

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND EIGHTEENTH LEGISLATURE

SECOND REGULAR SESSION
January 7, 1998 to March 31, 1998

SECOND SPECIAL SESSION
April 1, 1998 to April 9, 1998

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 30, 1998

SECOND SPECIAL SESSION
NON-EMERGENCY LAWS IS
JULY 9, 1998

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1997

Sec. 10. Report; nonpoint source pollution. By January 15, 2001, the Department of Agriculture, Food and Rural Resources shall develop a report, in cooperation with the Department of Environmental Protection, on the impact of agriculture on nonpoint source pollution. The report must include the following: an evaluation of progress made by farmers in implementing best management practices to eliminate access by livestock to streams or lakes for drinking water; an evaluation of practices to reduce soil erosion from cropland; and an evaluation of best management practices to reduce the runoff of nutrients from farmland. The evaluations must be based on the best information available and research as funds allow. This report must be submitted to the joint standing committees of the Legislature having jurisdiction over natural resources matters and agriculture matters by the Land and Water Council after review by the council.

The joint standing committee of the Legislature having jurisdiction over agriculture matters may report out legislation to the First Regular Session of the 120th Legislature regarding measures to reduce the impact of agriculture on nonpoint source pollution.

Sec. 11. Allocation. The following funds are allocated from Other Special Revenue to carry out the purposes of this Act.

1998-99

AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF

Office of Agricultural, Natural and Rural Resources

All Other	\$500
Allocates funds as a base allocation to authorize expenditures from the Nutrient Management Fund.	

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective March 31, 1998.

CHAPTER 643

H.P. 1397 - L.D. 1950

An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government and Changes to Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1998 and June 30, 1999

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

PART A

Sec. A-1. Supplemental appropriations from the General Fund. There are appropriated from the General Fund for the fiscal years ending June 30, 1998 and June 30, 1999, to the departments listed, the following sums.

	1997-98	1998-99
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF		
Office of the Commissioner - Administrative and Financial Services		
Personal Services	\$768	
Provides for the appropriation of funds to correct the omission of a longevity payment from Public Law 1997, chapter 24, Part A. This increase will be offset by the deappropriation of salary savings from within the Bureau of Revenue Services.		
Administration - Human Resources		
Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(21,300)	(79,220)
Provides for the deappropriation of funds through the transfer of the Director of Human Resources Administration position from the Bureau of Human Resources to the Bureau of Accounts and Control where the		

position will be reorganized to supplement the management of bureau projects.

Provides for the appropriation of funds for the continued maintenance, development and Year 2000 conversion of the statewide administrative system.

Accounts and Control - Bureau of

Positions - Legislative Count	(1,000)	
Personal Services	56,500	
All Other	6,000	
Capital Expenditures	3,500	
TOTAL		66,000

Provides for the appropriation of funds for one Financial Management Coordinator position and support costs. This position will provide expertise in GAAP reporting.

Buildings and Grounds Operations

Personal Services	59,000
All Other	(59,000)
TOTAL	-0-

Provides for the appropriation of funds to meet the cost of unavoidable overtime required for the operation of the state office complex. This increase will be offset by the deappropriation of savings in the All Other line category, which are no longer required.

Accounts and Control - Bureau of

Positions - Legislative Count	(1,000)	(1,000)
Personal Services	21,300	79,220

Provides for the appropriation of funds for the transfer of the Director of Human Resources Administration position from the Bureau of Human Resources to the Bureau of Accounts and Control. This position will be reorganized to supplement the management of bureau projects.

Buildings and Grounds Operations

All Other	(8,000)
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Provides for the deappropriation of funds to meet supplemental requirements in the Personal Services line category of the Public Improvements - Planning - Construction - Administration program.

Accounts and Control - Bureau of

Positions - Legislative Count	(,500)	(,500)
Personal Services	8,460	31,875

Provides for the appropriation of funds for the transfer of one 1/2-time Tax Analyst position from the Bureau of Revenue Services to the Bureau of Accounts and Control. This position will be reorganized to a 1/2-time Financial Management Coordinator position.

Capital Construction - Repairs - Improvements - Administration

All Other	600,000	125,000
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Provides for the appropriation of funds for removal of underground storage tanks and for the demolition of buildings at the Pineland Center.

Employee Relations - Office of

Personal Services	900
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Provides for the appropriation of funds to meet the cost of employees receiving 5% in lieu of state-paid

Accounts and Control - Bureau of - System Project

All Other	200,000	650,000
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retirement. This increase will be offset by the deappropriation of salary savings from within the Bureau of Revenue Services.

offset by the deappropriation of salary savings from within the Bureau of Revenue Services, and the increase in General Fund undedicated revenue in the amount of \$4,925 for fiscal year 1997-98.

Financial and Personnel Services - Division of

All Other 375,000

Provides for the appropriation of funds for arbitration settlements.

Public Improvements - Planning - Construction - Administration

Personal Services 8,000

Provides for the appropriation of funds to meet the cost of filling a vacant position at higher than the budgeted pay step. This increase will be offset by the deappropriation of All Other funds from within the Building and Grounds Operations program.

Public Improvements - Planning - Construction - Administration

Positions - Legislative Count	(1,000)
Personal Services	74,000
All Other	5,000
Capital Expenditures	3,500
TOTAL	82,500

Provides for the appropriation of funds for a Real Property Manager position. Approximately 50% of the cost of this position will be offset through STACAP, generating General Fund revenue in fiscal year 1998-99 of \$41,250.

Purchases - Division of

Personal Services 12,000

Provides for the appropriation of funds due to the filling of a position at a higher than the budgeted pay step and also to meet the costs of unavoidable overtime. This increase will be

Salary Plan

Personal Services	100,000	390,000
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Provides for the appropriation of funds for the implementation of the agreement between the State of Maine and AFSCME for a career ladder program for Guards, Correctional Officers, Detention Careworkers and Training School Counselors.

Revenue Services - Bureau of

Positions - Legislative Count	(-0.500)	(-0.500)
Personal Services	(8,460)	(31,875)

Provides for the deappropriation of funds through the transfer of one 1/2-time Tax Analyst position to the Bureau of Accounts and Control. This position will be reorganized to one 1/2-time Financial Management Coordinator position to assist with financial reporting and statewide internal controls.

Revenue Services - Bureau of

Personal Services	(8,743)
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Provides for the deappropriation of salary savings to offset supplemental Personal Services appropriations to other General Fund accounts within the department.

Rainy Day Fund Program

All Other	196,250
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Provides for the appropriation of funds to

<p>reimburse the Maine Rainy Day Fund for funds used to supplement the Military Training and Operations payroll.</p> <p>Public Improvements - Planning - Construction - Administration</p> <p>All Other 230,000 Capital Expenditures 20,000</p> <hr/> <p>TOTAL 250,000</p> <p>Provides funds to maintain the former Pineland Center.</p> <p>Capital Construction - Repairs - Improvements - Administration</p> <p>Capital Expenditures (1,775,000)</p> <p>Provides for the deappropriation of capital repair funds no longer necessary for repairs at the State Office Building as a result of the renovation project undertaken in conjunction with the Maine Governmental Facilities Authority. These savings will be transferred to the State Facilities Renovation account to pay temporary All Other costs and the first year's debt service payment on the renovation of the Tyson and Marquardt Buildings.</p> <p>Capital Construction - Repairs - Improvements - Renovation of State Facilities</p> <p>All Other 1,650,000 Capital Expenditures 250,000</p> <hr/> <p>TOTAL 1,900,000</p> <p>Provides for the appropriation of funds to pay for the temporary costs associated with the renovation of state facilities and to pay the debt service costs to the Maine Governmental Facilities Authority.</p> <p>General Purpose Aid - Subsidy Payment</p>	<p>All Other 39,226,419</p> <p>Provides for the appropriation of funds for the payment of General Purpose Aid subsidy to schools in June, 1998 that would have been paid in July, 1998 as a result of Public Law 1991, chapter 121, Part A, section 9. Notwithstanding any other provision of law, these funds may be transferred to the General Purpose Aid for Local Schools account in the Department of Education.</p> <p>DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES</p> <hr/> <p>TOTAL 40,702,594</p> <p>AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF</p> <p>Seed Potato Board</p> <p>All Other 150,000</p> <p>Provides for the appropriation of funds for the continued operation of the Porter Nuclear Seed Facility.</p> <p>DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES</p> <hr/> <p>TOTAL 150,000</p> <p>ATLANTIC SALMON AUTHORITY</p> <p>Atlantic Salmon Authority</p> <p>Positions - Legislative Count (1,000) Personal Services 6,683</p> <p>Provides for the appropriation of funds to establish one Fish and Game Technician position in the last quarter of fiscal year 1998-99 to work on salmon restoration programs in Maine rivers.</p> <p>ATLANTIC SALMON AUTHORITY</p> <hr/> <p>TOTAL 6,683</p> <p>ATTORNEY GENERAL, DEPARTMENT OF THE</p>
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Chief Medical Examiner - Office of

Personal Services 52,619
 All Other 4,500

Provides for the appropriation of funds related to the change in the salary pay scales effective April 1, 1998 for the Chief Medical Examiner position and the Deputy Chief Medical Examiner position and All Other related to moving expenses.

Attorney General - Contingent

All Other 100,000

Provides funds to establish a Contingent Account for the Department of the Attorney General to be used to meet legal costs related to legal proceedings concerning the location of the Portsmouth Naval Shipyard. Unexpended funds do not lapse but carry forward to the next fiscal year. The Attorney General shall provide a report to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs no later than December 31, 1998 and every December 31st thereafter concerning expenses incurred in this program.

District Attorneys - Salaries

Positions - Legislative Count (8,000)
 Personal Services 380,184

Provides funds for 8 Assistant District Attorney positions to help reduce current caseloads.

DEPARTMENT OF THE ATTORNEY GENERAL TOTAL

104,500 432,803

CONSERVATION, DEPARTMENT OF

Parks - General Operations

Positions - FTE Count (-0.500)
 Personal Services (14,701)

Provides for the deappropriation of funds through the transfer of one seasonal Park Ranger position, 1,040 hours, to the Land Management and Planning program, Other Special Revenue.

Parks - General Operations

Positions - Legislative Count (.500)
 Personal Services 27,215
 All Other (3,014)
 Capital Expenditures (9,500)

TOTAL 14,701

Provides for the appropriation of funds through the transfer of 1/2 of a Resource Administrator position from the Land Management and Planning program, Other Special Revenue and a reduction of All Other and Capital Expenditures.

Parks - General Operations

Personal Services 1,395 2,843
 All Other (1,395) (2,843)
 TOTAL -0- -0-

Provides for the appropriation of funds for the reclassification of one split-funded Director of Parks and Lands position from range 88 to range 89.

DEPARTMENT OF CONSERVATION TOTAL

-0- -0-

CORRECTIONS, DEPARTMENT OF

Administration - Corrections

Positions - Legislative Count (2,000)
 Personal Services 93,109
 All Other 1,556

TOTAL 94,665

Provides for the appropriation of funds to consolidate the Bureau of Juvenile Corrections program, General Fund into this program.

Provides for the deappropriation of funds through the transfer of the fuel account from the central office to the individual facilities.

Charleston Correctional Facility

All Other 51,590

Provides for the appropriation of funds through the transfer of the fuel account from the central office to the individual facilities.

Bureau of Juvenile Corrections

Positions - Legislative Count (-2,000)
 Personal Services (93,109)
 All Other (1,556)

TOTAL (94,665)

Correctional Center

All Other 143,780

Provides for the appropriation of funds through the transfer of the fuel account from the central office to the individual facilities.

Provides for the deappropriation of funds through the consolidation of this program with the Administration - Corrections program, General Fund.

Probation and Parole

Positions - Legislative Count (6,000)
 Personal Services 265,763
 All Other 162,637
 Capital Expenditures 21,600

TOTAL 450,000

Correctional Center

Positions - Legislative Count (15,000)
 Personal Services 538,446
 All Other 9,500

TOTAL 547,946

Provides for the appropriation of funds to establish 10 Correctional Officer I positions, 2 Correctional Officer II positions, one Correctional Caseworker position and 2 Correctional Trades Instructor positions to program the additional population at the Maine Correctional Center due to expansion.

Provides for the appropriation of funds to establish one Corrections Support Specialist position and 5 Probation Officer positions and necessary related All Other and capital costs associated with these positions. This request is to fund supervised community confinement intended to release certain inmates from state institutions prior to their projected release dates.

Probation and Parole

Positions - Legislative Count (10,500)
 Personal Services 286,651
 All Other 65,959

TOTAL 352,610

Downeast Correctional Facility

All Other 52,342

Provides for the appropriation of funds through the transfer of the fuel account from the central office to the individual facilities.

Provides for the appropriation of funds for 9 Probation Officer positions and one full-time and one part-time Clerk-Typist II positions, and related All Other

Fuel - Corrections

All Other (719,148)

costs. Two Probation Officer positions will support juvenile activities, while the other positions will support adult probation activities. All positions will start November 1, 1998.

for continuation of holding detained juveniles at the Cumberland County jail.

Probation and Parole

All Other 12,500 50,000

Provides for the appropriation of funds to allow Community Corrections to comply with the provisions of the Maine Revised Statutes requiring DNA testing for offenders convicted of 13 of the most violent crimes.

Youth Center - Maine

Personal Services 252,000

Provides for the appropriation of funds to staff and house juveniles ordered detained by the court at the Cumberland County Jail.

Youth Center - Maine

Positions - Legislative Count (9,000) (9,000)
 Personal Services 101,867 329,340
 All Other 74,922 47,423

TOTAL 176,789 376,763

State Prison

All Other 263,166

Provides for the appropriation of funds through the transfer of the fuel account from the central office to the individual facilities.

Provides for appropriation of funds for 4 Teacher positions, 5 Teacher Aide positions and related costs to support education and library efforts at the A. R. Gould School located on the grounds of the Maine Youth Center. These positions take effect no sooner than April 1, 1998.

Youth Center - Maine

All Other 208,270

Provides for the appropriation of funds through the transfer of the fuel account from the central office to the individual facilities.

DEPARTMENT OF CORRECTIONS

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

Dam Safety Program

Personal Services 12,852
 All Other 8,000

TOTAL 20,852

Provides for the appropriation of funds for the Dam Safety Program, extending partial-year operations as authorized in Public Law 1997, chapter 517 to a full fiscal year.

Military Training and Operations

Personal Services (60,950)
 All Other 60,950

Youth Center - Maine

Positions - Legislative Count (12,000) (12,000)
 Personal Services 86,167 440,709
 All Other 107,100 574,875

TOTAL 193,267 1,015,584

Provides for the appropriation of funds for 10 Training School Counselor I positions, one Correctional Caseworker position and one Training School Counselor Supervisor position to provide appropriate staff ratios to meet standard care, custody and security needs for juveniles and

TOTAL	-0-			Positions - Legislative Count	(1,000)
				Personal Services	82,832
Provides for the appropriation of funds through the transfer of Personal Services savings generated through a vacancy to All Other for utility needs.				Provides for the appropriation of funds for the transfer of the Director, Military Bureau position from the Military Training and Operations program and the reclassification of the position to Deputy Commissioner of the Department of Defense, Veterans and Emergency Management.	
Veterans' Memorial Cemetery				Military Training and Operations	
Positions - Legislative Count	(5,000)	(5,000)		Positions - Legislative Count	(-1,000)
Personal Services	41,632	180,402		Personal Services	(82,832)
All Other	132,256	117,810		Provides for the deappropriation of funds through the transfer of the Director, Military Bureau position to administration.	
Capital Expenditures	40,000	268,000			
TOTAL	213,888	566,212		DEPARTMENT OF DEFENSE, VETERANS AND EMERGENCY MANAGEMENT	
Provides for the appropriation of funds for one Engineer Technician II position, 2 Heavy Equipment Operator II positions, one Heavy Equipment Operator I position and one Clerk III position for the Maine Veterans' Memorial Cemetery in order to meet its obligations to veterans and their dependents as prescribed by the Maine Revised Statutes, Title 37-B.				TOTAL	294,375
				ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF	589,260
Administration - Maine Emergency Management Agency				Office of Tourism	
All Other	80,000			All Other	1,800,000
Provides for the appropriation of funds to reimburse the United States Geological Survey.				Provides for the appropriation of funds for the 5-year marketing and development strategy.	
Administration - Defense, Veterans and Emergency Management				DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT	
Personal Services	487	2,196		TOTAL	1,800,000
Provides for the appropriation of funds for the reclassification of the Commissioner of Defense, Veterans and Emergency Management position from range 89 to range 91.				EDUCATION, DEPARTMENT OF	
				Education in Unorganized Territory	
Administration - Defense, Veterans and Emergency Management				All Other	(112,300)
				Capital Expenditures	112,300
				TOTAL	-0-

Provides for the appropriation of funds for the replacement of the Connor School roof.

Remediation and Waste Management program, Other Special Revenue to minimize fees needed to continue the program.

Management Information Systems

Personal Services	23,724	
All Other	(23,724)	
TOTAL	<u>-0-</u>	

Provides for the appropriation of funds for the reorganization of one Data Entry Specialist position to one Database Analyst position.

Air Quality

Positions - Legislative Count	(1,000)
Personal Services	44,547

Provides for the appropriation of funds through the transfer of one Energy Conservation Specialist position from the Alternative Fuel Vehicle Program, General Fund.

Preschool Handicapped

All Other	2,800,000	1,200,000
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Provides for the appropriation of funds for increases in eligible children and those children identified with multiple needs.

Alternative Fuel - Vehicle Program

Positions - Legislative Count	(-1,000)
Personal Services	(44,547)

Provides for the deappropriation of funds through the transfer of one Energy Conservation Specialist position to the Air Quality program, General Fund.

Regional Services

Personal Services	(12,000)
All Other	12,000
TOTAL	<u>-0-</u>

Provides for the appropriation of funds from salary savings for support services for the Regional Services team.

Land and Water Quality

Positions - Legislative Count	(4,000)
Personal Services	207,126
All Other	48,874
TOTAL	<u>256,000</u>

Provides for the appropriation of funds through the transfer of one Biologist I position, one Biologist III position and one Environmental Specialist IV position and related cost from the Maine Environmental Protection Fund program, Other Special Revenue to continue licensing at the current level and one Environmental Specialist IV position and related cost from the Performance Partnership Fund program, Federal Expenditures Fund to support wastewater treatment plant operator training.

DEPARTMENT OF EDUCATION

TOTAL	<u>2,800,000</u>	<u>1,200,000</u>
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ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Administration - Environmental Protection

Positions - Legislative Count	(1,000)
Personal Services	67,250
All Other	5,000
TOTAL	<u>72,250</u>

Provides for appropriation of funds through the transfer of the Director, Office of Innovation and Assistance position and related cost from the

Remediation and Waste Management

Positions - Legislative Count	(2,000)	
Personal Services	83,234	
All Other	5,500	
TOTAL	<u>88,734</u>	

Provides for the appropriation of funds through the transfer of one Oil & Hazardous Materials Specialist I position and one Planning and Research Assistant position and related cost from the Performance Partnership Fund program, Federal Expenditures Fund to ensure continued compliance with the State's PCB program due to a loss of federal funds.

DEPARTMENT OF ENVIRONMENTAL PROTECTION TOTAL

416,984

EXECUTIVE DEPARTMENT

Planning Office

All Other	144,000	
Provides for the appropriation of funds for the implementation of the Atlantic Salmon Conservation Plan.		

EXECUTIVE DEPARTMENT TOTAL

144,000

HUMAN SERVICES, DEPARTMENT OF

Child Welfare Services

All Other	(1,000,000)	
Provides for the deappropriation of funds based on expenditure projections through June 30, 1998.		

Elder and Adult Services - Bureau of

All Other	150,000	600,000
Provides for the appropriation of funds for homemaker assistance for		

500 elders and adults with disabilities.

Foster Care

All Other	(400,000)
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Provides for the deappropriation of funds based on expenditure projections through June 30, 1998.

Health Planning and Development

Personal Services	10,946	9,005
All Other	(10,946)	(9,005)
TOTAL	<u>-0-</u>	<u>-0-</u>

Provides for the appropriation of funds to correct a negative allotment of funds created in Public Law 1997, chapter 24, Part JJ, section 1.

Long-term Care - Human Services

All Other	395,700	2,104,300
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Provides for the appropriation of funds for supportive services for 500 elders and disabled adults to prevent or delay institutionalization.

Medical Care - Payments to Providers

All Other		(1,351,697)
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Provides for the deappropriation of funds due to an adjustment in the federal match rate for fiscal year 1998-99.

Medical Care - Payments to Providers

All Other	4,273,223	6,508,920
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Provides for the appropriation of funds based on estimated expenditure projections for fiscal years 1997-98 and 1998-99.

