery games and provides related allocations. (See LD 1536). |
| NN | NN-1 | Amends the definition of personal care agency to include individuals who hire unlicensed assistance personnel for their own care when permitted by rule of the Department of Human Services. |
| OO | OO-1:OO-2 | Directs the State Budget Officer to calculate savings as a result of increased efforts in pursuing federal and commercial reimbursement of state-funded programs, improved eligibility verification and procedures and other data integration improvements to state funded services. Deappropriates \$2,500,000 from the General Fund and allocates \$2,500,000 Other Special Revenue Funds to reflect those savings and increased reimbursement from federal and commercial sources. |
| PP | PP-1 | Requires the State Controller to transfer \$1,043,460 from the Emergency Services Communications, Other Special Revenue Funds account in the Public Utilities Commission to the unappropriated surplus of the General Fund by June 30, 2005. |
| QQ | QQ-1 | Amends the law to allow the program to pay expenses of members of the Advisory Committee on Family Development Accounts who represent account holders, who must be individuals whose income is below 200% of the nonfarm income official poverty line. |
| | QQ-2:QQ-3 | Amends the law to delete the sunset on the provision which allows an institution to apply a Maine State Grant to reduce institutional or other grant aid if the institution grants the institutional or grant aid to a student with demonstrated financial need. |

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| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
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| RR | RR-1 | Requires the State Budget Officer to calculate the amount of savings in each General Fund account from information technology savings achieved by extending the use of personal computers and peripheral devices to a minimum of 4 years before replacement. |
| | RR-2 | Requires that exceptions to the replacement schedule must be approved by the Chief Information Officer. |
| | RR-3 | Deappropriates \$500,000 in fiscal year 2004-05 associated with savings achieved from extending the use of personal computers and peripheral devices to a minimum of 4 years before replacement. |
| SS | SS-1 | Authorizes the Department of Transportation to sell the Payne Road Bridge in Scarborough to the Maine Turnpike Authority for \$5,000,000. |
| | SS-2 | Authorizes the State Controller to transfer \$5,000,000 from the unallocated surplus of the Highway Fund to the unappropriated surplus of the General Fund at the close of fiscal year 2004-05. |
| | SS-3 | Requires the transfer of the Transportation Building from the Bureau of General Services within the Department of Administrative and Financial Services to the Department of Transportation. |
| | SS-4 | Directs the Commissioner of Administrative and Financial Services and the Commissioner of the Department of Transportation to determine the scope of services and responsibilities of each Department and to report to the Joint Standing Committees of the Legislature for Appropriations and Financial Affairs, Transportation, and State and Local Government by January 30, 2005 with respect to the management and oversight of the Transportation Building Property. |
| | SS-5 | Directs the Commissioner of Administrative and Financial Services and the Commissioner of the Department of Transportation to present any necessary budget adjustments related to the management and operation of the Transportation Building Property to the next regular session of the Legislature. |
| | SS-6 | Authorizes the State Controller to transfer \$6,400,000 from the unallocated surplus of the Highway Fund to the unappropriated surplus of the General Fund at the close of fiscal year 2004-05. |
| TT | TT-1:TT-2 | Increases the surcharge on every fine, forfeiture or penalty imposed by State courts and deposits the monies generated by that increase to the General Fund. |
| | TT-3:TT-7 | Increases fines for suspensions related to operating under the influence offenses, operating after suspension and operating after revocation of license. |
| UU | UU-1 | Amends the law to provide for repayment of funds to the Retiree Health Insurance Fund on or after August 1, 2004. |

