

MAINE STATE LEGISLATURE

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



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)

ml

L.D. 2080

2

DATE: 3-21-02

(Filing No. H-968)

4

Majority

6

APPROPRIATIONS AND FINANCIAL AFFAIRS

8

10 Reproduced and distributed under the direction of the Clerk of
12 the House.

12

14

**STATE OF MAINE
HOUSE OF REPRESENTATIVES
120TH LEGISLATURE
SECOND REGULAR SESSION**

16

18

20 COMMITTEE AMENDMENT "A" to H.P. 1574, L.D. 2080, Bill, "An
22 Act to Make Supplemental Appropriations and Allocations for the
24 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, 2002 and June 30, 2003"

24

26 Amend the bill by striking out everything after the title
and before the summary and inserting in its place the following:

28

30 **Emergency preamble.** Whereas, Acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

32

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

34

36 **Whereas,** certain obligations and expenses incident to the
operation of state departments and institutions will become due
and payable prior to June 30, 2002; and

38

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

44

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

COMMITTEE AMENDMENT

~~Interest earned on assessments credited to the fund shall be credited to the fund.~~

Sec. Z-2. Retroactivity. That section of this Part that amends the Maine Revised Statutes, Title 24-A, section 604, subsection 2 applies retroactively to July 1, 1995.

Sec. Z-3. Transfer of funds. Notwithstanding any other provision of law, the State Controller shall transfer \$2,657,138 from the Department of Professional and Financial Regulation, Bureau of Insurance, Other Special Revenue Fund account to the General Fund in fiscal year 2001-02, representing interest earned on that account from July 1, 1995 to June 30, 2001.

PART AA

Sec. AA-1. 5 MRSA §1661, as amended by PL 1987, c. 402, Pt. A, §39, is further amended by adding at the end a new paragraph to read:

The words "Fund for a Healthy Maine," whenever used in this chapter, mean the Other Special Revenue account within the Department of Administrative and Financial Services established pursuant to Title 22, section 1511.

Sec. AA-2. 5 MRSA §1664, 2nd ¶, as amended by PL 1997, c. 655, §1, is further amended to read:

Part 1 must consist of a budget message by the Governor-elect or the Governor that outlines the 4-year financial policy of the State Government for the ensuing biennium and the following biennium, describing in connection therewith the important features of the financial plan. It must embrace a general budget summary setting forth the aggregate figures of the budget in such a manner as to show the balanced outlines relations between the total proposed expenditures and the total anticipated revenues together with the other means of financing the budget for each fiscal year of the ensuing biennium, contrasted with the corresponding figures for the last completed fiscal year and the fiscal year in progress. The following biennium financial plan must include the forecasted Highway Fund and General Fund appropriation requirements and projected revenues and other available resources shown in a budget fund flow statement and a comparative statement that presents income source for revenue projections and appropriation estimates by major program categories. The biennium financial plan must include a summary and details of programs funded through the Fund for a Healthy Maine, presenting the allocation requirements and projected revenues and other available resources shown in a

2 budget fund flow statement and a comparative statement that
3 presents income source for revenue projections and allocation
4 estimates by program categories. This forecast must assume the
5 continuation of current laws and include reasonable and
6 predictable estimates of growth in revenues and expenditures
7 based on national and local trends and program operations.
8 Revenue accruing to the General Fund, the Fund for a Healthy
9 Maine and the Highway Fund revenue must be forecasted for the
10 following biennium by income sources as provided in chapter
11 151-B. Expenditure forecasts for the General Fund, programs
12 funded through the Fund for a Healthy Maine and the Highway Fund
13 must be forecasted on the basis of current law and assumed
14 inflation variables related to program operations. It must
15 specifically describe the estimated loss in revenue during the
16 last completed fiscal year and the fiscal year in progress, and
17 the anticipated loss in revenue for each fiscal year of the
18 ensuing biennium, caused by tax expenditures provided in Maine
19 statutes; the term "tax expenditures" means those state tax
20 revenue losses attributable to provisions of Maine tax laws that
21 allow a special exclusion, exemption or deduction or provide a
22 special credit, a preferential rate of tax or a deferral of tax
23 liability. The general budget summary must be supported by
24 explanatory schedules or statements, classifying the expenditures
25 contained therein by organization units, objects and funds, and
26 the income by organization units, sources and funds.