Medical Care - Payments to Providers

All Other	(97,526)
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<p>Provides for the deappropriation of funds to transfer to the Augusta Mental Health Institute and the Bangor Mental Health Institute to pay for final gross patient services revenue limit.</p>			<p>All Other</p> <p>Provides for the appropriation of funds for services to children and families at risk for child abuse.</p>	<p>1,323,054</p>
Medical Care - Payments to Providers				
<p>All Other</p> <p>Provides for the appropriation of funds for physician and dental rate increases in fiscal years 1997-98 and 1998-99.</p>	<p>2,626,777</p>	<p>5,266,080</p>	<p>Temporary Assistance for Needy Families</p> <p>All Other</p> <p>Provides for the appropriation of funds for a 5% cost-of-living adjustment to certain Temporary Assistance for Needy Families recipients.</p>	<p>380,058</p>
Bureau of Medical Services				
<p>Personal Services</p> <p>All Other</p>	<p>4,779</p> <p>(4,779)</p>	<p>7,309</p> <p>(7,309)</p>	<p>Office of Management and Budget - Regional Operations</p> <p>All Other</p> <p>Provides for the appropriation of funds to open an office in Oxford County.</p>	
<p>TOTAL</p>	<p>-0-</p>	<p>-0-</p>	<p>38,250</p>	
<p>Provides for the appropriation of funds for the reorganization of a Provider Relations Supervisor position to a Supervisor Professional Claims Review position.</p>			<p>Bureau of Family Independence - Central</p> <p>All Other</p> <p>Provides for the deappropriation of funds for transfer to the Office of Management and Budget - Regional Operations to open an office in Oxford County.</p>	
Nursing Facilities				
<p>All Other</p> <p>Provides for the deappropriation of funds due to an adjustment in the federal match rate for fiscal year 1998-99.</p>		<p>(599,810)</p>	<p>(38,250)</p>	
Nursing Facilities				
<p>All Other</p> <p>Provides for the deappropriation of funds based on estimated expenditure projections for fiscal years 1997-98 and 1998-99.</p>	<p>(6,900,000)</p>	<p>(12,675,791)</p>	<p>DEPARTMENT OF HUMAN SERVICES</p> <p>TOTAL</p> <p>(951,826)</p> <p>995,114</p>	
Child Welfare Services				
<p>All Other</p> <p>Provides for the deappropriation of funds based on estimated available fiscal year 1997-98 balance.</p>		<p>(560,000)</p>	<p>INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF</p> <p>Office of the Commissioner - Inland Fisheries and Wildlife</p> <p>Positions - Legislative Count</p> <p>Personal Services</p> <p>Provides for the deappropriation of funds through the transfer of one Clerk Typist III position to the Resource Management Services - Inland Fisheries and Wildlife program, General Fund.</p>	
Purchased Social Services				
			<p>(-1,000)</p> <p>(37,536)</p>	

**Enforcement Operations -
Inland Fisheries and Wildlife**

Positions - FTE Count (1.454)

Provides for the authorization for an increase in FTE hours for 11 intermittent Recreational Safety Coordinator positions from 475 to 750. Funding for the additional hours is allocated in the matching portion of the Enforcement Operations - Inland Fisheries and Wildlife program, Federal Expenditures Fund, Support Land Owners Program, Other Special Revenue and the Sport Hunter Program, Other Special Revenue.

court-appointed attorney expenses and miscellaneous All Other expenses. This appropriation does not authorize an increase in compensation rates for court-appointed attorneys.

**JUDICIAL DEPARTMENT
TOTAL** 565,000 735,000

**LABOR, DEPARTMENT OF
Welfare to Work**

All Other 200,000 800,000

Provides for the appropriation of funds for employment and training related expenses to assist eligible recipients for Temporary Assistance for Needy Families, TANF, program. These funds must be used as match for federal funding.

**Resource Management Services
- Inland Fisheries and Wildlife**

Positions - Legislative Count (1.000)
Personal Services 37,536

Provides for the appropriation of funds through the transfer of one Clerk Typist III position from the Office of the Commissioner - Inland Fisheries and Wildlife program, General Fund.

**DEPARTMENT OF LABOR
TOTAL** 200,000 800,000

**MARINE RESOURCES,
DEPARTMENT OF**

**Division of Administrative
Services**

Positions - Legislative Count (1.000) (1.000)
Personal Services 13,295 55,526
All Other 7,000 12,500
Capital Expenditures 5,000

**Licensing Services - Inland
Fisheries and Wildlife**

Positions - Legislative Count (1.000)
Positions - FTE Count (-1.000)

Provides for the authorization to combine 2 seasonal Clerk Typist II positions into one full-time Clerk Typist II position.

Provides for the appropriation of funds to establish one Deputy Commissioner position, Marine Resources and related All Other expenses. This position will be assigned to represent Maine at proceedings of the New England Fisheries Management Council and the Atlantic States Marine Fisheries Commission.

**DEPARTMENT OF INLAND
FISHERIES AND WILDLIFE
TOTAL** -0-

**DEPARTMENT OF MARINE
RESOURCES
TOTAL** 25,295 68,026

JUDICIAL DEPARTMENT

**Courts - Supreme, Superior,
District and Administrative**

All Other 565,000 735,000

Provides for the appropriation of funds for

**MENTAL HEALTH, MENTAL
RETARDATION AND
SUBSTANCE ABUSE
SERVICES, DEPARTMENT
OF**

Aroostook Residential Center

Personal Services 80,000

Provides for the appropriation of funds through the transfer of Personal Services from the Mental Health Services - Community program to cover unbudgeted overtime.

Augusta Mental Health Institute

All Other (35,000)

Provides for the deappropriation of funds pursuant to Public Law 1997, chapter 24, Part TT, sections 2 and 3 that transfer medical and dental clinic expenditures to the Disproportionate Share - Augusta Mental Health Institute program.

Augusta Mental Health Institute

Positions - Legislative Count	(-4,000)	(-4,000)
Personal Services	(138,522)	(149,366)
All Other		(23,674)
TOTAL	(138,522)	(173,040)

Provides for the deappropriation of funds through the transfer of 4 Mental Health Worker I positions to the Disproportionate Share - Augusta Mental Health Institute program to reflect expenditures in the proper account for fiscal year 1997-98.

Departmentwide

All Other 298,000

Provides for the appropriation of funds to offset a statewide deappropriation in Public Law 1997, chapter 24, Part TT that transfers the medical and dental clinic to the Disproportionate

Share programs. Appropriation and allocation adjustments that will accurately reflect the cost of the clinic have been included in the department's supplemental requests, which will offset this request.

**Disproportionate Share -
Augusta Mental Health Institute**

Personal Services	95,222
All Other	77,017
TOTAL	172,239

Provides for the appropriation of funds pursuant to Public Law 1997, chapter 24, Part TT, sections 2 and 3 that transfer one Physician III position, one Nurse IV position, and 2 part-time Medical Care Coordinator positions and All Other medical and dental clinic expenditures to the Disproportionate Share - Augusta Mental Health Institute program.

**Disproportionate Share -
Augusta Mental Health Institute**

Personal Services	(38,284)
All Other	(10,916)
Capital Expenditures	(161)
TOTAL	(49,361)

Provides for the deappropriation of funds due to a change in the federal match rate for fiscal year 1998-99 from 66.04% to 66.40%.

**Disproportionate Share -
Augusta Mental Health Institute**

Personal Services 47,846

Provides for the appropriation of funds through the transfer of 4 Mental Health Worker I positions from the Augusta Mental Health Institute to the Disproportionate Share - Augusta Mental Health Institute program in order

to reflect expenditures in the proper account.

Disproportionate Share - Augusta Mental Health Institute

All Other 58,283

Provides for the appropriation of funds to provide state seed and General Funds to pay for the final gross patient services revenue limit for fiscal year 1995-96.

Disproportionate Share - Augusta Mental Health Institute

Personal Services (185,862)
All Other 185,862

TOTAL -0-

Provides for the appropriation of funds for the purpose of contracting physician services. These funds are made available through the unexpended Personal Services balance from fiscal year 1996-97.

Disproportionate Share - Augusta Mental Health Institute

All Other 90,676

Provides for the appropriation of funds for the purpose of contracting physician services.

Disproportionate Share - Bangor Mental Health Institute

Personal Services (10,000)

Provides for the deappropriation of funds made available from the unexpended balance from fiscal year 1996-97.

Disproportionate Share - Bangor Mental Health Institute

All Other 12,247

Provides for the appropriation of state matching funds pursuant to Public Law 1997, chapter 24, Part TT, sections 2 and 3 that transfer medical and dental clinic expenditures

to the Disproportionate Share - Bangor Mental Health Institute program.

Disproportionate Share - Bangor Mental Health Institute

All Other 8,814
Capital Expenditures (8,814)

TOTAL -0-

Provides for the appropriation of state matching funds for the purpose of purchasing 12 computers. These funds are made available from the unexpended balance from fiscal year 1996-97.

Disproportionate Share - Bangor Mental Health Institute

Personal Services (53,221)
All Other (9,496)
Capital Expenditures (450)

TOTAL (63,167)

Provides for the deappropriation of funds due to a change in the federal match rate for fiscal year 1998-99 from 66.04% to 66.40%.

Disproportionate Share - Bangor Mental Health Institute

Personal Services (526,862)
All Other (65,109)

TOTAL (591,971)

Provides for the deappropriation of funds from the reduction in the General Fund match associated with the elimination of 43.5 positions as a result of downsizing at the Bangor Mental Health Institute.

Disproportionate Share - Bangor Mental Health Institute

All Other 39,243

Provides for the appropriation of funds to provide state seed and General Funds to pay for the final gross patient

services limit for fiscal year 1995-96.

Disproportionate Share - Bangor Mental Health Institute

Personal Services (51,984)

Provides for the deappropriation of funds through the transfer to Mental Health Services - Community to support start-up costs for community development. These funds are made available from the unexpended balance from fiscal year 1996-97.

Disproportionate Share - Bangor Mental Health Institute

Personal Services (55,686)

Provides for the deappropriation of funds made available from the unexpended balance from fiscal year 1996-97.

Elizabeth Levinson Center

Positions - Legislative Count (-1,000)
 Personal Services (50,492)
 All Other (1,500)

 TOTAL (51,992)

Provides for the deappropriation of funds to transfer one Mental Health Mental Retardation Caseworker position to Mental Health Services - Children in order to reflect expenditures in the appropriate program.

Freeport Towne Square

Personal Services 65,000

Provides for the appropriation of funds for unbudgeted overtime through the transfer of Personal Services salary savings from the Mental Health Services - Community program.

Medicaid Services - Mental Retardation

All Other 977,370 953,319

Provides for the appropriation of funds through the transfer from Mental Retardation Services - Community for services provided to individuals through the home and community-based waiver program.

Medicaid Services - Mental Retardation

All Other 64,559 251,883

Provides for the appropriation of funds through the transfer from Mental Retardation Services - Community for supported employment services that became Medicaid-eligible on October 1, 1997.

Medicaid Services - Mental Retardation

All Other 1,869,331

Provides for the appropriation of funds for residential and day services for individuals with mental retardation who are not class members.

Medicaid Services - Mental Retardation

All Other (324,545)

Provides for the deappropriation of funds due to a change in the federal match rate for fiscal year 1998-99 from 66.04% to 66.40%.

Mental Health Services - Child Medicaid

All Other (36,054)

Provides for the deappropriation of funds due to a change in the federal match rate for fiscal year 1998-99 from 66.04% to 66.40%.

Mental Health Services - Child Medicaid

All Other 973,028 3,514,204

Provides for the appropriation of state matching funds for mental health and mental retardation services to children and their families on waiting lists.

Mental Health Services - Community Medicaid

All Other (180,722)

Provides for the deappropriation of funds due to a change in the federal match rate for fiscal year 1998-99 from 66.04% to 66.40%.

Mental Health Services - Community Medicaid

All Other 591,971

Provides for the appropriation of funds for community development from savings associated with downsizing at Bangor Mental Health Institute.

Mental Health Services - Children

Positions - Legislative Count (1,000)
 Personal Services 50,492
 All Other 1,500

 TOTAL 51,992

Provides for the appropriation of funds to transfer one Mental Health Mental Retardation Caseworker position from the Elizabeth Levinson Center in order to reflect expenditures in the appropriate program.

Mental Health Services - Children

All Other 139,500 219,000

Provides for the appropriation of funds for training and systems development in order to provide mental health and mental retardation services to children and

their families on waiting lists.

Mental Health Services - Community

Personal Services (198,000)

Provides for the deappropriation of funds from salary savings to cover a Personal Services shortfall in the Freeport Towne Square, Aroostook Residential Center and Mental Retardation Services - Community programs.

Mental Health Services - Community

Positions - Legislative Count (-5,000)
 Personal Services (186,716)
 All Other 85,925

 TOTAL (100,791)

Provides for the deappropriation of funds through the transfer of Personal Services to All Other to provide a comprehensive crisis system. This request eliminates 5 Crisis Stabilization Worker positions effective September 26, 1998. Reduction in General Fund revenue is \$100,791 in fiscal year 1998-99.

Mental Health Services - Community

All Other 51,984

Provides for the appropriation of funds from the transfer of funds from Bangor Mental Health Institute in support of start-up costs for community development.

Mental Health Services - Community

Positions - Legislative Count (7,000)
 Personal Services 258,796
 All Other 40,201

 TOTAL 298,997

Provides for the appropriation of funds to establish 6 Mental Health Worker III positions and one Nurse II position to provide supportive residential services in a least restrictive environment that promotes community reintegration for individuals under legal hold or designated as forensic patients.

Mental Retardation Services - Community

All Other	(977,370)	(953,319)
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Provides for the deappropriation of funds through a transfer to Medicaid Services - Mental Retardation for services available through the home and community-based waiver program.

Mental Retardation Services - Community

All Other	(64,559)	(251,883)
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Provides for the deappropriation of funds through the transfer to Medicaid Services - Mental Retardation for supported employment services that became Medicaid-eligible on October 1, 1997.

Mental Retardation Services - Community

Personal Services	53,000	
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Provides for the appropriation of funds through the transfer of Personal Services from the Mental Health Services - Community program to cover an estimated shortfall.

Mental Retardation Services - Community

Positions - Legislative Count		(-3,000)
Personal Services		(282,642)
All Other		(166,042)
TOTAL		<u>(448,684)</u>

Provides for the deappropriation of funds pursuant to Public Law 1997, chapter 24, Part TT, sections 2 and 3 that transfer one Physician III position, one Nurse IV position, and 2 part-time Medical Care Coordinator positions and All Other medical and dental clinic expenditures to the Disproportionate Share - Augusta Mental Health Institute program.

Mental Retardation Services - Community

Positions - Legislative Count	(8,500)
Personal Services	302,528
All Other	1,355,030

TOTAL	<u>1,657,558</u>
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Provides for the appropriation of funds for residential and day services for individuals with mental retardation who are not class members. This request includes funding for 7.5 Mental Health Mental Retardation Caseworker positions and one Mental Health Mental Retardation Caseworker Supervisor position that would be needed for increased service delivery. This request will generate \$423,843 in General Fund undedicated revenue in fiscal year 1998-99.

Disproportionate Share - Augusta Mental Health Institute

Personal Services	(24,026)	(24,336)
All Other	24,026	24,336

TOTAL	<u>-0-</u>	<u>-0-</u>
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Provides for the appropriation of funds to contract for physician services through the elimination of one Physician Assistant position.

Mental Health Services - Community

<p>All Other (2,406,597) (691,629)</p> <p>Provides for the deappropriation of funds through a transfer to the Mental Health Services - Community Medicaid program in order to reflect expenditures in the proper account.</p> <p>Mental Health Services - Community Medicaid</p> <p>All Other 2,406,597 691,629</p> <p>Provides for the appropriation of funds through a transfer from the Mental Health Services - Community program in order to reflect expenditures in the proper account.</p> <p>DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES</p> <p>TOTAL 1,144,368 6,630,212</p> <p>MAINE STATE MUSEUM</p> <p>Administration - Museum</p> <p>Personal Services (3,100)</p> <p>Provides for the deappropriation of funds from salary savings.</p> <p>Exhibit Design & Preparation - Museum</p> <p>Personal Services (330)</p> <p>All Other 9,400</p> <p>TOTAL 9,070</p> <p>Provides for the appropriation of funds for increased costs in exhibit design and preparation.</p> <p>Research & Collection - Museum</p> <p>Personal Services (1,970)</p> <p>Provides for the deappropriation of funds from salary savings.</p> <p>MAINE STATE MUSEUM</p> <p>TOTAL 4,000</p>	<p>PROPERTY TAX REVIEW, STATE BOARD OF</p> <p>Property Tax Review - State Board of</p> <p>Personal Services 8,000 10,000</p> <p>Provides for the appropriation of funds for per diem expenses, which was omitted from the original biennial budget request and for the increase of the per diem rate for the board members.</p> <p>STATE BOARD OF PROPERTY TAX REVIEW</p> <p>TOTAL 8,000 10,000</p> <p>PUBLIC SAFETY, DEPARTMENT OF</p> <p>Administration - Public Safety</p> <p>Personal Services 39,882 103,213</p> <p>Provides for the appropriation of funds to cover the costs associated with funding the Commissioner of Public Safety position.</p> <p>State Police</p> <p>Positions - Legislative Count (1,000)</p> <p>Personal Services 24,354</p> <p>All Other 22,458</p> <p>TOTAL 46,812</p> <p>Provides for the appropriation of the 40% General Fund share of one Senior Programmer Analyst position and cost of maintenance for the automated fingerprint identification and the criminal history records systems.</p> <p>State Police</p> <p>Positions - Legislative Count (8,000)</p> <p>Personal Services 99,510</p> <p>All Other 82,577</p> <p>Capital Expenditures 133,602</p> <p>TOTAL 315,689</p> <p>Provides for the appropriation of the 40% General Fund share of 8</p>
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State Trooper positions to provide necessary interstate highway system coverage. The next State Police Academy for those positions is authorized to start no sooner than September 8, 1998. The Capital Expenditures appropriation includes \$60,002 for State Police technology improvements.

repairs to the sewerage collection system.

BOARD OF TRUSTEES OF THE MAINE TECHNICAL COLLEGE SYSTEM
TOTAL 182,125

SECTION
TOTAL APPROPRIATIONS 46,141,869 18,740,793

Sec. A-2. Allocation. The following funds are allocated from the Highway Fund for the fiscal years ending June 30, 1998 and June 30, 1999, to carry out the purposes of this Part.

State Police

Positions - Legislative Count (8,000)
 Personal Services 109,594

Provides for the appropriation of the 40% General Fund share of one State Police Sergeant position effective January 1, 1999, one Police Communications Operator Supervisor position and 6 Police Communications Operator positions to provide necessary 24-hour statewide communications services.

DEPARTMENT OF PUBLIC SAFETY
TOTAL 39,882 575,308

SECRETARY OF STATE, DEPARTMENT OF THE

Elections and Commissions

All Other 95,000

Provides for the appropriation of funds to cover the costs associated with the upcoming special election.

DEPARTMENT OF THE SECRETARY OF STATE
TOTAL 95,000

MAINE TECHNICAL COLLEGE SYSTEM, BOARD OF TRUSTEES OF THE

Capital Construction/Repairs/Improvements - Technical College System

All Other 182,125

Provides for the appropriation of funds for

1997-98 1998-99
PUBLIC SAFETY, DEPARTMENT OF

State Police

Personal Services (105,000)
 All Other 105,000

TOTAL -0-

Provides for the transfer of salary savings to All Other in order to offset the increased cost of STA-CAP due to the change in the State Police funding ratio.

State Police

Personal Services 36,532
 All Other 33,687

TOTAL 70,219

Provides for the allocation of the 60% Highway Fund share for one Senior Programmer Analyst position and the cost of maintenance for the automated fingerprint and criminal history record systems.

State Police

Personal Services 149,266
 All Other 123,866
 Capital Expenditures 200,401

TOTAL 473,533

Provides for the allocation of the 60% Highway Fund share for 8 State Trooper positions necessary to provide proper interstate highway system coverage.

The next State Police Academy for these positions is authorized to start no sooner than September 8, 1998. The "Capital Expenditures" allocation includes \$90,001 for State Police technology improvements.

State Police

Personal Services 164,391

Provides for the allocation of the 60% Highway Fund share for one State Police Sergeant position effective January 1, 1999, one Police Communications Operator Supervisor position and 6 Police Communications Operator positions necessary to provide 24-hour statewide communications services.

DEPARTMENT OF PUBLIC SAFETY TOTAL

-0- 708,143

SECTION

TOTAL ALLOCATIONS

-0- 708,143

Sec. A-3. Allocation. The following funds are allocated from the Federal Expenditures Fund for the fiscal years ending June 30, 1998 and June 30, 1999 to carry out the purposes of this Part.

	1997-98	1998-99
ATTORNEY GENERAL, DEPARTMENT OF THE Administration - Attorney General		

All Other 62,804

Provides for the allocation of funds for the expansion of the civil rights team project to additional schools throughout the State to reduce bias and intolerance in the schools.

**Administration - Attorney
General**

All Other 240,250

Provides for the allocation of funds for information and technology

development to assist the prosecution initiatives to combat violent crimes against women.

District Attorneys Salaries

Positions - Legislative Count	(2,000)	(2,000)
Personal Services	18,637	95,046
All Other	378	1,928

TOTAL 19,015 96,974

Provides for the allocation of funds to establish 2 Assistant District Attorney positions specifically to coordinate and strengthen the prosecution efforts in cases of violence against women.

Human Services Division

Positions - Legislative Count	(2,000)	(2,000)
Personal Services	11,094	56,580
All Other	1,825	5,229

TOTAL 12,919 61,809

Provides for the allocation of funds to establish one Research Assistant position and one Legal Secretary position and related All Other costs for child support enforcement cases.

DEPARTMENT OF THE ATTORNEY GENERAL TOTAL

334,988 158,783

**CORRECTIONS,
DEPARTMENT OF**

Administration - Corrections

Positions - Legislative Count	(1,000)
Personal Services	47,611
All Other	6,210

TOTAL 53,821

Provides for the allocation of funds for one Accountant III position and related costs to coordinate cash drawdowns, expenditures and reporting requirements of federal funds.

Capital Construction/Repairs/Improvements - Corrections

All Other 576,610 2,270,400

Provides for the allocation of funds for the federal "Truth-in-Sentencing and Violent Offender" grant awarded to the Department of Corrections.

Correctional Services

Positions - Legislative Count (1,000)
 Personal Services 44,582
 All Other 10,900

TOTAL 55,482

Provides for the allocation of funds to establish one Correctional Planning Analyst position and related costs for assisting management with the implementation, coordination, monitoring and analysis of policies and programs.

Justice - Planning, Projects & Statistics

Positions - Legislative Count (1,000)
 Personal Services 49,321
 All Other 6,210

TOTAL 55,531

Provides for the allocation of funds for one Auditor II position and related All Other costs.