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| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
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| | UU-2 | Requires the Department of Administration and Financial Services to manage the Retiree Health Insurance Fund on a cost reimbursement basis of funding and accounting beginning June 30, 2005. |
| | UU-3 | Requires the Department of Administrative and Financial Services to calculate and return the amount of the excess equity to each participating fund and ancillary group contributing to the Retiree Health Insurance Fund in fiscal year 2004-05, after retaining a reasonable amount of working capital. |
| | UU-4 | Provides an appropriation of \$1,100,000 to distribute funds to the Maine Community College System as a result of the divestiture of the Retiree Health Insurance Fund. |
| VV | VV-1 | Authorizes the Department of Public Safety to establish two State Police Sergeant project positions to be temporarily assigned to the Criminal Justice Academy for each training class. |
| WW | WW-1: WW-5 | Amends provisions of Maine Revised Statutes Title 26 to reflect that the Medicaid portion of the consumer-directed personal care assistance services are to be administered by the Department of Human Services and to specify the responsibilities of that Department and the Department of Labor. |
| | WW-6 | Transfers funds from the Department of Labor's Rehabilitation Services - Medicaid program to the Medical Care - Payments to Providers program within the Department of Human Services in FY 2004-05. |
| XX | XX-1 | Repeals a requirement for an annual report to the Appropriations Committee regarding positions vacant for more than 6 months. |
| YY | YY-1 | Prohibits hospital-based physician practices that bill as "hospital services" provided to MaineCare patients from discontinuing acceptance of new MaineCare patients or limiting services to MaineCare patients in a way that differs from policies that apply to other patients funded from any other payment source. |
| ZZ | ZZ-1 | Adds the Long Term Care Ombudsman Program and Legal Services for the Elderly to the agencies receiving federal Administration on Aging funds that may carry funds forward for the purposes of those programs. |
| AAA | AAA-1: AAA-3; AAA 5:6 | Amends language related to sales tax registration certificates to provide enhanced enforcement of resale certificate eligibility for applications filed on or after July 1, 2004 or the effective date of this Act, whichever is later. |
| | AAA-4 | Amends PL 2003, c. 20 as it relates to positions established in Maine Revenue Services removing the stipulation that they are limited period positions. |
| | AAA-7 | Appropriates funds for tax enforcement initiatives. |
| BBB | BBB-1 | Authorizes payment to be made to those employees who were denied merit increases in fiscal year 2003-04. |

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| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
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| | BBB-2 | Authorizes payment to be made to those Institutional Services employees who would have been eligible to receive a step increase from Step 6 to Step 7 during the period July 1, 2003 to June 30, 2004. |
| | BBB-3 | Provides \$250,000 to the Salary Plan for the step increases authorized in section 2 of this Part. |
| CCC | CCC-1 | Provides for the calculation and transfer of statewide savings in the General Fund related to the cost of health insurance for fiscal year 2004-05. |
| | CCC-2 | Deappropriates \$400,000 in fiscal year 2004-05 as a result of health insurance savings. |
| DDD | DDD-1 | Provides for the calculation and transfer of statewide savings in the General Fund in the cost of workers' compensation claims for fiscal year 2004-05. |
| | DDD-2 | Deappropriates \$426,925 in fiscal year 2004-05 as a result of savings in workers' compensation claims. |
| EEE | EEE-1 | Provides for the calculation and transfer of statewide savings in the General Fund from projected savings in electricity costs for fiscal year 2004-05. |
| | EEE-2 | Deappropriates \$750,000 in fiscal year 2004-05 as a result of projected savings in electricity costs. |
| FFF | FFF-1:FFF-2 | Amends the required practices of pharmacy benefits managers by deleting authority to substitute lower-priced and therapeutically equivalent drugs and changing the procedures for substituting higher-priced substitute drugs and transferring payments received by the pharmacy benefits manager as a result of substitution of drugs. |
| | FFF-3 | Amends the law to add a pharmacy's status as independent provider to the criteria for awarding incentive payments to pharmacies. |
| | FFF-4 | Requires the MaineCare Advisory Committee to establish a standing subcommittee to review the prior authorization process used in the MaineCare and Drugs for the Elderly benefit programs. |
| | FFF-5 | Makes appropriations and deappropriations as a result of the collection of settlement proceeds; increased administrative costs of stricter prior authorization and pharmacist support; review of pharmacy use in restrictive settings; stricter prior authorization criteria; implementing a voluntary pharmacy mail order program and making incentive payments to pharmacies to mitigate its impact; and the creation of a preferred drug list for the DEL program. |
| GGG | GGG-1: GGG-2 | Establishes Maine Ground fish Fund to support the ground fish industry to be administered by the Commissioner of Marine Resources. |