27 **Sec. AA-3. 22 MRSA §1511, sub-§3-A** is enacted to read:

28 **3-A. Unencumbered balances.** Any unencumbered balance
29 remaining at the end of any fiscal year lapses back to the Fund
30 for a Healthy Maine, the account within the Department of
31 Administrative and Financial Services established pursuant to
32 this section, and may not be made available for expenditure
33 without specific legislative approval.

34 **Sec. AA-4. Fiscal year 2000-01 unencumbered balances.** The
35 following unencumbered balances in the following programs within
36 the Department of Human Services at the end of fiscal year
37 2000-01 representing allocations from the Fund for a Healthy
38 Maine as defined in the Maine Revised Statutes, Title 22, section
39 1511 lapse back to the Fund for a Healthy Maine:

40 A. From the Medical Care - Payments to Providers program
41 that was designated for Medicaid expansions, \$1,500,000;

42 B. From the Medical Care - Payments to Providers program
43 that was designated for tobacco prevention programs,
44 \$1,800,000;

2 C. From the Purchased Social Services program that was
designated for child care initiatives, \$656,136; and

4 D. From the Human Leukocyte program, \$136,145.

6 **Sec. AA-5. Application.** Section 3 of this Part applies to
unencumbered balances that result from allocations from the Fund
8 for a Healthy Maine at the close of each fiscal year beginning
with fiscal year 2001-02.

10 **Sec. AA-6. Appropriations and allocations.** The following
12 appropriations and allocations are made.

14 **ATTORNEY GENERAL, DEPARTMENT OF THE**

16 **Administration - Attorney General**

18	Other Special Revenue Funds	2001-02	2002-03
19	Positions - Legislative Count	(0.000)	(-1.000)
20	Personal Services	\$0	(\$51,740)
21	All Other	0	(100)
22		<hr/>	<hr/>
23	Total	\$0	(\$51,840)

24 **FHM - Attorney General**

26	Fund for a Healthy Maine	2001-02	2002-03
27	Positions - Legislative Count	(0.000)	(1.000)
28	Personal Services	\$0	\$51,740
29	All Other	0	100
30		<hr/>	<hr/>
31	Total	\$0	\$51,840

34 **ATTORNEY GENERAL, DEPARTMENT OF THE**
36 **DEPARTMENT TOTALS**

37		2001-02	2002-03
38	FUND FOR A HEALTHY MAINE	\$0	\$51,840
39	OTHER SPECIAL REVENUE FUNDS	0	(51,840)
40		<hr/>	<hr/>
41	DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0