DEPARTMENT OF CORRECTIONS TOTAL

576,610 2,435,234

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

Hazard Mitigation Program

All Other 80,000

Provides for the allocation of funds resulting from increased funding by the Federal Emergency Management Agency.

Loring Rebuild Facility

Positions - Legislative Count (100,000) (100,000)
 Personal Services 843,784 4,029,592
 All Other 678,540 970,408

TOTAL 1,522,324 5,000,000

Provides for the allocation of funds for the increased operations and federal funding for the Loring Rebuild Facility at the former Loring Air Force Base for the remainder of the current biennium. This request continues the funding of 41 positions originally established by financial order, pursuant to Public Law 1997, chapter 559 and for the establishment of an additional 59 positions on file in the Bureau of the Budget.

DEPARTMENT OF DEFENSE, VETERANS AND EMERGENCY MANAGEMENT TOTAL

1,522,324 5,080,000

EDUCATION, DEPARTMENT OF

Learning Systems

All Other 318,626 43,459

Provides for the allocation of funds for the new federal Working Together for a Healthy Maine grant that will be used to strengthen school health programs.

Management Information Systems

Positions - Legislative Count (1,000)
 Personal Services 32,879

Provides for the allocation of funds for the transfer of one Education Specialist III position from the ECIA Chapter 2 account.

Management Information Systems

Positions - Legislative Count (1,000)
 Personal Services 52,111

Provides for the allocation of funds for one

Education Specialist III position to manage the Technology Literacy Challenge Fund and integrate with other Department of Education technology initiatives.

**DEPARTMENT OF EDUCATION
TOTAL**

318,626 128,449

**ENVIRONMENTAL PROTECTION,
DEPARTMENT OF**

Performance Partnership Grant

Positions - Legislative Count (-3,000)
Personal Services (143,787)
All Other (21,587)

TOTAL (165,374)

Provides for the deallocation of funds through the transfer of one Environmental Specialist IV position to the Land and Water Quality program, General Fund, and one Planning and Research Assistant position and one Oil & Hazardous Materials Specialist I position to the Remediation and Waste Management program, General Fund.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
TOTAL**

(165,374)

HEALTH DATA ORGANIZATION, MAINE

Maine Health Data Organization

All Other 25,000 25,000

Provides for the allocation of funds received through a Health Care Financing Administration grant for the implementation and evaluation of ambulatory patient groups as an outpatient measurement and financing methodology.

**MAINE HEALTH DATA ORGANIZATION
TOTAL**

25,000 25,000

HUMAN SERVICES, DEPARTMENT OF

Office of Management and Budget

Positions - Legislative Count (1,000) (1,000)
Personal Services 24,148 58,450

Provides for the allocation of funds to allow for the transfer of one Senior Database Analyst position from the Medical Care Administration account.

Bureau of Child and Family Services - Central

All Other 890,000 345,000

Provides for the allocation of federal matching funds for the completion of the Maine Automated Child Welfare Information System Project in fiscal year 1997-98 and fiscal year 1998-99.

Bureau of Child and Family Services - Central

Positions - Legislative Count (-2,000) (-2,000)
Personal Services (54,697) (57,382)

Provides for the deallocation of funds to eliminate one Social Services Program Specialist I position and one Social Services Program Specialist II position.

Disability Determination - Division of

Positions - Legislative Count (2,000)
Personal Services 79,174
Capital Expenditures 10,000

TOTAL 89,174

Provides for the allocation of funds for 2 Disability Claims Adjudicator positions needed for increased workload and continuing disability reviews.

**Elder and Adult Services -
Bureau of**

Positions - Legislative Count	(1,000)	
Personal Services	43,118	
All Other	(43,118)	
TOTAL		-0-

Provides for the allocation of funds to establish one Programmer Analyst position.

the federal project grants account.

**Medical Care - Payments to
Providers**

All Other		1,351,697
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Provides for the allocation of funds due to an adjustment in the federal match rate for fiscal year 1998-99.

**Elder and Adult Services -
Bureau of**

Positions - Legislative Count	(-2,000)	(-2,000)
Personal Services	(86,083)	(90,097)

Provides for the deallocation of funds to eliminate one Planning and Research Associate II position and one Social Services Program Specialist II position.

**Medical Care - Payments to
Providers**

All Other	1,844,077	6,916,796
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Provides for the allocation of federal matching funds to eliminate a backlog in providing mental health and mental retardation services to entitled children.

Health - Bureau of

All Other	605,905	807,873
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Provides for the allocation of funds for the Maine Nutrition Network.

**Medical Care - Payments to
Providers**

All Other	8,098,586	12,811,116
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Provides for the allocation of federal matching funds based on estimated expenditure projections for fiscal year 1997-98 and fiscal year 1998-99.

Health - Bureau of

Positions - Legislative Count	(-1,500)	(-1,500)
Personal Services	(57,970)	(60,505)

Provides for the deallocation of funds to eliminate one part-time Environmental Specialist II position and one Environmental Specialist III position.

**Medical Care - Payments to
Providers**

All Other	4,978,252	10,364,908
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Provides for the allocation of federal matching funds for physician and dental rate increases in fiscal years 1997-98 and 1998-99.

Health - Bureau of

All Other	87,532	131,298
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Provides for the allocation of funds for the new State Injury Intervention and Surveillance Program grant award.

Bureau of Medical Services

Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(24,148)	(58,450)

Provides for the deallocation of funds in the Medical Care Administration account to allow for the transfer of one Senior Database Analyst position to the Office of Management and Budget.

Health - Bureau of

Positions - Legislative Count	(-1,000)	
Personal Services	(36,244)	

Provides for the deallocation of funds to eliminate one Engineering Technician III position in

Bureau of Medical Services

Positions - Legislative Count	(9,000)	(9,000)
Personal Services	140,165	351,080
All Other	27,000	27,000
TOTAL	<u>167,165</u>	<u>378,080</u>

Provides for the allocation of funds in the Medical Care Administration account to establish 6 Health Services Consultant positions; one Health Education Consultant position; and 2 Social Services Program Specialist I positions.

Bureau of Medical Services

Personal Services	7,517	12,116
All Other	(7,517)	(12,116)
TOTAL	<u>-0-</u>	<u>-0-</u>

Provides for the allocation of funds through the transfer from All Other to cover the reorganization of a Comprehensive Health Planner II position to an Assistant Director, Division Medicaid/Medicare Services position.

Bureau of Medical Services

Positions - Legislative Count	(-2,000)	(-2,000)
Personal Services	(48,184)	(49,802)

Provides for the deallocation of funds to eliminate 2 Clerk Typist II positions.

Nursing Facilities

All Other		599,810
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Provides for the allocation of funds due to an adjustment in the federal match rate for fiscal year 1998-99.

Nursing Facilities

All Other	(13,076,838)	(24,948,997)
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Provides for the deallocation of federal matching funds based on estimated expenditure projections for fiscal year 1997-98 and fiscal year 1998-99.

Additional Support for Persons in Retraining and Employment

All Other	1,970,071
Capital Expenditures	30,000

TOTAL	<u>2,000,071</u>
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Provides for the allocation of funds for one time expenditures for the Temporary Assistance for Needy Families (TANF)/Additional Support for Persons in Retraining and Employment (ASPIRE) resource room and materials to support the implementation of the goals of the federal welfare reform.

Additional Support for Persons in Retraining and Employment

All Other	1,652,679	1,652,679
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Provides for the allocation of funds to serve able-bodied adults without dependents, who are food stamp recipients with employment and training activities.

Foster Care

All Other		2,250,000
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Provides for the allocation of funds to cover the retroactive 12/95 - 9/97 and ongoing claim to Title IV-E for IV-E eligibles not previously claimed.

Medical Care - Payments to Providers

All Other		500,000
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Provides for the allocation of funds to cover the claim for child welfare case management to Medicaid not previously claimed.

Office of Management and Budget - Regional operations

All Other		46,750
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Provides for the allocation of Federal Matching funds

to open an office in Oxford County.

DEPARTMENT OF HUMAN SERVICES

TOTAL	7,000,495	13,002,154
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INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF

Enforcement Operations - IF&W

Personal Services		25,410
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Provides for the allocation of funds for cost associated with an increase in FTE hours for 11 intermittent Recreational Safety Coordinator positions. Headcount is established in the General Fund matching account of this program where the positions are authorized.

DEPARTMENT OF INLAND FISHERIES AND WILDLIFE TOTAL

	25,410
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LABOR, DEPARTMENT OF Administration - Labor

Positions - Legislative Count	(-0.500)	(-0.500)
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Provides for the adjustment of authorized positions from the transfer of one part-time Account Clerk I position to the Employment Securities Services program. This corrects an error made in Public Law 1997, chapter 24.

Administration - Labor

Positions - Legislative Count	(2.000)
Personal Services	57,958

Provides for the allocation of funds from the transfer of one Account Clerk I position and one Accountant II position from the Employment Services program to reflect the reorganization of the activities of the office of the commissioner.

Employment Services Activity

Positions - Legislative Count		(-2.000)
Personal Services		(57,958)

Provides for the deallocation of funds from the transfer of one Account Clerk I position and one Accountant II position to the Administration - Labor account to reflect the reorganization of the activities of the office of the commissioner.

Employment Security Services

Positions - Legislative Count	(0.500)	(0.500)
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Provides for the adjustment of authorized positions from a transfer of one part-time Account Clerk I position from the Administration - Labor program. This corrects an error made in Public Law 1997, chapter 24.

Welfare to Work

All Other	350,000	1,450,000
Capital Expenditures	50,000	150,000

TOTAL	400,000	1,600,000
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Provides for the allocation of funds for the Welfare to Work program.

DEPARTMENT OF LABOR TOTAL

	400,000	1,600,000
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MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES, DEPARTMENT OF

Mental Health Services - Children

All Other	958,333
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Provides for the allocation of funds for the children mental health services grant (WINGS).

Mental Health Services - Community

All Other		176,325
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Provides for the allocation of funds for a statewide

study of the effectiveness of 3 approaches to providing housing and support services to persons with severe and persistent mental illness.

DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES
TOTAL

958,333 176,325

PUBLIC SAFETY, DEPARTMENT OF

Motor Carrier Safety

Positions - Legislative Count	(-8,000)	(-8,000)
Personal Services	(92,605)	(371,636)
All Other	(16,951)	(70,094)
TOTAL	(109,556)	(441,730)

Provides for the deallocation of funds through the consolidation of the Commercial Vehicle Enforcement Unit programs, due to the potential loss of federal funding because of Maine's 100 air mile variance. The funding for these positions will be funded through the Transportation Safety Fund, Other Special Revenue.

DEPARTMENT OF PUBLIC SAFETY
TOTAL

(109,556) (441,730)

SECTION

TOTAL ALLOCATIONS 11,026,820 22,024,251

Sec. A-4. Allocation. The following funds are allocated from Other Special Revenue for the fiscal years ending June 30, 1998 and June 30, 1999 to carry out the purposes of this Part.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Administration - Human Resources

Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(6,604)	(29,760)
All Other	6,604	29,760

TOTAL

-0- -0-

Provides for the allocation of funds through the transfer of one Human Resources Development Consultant position to the Workers' Compensation program. This request also increases the allocation in All Other for the purpose of using contractors on an as-needed basis.

Financial and Personnel Services - Division of

Positions - Legislative Count	(2,000)	(2,000)
Personal Services	21,804	97,396
All Other	6,000	6,000
Capital Expenditures	7,000	
TOTAL	34,804	103,396

Provides for the allocation of funds for one Management Analyst II position and one Accountant III position to provide financial management support to the Retiree Health Fund and the State Employee Health and Post Retiree Health Benefits Fund.

Public Improvements - Planning/ Construction - Administration

Personal Services 3,827

Provides for the allocation of funds to correct an error in Public Law 1997, chapter 24, Part A.

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
TOTAL

38,631 103,396

ATTORNEY GENERAL, DEPARTMENT OF THE

Human Services Division

Positions - Legislative Count	(2,000)	(2,000)
Personal Services	18,636	95,046
All Other	6,050	10,090
TOTAL	24,686	105,136

<p>Provides for the allocation of funds to establish 2 Assistant Attorney General positions and related costs for child support enforcement cases.</p>			<p>1/2-time project Entomology Technician position and related costs to carry out a grant received from the Outdoor Heritage Fund. The position is authorized through fiscal year 1998-99 only.</p>	
DEPARTMENT OF THE ATTORNEY GENERAL				
TOTAL	24,686	105,136	Land Management and Planning	
BAXTER STATE PARK AUTHORITY				
Baxter State Park Authority			Positions - Legislative Count	(-0.500)
			Positions - FTE Count	(0.500)
			Personal Services	6,537
Positions - Legislative Count	(1.000)	(1.000)		
Positions - FTE Count	(-0.769)	(-0.769)		
Personal Services	8,103	8,248		
Provides for the allocation of funds to increase one seasonal Trail Supervisor position (1,600 hours) to one full-time Trail Supervisor position due to the increase in winter camping.			Provides for the allocation of funds for the transfer of one seasonal Park Ranger position (1,040 hours) from the Parks General Operations program, General Fund, and the transfer of 10 hours of one split-funded Resource Administrator position to the Parks - General Operations program, General Fund.	
Baxter State Park Authority			Land Management and Planning	
Personal Services	129,021	141,091	Positions - Legislative Count	(-0.500)
Provides for the allocation of funds in order to meet a shortfall in Personal Services.			Positions - FTE Count	(0.481)
			Personal Services	13,590
BAXTER STATE PARK AUTHORITY				
TOTAL	137,124	149,339	Provides for the allocation of funds to transfer 30 hours of funding from a split-funded Resource Administrator position to the Parks - General Operations program, General Fund, and create one seasonal Planning and Research Associate I position (1,000 FTE hours) to handle planning and analysis needs.	
CONSERVATION, DEPARTMENT OF			Land Management and Planning	
Forest Recreation Resource Fund			Personal Services	1,395
Positions - FTE Count		(0.154)		2,843
Personal Services		5,215		
Provides for the allocation of funds to establish an intermittent Assistant Park Ranger position (320 FTE hours) for the Penobscot Corridor.			Provides for the allocation of funds for the reclassification of one split-funded Director of Parks and Lands position from range 88 to range 89.	
Insect and Disease Management			Parks - General Operations	
Personal Services	8,212	16,211		
All Other	30,829	2,470		
TOTAL	39,041	18,681		
Provides for the allocation of funds to establish one				

All Other 40,000
 Provides for the allocation of funds in the Municipal Recreation Fund for grants to municipalities.

DEPARTMENT OF CONSERVATION TOTAL 80,436 46,866

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

Military Training and Operations
 All Other 120,000
 Provides for the allocation of funds for maintenance, repairs and operating expenses for the Military Bureau facilities.

DEPARTMENT OF DEFENSE, VETERANS AND EMERGENCY MANAGEMENT TOTAL 120,000

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Community Development Block Grant Program
 All Other 6,000 10,000
 Provides for the allocation of funds in the Business Assistance Fund for the 2% allowed for administrative costs.

DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TOTAL 6,000 10,000

EDUCATION, DEPARTMENT OF

Leadership
 All Other 59,388 29,700
 Provides for the allocation of funds to continue administration of the Christa McAuliffe Fellowship grants.

DEPARTMENT OF EDUCATION TOTAL 59,388 29,700

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Maine Environmental Protection Fund
 Positions - Legislative Count (-3,000)
 Personal Services (146,576)
 All Other (78,123)
TOTAL (224,699)

Provides for the deallocation of funds through the transfer of one Biologist I position, one Biologist III position and one Environmental Specialist IV position and related cost to the Land and Water Quality program, General Fund, to continue the licensing and monitoring of wastewater treatment plants.

Remediation and Waste Management
 Positions - Legislative Count (-1,000)
 Personal Services (67,250)
 All Other (5,860)
TOTAL (73,110)

Provides for the deallocation of funds through the transfer of one Director, Office of Innovation and Assistance position and related costs to the Administration - Environmental Protection program, General Fund to minimize fees needed to continue the program.

DEPARTMENT OF ENVIRONMENTAL PROTECTION TOTAL (297,809)

GOVERNMENTAL ETHICS AND ELECTION PRACTICES, COMMISSION ON

Governmental Ethics and Election Practices - Commission on
 Positions - Legislative Count (1,000)

Provides for the headcount authorization for one Clerk Typist III position to assist in implementing the provisions of the Maine Clean Elections Act.

All Other 250,000

Provides for the allocation of funds for expenditure of donated money for scholarships for foster care youth for postsecondary education and for other similar support programs.

EXECUTIVE DEPARTMENT

Public Advocate

All Other 60,483

Provides for the allocation of funds from the unexpended balance at the end of fiscal year 1996-97 to cover increased costs associated with rate cases and the closing of the Maine Yankee nuclear power plant. Separate legislation is included in a Part of this Act, which permits the Public Advocate to use prior-year balances to cover this increased workload.

General Assistance - Reimbursement to Cities and Towns

All Other 140,028

Provides for the allocation of funds from the Stripper Well Fund to support energy-related costs.

Health - Bureau of

Positions - Legislative Count (-1,000) (-1,000)
 Personal Services (39,848) (41,606)

Provides for the deallocation of funds to eliminate one Planning and Research Associate II position.

EXECUTIVE DEPARTMENT TOTAL

60,483

Long Term Care - Human Services

All Other 895,700

Provides for the allocation of funds for supportive services for 500 elders and disabled adults to prevent or delay institutionalization. A portion of these funds are Maximus-related.

HUMAN SERVICES, DEPARTMENT OF

Bureau Of Child And Family Services - Central

All Other 1,583,000 345,000

Provides for the allocation of funds for the completion of the Maine Automated Child Welfare Information System in fiscal year 1997-98 and fiscal year 1998-99. A portion of these funds are Maximus-related.

Plumbing - Control Over

Positions - Legislative Count (1,000)
 Personal Services 36,750
 All Other 2,000

TOTAL 38,750

Elder and Adult Services - Bureau of

Positions - Legislative Count (0,500)
 Personal Services 25,497
 All Other (25,497)

Provides for the allocation of funds to establish one Sanitarian II position.

TOTAL -0-

Bureau of Child and Family Services - Central

Positions - Legislative Count (1,000)
 Personal Services 60,442
 All Other 3,488

TOTAL 63,930

Provides for the allocation of funds to increase one Health Care Financial Analyst position from part time to full time.

Foster Care

Provides for the allocation of Maximus-related funds to establish one Social Services Manager position for services to children and families at risk for child abuse.

Purchased Social Services

All Other 2,186,070

Provides for the allocation of Maximus-related funds for services to children and families at risk for child abuse.

DEPARTMENT OF HUMAN SERVICES

TOTAL 1,683,180 3,737,844

INLAND FISHERIES AND WILDLIFE DEPARTMENT OF

Boating Access Sites

All Other 50,000
Capital Expenditures 350,000

TOTAL 400,000

Provides for the allocation of funds for the purchase of land and development of boating access sites.

Public Information and Education, Division of

Positions - Legislative Count (1.000)
Positions - FTE Count (-0.923)
Personal Services 2,969

Provides for the allocation of funds to increase one Game Keeper position from 48 weeks per year to 52 weeks per year.

Sport Hunter Program

Personal Services 9,680

Provides for the allocation of funds for this program's share of costs associated with an increase in FTE hours for 11 intermittent Recreational Safety Coordinator positions. Headcount is established in the Enforcement Operations, Inland Fisheries and Wildlife program, General Fund,

where the positions are authorized.

Support Landowners Program

Personal Services 4,840

Provides for the allocation of funds for this program's share of costs associated with an increase in FTE hours for 11 intermittent Recreational Safety Coordinator positions. Headcount is established in the Enforcement Operations program, General Fund, where the positions are authorized.

Support Landowners Program

All Other 1,230

Provides for the allocation of funds received as a grant from the Aroostook Literacy Coalition to help defray the costs of distributing materials that will promote better landowner relations.

DEPARTMENT OF INLAND FISHERIES AND WILDLIFE

TOTAL 1,230 417,489

LABOR, DEPARTMENT OF Blind and Visually Impaired - Division for the

Personal Services 5,333

Provides for the allocation of funds to properly fund the Business Enterprise Program Assistant position established in the last legislative session.

DEPARTMENT OF LABOR

TOTAL 5,333

MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES, DEPARTMENT OF

Augusta Mental Health Institute

Positions - Legislative Count (3.000)
Personal Services 187,675
All Other 151,245

TOTAL 338,920

Provides for the allocation of funds pursuant to Public Law 1997, chapter 24, Part TT, sections 2 and 3 that transfer one Physician III position, one Nurse IV position, and 2 part-time Medical Care Coordinator positions and All Other medical and dental expenditures to the Disproportionate Share - Augusta Mental Health Institute program.

Augusta Mental Health Institute
All Other 84,616

Provides for the allocation of funds to pay the final gross patient services revenue limit for fiscal year 1996.

Augusta Mental Health Institute
Personal Services (352,245)
All Other 352,245

TOTAL -0-

Provides for the allocation of funds for contracted physician services.

Augusta Mental Health Institute
All Other 190,800

Provides for the allocation of funds for the removal of the current emergency generator and installation of an automated switchable system. State matching funds are provided by the Bureau of General Services.

Augusta Mental Health Institute
Personal Services 487,072
All Other 440,123
Capital Expenditures 980

TOTAL 928,175

Provides for the allocation of funds for unbudgeted overtime costs, contracted services and a management information system upgrade.

Augusta Mental Health Institute

Personal Services 38,284
All Other 10,916
Capital Expenditures 161

TOTAL 49,361

Provides for the allocation of funds due to a change in the federal match rate for fiscal year 1998-99 from 66.04% to 66.40%.

Augusta Mental Health Institute
Positions - Legislative Count (4,000)
Personal Services 90,676

Provides for the allocation of funds through the transfer of 4 Mental Health Worker I positions from Augusta Mental Health Institute to the Disproportionate Share - Augusta Mental Health Institute program in order to reflect expenditures in the proper account.