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| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
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| HHH | HHH-1 | Moves \$315,000 from the Maine Microenterprise Initiative Fund to the Administration - Economic and Community Development program in fiscal year 2004-05 to provide one-time funding to match the National Aeronautics and Space Administration's EPSCoR award to the Maine Space Grant Consortium. (See LD 167). |
| III | III-1:III-2 | Eliminates 31 positions as a result of the merger of the Department of Human Services and the Department of Behavioral and Developmental Services. |
| JJJ | JJJ-1:JJJ-5 | Eliminates the Northern Androscoggin Division of the Eleventh District Court in Livermore Falls and transfers that jurisdiction to the Eighth District. |
| KKK | KKK-1 | Transfers funds appropriated to the Educational and General Activities - UMS program for fiscal year 2004-05 for the Maine Economic Improvement Fund in Public Law 2003, c. 20, Part RR to the Maine Economic Improvement Fund program within the University of Maine System. |
| LLL | LLL-1:LLL-4 | Adds the Maine Endangered and Nongame Wildlife Fund in the Department of Inland Fisheries and Wildlife to the list of accounts that are not included in transfers of savings to the General Fund in fiscal year 2004-05 and transfers \$30,536 in fiscal year 2004-05 from the General Fund to the Maine Endangered and Nongame Wildlife Fund to reverse the transfer that occurred in fiscal year 2003-04. |
| MMM | MMM-1: MMM-4 | Establishes the MaineCare Basic program to deliver medically necessary health care services to adult members of the MaineCare program; establishes limits on certain benefits and services for adults; establishes savings targets for these benefits and services; appropriates funds to administer the program; and deappropriates funds to reflect reductions in estimated MaineCare spending as a result of the program. |
| NNN | NNN-1: NNN-3 | Requires the Attorney General to study discrimination against homeless individuals and report the results of the study and any necessary legislation to the Legislature by January 5, 2005. |
| OOO | OOO-1 | Provides that the cap on reimbursement for certain mental health services may not be set below the median rate necessary to achieve the savings identified in this Act. |
| | OOO-2 | Requires the establishment of an advisory working group to examine and make recommendations regarding methods of achieving savings in mental health costs. |
| PPP | PPP-1 | Lapses \$2,400,000 in the Education in the Unorganized Territory General Fund account in the Department of Education to the General Fund in fiscal year 2004-05. |
| QQQ | QQQ-1: QQQ-2 | Authorizes the Executive Director of the Legislative Council to sell, in accordance with Legislative Council procedures, unneeded legislative equipment and materials and directs proceeds from the sale to the legislative account. |