42 **BEHAVIORAL AND DEVELOPMENTAL**
44 **SERVICES, DEPARTMENT OF**

46 **Office of Substance Abuse**

47	Other Special Revenue Funds	2001-02	2002-03
48	All Other	\$0	(5,570,005)

50 **FHM - Substance Abuse**

COMMITTEE AMENDMENT "A" to H.P. 1574, L.D. 2080

2	Fund for a Healthy Maine	2001-02	2002-03
	All Other	\$0	5,570,005
4			
6	BEHAVIORAL AND DEVELOPMENTAL SERVICES, DEPARTMENT OF		
	DEPARTMENT TOTALS	2001-02	2002-03
8			
	FUND FOR A HEALTHY MAINE	\$0	\$5,570,005
10	OTHER SPECIAL REVENUE FUNDS	0	(5,570,005)
12	DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0
14	EDUCATION, DEPARTMENT OF		
16	Learning Systems		
18	Other Special Revenue Funds	2001-02	2002-03
	Positions - Legislative Count	(0.000)	(-1.000)
20	Personal Services	\$0	(\$74,176)
	All Other	0	(13,474)
22			
	Total	\$0	(\$87,650)
24			
26	FHM - School Nurse Consultant		
	Fund for a Healthy Maine	2001-02	2002-03
28	Positions - Legislative Count	(0.000)	(1.000)
	Personal Services	\$0	\$74,176
30	All Other	0	13,474
32	Total	\$0	\$87,650
34	EDUCATION, DEPARTMENT OF		
	DEPARTMENT TOTALS	2001-02	2002-03
36			
	FUND FOR A HEALTHY MAINE	\$0	\$87,650
38	OTHER SPECIAL REVENUE FUNDS	0	(87,650)
40	DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0
42	FINANCE AUTHORITY OF MAINE		
44	Health Education Centers		
46	Other Special Revenue Funds	2001-02	2002-03
	All Other	\$0	(\$100,000)
48			
50	FHM - Health Education Centers		

COMMITTEE AMENDMENT "A" to H.P. 1574, L.D. 2080

2	Fund for a Healthy Maine	2001-02	2002-03
	All Other	\$0	\$100,000
4	Dental Education Loans		
6	Other Special Revenue Funds	2001-02	2002-03
	All Other	\$0	(\$183,882)
8	FHM - Dental Education		
10	Fund for a Healthy Maine	2001-02	2002-03
12	All Other	\$0	\$183,882
14	Quality Child Care Education		
	Scholarship Fund		
16	Other Special Revenue Funds	2001-02	2002-03
18	All Other	\$0	(\$145,356)
20	FHM - Quality Child Care		
22	Fund for a Healthy Maine	2001-02	2002-03
	All Other	\$0	\$145,356
24	FINANCE AUTHORITY OF MAINE		
26	DEPARTMENT TOTALS	2001-02	2002-03
28	FUND FOR A HEALTHY MAINE	\$0	\$429,238
	OTHER SPECIAL REVENUE FUNDS	0	(429,238)
30	DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0
32	HUMAN SERVICES, DEPARTMENT OF		
34	Bureau of Health		
36	Other Special Revenue Funds	2001-02	2002-03
38	Positions - Legislative Count	(0.000)	(-5.000)
	Personal Services	\$0	(\$257,790)
40	All Other	0	(17,664,999)
42	Total	\$0	(\$17,922,789)
44	FHM - Bureau of Health		
46	Fund for a Healthy Maine	2001-02	2002-03
	Positions - Legislative Count	(0.000)	(5.000)
48	Personal Services	\$0	\$257,790
	All Other	0	17,664,999
50			

COMMITTEE AMENDMENT "A" to H.P. 1574, L.D. 2080

2	Total	\$0	\$17,922,789
4	Bureau of Family Independence - Central		
6	Other Special Revenue Funds	2001-02	2002-03
6	Positions - Legislative Count	(0.000)	(-1.000)
8	Personal Services	\$0	(\$29,487)
10	All Other	0	(100)
10	Total	\$0	(\$29,587)
12	FHM - BFI - Central		
14	Fund for a Healthy Maine	2001-02	2002-03
16	Positions - Legislative Count	(0.000)	(1.000)
16	Personal Services	\$0	\$29,487
18	All Other	0	100
20	Total	\$0	\$29,587
22	Bureau of Medical Services		
24	Other Special Revenue Funds	2001-02	2002-03
24	Positions - Legislative Count	(0.000)	(-1.000)
26	Personal Services	\$0	(\$50,000)
26	All Other	0	(404,993)
28	Total	\$0	(\$454,993)
30	FHM - Bureau of Medical Services		
32	Fund for a Healthy Maine	2001-02	2002-03
34	Positions - Legislative Count	(0.000)	(1.000)
34	Personal Services	\$0	\$50,000
36	All Other	0	404,993
38	Total	\$0	\$454,993
40	Community Family Planning		
42	Other Special Revenue Funds	2001-02	2002-03
42	All Other	\$0	(\$400,000)
44	FHM - Family Planning		
46	Fund for a Healthy Maine	2001-02	2002-03
48	All Other	\$0	\$400,000
50	Community Service Center		