Augusta Mental Health Institute
All Other 171,849

Provides for the allocation of funds for the purpose of contracting physician services.

Bangor Mental Health Institute
All Other 24,518

Provides for the allocation of funds pursuant to Public Law 1997, chapter 24, Part TT, sections 2 and 3 that transfers All Other medical and dental clinic expenditures to the Bangor Mental Health Institute program.

Bangor Mental Health Institute
All Other 58,497

Provides for the allocation of funds to pay the final gross patient services revenue limit for fiscal year 1995-96.

Bangor Mental Health Institute
Personal Services 308,551
All Other 200,479

	509,030			
TOTAL			All Other	100,000 100,000
Provides for the allocation of funds to cover unbudgeted overtime, computers, printers and repairs.			Provides for the allocation of funds from cost settlements of the state-operated intensive care facilities and mental retardation facilities for fiscal years 1991-92 through 1995-96.	
Bangor Mental Health Institute				
Positions - Legislative Count	(-43,500)		Mental Health Services - Community	
Personal Services	(1,036,991)			
All Other	(128,150)		All Other	100,000 100,000
TOTAL	(1,165,141)		Provides for the allocation of funds from cost settlements of the state-operated intensive care facilities and mental retardation facilities for fiscal years 1991-92 through 1995-96.	
Provides for the deallocation of funds from the elimination of 5 Assistant Team Leader positions, one Clerk Typist II position, one Clerk Typist III position, 2 Food Service Worker positions, one Furniture Repairer position, one part-time Hospital Ward Clerk position, one Light Equipment Operator position, one part-time Light Equipment Operator position, one Medical Records Technician position, 18 Mental Health Worker I positions, 3 Mental Health Worker II positions, one Nurse V position, one Physician III position, one Recreation Therapist position, 5 Institutional Custodial Worker positions, one Laborer II position and one part-time Tailor position due to downsizing.			Mental Health Services - Community	
			All Other	143,113
			Provides for the allocation of funds for consent decree purposes due to the impact of the final gross patient services revenue limit for fiscal year 1995-96 for the Augusta Mental Health Institute and the Bangor Mental Health Institute.	
			Augusta Mental Health Institute	
			Positions - Legislative Count	(-1,000)
			Personal Services	(47,900)
			All Other	47,900
			TOTAL	-0-
			Provides for the allocation of funds to contract for physician services through the elimination of one Physician Assistant position.	
Bangor Mental Health Institute			DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES	
Personal Services	53,221		TOTAL	2,376,756
All Other	9,496			(489,175)
Capital Expenditures	450			
TOTAL	63,167		PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF	
Provides for the allocation of funds due to a change in the federal match rate for fiscal year 1998-99 from 66.04% to 66.40%.				
Mental Health Services - Children				

Administrative Services - Professional and Financial Regulations

Personal Services	2,502	10,500
All Other	146,850	153,650
Capital Expenditures	7,000	
TOTAL	<u>156,352</u>	<u>164,150</u>

Provides for the allocation of funds for the reorganization of one Staff Attorney position to one Assistant to the Commissioner position; a range change for one Director of Administrative Services position; and increased Wide Area Network (WAN) costs, computer conversion costs, imaging and 1-800 number.

Banking - Bureau of

Personal Services	3,159	8,554
All Other	26,020	20,400
TOTAL	<u>29,179</u>	<u>28,954</u>

Provides for the allocation of funds for legal services provided by the Attorney General's office; reclassifications of one Clerk Typist II position and one Securities Specialist position; and a range change of one Securities Registration Supervisor position.

Banking - Bureau of

All Other	10,000	90,000
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Provides for the allocation of funds for out-of-state travel to cover the costs of regulation and attendance at meetings relating to interstate banking and Maine's new Universal Bank Charter, and the increased examination of contractual services.

Dental Examiners - Board of

Personal Services	6,000	6,000
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Provides for the allocation of funds for the payment

of per diem expenses of board members.

Engineers - Board of Registration for Professional

Personal Services	6,000	8,000
Capital Expenditures	3,000	
TOTAL	<u>9,000</u>	<u>8,000</u>

Provides for the allocation of funds for the 2% increase in salaries, increased health insurance costs and the purchase of a Personal computer in fiscal year 1997-98.

Insurance - Bureau of

Personal Services	7,700	10,700
All Other	363,150	
TOTAL	<u>370,850</u>	<u>10,700</u>

Provides for the allocation of funds for the examination of Blue Cross/Blue Shield and the reclassification of one Clerk IV position to one Supervisor Office Services position and an increase of authorized hours.

Licensing and Enforcement

Positions - Legislative Count	(1,000)	(1,000)
Personal Services	46,300	48,625
All Other	5,000	5,000
TOTAL	<u>51,300</u>	<u>53,625</u>

Provides for the allocation of funds to establish one Elevator Inspector position and related All Other expenses to relieve the backlog of inspections across the State.

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION

PUBLIC SAFETY, DEPARTMENT OF

Traffic Safety - Commercial Vehicle Enforcement

Positions - Legislative Count	(8,000)	(8,000)
Personal Services	92,605	371,636
All Other	16,951	110,094

TOTAL	<u>632,681</u>	<u>361,429</u>
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TOTAL	109,556	481,730
Provides for the allocation of funds from the Transportation Safety Fund for the consolidation of the Commercial Vehicle Enforcement Unit programs due to the potential loss of federal funding because of Maine's 100 air mile variance.		
Turnpike Enforcement		
Positions - Legislative Count		(4,000)
Personal Services		222,879
All Other		73,145
Capital Expenditures		96,000
TOTAL		392,024
Provides for the allocation of funds for 4 State Trooper positions necessary to maintain minimum coverage on the Maine Turnpike.		
DEPARTMENT OF PUBLIC SAFETY		
TOTAL	109,556	873,754
SECTION		
TOTAL ALLOCATIONS	5,210,151	5,173,302

Sec. A-5. Allocation. The following funds are allocated from Federal Block Grant funds for the fiscal years ending June 30, 1998 and June 30, 1999 to carry out the purposes of this Part.

	1997-98	1998-99
EDUCATION, DEPARTMENT OF		
Learning Systems		
All Other		39,826
Provides for the allocation of funds through a transfer of rape crisis intervention funds from the Department of Human Services.		
Management Information Systems		
Positions - Legislative Count		(-1,000)
Personal Services		(32,879)
Provides for the deallocation of funds		

through the transfer of one Education Specialist III position to the Management Information System program.

DEPARTMENT OF EDUCATION		
TOTAL		6,947
HUMAN SERVICES, DEPARTMENT OF		
Office of Management and Budget		
All Other	500	1,500
Provides for the allocation of funds for the transfer of All Other allotment from the Temporary Assistance for Needy Families administration account to cover STA-CAP charges.		
Administration - Regional - Human Services		
All Other	3,000	9,000
Provides for the allocation of funds for the transfer of All Other allotment from the Temporary Assistance for Needy Families administration account to cover STA-CAP charges.		
Bureau of Family Independence - Central		
All Other	(3,500)	(10,500)
Provides for the deallocation of funds for the transfer of All Other allotment into the Temporary Assistance for Needy Families administrative accounts to cover their STA-CAP costs.		
Child Care Services		
Positions - Legislative Count	(3,000)	(3,000)
Personal Services	49,186	118,047
All Other	6,523	15,660
Capital Expenditures	18,100	
TOTAL	73,809	133,707
Provides for the allocation of funds to establish one Social Services Program Specialist II position and		

2 Community Care Worker positions.			Provides for the allocation of funds through a transfer from Personal Services to All Other to cover an allocation shortfall.		
Health - Bureau of			Rape Crisis Control		
All Other		400,000	All Other		(39,826)
Provides for the allocation of funds for Preventative Health and Health Services Block Grant programs from carry-over funds from prior years, including the Governor's Statewide Youth Suicide Prevention Plan; Teen & Young Adult Health; Injury Control; Community Health Nursing; Services for Special Needs Children; Nutrition; Genetics; and Maternal & Child Health Services.			Provides for the deallocation of funds through a transfer of rape crisis intervention funds to the Department of Education.		
Maternal and Child Health			Service Center - Auditing, Contracting and Licensing		
All Other		560,552	Positions - Legislative Count	(0,500)	(0,500)
Provides for the allocation of funds for Maternal and Child Health and Coordinated Care Services programs from carry-over funds from prior years, including the Governor's Statewide Youth Suicide Prevention Plan; Teen & Young Adult Health; Injury Control; Community Health Nursing; Services for Special Needs Children; Nutrition; Genetics; and Maternal & Child Health Services.			Personal Services	5,074	12,177
Maternal and Child Health			All Other	1,067	2,560
All Other			TOTAL	6,141	14,737
Provides for the allocation of funds to increase a Clerk Typist II position from part time to full time.			Provides for the allocation of funds to correct Public Law 1997, chapter 24, Part J in order to charge these positions directly to the Temporary Assistance to Needy Families Block Grant account rather than the federal account.		
Maternal and Child Health			Additional Support for Persons in Retraining and Employment		
Personal Services	3,120	4,160	Personal Services	225,000	225,000
All Other	(3,120)	(4,160)	All Other	(225,000)	(225,000)
TOTAL	-0-	-0-	TOTAL	-0-	-0-
Provides for the allocation of funds to cover a stipend.			Abstinence Education		
Purchased Social Services			All Other	172,468	172,468
Personal Services	(49,321)		Provides for the allocation of funds for the purpose of providing abstinence education.		
All Other	49,321		Additional Support for Persons in Retraining and Employment		
TOTAL	-0-		All Other		(2,543,466)
			Provides for the deallocation of funds for the transfer to the		

Temporary Assistance for Needy Families program to cover a 5% cost-of-living increase.

Temporary Assistance for Needy Families

All Other 2,543,466
 Provides for the allocation of funds for a 5% cost-of-living adjustment for Temporary Assistance to Needy Families recipients.

DEPARTMENT OF HUMAN SERVICES
TOTAL 252,418 1,241,638

MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES, DEPARTMENT OF

Mental Health Services - Children

All Other 6,898
 Provides for the allocation of funds for community services to children with special needs.

Mental Health Services - Community

All Other 72,740
 Provides for the allocation of funds for comprehensive community mental health services to adults with serious mental illness.

Office of Substance Abuse

All Other 370,939 370,939
 Provides for the allocation of funds due to an increase in the Substance Abuse Prevention and Treatment block grant.

DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES
TOTAL 450,577 370,939

SECTION
TOTAL ALLOCATIONS 702,995 1,619,524

Sec. A-6. Allocation. The following funds are allocated from the Office of Information Services Fund for the fiscal years ending June 30, 1998 and June 30, 1999 to carry out the purposes of this Part.

	1997-98	1998-99
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF		
Information Services		
Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(26,293)	(27,718)
Provides for the deallocation of funds through the elimination of one Data Control Specialist position that is no longer necessary to meet operational demands.		
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES		
TOTAL	(26,293)	(27,718)
SECTION		
TOTAL ALLOCATIONS	(26,293)	(27,718)

Sec. A-7. Allocation. The following funds are allocated from the Workers' Compensation Management Fund for the fiscal years ending June 30, 1998 and June 30, 1999 to carry out the purposes of this Part.

	1997-98	1998-99
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF		
Workers' Compensation Management Fund Program		
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	11,503	37,884
Provides for the allocation of funds through the transfer of a Human Resources Development Consultant from the Bureau of Human Resources Training account and the reorganization of that position to a Return-to-Work Coordinator.		

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES		
TOTAL	11,503	37,884
SECTION		
TOTAL ALLOCATIONS	11,503	37,884

Sec. A-8. Allocation. The following funds are allocated from the Real Property Lease Internal Service Fund for the fiscal years ending June 30, 1998 and June 30, 1999 to carry out the purposes of this Part.

	1997-98	1998-99
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF		
Buildings and Grounds Operations		
Personal Services	2,580	5,161
All Other	(2,580)	(5,161)
TOTAL	-0-	-0-
Provides for the allocation of funds for the approved reorganization of the vacant Space Management Specialist position to an Interior Space Planner position.		
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES		
TOTAL	-0-	-0-
SECTION		
TOTAL ALLOCATIONS	-0-	-0-

Sec. A-9. Allocation. The following funds are allocated from the Island Ferry Services Fund for the fiscal years ending June 30, 1998 and June 30, 1999 to carry out the purposes of this Part.

	1997-98	1998-99
TRANSPORTATION, DEPARTMENT OF		
Island Ferry Services Fund		
Positions - Legislative Count		(2,000)
Personal Services		64,644
Provides for the allocation of funds for 2 Able Seamen positions as required by the United States Coast Guard for the operation of the Margaret Chase Smith ferry vessel.		

Island Ferry Services Fund		
All Other	240,000	240,000
Provides for the allocation of funds for preventive maintenance and for nonscheduled and emergency repairs for the 7-vessel fleet.		

DEPARTMENT OF TRANSPORTATION		
TOTAL	240,000	304,644
SECTION		
TOTAL ALLOCATIONS	240,000	304,644

Sec. A-10. Allocation. The following funds are allocated from the Alcoholic Beverage Fund for the fiscal years ending June 30, 1998 and June 30, 1999 to carry out the purposes of this Part.

	1997-98	1998-99
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF		
Alcoholic Beverages - General Operation		
All Other	138,000	150,000
Provides for the allocation of funds for a public information initiative.		
Alcoholic Beverages - General Operation		
Capital Expenditures	1,500,000	
Provides for the allocation of funds for the development and implementation of a new liquor operations and point of sale system. This request is necessary to meet year 2000 requirements as well as to replace a system that is beyond its useful life.		
Alcoholic Beverages - General Operation		
Positions - Legislative Count	(-2,000)	(-2,000)
Personal Services	(57,159)	(57,195)
Provides for the deallocation of funds through the elimination of 2 Retail Store Clerk positions that are no		

longer necessary to the operation.

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES		
TOTAL	1,580,841	92,805
SECTION		
TOTAL ALLOCATIONS	1,580,841	92,805

Sec. A-11. Allocation. The following funds are allocated from the State Lottery Fund for the fiscal years ending June 30, 1998 and June 30, 1999 to carry out the purposes of this Part.

	1997-98	1998-99
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF Lottery Operations		
All Other	100,000	100,000
Provides for the allocation of funds for lottery advertising. The funds will be used to promote Instant Ticket and Heritage Fund games.		
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES		
TOTAL	100,000	100,000
SECTION		
TOTAL ALLOCATIONS	\$100,000	\$100,000

PART B

Sec. B-1. Appropriations. There are appropriated from the General Fund for the fiscal years ending June 30, 1998 and June 30, 1999, to the departments listed, the sums identified in the following in order to provide funding for approved reclassifications and range changes.

	1997-98	1998-99
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF		
Accounts and Control - Bureau of		
Personal Services	\$3,335	\$1,638
Buildings and Grounds Operations		
Personal Services	1,855	2,338
Employee Relations - Office of		

Personal Services	2,404	4,282
Financial and Personnel Services - Division of		
Personal Services	6,199	7,147
Public Improvements - Planning/Construction - Administration		
Personal Services	4,189	2,227
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES		
TOTAL	17,982	17,632
AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF		
Office of Planning, Policy, Legislation and Information Services		
Personal Services	3,115	3,613
DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES		
TOTAL	3,115	3,613
ARTS COMMISSION, MAINE		
Arts - Administration		
Personal Services	1,660	3,470
MAINE ARTS COMMISSION		
TOTAL	1,660	3,470
CONSERVATION, DEPARTMENT OF		
Parks - General Operations		
Personal Services	2,050	2,122
DEPARTMENT OF CONSERVATION		
TOTAL	2,050	2,122
CORRECTIONS, DEPARTMENT OF		
Probation and Parole		
Personal Services		25,474
State Prison - Farm Program		
Personal Services	5,001	4,497
DEPARTMENT OF CORRECTIONS		
TOTAL	5,001	29,971
ENVIRONMENTAL PROTECTION, DEPARTMENT OF		

Air Quality			Personal Services	1,771	2,817
Personal Services	5,709	7,020	Rehabilitation Services		
Remediation and Waste Management			Personal Services	5,181	2,912
Personal Services	3,114	2,934	DEPARTMENT OF LABOR		
DEPARTMENT OF ENVIRONMENTAL PROTECTION			TOTAL	<u>6,952</u>	<u>5,729</u>
TOTAL	<u>8,823</u>	<u>9,954</u>	MARINE RESOURCES, DEPARTMENT OF		
HUMAN SERVICES, DEPARTMENT OF			Division of Administrative Services		
Office of Management and Budget			Personal Services	2,300	4,960
Personal Services	905	650	Bureau of Resource Management		
Administration - Regional - Human Services			Personal Services	6,177	8,347
Personal Services	9,755	10,300	DEPARTMENT OF MARINE RESOURCES		
Bureau of Child and Family Services - Central			TOTAL	<u>8,477</u>	<u>13,307</u>
Personal Services	7,720	7,585	MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES, DEPARTMENT OF		
Bureau of Medical Services			Driver Education and Evaluation Program - Substance Abuse		
Personal Services	3,370	2,535	Personal Services	1,341	1,869
Service Center - Auditing, Contracting and Licensing			Disproportionate Share - Augusta Mental Health Institute		
Personal Services	12,825	9,600	Personal Services	1,400	1,796
DEPARTMENT OF HUMAN SERVICES			Mental Retardation Services - Community		
TOTAL	<u>34,575</u>	<u>30,670</u>	Personal Services	2,393	3,713
INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF			Regional Administration		
Administrative Services - Inland Fisheries and Wildlife			Personal Services	1,086	2,502
Personal Services	2,591	4,227	Office of Substance Abuse		
Enforcement Operations - Inland Fisheries and Wildlife			Personal Services	4,010	5,456
Personal Services	7,038	11,524	DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES		
Licensing Services - Inland Fisheries and Wildlife			TOTAL	<u>10,230</u>	<u>15,336</u>
Personal Services	1,757	2,262	SECTION		
DEPARTMENT OF INLAND FISHERIES AND WILDLIFE			TOTAL APPROPRIATIONS	<u>110,251</u>	<u>149,817</u>
TOTAL	<u>11,386</u>	<u>18,013</u>			
LABOR, DEPARTMENT OF Regulation and Enforcement					

Sec. B-2. Allocations; Federal Expenditures Fund. There are allocated from the Federal Expenditures Fund for the fiscal years ending June 30, 1998 and June 30, 1999, to the departments listed, the

sums identified in the following, in order to provide funding for approved reclassifications and range changes.

	1997-98	1998-99
DEFENSE, VETERANS AND EMERGENCY MANAGEMENT SERVICES, DEPARTMENT OF		
Military Training and Operations		
Personal Services	2,838	3,705
DEPARTMENT OF DEFENSE, VETERANS AND EMERGENCY MANAGEMENT SERVICES TOTAL	2,838	3,705
EDUCATION, DEPARTMENT OF		
Support Systems		
Personal Services	4,730	4,690
All Other	(4,730)	(4,690)
TOTAL	-0-	-0-
DEPARTMENT OF EDUCATION TOTAL	-0-	-0-
ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
Remediation and Waste Management		
Personal Services	5,541	4,460
All Other	(5,541)	(4,460)
TOTAL	-0-	-0-
Remediation and Waste Management		
Personal Services	2,517	4,093
All Other	(2,517)	(4,093)
TOTAL	-0-	-0-
Water Quality		
Personal Services	2,068	4,015
All Other	(2,068)	(4,015)
TOTAL	-0-	-0-

DEPARTMENT OF ENVIRONMENTAL PROTECTION TOTAL	-0-	-0-
HUMAN SERVICES, DEPARTMENT OF		
Office of Management and Budget		
Personal Services	3,845	8,020
Administration - Regional - Human Services		
Personal Services	18,045	17,970
Bureau of Medical Services		
Personal Services	39,585	44,520
Service Center - Auditing, Contracting and Licensing		
Personal Services	1,790	1,890
DEPARTMENT OF HUMAN SERVICES TOTAL	63,265	72,400
LABOR, DEPARTMENT OF		
Blind and Visually Impaired - Division for the		
Personal Services	13,841	7,287
DEPARTMENT OF LABOR TOTAL	13,841	7,287
MARINE RESOURCES, DEPARTMENT OF		
Bureau of Resource Management		
Personal Services	8,580	7,114
DEPARTMENT OF MARINE RESOURCES TOTAL	8,580	7,114
SECTION TOTAL ALLOCATIONS	88,524	90,506

Sec. B-3. Allocations; Other Special Revenue. There are allocated from Other Special Revenue funds for the fiscal years ending June 30, 1998 and June 30, 1999, to the departments listed, the sums identified in the following, in order to provide funding for approved reclassifications and range changes.