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| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
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| | QQQ-3 | Appropriates funds to cover the expenses of 3 Maine commissioners to attend the annual conference of the Commission on Uniform State Laws and for a portion of the dues of that organization. |
| RRR | RRR-1: RRR-3 | Increases the filing fee for registration statements for securities offered for sale from \$500 to \$1,000 effective August 1, 2004. |
| SSS | SSS-1:SSS-3 SSS-4 | Requires the Department of Behavioral and Developmental Services to adopt rules to require service providers to charge fees for certain services for children and families funded by grant programs from the department. Appropriates \$1,250,000 in fiscal year 2004-05 for the Mental Health Services -- Children program for room and board, flexibility funds and training to partially offset other decreases in funding. |
| TTT | TTT-1:TTT-3 TTT-4 | Repeals recently enacted changes, restores the schedule of premiums for the Cub Care program that is scheduled to expire on July 1, 2004 and directs the Department of Human Services to evaluate premiums periodically. Makes appropriations and allocations to reflect the changes in Cub Care premiums and to partially restore funding for adult transportation under the MaineCare program. |
| UUU | UUU-1 UUU-2 | Requires that the information shared by the Finance Authority of Maine to the Department of Human Services to be used to determine which Maine State Grant Program recipients are also eligible for TANF job preparation funds or to participate in the Parents as Scholars Program is confidential. Deappropriates \$183,250 in fiscal year 2004-05 only that will be paid from TANF block grant funds to provide preparation funds for Parents as Scholars participants. |
| VVV | VVV-1 | Requires the Department of Corrections to report monthly to the legislative committees with jurisdiction over appropriations and financial affairs and criminal justice on the status of the state prisoner and probation population and the staffing necessary to provide adequate supervision. |
| WWW | WWW-1: WWW-37 | Increases fees for various business entity filings with the Secretary of State. |
| XXX | XXX-1: XXX10 | Increases fees for various annual report filings with the Secretary of State. |
| YYY | YYY-1 | Establishes standards for determination of whether a business entity with a debt owed to the Department of Human Services is considered out of business. |
| ZZZ | ZZZ-1 | Requires State Controller to transfer \$500,000 from the Office of Information Services Fund account in the Department of Administrative and Financial Affairs to the unappropriated surplus of the General Fund by June 30, 2005. |

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| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
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| | ZZZ-2 | Requires State Controller to transfer \$93,551 from the A & C Audit Recovery, Other Special Revenue Fund account in the Department of Administrative and Financial Affairs to the unappropriated surplus of the General Fund by June 30, 2005. |
| AAAA | AAAA-1 | Establishes one limited-period Senior Planner position at the Atlantic Salmon Commission in FY 2004-05 and FY 2005-06 funded with federal funds. |
| BBBB | BBBB-1: BBBB-2 | Provides that a statement of intent for compensation must be filed by a former student of the Maine School for the Deaf or the Governor Baxter School for the Deaf and that an estate is not eligible to submit a statement of intent. If a claimant dies before compensation is paid, the compensation is payable to the estate of the claimant. |
| | BBBB-3: BBBB-4 | Creates a process by which the Maine Microenterprise Initiative Fund within the Department of Economic and Community Development would receive funding, if there is sufficient unappropriated surplus remaining after all other required deductions and transfers at the close of fiscal year 2004-05. |
| CCCC | CCCC-1 | Transfers \$104,357 from the Natural Disaster Business Assistance Fund in the Finance Authority of Maine to the General Fund as undedicated revenue no later than June 30, 2005. |
| | CCCC-2 | Appropriates \$87,000 in fiscal year 2004-05 to Adult Education. (See LD 194). |
| DDDD | DDDD-1 | Classifies certain aspects of the State's group health plan for retired state employees as "solemn contractual commitments," under conditions set forth in this Part. The commitment is made to state employees who are eligible for membership in the Maine State Retirement System, the Maine Legislative Retirement System or the State Police Retirement System and to employees of the Maine Turnpike Authority, the Maine Community College System and the Maine State Retirement System. |
| | DDDD-1 | This Part provides that the eligibility criteria for health plan coverage as a retiree or a family member of a retiree may not be more stringent than the criteria that existed at the time the employee became vested, which for most state employees is after 5 years of creditable service. It also provides that the State contribution percentage toward the premium cost for retirees may not be less than at the time the employee became vested. Finally, it provides that retirees will continue to be eligible to participate in the same group health plans as active employees, or substantially similar plans. The State Employee Health Commission will determine whether plans are substantially similar. In determining whether the plan offered to Medicare-eligible retirees is substantially similar to that offered to active employees, the Commission will look at the combination of Medicare or successor federal plan benefits and benefits included in any supplemental plan provided by the State. |