COMMITTEE AMENDMENT "A" to H.P. 1574, L.D. 2080

	Other Special Revenue Funds	2001-02	2002-03
2	Positions - Legislative Count	(0.000)	(-10.000)
	Personal Services	\$0	(\$465,262)
4	All Other	0	(41,910)
		<hr/>	<hr/>
6	Total	\$0	(\$507,172)
8	FHM - Service Center		
	Fund for a Healthy Maine	2001-02	2002-03
10	Positions - Legislative Count	(0.000)	(10.000)
12	Personal Services	\$0	\$465,262
	All Other	0	41,910
14		<hr/>	<hr/>
16	Total	\$0	\$507,172
	Donated Dental Services		
18	Other Special Revenue Funds	2001-02	2002-03
20	All Other	\$0	(\$36,250)
22	FHM - Donated Dental		
	Fund for a Healthy Maine	2001-02	2002-03
24	All Other	\$0	\$36,250
26	Head Start		
28	Other Special Revenue Funds	2001-02	2002-03
30	All Other	\$0	(\$1,350,000)
32	FHM - Head Start		
	Fund for a Healthy Maine	2001-02	2002-03
34	All Other	\$0	\$1,350,000
36	Medical Care - Payments to Providers		
38	Other Special Revenue Funds	2001-02	2002-03
40	All Other	\$0	(\$17,108,855)
42	FHM - Medical Care		
	Fund for a Healthy Maine	2001-02	2002-03
44	All Other	\$0	\$17,108,855
46	Purchased Social Services		
48	Other Special Revenue Funds	2001-02	2002-03
50	All Other	\$0	(\$3,885,689)

2	FHM - Purchased Social Services		
4	Fund for a Healthy Maine	2001-02	2002-03
6	All Other	\$0	\$3,885,689
8	HUMAN SERVICES, DEPARTMENT OF		
8	DEPARTMENT TOTALS	2001-02	2002-03
10	FUND FOR A HEALTHY MAINE	\$0	\$41,695,335
12	OTHER SPECIAL REVENUE FUNDS	0	(41,695,335)
14	DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0
16	JUDICIAL DEPARTMENT		
18	Courts - Supreme, Superior and District		
20	Other Special Revenue Funds	2001-02	2002-03
22	Positions - Legislative Count	(0.000)	(-1.000)
24	Personal Services	\$0	(\$74,689)
26	All Other	0	(2,500)
28	Total	\$0	(\$77,189)
30	FHM - Judicial Department		
32	Fund for a Healthy Maine	2001-02	2002-03
34	Positions - Legislative Count	(0.000)	(1.000)
36	Personal Services	\$0	\$74,689
38	All Other	0	2,500
40	Total	\$0	\$77,189
42	JUDICIAL DEPARTMENT		
44	DEPARTMENT TOTALS	2001-02	2002-03
46	FUND FOR A HEALTHY MAINE	\$0	\$77,189
48	OTHER SPECIAL REVENUE FUNDS	0	(77,189)
50	DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0
52	PUBLIC SAFETY, DEPARTMENT OF		
54	Fire Marshal - Office of the		
56	Other Special Revenue Funds	2001-02	2002-03
58	Positions - Legislative Count	(0.000)	(-3.500)
60	Personal Services	\$0	(\$188,189)
62	All Other	0	(19,000)

2	Total	\$0	(\$207,189)
4	FHM - Fire Marshal		
6	Fund for a Healthy Maine	2001-02	2002-03
	Positions - Legislative Count	(0.000)	(3.500)
8	Personal Services	\$0	\$188,189
	All Other	0	19,000
10	Total	\$0	\$207,189
12	PUBLIC SAFETY, DEPARTMENT OF		
14	DEPARTMENT TOTALS	2001-02	2002-03
16	FUND FOR A HEALTHY MAINE	\$0	\$207,189
	OTHER SPECIAL REVENUE FUNDS	0	(207,189)
18	DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0
20	SECTION TOTALS	2001-02	2002-03
22	FUND FOR A HEALTHY MAINE	\$0	\$48,118,446
24	OTHER SPECIAL REVENUE FUNDS	\$0	(\$48,118,446)
26	SECTION TOTAL - ALL FUNDS	\$0	\$0

28 **Sec. AA-7. Appropriations and allocations.** The following
 30 appropriations and allocations are made.