1997-98 1998-99

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Accident-Sickness-Health Insurance			Personal Services	28,931	25,721
Personal Services	5,896	6,347	Remediation and Waste Management		
Financial and Personnel Services - Division of			Personal Services	1,992	3,821
Personal Services	3,195	1,925	All Other	(1,992)	3,821
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES TOTAL	<u>9,091</u>	<u>8,272</u>	TOTAL	<u>-0-</u>	<u>-0-</u>
BAXTER STATE PARK AUTHORITY			Solid Waste Management		
Baxter State Park Authority			Personal Services	1,752	3,362
Personal Services	16,265	17,600	DEPARTMENT OF ENVIRONMENTAL PROTECTION TOTAL	<u>37,748</u>	<u>32,171</u>
BAXTER STATE PARK AUTHORITY TOTAL	<u>16,265</u>	<u>17,600</u>	HUMAN SERVICES, DEPARTMENT OF		
CONSERVATION, DEPARTMENT OF			Drinking Water Enforcement		
Land Management and Planning			Personal Services	2,125	2,140
Personal Services	11,595	9,321	Health - Bureau of		
DEPARTMENT OF CONSERVATION TOTAL	<u>11,595</u>	<u>9,321</u>	Personal Services	12,930	15,400
EDUCATION, DEPARTMENT OF			DEPARTMENT OF HUMAN SERVICES TOTAL	<u>15,055</u>	<u>17,540</u>
Learning Systems			LABOR, DEPARTMENT OF		
Personal Services	1,350	930	Safety Education and Training Program		
All Other	(1,350)	(930)	Personal Services	11,958	10,886
TOTAL	<u>-0-</u>	<u>-0-</u>	DEPARTMENT OF LABOR TOTAL	<u>11,958</u>	<u>10,886</u>
DEPARTMENT OF EDUCATION TOTAL	<u>-0-</u>	<u>-0-</u>	MARINE RESOURCES, DEPARTMENT OF		
ENVIRONMENTAL PROTECTION, DEPARTMENT OF			Bureau of Resource Management		
Administrative Service Center			Personal Services	1,538	2,452
Personal Services	7,065	3,088	Bureau of Resource Management		
Maine Environmental Protection Fund			Personal Services	1,711	2,521
Personal Services	3,069	3,572	DEPARTMENT OF MARINE RESOURCES TOTAL	<u>3,249</u>	<u>4,973</u>
All Other	(3,069)	(3,572)	MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES, DEPARTMENT OF		
TOTAL	<u>-0-</u>	<u>-0-</u>	Augusta Mental Health Institute		
Remediation and Waste Management			Personal Services	2,654	3,534
			All Other	(2,654)	(3,534)

TOTAL	-0-	-0-
DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES		
TOTAL	-0-	-0-
PUBLIC SAFETY, DEPARTMENT OF		
Administration - Public Safety		
Personal Services	2,032	2,507
DEPARTMENT OF PUBLIC SAFETY		
TOTAL	2,032	2,507
SECTION		
TOTAL ALLOCATIONS	106,993	103,270

Sec. B-4. Allocations; Federal Block Grant Fund. There are allocated from the Federal Block Grant Fund for the fiscal years ending June 30, 1998 and June 30, 1999, to the departments listed, the sums identified in the following, in order to provide funding for approved reclassifications and range changes.

	1997-98	1998-99
HUMAN SERVICES, DEPARTMENT OF		
Purchased Social Services		
Personal Services	3,385	7,425
DEPARTMENT OF HUMAN SERVICES		
TOTAL	3,385	7,425
SECTION		
TOTAL ALLOCATIONS	3,385	7,425

Sec. B-5. Allocations; Office of Information Services Fund. There are allocated from the Office of Information Services Fund for the fiscal years ending June 30, 1998 and June 30, 1999, to the departments listed, the sums identified in the following, in order to provide funding for approved reclassifications and range changes.

	1997-98	1998-99
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF		
Information Services		
Personal Services	10,462	11,416

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES		
TOTAL	10,462	11,416
SECTION		
TOTAL ALLOCATIONS	\$10,462	\$11,416

PART C

Sec. C-1. Appropriation. There are appropriated from the General Fund for the fiscal years ending June 30, 1998 and June 30, 1999, to the departments listed, the sums identified in the following, in order to provide funding for approved reclassifications and range changes.

	1997-98	1998-99
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF		
Accounts & Control - Bureau of		
All Other	(\$3,335)	(\$1,638)
Provides funds for approved reclassifications and range changes.		
Buildings and Grounds Operations		
All Other	(6,044)	(4,565)
Provides funds for approved reclassifications and range changes in this program and the Public Improvement - Planning/Construction-Admin program.		
Employee Relations - Office of		
All Other	(2,404)	(4,282)
Provides funds for approved reclassifications and range changes.		
Financial and Personnel Services - Division of		
All Other	(6,199)	(7,147)
Provides funds for approved reclassifications and range changes.		

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES			Provides funds for approved reclassifications and range changes.		
TOTAL	<u>(17,982)</u>	<u>(17,632)</u>			
AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF			DEPARTMENT OF CORRECTIONS	<u>(5,001)</u>	<u>(29,971)</u>
Office of Planning, Policy, Legislation and Information Services			ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
All Other	(3,115)	(3,613)	Air Quality		
Provides funds for approved reclassifications and range changes.			All Other	(5,709)	(7,020)
			Provides funds for approved reclassifications and range changes.		
DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES			Remediation and Waste Management		
TOTAL	<u>(3,115)</u>	<u>(3,613)</u>	All Other	(3,114)	(2,934)
ARTS COMMISSION, MAINE			DEPARTMENT OF ENVIRONMENTAL PROTECTION		
Arts - Administration			TOTAL	<u>(8,823)</u>	<u>(9,954)</u>
All Other	(1,660)	(3,470)	HUMAN SERVICES, DEPARTMENT OF		
Provides funds for approved reclassifications and range changes.			Health - Bureau of		
MAINE ARTS COMMISSION			Positions-Legislative Count	(-1,000)	(-1,000)
TOTAL	<u>(1,660)</u>	<u>(3,470)</u>	Personal Services	(34,575)	(30,670)
CONSERVATION, DEPARTMENT OF			Provides funds for approved reclassifications and range changes in the Department of Human Services through the elimination of one Public Health Nurse Consultant position.		
Parks - General Operations			DEPARTMENT OF HUMAN SERVICES		
All Other	(2,050)	(2,122)	TOTAL	<u>(34,575)</u>	<u>(30,670)</u>
Provides funds for approved reclassifications and range changes.			INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF		
DEPARTMENT OF CONSERVATION			Administrative Services - Inland Fisheries and Wildlife		
TOTAL	<u>(2,050)</u>	<u>(2,122)</u>	All Other	(2,591)	(4,227)
CORRECTIONS, DEPARTMENT OF			Provides funds for approved reclassifications and range changes.		
Correctional Services			Enforcement Operations - Inland Fisheries and Wildlife		
All Other		(25,474)	All Other	(7,038)	(11,524)
Provides funds for approved reclassifications and range changes in the Probation and Parole program.					
State Prison					
All Other	(5,001)	(4,497)			

Provides funds for approved reclassifications and range changes.		
Licensing Services - Inland Fisheries and Wildlife		
All Other	(1,757)	(2,262)
Provides funds for approved reclassifications and range changes.		
DEPARTMENT OF INLAND FISHERIES AND WILDLIFE TOTAL	<u>(11,386)</u>	<u>(18,013)</u>
LABOR, DEPARTMENT OF Regulation and Enforcement		
All Other	(1,771)	(2,817)
Provides funds for approved reclassifications and range changes.		
Rehabilitation Services		
All Other	(5,181)	(2,912)
Provides funds for approved reclassifications and range changes.		
DEPARTMENT OF LABOR TOTAL	<u>(6,952)</u>	<u>(5,729)</u>
MARINE RESOURCES, DEPARTMENT OF Division of Administrative Services		
All Other	(2,300)	(4,960)
Provides funds for approved reclassifications and range changes.		
Bureau of Resource Management		
Capital Expenditures	(6,177)	(8,347)
Provides funds for approved reclassifications and range changes.		
DEPARTMENT OF MARINE RESOURCES TOTAL	<u>(8,477)</u>	<u>(13,307)</u>
MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES, DEPARTMENT OF		

Driver Education and Evaluation Program - Substance Abuse		
All Other	(1,341)	(1,869)
Provides funds for approved reclassifications and range changes.		
Disproportionate Share - Augusta Mental Health Institute		
All Other	(1,400)	(1,796)
Provides funds for approved reclassifications and range changes.		
Mental Retardation Services - Community		
All Other	(2,393)	(3,713)
Provides funds for approved reclassifications and range changes.		
Regional Administration		
All Other	(1,086)	(2,502)
Provides funds for approved reclassifications and range changes.		
Office of Substance Abuse		
All Other	(4,010)	(5,456)
Provides funds for approved reclassifications and range changes.		
DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES TOTAL	<u>(10,230)</u>	<u>(15,336)</u>
SECTION TOTAL APPROPRIATIONS	<u>(\$110,251)</u>	<u>(\$149,817)</u>

PART D

Sec. D-1. 20-A MRSA §15602, sub-§12 is enacted to read:

12. Hardship cushion. The following hardship cushion is established for fiscal year 1998-99.

A. A subsidy change from fiscal year 1997-98 to fiscal year 1998-99 is calculated for each school administrative unit as the amount in subparagraph (1) less the amount in subparagraph (2).

(1) The amount is the state share for fiscal year 1998-99 for the allocation of the per pupil guarantee as determined under chapter 606-A, plus the state share for program costs and minimum subsidy allocation as determined under this chapter, less subsidies provided for bus purchases.

(2) The amount is the state share for fiscal year 1997-98 for the allocation of the per pupil guarantee as determined under chapter 606-A, plus the state share for program costs and minimum subsidy allocation as determined under this chapter and the fiscal year 1997-98 hardship cushion, less subsidies provided for bus purchases.

B. The hardship cushion targets funds to school administrative units according to a 50-50 weighting of 2 distribution strategies described in subparagraphs (1) and (2).

(1) If the subsidy change calculated in paragraph A represents an increase from fiscal year 1997-98 to fiscal year 1998-99 that is less than 0.575% and the school administrative unit had a fiscal year 1997-98 local tax effort for education excluding debt service of 7.17 mills or higher, a hardship cushion is provided to ensure that the cushion adjusted gain as calculated in paragraph A does not exceed 0.575%.

(2) If the subsidy change calculated in paragraph A represents an increase from fiscal year 1997-98 to fiscal year 1998-99 that is less than 1.932%, the school administrative unit had a fiscal year 1997-98 local tax effort for education excluding debt service of 7.17 mills or higher and the school administrative unit's per pupil fiscal capacity, as defined in section 15603, subsection 11-A, is below the state average, a hardship cushion is provided to ensure that the cushion adjusted gain as calculated in paragraph A does not exceed 1.932%.

Sec. D-2. 20-A MRS §15605, sub-§1, as amended by PL 1993, c. 410, Pt. KKK, §1, is further amended to read:

1. Annual certification. Prior to December 15th of each year, the commissioner, with the approval of the state board, shall certify to the Governor and the Bureau of the Budget the funding levels that the commissioner recommends for sections 15604 and 15612. Commencing with the certification in December of ~~1994~~ 1998 and each December thereafter, the commissioner's recommended funded level may not exceed ~~405%~~ of the funding level in effect for the fiscal year then in progress. ~~The certification for~~

~~the fiscal year ending on June 30, 1994 must be consistent with the level of funding provided in the fiscal year 1994-95 biennial budget.~~

Sec. D-3. 20-A MRS §15652, sub-§4, as enacted by PL 1995, c. 368, Pt. Z, §1 and affected by §2, is amended to read:

4. Normalized regional cost adjustment. "Normalized regional cost adjustment" means a factor that is used to adjust a median household income value up or down to reflect variations in regional costs. ~~The statewide normalized regional cost adjustment is one. The department shall contract for the acquisition of annual normalized regional cost adjustment data, based on the National Chamber of Commerce model, except as follows. Beginning in fiscal year 1998-99, the weight of the housing component of the market basket is 14%, instead of 28% and the weights of the other market basket components are increased proportionately. In addition, for any municipality whose regional cost adjustment is less than 1.0, that adjustment is increased to 1.0.~~

Sec. D-4. 20-A MRS §15653, sub-§3, as enacted by PL 1995, c. 368, Pt. Z, §1 and affected by §2, is amended to read:

3. Legislature's contribution. The commissioner's recommendation for an appropriation for the Legislature's contribution to the per pupil guarantee for all subsidizable pupils in all school administrative units ~~must be at least~~ may not exceed the amount of the corresponding appropriation for the ~~prior~~ current fiscal year, unless a lesser amount is necessary to ensure compliance with section 15607, subsection 1. The appropriation for chapter 606 and this chapter may not exceed ~~405%~~ 100% of the corresponding appropriation for the ~~prior~~ current fiscal year. Additional appropriations for general purpose aid for local schools under chapter 606 and this chapter for the Legislature's contribution may be requested in a supplemental appropriations budget bill.

Sec. D-5. 20-A MRS §15657, sub-§2, as enacted by PL 1995, c. 368, Pt. Z, §1 and affected by §2, is amended to read:

2. Local median household income. The most recent local median household income is divided by the statewide average median household income. That amount is divided by the normalized regional cost adjustment as defined in section 15652, subsection 4. The final result is multiplied by an income weight of 0.15. The department shall use local median household income data, updated annually from the Federal Decennial Census. ~~The department shall contract for the acquisition of annual normalized regional cost adjustment data, based on the National Chamber of Commerce model.~~

Sec. D-6. PL 1997, c. 24, Pt. XX, §1 is amended to read:

Sec. XX-1. Education in the Unorganized Territory; lapsed balances. Notwithstanding any other provision of law, ~~\$400,000~~ \$644,951 of available balances in fiscal year 1996-97 in the Personal Services line category and ~~\$300,000~~ \$1,131,698 of available balances in the All Other line category from fiscal year 1996-97 in the Education in the Unorganized Territory account in the Department of Education lapse to the General Fund ~~revenue~~ in fiscal year 1997-98.

Sec. D-7. Basic elementary and secondary per pupil operating rates, per pupil guarantee and statewide factor. The basic elementary per pupil operating rate for 1998-99 is \$3,107 and the basic secondary per pupil operating rate for 1998-99 is \$3,862. The foundation per pupil operating rate for 1998-99 is \$3,328. The per pupil guarantee for 1998-99 is \$3,675. The statewide factor for 1998-99 is 0.53790.

Sec. D-8. Basic education allocation. The basic allocation of state and local funds for 1998-99 for the purposes listed in this section are as follows:

	1998-99
OPERATING COSTS	
Per Pupil Guarantee (Title 20-A, section 15653)	\$797,339,690
Less amount shifted to Transportation Operating	(4,500,000)
ADJUSTED OPERATING	<u>792,839,690</u>
PROGRAM COSTS	
Early Childhood	557,218
Special Education (Local)	132,508,608
Special Education (Tuition and Board)	12,887,552
Vocational Education	25,265,407
Transportation Operating	60,394,791
Bus Purchases	4,500,000
PROGRAM COST TOTAL	<u>236,113,576</u>
ADJUSTED PROGRAM COSTS	
Less Percentage Reduction (Title 20-A, section 15603, subsection	

26-A, paragraph F)	(49,725,519)
Plus amount shifted to Transportation Operating	4,500,000
ADJUSTED PROGRAM COSTS TOTAL	<u>190,888,057</u>
DEBT SERVICE COSTS	
Principal and Interest	66,868,166
Approved Leases	6,049,979
Insured Value Factor	2,215,205
DEBT SERVICE COSTS TOTAL	<u>75,133,350</u>
Less Percentage Reduction of Insured Value Factor (Title 20-A, section 15603, subsection 26-A, paragraph F)	(466,522)
ADJUSTED DEBT SERVICE COSTS TOTAL	<u>74,666,828</u>
COMBINED ALLOCATIONS	
Minimum State Allocation	900,000
TOTAL ALLOCATION	<u>\$1,059,294,575</u>

Sec. D-9. Subsidy indexes. This section establishes mill rates as follows: Operating cost millage - 5.14 mills; program millage limit - 1.11 mills; debt service millage - 0.50 mills.

Sec. D-10. Appropriation. The appropriation provided for General Purpose Aid for Local Schools for the fiscal year beginning July 1, 1998 and ending June 30, 1999 is calculated as follows.

	1998-99
STATE ALLOCATION	<u>\$562,382,911</u>
Adjustment to Maintain State Share of Operating Cost Allocation	-0-
TOTAL ADJUSTED STATE ALLOCATION	<u>562,382,911</u>
ADJUSTMENTS AND MISCELLANEOUS COSTS	
Cost of Geographic Isolation Adjustments	250,000
Cost of Quality Incentive Adjustments	-0-
Audit Adjustments	-0-

Cost of Reimbursement for Private School Services	201,000
Special Education Hardship Grants	-0-
Special Education Tuition and Board for State Wards and Other Pupils Placed Directly by the State	6,964,833
State Agency Clients	16,996,675
Out-of-district Placements	1,751,000
Long-term Drug Treatment Centers	58,000
Contract for Cost-of-living and Income Data	28,309
Fiscal Year 1998-99 Hardship Cushion	2,999,599
TOTAL ADJUSTMENTS	29,249,416
TOTAL RECOMMENDED FUNDING LEVEL	591,632,327
Estimated Construction Audit Recoveries	-0-
TOTAL APPROPRIATION FOR FISCAL YEAR 1998-99	\$591,632,327

Sec. D-11. Limit of State obligation. If the State obligation for any individual program contained in sections D-8 and D-10 exceeds the level of funding provided for that program, any unexpended balances occurring in other programs may be applied to avoid proration of payments for any individual program. Any unexpended balances from section D-8 and D-10 may not lapse but must be carried forward to be for the same purposes.

Sec. D-12. Appropriation. Nothing in sections D-7 to D-11 may be construed to require the State to provide payments that exceed the appropriation of funds for General Purpose Aid for Local Schools for the fiscal year beginning July 1, 1998 and ending June 30, 1999.

Sec. D-13. Education in the Unorganized Territory; lapsed balances. Notwithstanding any other provision of law, \$250,000 of available balances in fiscal year 1997-98 in the Personal Services line category and \$750,000 of available balances in the All Other line category from fiscal year 1997-98 in the Education in the Unorganized Territory account in the Department of Education lapse to the General Fund in fiscal year 1998-99.

Sec. D-14. Recommended funding level. Notwithstanding the Maine Revised Statutes, Title 20-A, section 15605, subsection 1, the funding level

for General Purpose Aid for Local Schools for fiscal year 1998-99 that is used as the basis for calculating the recommended funding level for the 2000-2001 biennium, must be reduced by \$16,660,478.

Sec. D-15. General Purpose Aid for Local Schools; lapsed balances. Notwithstanding any other provision of law, \$1,978,864 in fiscal year 1997-98 in General Purpose Aid for Local Schools lapses to General Fund undedicated revenue as a result of construction aid recoveries.

Sec. D-16. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

	1997-98	1998-99
EDUCATION, DEPARTMENT OF		
General Purpose Aid for Local Schools		
All Other	(\$2,021,136)	
Deappropriates funds to be used to offset appropriations for services for preschool handicapped children.		
Learning Systems		
All Other		\$72,210
Provides funds to increase the state subsidy for adult education by an additional 2% in fiscal year 1998-99.		
DEPARTMENT OF EDUCATION		
TOTAL APPROPRIATION	(\$2,021,136)	\$72,210

Sec. D-17. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

	1998-99
STATE BOARD OF EDUCATION	
State Board of Education	
All Other	\$25,000
Provides funds to support the research and technical assistance needs of the Essential Programs and Services Study Committee.	

STATE BOARD OF EDUCATION TOTAL	25,000
EDUCATION, DEPARTMENT OF	
General Purpose Aid for Local Schools	
All Other	(100,000)
Deappropriates funds to be used to offset appropriations for the State Board of Education and the Education Research Institute.	
DEPARTMENT OF EDUCATION TOTAL	(100,000)
LEGISLATURE	
Education Research Institute	
All Other	75,000
Provides one-time funds to support targeted research needs identified by the Legislature.	
LEGISLATURE TOTAL	75,000
GENERAL FUND APPROPRIATION TOTAL	\$-0-

PART E

Sec. E-1. 5 MRSA §1513, sub-§1, as amended by PL 1991, c. 589, §2, is further amended to read:

1. Maine Rainy Day Fund. The State Controller shall at the close of each fiscal year transfer from the unappropriated surplus of the General Fund to the Maine Rainy Day Fund 1/2 the excess of total General Fund revenues received over accepted estimates in that fiscal year. ~~No accepted~~ Accepted revenue estimate may not be increased after adjournment of each First Regular Session of the Legislature except as provided. For the first year of the biennium, revenue estimates for the 2nd year of the biennium may be adjusted once during the Second Regular Session of the Legislature. Accepted revenue estimates may be increased for other fiscal periods only if an amount not to exceed 1/2 of the increase is ~~appropriated~~ transferred by the State Controller to the Rainy Day

Fund at the same time ~~from the unappropriated surplus of the General Fund~~. The fund may not exceed ~~4%~~ 5% of the total General Fund revenues received in the immediately preceding fiscal year and may not lapse, but remain in a continuing carrying account to carry out the purposes of this section. ~~No A~~ reduction in the fund is not necessary in the event the total General Fund revenues received in the immediately preceding fiscal year are less than the total General Fund revenues received in the fiscal year 2 years previous and if the fund is at its ~~4%~~ 5% limit.

Sec. E-2. 5 MRSA §1513, sub-§1-J is enacted to read:

1-J. Transfer from Maine Rainy Day Fund: Retirement - Federal Recovery Program. Notwithstanding subsection 2 and section 1585, an amount not to exceed \$3,200,000 in fiscal year 1998-99 may be transferred from the available balance in the Maine Rainy Day Fund to the Retirement - Federal Recovery Program in the Department of Administrative and Financial Services to be made available by financial order, upon the recommendation of the State Budget Officer and approval of the Governor, for the purposes outlined in Public Law 1995, chapter 368, Part AA, section 1.

Sec. E-3. 5 MRSA §1665, sub-§7, as amended by PL 1995, c. 665, Pt. S, §2, is further amended to read:

7. General Fund and Highway Fund revenue and expenditure forecasts. By September 30th of ~~each odd-numbered year and May 31st~~ of each even-numbered year, the State Budget Officer shall prepare and deliver a report to the Governor, the Legislature and the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs containing a forecast of revenue and expenditures for the following biennium. The forecast must assume the continuation of current laws and include reasonable and predictable estimates of growth in revenues and expenditures based on national and local trends and program operations. General Fund and Highway Fund revenue must be forecasted by income source as provided in current law. Expenditure forecasts for the General Fund and the Highway Fund must be forecasted on the basis of current law and assumed inflation variables related to program operations. The forecast for the General Fund and the Highway Fund must be presented in a budget fund flow statement and a comparative statement showing each income source for revenue projections and expenditure estimates for each major program category.