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| <u>PART</u> | <u>SECTION</u> | <u>DESCRIPTION</u> |
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| EEEE | EEEE-1 | Clarifies the intent of the use of the \$3,000,000 portion of the transportation bonds proceeds of Private and Special Law 2003, chapter 33. The Department of Public Safety is required to award grants of \$3,000,000 to expand existing air-medical response system throughout the state, up to \$400,000 of these grants must be for the costs of acquisition of a mobile advance human patient simulator mannequin system. |
| FFFF | FFFF-1 | Appropriates \$32,000 in fiscal year 2004-05 to the Magnet Schools program and deappropriates the same amount from General Purpose Aid for Local Schools. |
| GGGG | GGGG-1: GGGG-9 | Amends the statutes governing the Office of Program Evaluation and Government Accountability (OPEGA) to authorize the legislative oversight committee to direct OPEGA to conduct evaluations of local government, quasi-municipal entities and municipal or nonprofit corporations when determined necessary by the committee and to examine expenditures of private money by public officials or employees. It also removes language concerning the Department of Audit that defines program evaluation and instead enacts language that gives the committee the discretion to request the department to conduct an examination or, if the department is unable to perform the examination in a timely manner, to direct OPEGA to obtain the services of an auditor. It also clarifies the status of information provided to OPEGA and requires the director and the employees of OPEGA to be nonpartisan. |
| HHHH | HHHH-1 | Requires the Treasurer of State to structure the June 2004 bond issue to be paid in semiannual installments of principal and interest over a period of no more than 9 years with the first annual installment due on or after January 1, 2005. |
| | HHHH-2 | Recognizes the General Fund and Highway Fund debt service savings from the restructuring of the June 2004 bond issue and appropriates \$6,000,000 in fiscal year 2004-05 to the Baxter Compensation Authority. (See LD 1682) |
| III | III-1 | Directs the Public Utilities Commission, when determining the level of financial assistance to be provided from the Maine Telecommunications Education Access Fund to qualifying libraries, to mitigate the impact of lost federal funding in those cases in which libraries have determined they could not meet conditions for receiving the federal funding without substantially compromising their standards or missions. |

LD 1928

An Act To Authorize a General Fund Bond Issue in the Amount of \$4,822,368 To Provide Funds To Repair and Upgrade Maine Army National Guard Armories and Facilities and for the Challenger Learning Center of Maine

ONTP

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

| | | |
|---|---------------------------------|---------------------------|
| <u>Sponsor(s)</u> HATCH PA HATCH PH | <u>Committee Report</u> ONTP | <u>Amendments Adopted</u> |
|---|---------------------------------|---------------------------|

LD 1928 proposed to provide a General Fund bond issue in the amount of \$4,822,368 to be used for the following purposes:

1. The sum of \$4,522,368 to repair and upgrade Maine Army National Guard armories and facilities located throughout the State; and
2. The sum of \$300,000 to support the Challenger Learning Center of Maine.

| | | |
|----------------|--|-----------------------------------|
| LD 1937 | An Act To Appropriate Funds to the Maine Potato Board for the Purchase of Potatoes in Need of Disposal Due to Weather Conditions during the Harvest in 2003 | P & S 52 EMERGENCY |
|----------------|--|-----------------------------------|

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| <u>Sponsor(s)</u> MARTIN | <u>Committee Report</u> OTP | <u>Amendments Adopted</u> |
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LD 1937 proposed to appropriate \$750,000 to the Maine Potato Board to purchase from farmers table stock potatoes that are rotting due to poor weather during the harvest in 2003 and are in need of disposal at the rate of \$1.50 per hundredweight.

Enacted Law Summary:

Private and Special 2003, chapter 52 appropriates \$750,000 to the Maine Potato Board to purchase from farmers table stock potatoes that are rotting due to poor weather during the harvest in 2003 and are in need of disposal at the rate of \$1.50 per hundredweight.

Private and Special 2003, chapter 52 was enacted as an emergency measure and took effect May 11, 2004.