32 **HUMAN SERVICES, DEPARTMENT OF**

34 **FHM - Bureau of Health**

36 Initiative: Provides additional funding to tobacco prevention
 and smoking cessation.

38	Fund for a Healthy Maine	2001-02	2002-03
	All Other	\$0	\$1,800,000

40 **Sec. AA-8. Appropriations and allocations.** The following
 42 appropriations and allocations are made.

44 **BEHAVIORAL AND DEVELOPMENTAL SERVICES,**
 46 **DEPARTMENT OF**

48 **Office of Substance Abuse 0679**

COMMITTEE AMENDMENT "A" to H.P. 1574, L.D. 2080

Initiative: Deallocates Fund for a Healthy Maine funds due to delayed implementation of outpatient Medicaid regulations and the delay of expanded treatment services.

Other Special Revenue Funds	2001-02	2002-03
All Other	(\$1,400,000)	\$0

**BEHAVIORAL AND DEVELOPMENTAL SERVICES,
DEPARTMENT OF
DEPARTMENT TOTALS**

	2001-02	2002-03
OTHER SPECIAL REVENUE FUNDS	(1,400,000)	0
DEPARTMENT TOTAL - ALL FUNDS	(1,400,000)	0

HUMAN SERVICES, DEPARTMENT OF

FHM - Human Leukocyte

Initiative: Provides additional funding for the Human Leukocyte program. Any amounts unencumbered at the end of fiscal year 2002-03 may not lapse but must be carried forward to be used for the same purpose.

Fund for a Healthy Maine	2001-02	2002-03
All Other	0	136,145

FHM - Purchased Social Services

Initiative: Deallocation of funds due to a one-time transfer of child care from the Fund for a Healthy Maine to a block grant allocation of the TANF Reserve.

Fund for a Healthy Maine	2001-02	2002-03
All Other	0	(900,000)

Child Care Services 0563

Initiative: Provides funds for a one-time transfer of child care from the Fund for a Healthy Maine to an allocation of the TANF Reserve.

Federal Block Grant Fund	2001-02	2002-03
All Other	0	900,000

Health, Bureau of 0143

Initiative: Deallocation of funds in the Bureau of Health, Fund for a Healthy Maine home visitation program due to savings from contract carry-over for home visitation services.

2	Other Special Revenue Funds	2001-02	2002-03
	All Other	(1,000,000)	0

4

Medical Services, Bureau of 0129

6

8 Initiative: Provides for the transfer of Other Special Revenue
 10 funds and Federal Expenditures Fund funds for Medicaid-targeted
 12 case management services for oral health care funded by the
 14 Fund for a Healthy Maine from the Bureau of Medical Services to
 16 the Medical Care - Payments to Providers account.

12

14	Other Special Revenue Funds	2001-02	2002-03
	All Other	(350,000)	0

16

16	Federal Expenditures Fund	2001-02	2002-03
	All Other	(693,686)	0

18

FHM - Bureau of Medical Services

20

22 Initiative: Provides for the transfer of Fund for a Healthy
 24 Maine funds and Federal Expenditures Fund funds for
 26 Medicaid-targeted case management services for oral health care
 28 from the FHM - Bureau of Medical Services account to the FHM -
 30 Medical Care account.

26

28	Fund for a Healthy Maine	2001-02	2002-03
	All Other	0	(350,000)

30

30	Federal Expenditures Fund	2001-02	2002-03
	All Other	0	(693,686)

32

Medical Care - Payments to Providers (0147)

34

36 Initiative: Provides for the transfer of Other Special Revenue
 38 funds and Federal Expenditures Fund funds for Medicaid-targeted
 40 case management services for oral health care funded by the
 42 Fund for a Healthy Maine from the Bureau of Medical Services to
 44 the Medical Care - Payments to Providers account.