Sec. E-4. 5 MRSA §12004-B, sub-§6, as enacted by PL 1987, c. 786, §5, is amended to read:

6. State Board \$50 \$75/Day 36 MRSa §271 of Property Tax Review

Sec. E-5. PL 1997, c. 24, Pt. F is repealed.

Sec. E-6. PL 1997, c. 395, Pt. C, §2 is amended to read:

Sec. C-2. Bureau of Information Services; restructure rates. Notwithstanding the Maine Revised Statutes, Title 5, section 1585, the State Budget Officer shall calculate the amount of savings or costs that apply against each affected account in the All Other line category appropriations and allocations for fiscal years 1997-98 and 1998-99 ~~of the affected General Fund and Highway Fund accounts~~ based on the restructured rates charged by the Bureau of Information Services and shall transfer the calculated amounts between the affected accounts in each fund by financial order. These transfers are to be considered adjustments to appropriations and allocations. The State Budget Officer shall annually provide the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs with a report of the transferred amounts no later than September 30, 1997 and September 30, 1998.

Sec. E-7. Retiree health; lapsed balances. Notwithstanding any other provision of law, \$616,462 of unencumbered balance forward from fiscal year 1996-97 in the Statewide - Retiree Health, General Fund account in the Department of Administrative and Financial Services lapse to the General Fund in fiscal year 1997-98.

Sec. E-8. Salary plan; lapsed balances. Notwithstanding any other provision of law, \$1,697,566 of unencumbered balance forward from fiscal year 1996-97 in the Compensation and Benefit Plan, General Fund account in the Department of Administrative and Financial Services lapse to the General Fund in fiscal year 1997-98.

Sec. E-9. Transfer of funds. The Governor, upon recommendation of the State Budget Officer, is authorized to transfer funds from the appropriate salary plan in order to provide funding to meet the costs of authorized market salary adjustments for "information services" positions in accordance with the Maine Revised Statutes, Title 5, section 7065.

Sec. E-10. Careerbanding pilot project in the Department of Administrative and Financial Services, Bureau of Information Services. Notwithstanding any other provision of law, the Department of Administrative and Financial Services, Bureau of Information Services may implement a careerbanding pilot project developed jointly by the department and the employees' collective bargaining

agent in fiscal year 1998-99. The Commissioner of Administrative and Financial Services shall report on the effectiveness of the careerbanding pilot project to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs no later than January 31, 1999.

Sec. E-11. Department of Administrative and Financial Services; lease-purchase authorization. Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Department of Administrative and Financial Services in cooperation with the Treasurer of State may enter into additional financing arrangements in fiscal year 1997-98 for the acquisition of motor vehicles for the Central Motor Pool. The financing agreements may not exceed 4 years in duration and \$700,000 in principal costs. The interest rate may not exceed 6% and total interest costs may not exceed \$84,000. The annual principal and interest costs must be paid from the appropriate line category allocations in the Central Motor Pool Internal Service Fund account.

Sec. E-12. Revenue reprojection. Notwithstanding the Maine Revised Statutes, Title 5, section 1513, subsection 1, Title 5, section 1517 and Title 30-A, section 5683, subsection 3, the December 1997 and March 1998 increase of revenue estimates for fiscal years 1997-98 and 1998-99 calculated during the Second Regular Session of the 118th Legislature does not increase the transfer to the Maine Rainy Day Fund, the transfer to the Retirement Allowance Fund or the appropriation to the Property Tax Relief Fund.

PART F

Sec. F-1. 4 MRSa §27, sub-§3, as enacted by PL 1997, c. 24, Pt. II, §4, is amended to read:

3. Deposited in General Fund. Funds collected on behalf of the Judicial Department by the State Tax Assessor must be deposited in the proper fund in State Government, except that, for the 1998-1999 biennium, the State Tax Assessor may retain sufficient funds to cover the administrative expenses incurred in collection. After the 1998-1999 biennium, the Judicial Department shall budget sufficient funds to pay the Department of Administrative and Financial Services, Bureau of Revenue Services, Bureau of Revenue Services Fund, Internal Services Fund account on a cost-reimbursement basis for services provided.

Sec. F-2. 36 MRSa §114, as amended by PL 1997, c. 526, §8, is repealed and the following enacted in its place:

§114. Internal services provided by the bureau

1. Internal Services Fund account established. The bureau shall establish, through the Bureau of

Accounts and Control, the Bureau of Revenue Services Fund, Internal Services Fund account. The funds deposited in this account include, but are not limited to, appropriations transferred to the account, funds transferred to the account from within the Department of Administrative and Financial Services, funds received from state departments and agencies using the collection services and imaging and scanning services provided by the bureau and earnings by the fund from the Treasurer of State's investment cash pool.

2. Rate schedule. The bureau may levy charges according to a rate schedule recommended by the assessor and approved by the Commissioner of Administrative and Financial Services against all departments using the services of the bureau.

3. Calculation of charges. Service charges for collections and imaging and scanning services must be calculated to provide for equipment replacement costs, operating costs, necessary capital investment, personal services and necessary working capital for the Bureau of Revenue Services Fund, Internal Services Fund account.

4. Staff. The assessor shall appoint staff, as approved by the Legislature and subject to the Civil Service Law, necessary to carry out the purposes of this section.

5. Departments and agencies to budget funds. Each department or agency using the services of the bureau must budget adequate funds to pay for the collection services and imaging and scanning services provided by the bureau.

Sec. F-3. Transition. Notwithstanding any other provision of law, for the remainder of the 1998-1999 biennium, the Bureau of Revenue Services Fund, Internal Services Fund account may retain sufficient funds out of collections of judicial fines, forfeitures, penalties, fees and costs accrued to the State from monetary collections made on behalf of the Judicial Department. Beginning with the 2000-2001 biennium, the Judicial Department must budget the cost of collection efforts made by the Department of Administrative and Financial Services, Bureau of Revenue Services through the normal budgetary process.

Notwithstanding any other provision of law, the State Tax Assessor shall consult with the Commissioner of Administrative and Financial Services and shall request by financial order upon the recommendation of the State Budget Officer and approval of the Governor authorization for necessary positions to be transferred from the Bureau of Revenue Services General Fund account to the Bureau of Revenue Services Fund, Internal Services Fund account and for the adjustment of allocations and appropriations to

operate the Bureau of Revenue Services Fund, Internal Services Fund account. A budget request must be presented to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs during the First Regular Session of the 119th Legislature.

Sec. F-4. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1997-98

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Bureau of Revenue Services Fund

All Other \$175,000

Provides for the appropriation of funds to be transferred to the Bureau of Revenue Services Fund. The amount must be repaid in full by a transfer of revenues from the Bureau of Revenue Services Fund to the General Fund on or before June 30, 1999.

PART G

Sec. G-1. 22 MRSA §3022, sub-§2, as repealed by and replaced by PL 1987, c. 329, §2, is amended to read:

2. Appointment and qualifications of the Deputy Chief Medical Examiner. The Chief Medical Examiner may select one or more of the medical examiners to serve as deputy chief medical examiners. ~~The Deputy Chief Medical Examiner shall serve~~ the Deputy Chief Medical Examiner shall serve at the pleasure of the Chief Medical Examiner and, if salaried, ~~shall be~~ is unclassified. The salary of the Deputy Chief Medical Examiner must be set in salary range 56 of the Standard Salary Schedule for Medical Personnel as published by the Bureau of Human Resources. In the event of ~~his~~ the Deputy Chief Medical Examiner's temporary absence, the Chief Medical Examiner or, if ~~he~~ the Chief Medical Examiner is unavailable, the Attorney General may designate one of the deputy chief medical examiners to serve as acting Chief Medical Examiner. The acting Chief Medical Examiner ~~shall have~~ has all of the powers and responsibilities of the Chief Medical Examiner.

PART H

Sec. H-1. 2 MRSA §6, sub-§3, as amended by PL 1997, c. 455, §31 and c. 459, §1, is further amended to read:

3. Range 89. The salaries of the following state officials and employees are within salary range 89:

Director, Bureau of General Services;
 Director, Bureau of Alcoholic Beverages and Lottery Operations;
 State Budget Officer;
 State Controller;
 Director of the Bureau of Forestry;
 Chief of the State Police;
 Director, State Planning Office;
 Director, Energy Resources Office;
 Public Advocate;
 Commissioner of Defense, Veterans and Emergency Management;
 Director of Human Resources;
 Director, Bureau of Children with Special Needs;
 Director, Bureau of Information Services; ~~and~~
 Director of Econometric Research; and
Director, Bureau of Parks and Lands.

Sec. H-2. 2 MRSA §6, sub-§4, as repealed and replaced by PL 1995, c. 665, Pt. K, §1, is amended to read:

4. Range 88. The salaries of the following state officials and employees are within salary range 88:

~~Director, Bureau of Parks and Lands;~~
 Director, Bureau of Employee Relations;
 Director, Bureau of Air Quality;
 Director, Bureau of Land and Water Quality;
 Director, Bureau of Remediation and Waste Management;
 Deputy Commissioner, Environmental Protection;
 Director, Office of Consumer Credit Regulation; and

Director, Office of Licensing and Registration.

Sec. H-3. 12 MRSA §7854, sub-§4, ¶A, as amended by PL 1997, c. 24, Pt. I, §11, is further amended to read:

A. Revenues received under this subchapter are credited as undedicated revenue to the General Fund except that ~~51%~~ 49% of those revenues is credited to the ATV Recreational Management Fund of the Department of Conservation. The Legislature shall appropriate to the department in each fiscal year an amount equal to the administrative costs incurred by the department in collecting revenue under this subsection. Those administrative costs must be verified by the Department of Conservation and the Department of Administrative and Financial Services.

PART I

Sec. I-1. Position authorization. Notwithstanding the Maine Revised Statutes, Title 5, section 1583-A, the Commissioner of Defense, Veterans and Emergency Management is authorized to establish by financial order, upon recommendation of the State Budget Officer and approval by the Governor, for the fiscal year ending June 30, 1999, 100% federally reimbursed positions that are supporting the Loring Rebuild Center. It is the intent of the Legislature that these positions terminate on June 30, 1999.

PART J

Sec. J-1. 35-A MRSA §116, sub-§8, ¶C-1, as enacted by PL 1993, c. 633, §2 and affected by §3, is amended to read:

C-1. Except as specified in this subsection, funds that are not expended at the end of a fiscal year do not lapse but must be carried forward to be expended for the purposes specified in this section in succeeding fiscal years; but, with the exception of funds carried forward from fiscal year 1996-97 to fiscal year 1997-98, unexpended funds in excess of 10% of the total annual assessment authorized in this section must, at the option of the Public Advocate, either be presented to the Legislature in accordance with paragraph A for reallocation and expenditure or used to reduce the utility assessment in the following fiscal year. In the case of funds carried forward from fiscal year 1996-97 to fiscal year 1997-98, 100% of these funds may be expended for the purposes specified in this section.

PART K

Sec. K-1. PL 1997, c. 24, Pt. I, §13 is amended to read:

Sec. I-13. Salary savings for the 1998-1999 biennium. The Commissioner of Inland Fisheries and Wildlife shall achieve at least \$240,000 \$480,000 in savings in each fiscal year in the biennium ending June 30, 1999 in the General Fund personal services by means that include postponing the hiring of positions in the department that are or that become vacant in the department during that biennium. Positions to be held vacant to achieve the purposes of this section must be selected by the commissioner. The commissioner shall submit a written report each month to each member of the joint standing committee of the Legislature having jurisdiction over inland fisheries and wildlife matters, including the period during which the Legislature is not convened, detailing the positions affected by this section and the personal services salary savings achieved during the previous month and cumulative personal services salary savings for that fiscal year.

Sec. K-2. Carrying Balances - Inland Fisheries and Wildlife Program; lapsed balances. Notwithstanding any other provision of law and in accordance with the provisions of Public Law 1997, chapter 1, Part F, section 2, \$655,664 in fiscal year 1997-98 in the Carrying Balances - Inland Fisheries and Wildlife Program lapses to the General Fund as a result of a revenue shortfall in fiscal year 1996-97.

PART L

Sec. L-1. 38 MRSA §2311, first ¶, as enacted by PL 1989, c. 929, §7, is amended to read:

The commissioner shall deposit all money received in payment of fees under this section in a separate account within the Maine Hazardous Waste Fund to cover expenses incurred by the department in the administration of this chapter. The fees authorized as of January 1, 1997 remain in effect until superseded.

PART M

Sec. M-1. 4 MRSA §4, sub-§1, as amended by PL 1983, c. 863, Pt. B, §§5 and 45, is further amended to read:

1. Chief justice; salary. The Chief Justice of the Supreme Judicial Court ~~shall be entitled to receive a salary equal to 105% of the salary of an Associate Justice of the Supreme Judicial Court, for fiscal year 1998-99 and thereafter, of \$111,000, to be paid biweekly.~~ shall be entitled to receive a salary equal to 105% of the salary of an Associate Justice of the Supreme Judicial Court, for fiscal year 1998-99 and thereafter, of \$111,000, to be paid biweekly.

Sec. M-2. 4 MRSA §4, sub-§2, ¶A, as repealed and replaced by PL 1989, c. 596, Pt. C, §§1 and 8, is repealed and the following enacted in its place:

A. For fiscal year 1998-99 and thereafter, \$96,000, to be paid biweekly.

Sec. M-3. 4 MRSA §4, sub-§2-A, as amended by PL 1993, c. 410, Pt. X, §1, is further amended to read:

2-A. Cost-of-living adjustment. Effective July 1, 1991, 1999 and every July 1st thereafter ~~except July 1, 1992, July 1, 1993 and July 1, 1994,~~ the State Court ~~Administrators~~ Administrator shall adjust the salaries of the State's ~~chief justices, chief judge, deputy chief judge,~~ associate justices and associate judges by any percentage change in the Consumer Price Index from January 1st to December 31st of the previous year, but only to a maximum increase of 4%. The State Court Administrator shall determine the cost of these adjustments; notify the State Budget Officer and the Director of the Office of Fiscal and Program Review of these costs; and include them in the Judicial Department's budget requests, as necessary. For purposes of this subsection, "Consumer Price Index" means the Consumer Price Index for Urban Wage Earners and Clerical Workers: United States City Average, All items, 1967=100, as compiled by the United States Department of Labor, Bureau of Labor Statistics or, if the index is revised or superseded, the Consumer Price Index is the index represented by the Bureau of Labor Statistics as reflecting most accurately changes in the purchasing power of the dollar by consumers. ~~A cost-of-living adjustment may not be made for fiscal year 1992-93, fiscal year 1993-94 or fiscal year 1994-95.~~

Sec. M-4. 4 MRSA §102, sub-§1, as amended by PL 1983, c. 863, Pt. B, §§6 and 45, is further amended to read:

1. Chief justice; salary. The Chief Justice of the Superior Court ~~shall be entitled to receive a salary equal to 105% of the salary of an Associate Justice of the Superior Court, for fiscal year 1998-99 and thereafter, of \$94,000, to be paid biweekly.~~

Sec. M-5. 4 MRSA §102, sub-§2, ¶A, as repealed and replaced by PL 1989, c. 596, Pt. C, §2, is repealed and the following enacted in its place:

A. For fiscal year 1998-99 and thereafter, \$90,000, to be paid biweekly.

Sec. M-6. 4 MRSA §104-A, as amended by PL 1989, c. 501, Pt. O, §§14 and 22 and affected by PL 1991, c. 824, Pt. B, §§13 and 14, is further amended to read:

§104-A. Per diem compensation for Active Retired Superior Court Justices

Any Active Retired Justice of the Superior Court, who performs judicial service at the direction and

assignment of the Chief Justice of the Supreme Judicial Court, ~~shall be~~ is compensated for those services at the rate of ~~\$150 \$200~~ per day or ~~\$90 \$125~~ per 1/2 day, provided that the total per diem compensation and retirement pension received by an Active Retired Justice of the Superior Court in any calendar year does not exceed the annual salary of a Justice of the Superior Court.

Sec. M-7. 4 MRSA §157, sub-§2, as repealed and replaced by PL 1983, c. 863, Pt. B, §§7 and 45, is amended to read:

2. Chief Judge; salary. The Chief Judge of the District Court ~~shall be~~ is entitled to receive a salary ~~equal to 105% of the salary of an Associate Judge of the District Court, for fiscal year 1998-99 and thereafter, of \$94,000, to be paid biweekly.~~

Sec. M-8. 4 MRSA §157, sub-§3, as repealed and replaced by PL 1983, c. 863, Pt. B, §§7 and 45, is amended to read:

3. Deputy Chief Judge; salary. The Deputy Chief Judge of the District Court ~~shall be~~ is entitled to receive a salary ~~equal to 102.5% of the salary of an Associate Judge of the District Court, for fiscal year 1998-99 and thereafter, of \$92,000, to be paid biweekly.~~

Sec. M-9. 4 MRSA §157, sub-§4, ¶A, as repealed and replaced by PL 1989, c. 596, Pt. C, §§3 and 8, is repealed and the following enacted in its place:

A. For fiscal year 1998-99 and thereafter, \$90,000, to be paid biweekly.

Sec. M-10. 4 MRSA §157-D, as amended by PL 1989, c. 501, Pt. O, §§17 and 22 and affected by PL 1991, c. 824, Pt. B, §§13 and 14, is further amended to read:

§157-D. Active retired judges; compensation

Any Active Retired Judge of the District Court, who performs judicial service at the direction and assignment of the Chief Judge of the District Court, ~~shall be~~ is compensated for those services at the rate of ~~\$150 \$200~~ per day or ~~\$90 \$125~~ per 1/2 day, provided that the total per diem compensation and retirement pension received by an Active Retired Judge of the District Court in any calendar year does not exceed the annual salary of a Judge of the District Court.

Sec. M-11. 4 MRSA §1151, sub-§3, ¶H, as enacted by PL 1987, c. 85, §1, is amended to read:

H. Any Administrative Court Judge who retires or terminates ~~his~~ service on the court in accordance with chapter 27, except for a disability retirement, is eligible for appointment as an Active

Retired Judge of the Administrative Court as provided. The Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over judiciary and to confirmation by the Legislature, may appoint any eligible judge to be an Active Retired Judge of the Administrative Court for a period of 7 years, unless sooner removed. That judge may be re-appointed for a like term. Any judge ~~so appointed and designated shall thereupon constitute~~ ~~constitutes~~ a part of the court from which ~~he that~~ judge has retired and ~~shall have~~ has the same jurisdiction and ~~be is~~ subject to the same restrictions ~~therein~~ as before retirement, except ~~that he~~ shall the judge may act only in those cases and matters and hold court only at those sessions and times as ~~he may be~~ directed and assigned by the Administrative Court Judge or by the Chief Justice of the Supreme Judicial Court. An Active Retired Judge of the Administrative Court, who performs judicial service at the direction and assignment of the Administrative Court Judge or the Chief Justice of the Supreme Judicial Court, ~~shall be~~ is compensated for those services at the rate of ~~\$75 \$200~~ a day or ~~\$45 \$125~~ for 1/2 day, provided that the total per day compensation and retirement pension received by an Active Retired Judge of the Administrative Court in any calendar year ~~may does~~ not exceed the annual salary of the Associate Judge of the Administrative Court.

Sec. M-12. 4 MRSA §1352, as amended by PL 1989, c. 133, §28, is further amended to read:

§1352. Retirement benefits

1. Amount. The service retirement allowance of a member ~~shall be~~ is determined under the provisions of this chapter in effect on the member's date of final termination of service. Subject to the maximum benefit provided for in subsection 3 and the minimum benefit provided for in subsection 4, the total amount of the retirement allowance of a member retired in accordance with section 1351 ~~shall be~~ is equal to the sum of:

A. 1/50 of the member's average final compensation multiplied by the number of years of ~~his~~ membership service, beginning from December 1, 1984 to June 30, 1998 and creditable service allowed under section 1302, subsection 3; ~~and~~

B. The earned benefit for prior service as a judge as determined by subsection 2-; and

C. Three percent of the member's average final compensation multiplied by the number of years of membership service beginning July 1, 1998.

2. Benefit for service prior to December 1, 1984. The earned benefit for judicial service prior to December 1, 1984, ~~shall be~~ is equal to the years of service prior to December 1, 1984, not to exceed 10 years, divided by 10, multiplied by 75% of the salary as of November 30, 1984, for the position from which the judge retired.

3. Maximum benefit. ~~No~~ A judge in service on December 1, 1984, or appointed on or after December 1, 1984, may not receive a benefit ~~which that~~ exceeds 60% of his average final compensation, not including adjustments under section 1358, except as provided in subsection 4 the maximum benefit calculated for that judge. The maximum benefit must be calculated as follows:

A. Divide the judge's service credit available under section 1302 earned prior to July 1, 1998 by the total years of service credit available to the judge under section 1302 and multiply the quotient by 60%;

B. Divide the judge's service credit available under section 1302 earned on or after July 1, 1998 by the total years of service credit available to the judge under section 1302 and multiply the quotient by 70%; and

C. Add the product arrived at under paragraph A and the product arrived at under paragraph B. The sum of the 2 products is the percentage of the judge's average final compensation that is the amount of the maximum benefit payable to the judge.

The maximum benefit calculation is used to establish the maximum benefit at the time of retirement, which is thereafter subject to adjustment under section 1358. The maximum benefit limitations do not apply in the calculation or payment of benefits under subsection 4.

4. Minimum benefit. Each judge in service on December 1, 1984, who is 50 years of age or older on that date ~~shall be~~ is entitled to a minimum benefit equal to 75% of the salary as of June 30, 1984, for the position from which the judge retired, increased by 6% compounded annually, for each year or part of a year served subsequent to June 30, 1984, up to and including June 30, 1989. For each year or part of a year served after June 30, 1989, the allowance ~~shall be~~ is increased by an amount equal to the cost-of-living factor granted the previous September, as determined pursuant to section 1358, compounded annually.

5. Termination of benefits. The service retirement benefit of a judge ~~shall cease~~ ceases upon his the return to service as a judge. A judge returned to service ~~shall continue~~ continues to earn credit toward retirement.

Sec. M-13. 4 MRSA §1702, as enacted by PL 1995, c. 451, §1, is repealed.

Sec. M-14. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1998-99

JUDICIAL DEPARTMENT

Courts - Supreme, Superior, District and Administrative

Personal Services \$528,911

Appropriates funds to increase compensation for judges and justices, to increase the per diem rate for active retired judges and to increase retirement benefits for judges and justices.

PART N

Sec. N-1. PL 1997, c. 24, Pt. VV, §§10 and 12 are amended to read:

Sec. VV-10. Funding. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, for the period beginning with the fiscal year ending June 30, 1997, the State Controller shall transfer, equally, to the Community Development Fund-MH, Community Development Fund-Children General Fund programs, all available appropriation balances within the Administration - MH&MR, Office of Advocacy - Mental Health and Mental Retardation, Aroostook Residential Center, ~~Bath Children's Home~~ Augusta Mental Health Institute, Bangor Mental Health Institute, Freeport Towne Square, and Elizabeth Levinson Center and Pineland Center programs that would otherwise lapse to the General Fund.

Sec. VV-12. Managed care. The Department of Human Services and the Department of Mental Health, Mental Retardation and Substance Abuse Services are authorized to seek all necessary approvals to establish a managed care capitation service program within the Department of Mental Health, Mental Retardation and Substance Abuse Services as agreed upon in a Memorandum of Understanding signed by the commissioners of the 2 departments. The state share of the costs ~~are~~ is authorized to be funded by the Mental Health Services - Community Medicaid, Medicaid Services - Mental Retardation ~~Services - Community~~, Mental Health Services - ~~Children~~ Child Medicaid and Office of

Substance Abuse - Medicaid Seed programs within the Department of Mental Health, Mental Retardation and Substance Abuse Services. The federal share of the costs ~~are~~ is authorized to be funded by the Medical Care - Payments to Providers program within the Department of Human Services.

Sec. N-2. Bangor Mental Health Institute positions. If the Department of Mental Health, Mental Retardation and Substance Abuse Services proposes a change to the listing of positions at the Bangor Mental Health Institute that are, as of the effective date of this Part, scheduled for elimination, a copy of which listing is on file at the Bureau of the Budget and the Office of Fiscal and Program Review, and that change affects a position title or an effective date of elimination of any position on that listing, then the Superintendent of the Bangor Mental Health Institute must justify such changes to an ad hoc advisory panel composed of the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services or the commissioner's designee, a member of the Alliance for the Mentally Ill of Maine and a Legislator who is a member of the joint standing committee of the Legislature having jurisdiction over health and human services matters to show that a position is vacant and elimination of that vacant position will save a layoff. All changes must be submitted, in writing, to the Bureau of the Budget and the Office of Fiscal and Program Review at least one month before the effective date of this proposed change. All changes must generate savings equal to or greater than the savings from the position listed for elimination.

Sec. N-3. Dental clinic. Notwithstanding the Maine Revised Statutes, Title 5, section 1665 or any other provision of law, the Department of Mental Health, Mental Retardation and Substance Abuse Services is authorized to include in the fiscal year 2000 and 2001 biennial base budget for the Bangor Mental Health Institute and the Bangor Mental Health Institute-Disproportionate Share programs costs associated with operating a hospital outpatient dental clinic in Aroostook County. The cost may not exceed \$30,000 from the General Fund and \$60,000 from Other Special Revenue. Fiscal year 1998 Bangor Mental Health, Bangor Mental Health-Disproportionate Share, Mental Health Services-Community or Mental Health Services-Community Medicaid program carried balances must cover costs associated with fiscal year 1999.

Sec. N-4. Bangor Mental Health Institute; licensed capacity. The Superintendent of the Bangor Mental Health Institute must consolidate the Program on Aging into units K-1 and K-2. The department shall maintain 7 units at the Bangor Mental Health Institute, at least one of which must be an acute admissions unit; except that, if any unit

remains unused for a period of 30 consecutive days, the department is authorized to close that unit. The hospital shall maintain a minimum of 120 licensed beds.

This section is repealed June 1, 1999.

Sec. N-5. Strategic plan. The Department of Mental Health, Mental Retardation and Substance Abuse Services shall submit a strategic plan to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over health and human services matters by December 15, 1998 that does the following.

1. The strategic plan must provide a comprehensive analysis of adult community mental health needs in the catchment area of the Bangor Mental Health Institute. The analysis must identify the population by age, area of residence and service need, must include input from local officials and must include a plan to meet the mental health service needs of the identified population through community-based resources.

2. The strategic plan must provide a comprehensive plan for the Bangor Mental Health Institute that includes the number of beds in the facility and the levels and types of care for the beds, staffing levels and services provided, as well as time frames for accomplishing any proposed changes. The plan must include provisions for the use of the buildings and grounds that are compatible with the continued operation of the institute.

PART O

Sec. O-1. Nonlapsing funds. Any unencumbered balance of General Fund appropriations remaining on June 30, 1998 in the so-called Welfare to Work program in the Department of Labor may not lapse but must be carried forward no later than June 30, 1999 to be used for the same purposes.

PART P

Sec. P-1. Reimbursement; Department of Corrections. Funds from the Maine State Employees Association representing reimbursement to the State for the union related activity of the President of the Association may be deposited as revenue to the Probation and Parole, Other Special Revenue account in the Department of Corrections and may be used for acting capacity positions for the duration of the term of the current president in the 1998-1999 biennium.

PART Q

Sec. Q-1. 2 MRSA §6, sub-§1, as amended by PL 1995, c. 560, Pt. K, §1 and as affected by §83, is further amended to read:

1. Range 91. The salaries of the following state officials and employees are within salary range 91:

- Commissioner of Transportation;
- Commissioner of Conservation;
- Commissioner of Administrative and Financial Services;
- Commissioner of Education;
- Commissioner of Environmental Protection;
- Commissioner of Human Services;
- Commissioner of Mental Health, Mental Retardation and Substance Abuse Services;
- Commissioner of Public Safety;
- Commissioner of Professional and Financial Regulation;
- Commissioner of Labor;
- Commissioner of Agriculture, Food and Rural Resources;
- Commissioner of Inland Fisheries and Wildlife;
- Commissioner of Marine Resources;
- Commissioner of Corrections; ~~and~~
- Commissioner of Economic and Community Development; ~~and~~
- Commissioner of Defense, Veterans and Emergency Management.

Sec. Q-2. 2 MRSA §6, sub-§3, as amended by PL 1997, c. 455, §31 and c. 459, §1, is further amended to read:

3. Range 89. The salaries of the following state officials and employees are within salary range 89:

- Director, Bureau of General Services;
- Director, Bureau of Alcoholic Beverages and Lottery Operations;
- State Budget Officer;
- State Controller;
- Director of the Bureau of Forestry;

Chief of the State Police;

Director, State Planning Office;

Director, Energy Resources Office;

Public Advocate;

~~Commissioner of Defense, Veterans and Emergency Management;~~

Director of Human Resources;

Director, Bureau of Children with Special Needs;

Director, Bureau of Information Services; and

Director of Econometric Research.

Sec. Q-3. 2 MRSA §6, sub-§6, as amended by PL 1997, c. 455, §1, is further amended to read:

6. Range 85. The salaries of the following state officials and employees are within salary range 85:

Director of the Maine Emergency Management Agency;

Members, Maine Unemployment Insurance Commission;

~~Director of the Military Bureau Deputy Commissioner of the Department of Defense, Veterans and Emergency Management;~~ and

Director of the Bureau of Maine Veterans' Services.

Sec. Q-4. 5 MRSA §952, sub-§1, ¶A, as amended by PL 1997, c. 455, §4, is further amended to read:

A. ~~Director of the Military Bureau Deputy Commissioner;~~

Sec. Q-5. 37-B MRSA §4, as amended by PL 1997, c. 455, §12, is further amended to read:

§4. Directors of bureaus

~~Each bureau of the department must have a director. The Director of the Military Bureau, the Director of the Bureau of Maine Veterans' Services and the Director of the Maine Emergency Management Agency are each appointed by the commissioner and shall serve at the pleasure of the commissioner. The commissioner may designate one of the bureau or agency directors to have the same civilian administrative powers and duties of the commissioner if the commissioner is unavailable or unable to act. The directors will must perform other civilian duties as assigned by the commissioner or Governor.~~

Sec. Q-6. 37-B MRSA §5 is enacted to read:

§5. Deputy commissioner

The commissioner may appoint a deputy commissioner and assign duties and delegate authority to the deputy commissioner as considered appropriate by the commissioner or Governor. The deputy commissioner serves at the pleasure of the commissioner.

Sec. Q-7. 37-B MRSA §503, sub-§1, as amended by PL 1997, c. 455, §19, is further amended to read:

1. Employment of personnel. The director may employ, subject to approval of the appointing authority and the Civil Service Law, the personnel necessary to administer this chapter. All full-time permanent employees, except clerical employees and laborers, ~~must be persons who served on active duty in the United States Armed Forces during any federally recognized period of conflict, as defined in section 504, subsection 4, paragraph A 1, subparagraph (3) veterans as defined by 38 United States Code. Section 101 (2).~~

PART R

Sec. R-1. 5 MRSA §17151, sub-§2, as amended by PL 1991, c. 591, Pt. P, §1, is further amended to read:

2. Intent. It is the intent of the Legislature that there must be appropriated and transferred annually to the retirement system the funds necessary to meet the system's long-term and short-term financial obligations based on the actuarial assumptions established by the board upon the advice of the actuary, ~~except that for fiscal year 1991-92 the annual appropriation must be \$73,500,000 less than the amount that would otherwise be applied toward the unfunded liability of the system. It is the intent of the Legislature that the amount of the reduction, together with the balance of the unfunded liability in the retirement system on July 1, 1993, must be placed on a 27 year amortization schedule. The amount of the unfunded liability attributable to state employees and teachers as of July 1, 1996, as certified by the board or as that amount may be revised in accordance with the terms of the certification, must be retired in no more than 25 years from June 30, 1998. For fiscal year 1998-99, the Legislature must appropriate or allocate and there must be transferred to the retirement system funds necessary to institute, as of July 1, 1998, the 25-year amortization schedule. For each fiscal year starting with the fiscal year that begins July 1, 1998, the Legislature shall appropriate or allocate and transfer to the retirement system the funds necessary to meet the 25-year requirement set forth in this subsection, unless the Legislature establishes a different amortization~~

period. Funds that have been appropriated must be considered assets of the retirement system.

A. The goal of the actuarial assumptions is to achieve a fully funded retirement system.

B. The retirement system's unfunded liability for persons formerly subject to the Maine Revised Statutes of 1944, chapter 37, sections 212 to 220 must be repaid to the system from annual appropriations over the funding period of the retirement system.

C. This section may not be construed to require the State to appropriate and transfer funds to meet the obligations of participating local districts to the retirement system.

PART S

Sec. S-1. Transfer to the Maine Rainy Day Fund. Notwithstanding the Maine Revised Statutes, Title 5, section 1518, the State Controller shall transfer \$5,200,000 from the Tax Relief Fund for Maine Residents, \$20,000,000 from the Tobacco Tax Relief Fund and \$3,005,840 from the unappropriated surplus of the General Fund to the Maine Rainy Day Fund on the effective date of this Act.

Sec. S-2. Transfer of funds. Notwithstanding the Maine Revised Statutes, Title 5, section 1585, or any other provision of law, the State Controller is authorized to transfer \$36,000,000 from the Tax Relief Fund for Maine Residents to the General Fund unappropriated surplus in fiscal year 1998-99.

Sec. S-3. Transfer of funds. Notwithstanding the Maine Revised Statutes, Title 5, section 1585, or any other provision of law, the State Controller is authorized to transfer \$6,347,667 from the Tax Relief Fund for Maine Residents to the General Fund unappropriated surplus in fiscal year 1998-99.

Sec. S-4. Transfer of funds. Notwithstanding the Maine Revised Statutes, Title 5, section 1585, or any other provision of law, the State Controller shall transfer from the Tax Relief Fund for Maine Residents reserve in the General Fund to General Fund unappropriated surplus \$15,521,131 in fiscal year 1997-98 and \$37,694,872 in fiscal year 1998-99.

Sec. S-5. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1997-98 1998-99

CONSERVATION,
DEPARTMENT OF
Forest Practices

Positions - Legislative Count	(3,000)
Personal Services	\$133,800
All Other	36,200
TOTAL	<u>170,000</u>

Appropriates funds for 3 additional Forester II positions and for operating costs necessary to improve enforcement of the forest practices laws.

Insect and Disease Management

Positions - Legislative Count	(4,000)
Personal Services	188,444
All Other	47,442
TOTAL	<u>235,886</u>

Appropriates funds for 3 additional Forest Technician positions, for one additional Biometrician position, for the costs of authorizing up to 6 additional weeks for a total of 5 project positions and for operating costs necessary to establish an annual forest inventory program.

DEPARTMENT OF CONSERVATION TOTAL

405,886

TRANSPORTATION, DEPARTMENT OF

Highway and Bridge Improvement

All Other	2,000,000
Capital Expenditures	10,000,000
TOTAL	<u>12,000,000</u>

Provides for the appropriation of funds for short-term highway and bridge improvement needs. These funds may be transferred, to match an unanticipated increase in federal highway funds, to the appropriate Highway Fund account in this program by financial order upon the recommendations of the State Budget Officer and approval of the Governor.

DEPARTMENT OF TRANSPORTATION		
TOTAL	<u>12,000,000</u>	<u>405,886</u>

SECTION TOTAL APPROPRIATIONS	<u>12,000,000</u>	<u>405,886</u>
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Sec. S-6. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1997-98 1998-99

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Personal Property Tax Reform

All Other	5,200,000
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Provides for the appropriation of funds to meet required payments under the business equipment tax reimbursement.

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES TOTAL	<u>5,200,000</u>
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CORRECTIONS, DEPARTMENT OF

Community Based Corrections

All Other	321,131	413,354
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Provides for the appropriation of funds to fully support Community Based Corrections.

DEPARTMENT OF CORRECTIONS TOTAL	<u>321,131</u>	<u>413,354</u>
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ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Solid Waste Management

All Other		3,000,000
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Provides for the appropriation of funds for the completion of landfill costs not provided by bond authorizations.

DEPARTMENT OF ENVIRONMENTAL PROTECTION TOTAL		<u>3,000,000</u>
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EDUCATION, DEPARTMENT OF

School Renovation

All Other 20,000,000

Provides for the appropriation of funds for school renovations for the purpose of capitalizing a revolving school renovations fund. Any balance remaining at the end of each fiscal year may not lapse but must be carried forward to be used for the same purposes.

General Purpose Aid for Local Schools

All Other 16,660,478

Notwithstanding the Maine Revised Statutes, Title 20-A, section 15653, subsection 3 or any other provision of law, provides for the appropriation of funds to increase General Purpose Aid for Local Schools subsidy payments by an additional 3% in fiscal year 1998-99.

DEPARTMENT OF EDUCATION TOTAL

36,660,478

SECTION

TOTAL APPROPRIATIONS 5,521,131 40,073,832

PART T

Sec. T-1. 5 MRSA §1518, as enacted by PL 1997, c. 24, Pt. E, §1, is repealed.

Sec. T-2. 22 MRSA §1546, as enacted by PL 1997, c. 560, Pt. A, §1 and affected by §5, is repealed.

Sec. T-3. 36 MRSA §4365, 2nd ¶, as enacted by PL 1997, c. 560, Pt. A, §2 and affected by §5, is amended to read:

Beginning November 1, 1997, as a public health measure, the tax imposed under this section is 37 mills per cigarette. ~~The tax imposed pursuant to this section is dedicated to the Tobacco Tax Relief Fund established in Title 22, section 1546.~~

Sec. T-4. 36 MRSA §4365-D, sub-§4, as enacted by PL 1997, c. 560, Pt. A, §3 and affected by §5, is amended to read:

4. Payment. Payment of the tax imposed by this section must be made to the State Tax Assessor by February 1, 1998, accompanied by forms prescribed by the assessor ~~and must be credited to the Tobacco Tax Relief Fund established in Title 22, section 1546.~~

Sec. T-5. Tax Relief Fund for Maine Residents; Tobacco Tax Relief Fund; lapsed balances. Notwithstanding any other provisions of law, any unencumbered balance in the Tax Relief Fund for Maine Residents or the Tobacco Tax Relief Fund lapses to the General Fund at the end of fiscal year 1998-99.

Sec. T-6. Effective date. This Part takes effect June 30, 1999.

PART U

Sec. U-1. 5 MRSA §1509-A is enacted to read:

§1509-A. Payment by credit card

State departments and agencies may implement, with the approval of the State Controller, procedures for accepting payment for goods and services by major credit cards. Unless otherwise provided for in law as of the effective date of this section, any administrative expenses or credit card fees incurred in connection with this method of receiving funds must be absorbed within the existing budget of the department or agency as authorized by the Legislature.

PART V

Sec. V-1. PL 1991, c. 121, Pt. A, §7 is repealed.

Sec. V-2. Calculation and transfer. Notwithstanding the Maine Revised Statutes, Title 5, section 1585, the State Budget Officer shall calculate the amounts in section 3 of this Part that apply against each account for all departments and agencies based on the number of current state employees who were not compensated when employed by the State on May 10, 1991 or May 24, 1991 and who were not compensated for either of those days or for another day or days during the affected pay cycles and shall transfer the calculated amounts by financial order. These transfers are to be considered adjustments to appropriations and allocations. The State Budget Officer is authorized to adjust allotments in accounts in other funds to meet the additional personal services expenditures. On or before June 15, 1998 and June 15, 1999, the State Budget Officer shall report on the implementation of this Part to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs.

Sec. V-3. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1997-98

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Departments and Agencies - Statewide

Personal Services	\$964,193
Provides funds for the cost to pay employees in the General Fund for previously uncompensated time associated with closing State Government for 2 days in May 1991.	

Departments and Agencies - Statewide

Personal Services	311,956
Provides funds for the cost to pay employees in the Highway Fund for previously uncompensated time associated with closing State Government for 2 days in May 1991.	

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
TOTAL

\$1,276,149

Sec. V-4. Application date. Section 1 of this Part applies to all programs in State Government no later than June 30, 1999.

PART W

Sec. W-1. 5 MRSA §1710-A, sub-§§2 and 3, as enacted by PL 1995, c. 368, Pt. J, §1, are amended to read:

2. Biennial economic assumptions. The commission shall submit recommendations for state economic assumptions for the next fiscal biennium and analyze economic assumptions for the current fiscal biennium, which must be approved by a majority of the commission members. No later than November 1st of each even-numbered year, the commission shall submit to the Governor, the Legislative Council ~~and~~, the Revenue Forecasting Committee and the joint standing committee of the

Legislature having jurisdiction over appropriations and financial affairs a report that presents the analyses, findings and recommendations for economic assumptions related to revenue forecasting for the next fiscal biennium. In its report, the commission shall fully describe the methodology employed in reaching its recommendations.

3. Current biennium adjustments. No later than February 1st and November 1st annually the commission shall submit to the Governor, the Legislative Council ~~and~~, the Revenue Forecasting Committee and the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs a report that presents the commission's findings and recommendations for adjustments to the economic assumptions for the current fiscal biennium. In each report the commission shall fully describe the methodology employed in reaching its recommendations.

PART X

Sec. X-1. Final payment to settle early retirement incentives. The first transfer or appropriation to the Retirement Allowance Fund made in compliance with the Maine Revised Statutes, Title 5, section 1517 must be used to pay any remaining actuarial costs or any accumulated interest of early retirement incentives made to employees of the school units of Jay, Scarborough, York, S.A.D. 25, S.A.D. 52, S.A.D. 56, School Union 29 and School Union 30 as originally referenced in Public Law 1997, chapter 24, Part S, section 1.

PART Y

Sec. Y-1. 5 MRSA §1583-A, as amended by PL 1993, c. 707, Pt. G, §4 and affected by §5, is further amended to read:

§1583-A. Creation of positions

~~Notwithstanding any other provision of law, positions, except for workers' compensation positions to be established for former regular employees of the State who are receiving workers' compensation payments from the State and intern positions to be established as part of the Summer Internship Program, may not be established except as authorized by legislative appropriation or allocation, including general ledger accounts. This provision does not apply to project positions funded by the Highway Fund through salary savings limited period, project or any other temporary positions may be established by financial order so long as the end date for such positions does not exceed the statutory adjournment date for the next regular session of the Legislature.~~

PART Z

Sec. Z-1. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

	1998-99
ST. CROIX INTERNATIONAL WATERWAY COMMISSION	
St. Croix International Waterway Commission	
All Other	\$15,000
Provides funds for a one-time supplemental appropriation to the St. Croix International Waterway Commission.	

PART AA

Sec. AA-1. 23 MRSA §4420, first ¶, as amended by PL 1997, c. 395, Pt. J, §1, is further amended to read:

The Maine Port Authority, as established by Title 5, section 12004-F, subsection 8, is a body both corporate and politic in the State established for the general purpose of acquiring, constructing and operating any kind of port terminal facility and railroad facility within the State with all the rights, privileges and power necessary. Oil pipelines and other oil off-loading facilities are limited to sites in Portland harbor and Searsport harbors.