40

42	Other Special Revenue Funds	2001-02	2002-03
	All Other	350,000	0

44

44	Federal Expenditures Fund	2001-02	2002-03
	All Other	693,686	0

46

FHM - Medical Care

48

50 Initiative: Provides for the transfer of Fund for a Healthy
 Maine funds and Federal Expenditures Fund funds for

COMMITTEE AMENDMENT "A" to H.P. 1574, L.D. 2080

2 Medicaid-targeted case management services for oral health care
 3 from the FHM - Bureau of Medical Services account to the FHM -
 4 Medical Care account.

6	Fund for a Healthy Maine	2001-02	2002-03
	All Other	0	350,000

8	Federal Expenditures Fund	2001-02	2002-03
	All Other	0	693,686

10 **Medical Care - Payments to Providers (0147)**

12 Initiative: Deallocation of funds due to Medical Assistance
 13 Payment rejections in Fund for a Healthy Maine-funded
 14 Medicaid program expansions.

16	Other Special Revenue Funds	2001-02	2002-03
18	All Other	(400,000)	0

20	Federal Expenditures Fund		
	All Other	(792,784)	0

22 **FHM - Medical Care**

24 Initiative: Deallocation of funds due to Medical Assistance
 25 Payment rejections in Fund for a Healthy Maine-funded
 26 Medicaid program expansions.

28	Fund for a Healthy Maine	2001-02	2002-03
30	All Other	0	(400,000)

32	Federal Expenditures Fund	2001-02	2002-03
	All Other	0	(792,784)

34 **HUMAN SERVICES, DEPARTMENT OF**
 35 **DEPARTMENT TOTALS**

36		2001-02	2002-03
38	FEDERAL EXPENDITURES FUND	(792,784)	(792,784)
	FUND FOR A HEALTHY MAINE	(1,400,000)	(1,163,855)
40	FEDERAL BLOCK GRANT FUND	0	900,000

42	DEPARTMENT TOTAL - ALL FUNDS	(2,192,784)	(1,056,639)
----	-------------------------------------	--------------------	--------------------

44 **SECTION TOTALS**

44		2001-02	2002-03
46	FEDERAL EXPENDITURES FUND	(792,784)	(792,784)
	FUND FOR A HEALTHY MAINE	(2,800,000)	(1,163,855)
48	FEDERAL BLOCK GRANT FUND	0	900,000

50	SECTION TOTAL - ALL FUNDS	(\$3,592,784)	(\$1,056,639)
----	----------------------------------	----------------------	----------------------

COMMITTEE AMENDMENT "A" to H.P. 1574, L.D. 2080

2	PART GG, Section GG-24	12,557,435	0	12,557,435
		<hr/>	<hr/>	<hr/>
4	ADJUSTMENTS TO GENERAL FUND BALANCE, TOTAL	48,416,118	94,800,000	143,216,118
6				
	HIGHWAY FUND UNDEDICATED REVENUE			
8				
		2001-02	2002-03	BIENNIUM
10	PART A			
	Public Safety -			
12	State Police	0	237,600	237,600
14				
	ADJUSTMENTS TO HIGHWAY FUND BALANCE			
16				
		2001-02	2002-03	BIENNIUM
18	PART M, Section M-1	(500,000)	0	(500,000)
20				
	ADJUSTMENTS TO BALANCE, FUND FOR A HEALTHY MAINE			
22				
		2001-02	2002-03	BIENNIUM
24				
26	PART AA, Section AA-4	4,092,281	0	4,092,281
	PART AA, Section AA-9	0	(3,200,000)	(3,200,000)
28		<hr/>	<hr/>	<hr/>
30	ADJUSTMENTS TO FUND FOR A HEALTHY MAINE BALANCE, TOTAL	4,092,281	(3,200,000)	892,281
32				

SUMMARY

This amendment does the following:

PART A

Part A makes appropriations and allocations of funds.

PART B

Part B:

1. Makes appropriations and allocations of funds representing reduction proposals or adjustments;