Sec. AA-2. 23 MRSA §4428 is enacted to read:

§4428. Statewide transportation infrastructure strategy

Notwithstanding any other provision of this subchapter, funds repaid to the Maine Port Authority as a result of state investments or loans for the redevelopment of Mack Point must be used by the Maine Port Authority, in cooperation with the Department of Transportation, to undertake projects that link the State's ports and rail systems with the transportation infrastructure throughout the State.

Sec. AA-3. PL 1997, c. 395, Pt. B, §1, under that part designated "TRANSPORTATION, DEPARTMENT OF" in that part relating to "Third Port Development Program" is amended by adding at the end a new sentence to read:

These funds may not lapse but must carry forward to June 30, 1999.

Sec. AA-4. Allocation. The following funds are allocated from the Marine Ports Fund to carry out the purposes of this Part.

1998-99

TRANSPORTATION, DEPARTMENT OF
Ports and Marine Transportation

All Other	\$800,000
Allocates funds resulting from the sale of steel purchased for the development of the Sears Island Cargo Port. These funds must be used for the development of a cargo port at Mack Point.	

PART BB

Sec. BB-1. Study. The Commissioner of Transportation shall study and develop a west-east highway in the State. The commissioner shall make a preliminary report to the joint standing committee of the Legislature having jurisdiction over transportation matters by January 1, 1999 and a final report by March 15, 1999 on matters including, but not limited to:

1. A comprehensive plan to reconstruct to current standards existing west-east highways and existing highways that provide direct access to Canada;
2. Plans to expand highway or bridge capacity to a 4-lane limited access roadway. These plans must consist of cost estimates, routes, project scopes and improvement schedules as well as early identification of economic, environmental and community issues;
3. An analysis of opportunities to fund the construction of highways along west-east corridors by means of innovative financing, including but not limited to public-private partnerships, tax increment financing and toll revenue financing. This analysis must include discussion of mechanisms used or proposed to finance new highway construction in the Province of New Brunswick as well as a synthesis of innovative financing resources and options provided by the 1998 reauthorization of the Intermodal Surface Transportation Efficiency Act of 1991; and
4. To make application for funds provided by the 1998 reauthorization of the Intermodal Surface Transportation Efficiency Act of 1991 and NEXTEA for the purpose of planning and improving border crossings, border corridors and trade corridors.

Sec. BB-2. Legislative intent. This project may neither detract from nor diminish the commitment of the Department of Transportation or the State to the maintenance and upkeep of existing roadways.

Sec. BB-3. Study. The State Planning Office, in cooperation with the Department of Transportation and the Department of Economic and Community Development, must study and report on economic and trade issues associated with the development of a west-east highway in the State. The study must examine the projected increase in the Canadian highway traffic across Maine as well as the projected economic impact of the Canadian highway traffic. The State Planning Office shall report its findings along with any implementing legislation to both the joint standing committee of the Legislature having jurisdiction over appropriation and financial affairs and the joint standing committee of the Legislature having jurisdiction over transportation matters no later than January 1, 1999.

PART CC

Sec. CC-1. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1998-99

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Business Development

Positions - Legislative Count	(4,000)
Personal Services	\$235,078
All Other	60,000

TOTAL	<hr/> \$295,078
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Provides funds for 2 Policy Development Specialist positions, and one Development Project Officer position to expand business development efforts; and one Development Program Manager position for the Maine Products Marketing Program.

Maine Small Business Commission

All Other	70,000
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Provides funds to the Small Business Development Centers to provide for a full-time small business counselor at the Kennebec Valley Council of Governments.

Office of Tourism

Positions - Legislative Count	(1,000)
Personal Services	62,551

Provides funds for one Policy Development Specialist position within the Office of Tourism to maximize the return on the investment of the program.

Administration - Economic and Community Development

Personal Services	17,371
All Other	10,000

TOTAL	<hr/> 27,371
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Provides funds to upgrade one Development Project Officer position to a Development Program Manager position for improved administration, outreach management and oversight of the tax increment financing, employment tax increment financing and other incentive programs plus associated All Other costs.

Administration - Economic and Community Development

All Other	150,000
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Provides funds for the Market Development Center to be used to provide technical assistance to companies statewide. This appropriation will match approximately \$300,000 in federal funds.

Maine Small Business Commission

All Other	17,704
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Provides one-time funds to the Small Business Development

Center to complete the electronic linkage of the federal Economic Development Administration Development Districts, Maine Small Business Development Center and the Department of Economic and Community Development.

Office of Tourism

All Other 248,160
 Provides one-time funds for tourism marketing and development.

Business Development

All Other 1,028,790
 Provides one-time funds for business attraction and expansion marketing efforts. Funds shall be dispersed in accordance with a competitive quality-based selection procedure as established and administered by the Department of Economic and Community Development.

Francophone Office - Lewiston, Maine

All Other 100,000
 Provides one-time funds for the promotion of international trade and cultural affairs with French Speaking nations of the world.

DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TOTAL

1,999,654

MAINE INTERNATIONAL TRADE CENTER

Maine International Trade Center

All Other 75,000
 Provides funds for enhanced operations of the Bangor Office.

MAINE INTERNATIONAL TRADE CENTER TOTAL

75,000

MAINE SCIENCE AND TECHNOLOGY FOUNDATION

Maine Science and Technology Foundation

All Other 120,000

Provides funds for technical assistance to small manufacturers at high risk for failure. Funds must be made available to companies with fewer than 20 employees under guidelines to be established by the Department of Economic and Community Development and the Manufacturers Extension Partnership (MEP). Companies employing fewer than 500 employees are eligible if the company can demonstrate that jobs are in danger of being lost. Funds provided under this program must be matched by the companies receiving assistance under guidelines to be established by the MEP.

Maine Science and Technology Foundation

All Other 355,346

Provides one-time funds to support programs for high-technology business activities in this State.

MAINE SCIENCE AND TECHNOLOGY FOUNDATION TOTAL

475,346

SECTION TOTAL APPROPRIATION

\$2,550,000

PART DD

Sec. DD-1. Maine Governmental Facilities Authority. Pursuant to the Maine Revised Statutes, Title 4, section 1606, subsections 1 and 2, the Maine Governmental Facilities Authority is authorized

to issue securities in its own name in an amount up to \$5,500,000 for the purpose of paying the cost of courthouse projects or parts of projects in Lewiston, Springvale and other locations designated by the Maine Governmental Facilities Authority.

PART EE

Sec. EE-1. 4 MRSA §18-B, sub-§8, as enacted by PL 1995, c. 560, Pt. I, §3, is amended to read:

8. Court Alternative Dispute Resolution Service Fund. The Court Alternative Dispute Resolution Service Fund is established as a nonlapsing, dedicated fund within the Administrative Office of the Courts. Fees collected for ADR services provided pursuant to this section must be deposited in the fund.

Except as otherwise provided in this section, the Administrative Office of the Courts shall use ~~80%~~ 100% of the resources in the funds from nondesignated cases to cover the costs of providing ADR services as required under this section ~~and shall remit 20% of the resources in the fund to General Fund unappropriated surplus.~~ All funds from cases handled by the Court Alternative Dispute Resolution Service pursuant to Title 38, section 347-A, subsection 4, paragraph E must be used for the costs of providing ADR services as required under this section.

PART FF

Sec. FF-1. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1998-99

MAINE TECHNICAL COLLEGE SYSTEM, BOARD OF TRUSTEES OF THE

Maine Technical College System - Board of Trustees

All Other	\$3,000,000
Provides funds for information technology, capital equipment and facility improvements.	

PART GG

Sec. GG-1. University of Maine at Fort Kent to lease land. Using the funds provided in this Part, the University of Maine at Fort Kent may lease land from the Bureau of Parks and Lands. The land is located more than 1/4 of a mile behind the state-owned restricted zone that extends an average of 500 feet from the high water mark of all the lakes,

ponds and rivers included in the Allagash Wilderness Waterway.

Sec. GG-2. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1997-98

UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE

Board of Trustees of the University of Maine System

All Other	\$100,000
Provides funds to assist the University of Maine at Fort Kent in constructing and relocating a facility for forestry and environmental programs.	

PART HH

Sec. HH-1. 20-A MRSA §11614, sub-§2, as enacted by PL 1989, c. 559, §10, is amended to read:

2. Minimum amount. It is the intent of the Legislature that scholarships awarded under this chapter, except as provided in subsections 4, 5 and 6, ~~shall may not be no less than \$500, provided that \$1,000; however,~~ amounts less than ~~\$500~~ \$1,000 may be awarded to meet a need of less than ~~\$500~~ \$1,000 determined under section 11613. In no event may the authority grant awards of less than \$200 to a full-time student. An award to a student under this chapter may not be applied to reduce institutional or other grant aid to that student.

Sec. HH-2. 20-A MRSA §11614, sub-§3, as enacted by PL 1989, c. 559, §10, is repealed.

Sec. HH-3. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1998-99

FINANCE AUTHORITY OF MAINE

Student Financial Assistance Programs

All Other	\$4,000,000
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Provides additional funding for the Maine Student Incentive Scholarship Program.

All Other 546,000

Provides funds for supportive services for 35 disabled adults to prevent or delay institutionalization.

PART II

Sec. II-1. Medical care - payments to providers. The Department of Human Services must evaluate the major components of the existing Medical Care - Payments to Providers program and develop a plan that would establish more discrete programs to which the Legislature would appropriate and allocate resources. The department must consider, at a minimum, segregating hospital services, boarding home services, prescription drugs and managed care. The department must report its recommendations to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs, along with the related General Fund and Federal Expenditure Fund budget adjustments for the 2000-2001 biennium associated with each of the recommended new programs, no later than January 8, 1999.

DEPARTMENT OF LABOR
TOTAL 546,000

TOTAL APPROPRIATIONS \$656,390

PART KK

Sec. KK-1. PL 1997, c. 560, Pt. F is repealed.

PART LL

Sec. LL-1. PL 1997, c. 24, Pt. S, §3 is amended to read:

Sec. S-3. Transfer to the Board of Trustees of the University of Maine System. Notwithstanding any other provision of law, after the State Controller closes the financial accounts of the State for the fiscal year ending June 30, 1998, an amount not to exceed ~~\$2,000,000~~ \$4,000,000 must be transferred to the Board of Trustees of the University of Maine System for the Maine Economic Improvement Strategy from the available balance remaining in the General Fund ~~after the deduction of all appropriations, financial commitments or other designated funds~~ as the next priority after the State Contingent Account, as established in the Maine Revised Statutes, Title 5, section 1507, is replenished, to be made available by financial order upon the recommendation of the State Budget Officer and approval of the Governor.

Sec. LL-2. 2000-2001 Biennial Budget funding. The University of Maine System is authorized to include the \$4,000,000 anticipated to be transferred at the end of fiscal year 1997-98 from available General Fund balances as part of their "current services" budget request to the Governor and the Legislature in the 2000-2001 biennium.

PART MM

Sec. MM-1. 7 MRSA §441-B, last ¶, as enacted by PL 1997, c. 395, Pt. D, §1, is amended to read:

Any interest earned on the revenue deposited in the fund only accrues to the fund ~~for the fiscal year ending June 30, 1998.~~

PART JJ

Sec. JJ-1. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1998-99

**HUMAN SERVICES,
DEPARTMENT OF**

Elder and Adult Services - Bureau of

All Other \$26,390

Provides funds for adult day care services for persons with Alzheimer's disease.

Elder and Adult Services - Bureau of

All Other 84,000

Provides funds for Alzheimer respite care.

DEPARTMENT OF HUMAN SERVICES
TOTAL 110,390

**LABOR, DEPARTMENT OF
Rehabilitation Services**

PART NN

Sec. NN-1. 5 MRSA §933, as repealed and replaced by PL 1995, c. 502, Pt. C, §1, is amended to read:

§933. Department of Agriculture, Food and Rural Resources

1. Major policy-influencing positions. The following positions are major policy-influencing positions within the Department of Agriculture, Food and Rural Resources. Notwithstanding any other provisions of law, these positions and their successor positions are subject to this chapter:

- A. Deputy Commissioner;
- ~~B. Director, Office of Planning, Policy, Legislative and Information services;~~
- ~~C. Director, Office of Agricultural, Natural and Rural Resources;~~
- ~~D. Director, Division of Plant Industry;~~
- ~~E. Director, Division of Animal Health and Industry;~~
- ~~F. Director, Division of Marketing and Production Development; and~~
- ~~G. Director, Division of Quality Assurance and Regulations.~~

Sec. NN-2. 5 MRSA §945, as amended by PL 1995, c. 395, Pt. E, §§1 to 3, is further amended to read:

§945. Department of Marine Resources

1. Major policy-influencing positions. The following positions are major policy-influencing positions within the Department of Marine Resources. Notwithstanding any other provision of law, these positions and their successor positions ~~shall be~~ are subject to this chapter:

- A. Deputy ~~Commissioner~~ Commissioners;
- B. Chief, Bureau of Marine Patrol;
- D. Assistant to the Commissioner for Public Information;
- E. Assistant to the Commissioner; and
- F. Special Assistant to the Commissioner.

Sec. NN-3. 7 MRSA §5, as amended by PL 1995, c. 502, Pt. C, §4, is further amended to read:

§5. Deputies

The commissioner may appoint and fix the compensation of those deputies, ~~associates, bureau directors, office directors and division directors~~ that in the commissioner's judgment are required to assist and enable the commissioner to carry out all laws, the execution of which is entrusted to the commissioner. These deputies, ~~associates, bureau directors, office directors and division directors~~ hold office during the pleasure of the commissioner.

PART OO

Sec. OO-1. 20-A MRSA §13451, sub-§3, as amended by PL 1995, c. 368, Pt. G, §14, is further amended to read:

3. Payment by State. The State shall pay ~~25%~~ 30% of the retired teacher members' share of this insurance.

Sec. OO-2. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1998-99

EDUCATION, DEPARTMENT OF

Retired Teachers' Health Insurance

All Other	\$345,976
Provides funds to increase the State's share of retired educators' health insurance premiums from 25% to 30% effective January 1, 1999.	

Sec. OO-3. Effective Date. That section of this Part that amends the Maine Revised Statutes, Title 20-A, section 13451, subsection 3 takes effect January 1, 1999.

PART PP

Sec. PP-1. Adjustment of salary schedule for fiscal year 1998-99. Effective at the beginning of the pay week commencing closest to July 1, 1998, the salary schedule for the employees of the Judicial Department in the Administrative Services Bargaining Unit, the Supervisory Bargaining Unit and the Professional Bargaining Unit must be adjusted by 2%, consistent with the terms of the collective bargaining agreements.

Sec. PP-2. Other employees; similar and equitable treatment. Employees of the Judicial Department in classifications included in the Administrative Services Bargaining Unit, the Supervisory

Bargaining Unit and the Professional Bargaining Unit, but who are excluded from collective bargaining pursuant to the Maine Revised Statutes, Title 26, section 1282, subsection 5, paragraphs C, F and G, must be given similar and equitable treatment on a pro rata basis to that given employees covered by collective bargaining agreements.

Sec. PP-3. Transfer from "Salary Plan."

The "Salary Plan" program in the Department of Administrative and Financial Services may be made available as needed in allotment by financial order upon the recommendation of the State Budget Officer and approval of the Governor to be used for the implementation of this Part for employees of the Judicial Department in fiscal year 1998-99.

Sec. PP-4. Transfer of funds.

The Governor, upon recommendation of the State Budget Officer, is authorized to make available amounts in allotment by financial order from the appropriate "Salary Plan" to the Judicial Department in order to provide funding to meet the costs of market salary adjustments for certain employees of the Office of Information Technology of the Administrative Office of the Courts.

Sec. PP-5. Salary adjustment, Judicial Department.

Notwithstanding any other provision of law, the State Budget Officer is authorized to transfer funds from the Judicial Branch mediation special revenue fund in the amount of \$17,380 from All Other to Personal Services to cover costs for adjusting the base salary and reclassification of the Director of the Court Alternative Dispute Resolution Services position.

Sec. PP-6. Reclassification, Judicial Department.

The Judicial Department is authorized to reclassify one General Fund Clerk position to one General Fund Systems Administrator position. The cost of reclassification will be self-funded by the Judicial Department.

PART QQ

Sec. QQ-1. 5 MRSA §12004-I, sub-§82, as enacted by PL 1987, c. 786, §5, is amended to read:

82.	Maine State Transportation: Ferry Ferry Service	Not Autho rized <u>Expenses</u> <u>Only</u>	23 MRSA §4301
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Sec. QQ-2. 23 MRSA §4302, as enacted by PL 1975, c. 580, §4, is amended to read:

§4302. Membership

The membership of the board ~~shall consist~~ consists of one person from each of the island municipalities and plantations serviced by the Maine State Ferry System and 3 members appointed by the Commissioner of Transportation. The members representing the island municipalities and plantations shall be appointed by the ~~officers or selectmen~~ municipal officers of the member's municipality or by the assessors of the member's plantation and all members shall serve a term of office of 2 years. Each island municipality shall appoint one alternate member to the board. In the absence of the island's primary representative, its alternate may represent the island at all board meetings. Vacancies in membership ~~shall~~ must be filled in the same manner as the original appointment.

Sec. QQ-3. Allocation.

The following funds are allocated from the Island Ferry Service Fund for the fiscal years ending June 30, 1998 and June 30, 1999 to carry out the purposes of this Part.

	1997-98	1998-99
TRANSPORTATION, DEPARTMENT OF		
Island Ferry Service Fund		
All Other	\$5,000	\$20,000
Provides for the allocation of All Other funds in order to provide necessary funding to support the payments of reimbursable expenses to the members of the Maine State Ferry Advisory Board.		

PART RR

Sec. RR-1. 22 MRSA §254, sub-§8, ¶B, as amended by PL 1993, c. 410, Pt. I, §6, is further amended to read:

B. For the quarters beginning October 1, 1992, the rebate percentage is equal to the percentage recommended by the federal Health Care Financing Administration of the manufacturer's wholesale price for the total number of dosage units of each form and strength of a prescription drug that the department reports as reimbursed to providers of prescription drugs, provided payments are not due until 30 days following the manufacturer's receipt of utilization data supplied by the department, including the number of dosage units reimbursed to providers of ~~prescriptions~~ prescription drugs during the period for which payments ~~is~~ are due.

Sec. RR-2. 22 MRSA §254, sub-§8, ¶C is enacted to read:

C. Beginning October 1, 1998, the department shall seek to achieve an aggregate rebate amount from all rebate agreements that is 6 percentage points higher than that required by paragraph B of this subsection, provided such rebates result in a net increase in the rebate revenue available to the elderly low-cost drug program. In the event the department is not able to achieve the rebate amount required by this paragraph without compromising the best interest of recipients of the elderly low-cost drug program, it shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters and the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs in the First Regular Session of the 119th Legislature.

Sec. RR-3. 22 MRSA §254-A is enacted to read:

§254-A. Elderly low-cost drug program information

The department shall produce and provide educational materials about the availability of benefits under and application process for the elderly low-cost drug program established under section 254. These materials must include brochures for the Bureau of Revenue Services to mail to eligible residents with drug cards, posters for pharmacies and flyers for pharmacists to include with prescription drug purchases.

Sec. RR-4. 22 MRSA §3174-G, sub-§1-A is enacted to read:

1-A. Elderly prescription drug program. The department shall apply to the federal Health Care Financing Administration for a waiver to provide Medicaid prescription drug benefits to qualified persons 62 years of age or older. The department must seek the highest income level for which the department is able to obtain federal approval. The department shall limit the state share of program costs to the General Fund amounts available to the department from appropriations to the Low Cost Drugs for Maine's Elderly program and funds received pursuant to section 3174-R. The department shall pursue this waiver in the manner most likely to receive federal approval, including packaging this request in a larger waiver request with other Medicaid initiatives for which the department must seek a waiver of any type or another form of approval from the federal Health Care Financing Administration. The waiver request required by this subsection must be submitted to the federal Health Care Financing Administration no later than January 1, 1999. The department shall report its progress in obtaining the waiver to the Joint Standing Committee on Appropriations and Financial Affairs

and the Joint Standing Committee on Health and Human Services no later than October 1, 1998. The department shall submit legislation to provide coverage under this section prior to providing such coverage.

Sec. RR-5. 22 MRSA §3174-R is enacted to read:

§3174-R. Medicaid drug rebate program

The department shall enter into a drug rebate agreement with each manufacturer of prescription drugs under the Medicaid program in accordance with Section 1927 of the federal Social Security Act, as long as the agreements are consistent with state and federal law, are approved by the federal Health Care Finance Administration and result in a net increase in rebate revenue available to the Maine Medicaid Program. Individual rebate agreements may vary. The department shall seek to achieve an aggregate rebate amount from all agreements that is at least 6 percentage points higher than the percentage of the total Medicaid drug expenditures that the rebates would otherwise be under Section 1927 of the federal Social Security Act. Any increase in revenue from the Medicaid drug rebate program over accepted estimates as of the effective date of this section that results in a higher percentage of the total Medicaid drug rebates must be reserved to provide coverage pursuant to section 3174-G, subsection 1-A. In the event that the department is not able to achieve the rebate amount required by this section without compromising the best interest of Medicaid recipients and the Medicaid drug rebate program, the department shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters and the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs in the next regular session of the 119th Legislature.

Sec. RR-6. 36 MRSA §6162-A, sub-§2, as amended by PL 1995, c. 368, Pt. CCC, §6 and affected by §11, is further amended to read:

2. Income. Eligibility for this program is determined by the same income levels as eligibility for elderly households is determined under chapter 907, except that individuals are also eligible for this program if the household spends at least 40% of its income on unreimbursed direct medical expenses for prescription drugs and the household income is not more than 25% higher than the levels specified in chapter 907. For the purposes of this subsection, the costs of drugs provided to a household under this chapter is considered a cost spent by the household for eligibility determination purposes.

Sec. RR-7. Rules. The Department of Human Services shall adopt rules that specify which drugs,

medications and medical supplies will be added to those currently provided under the elderly low-cost drug program, pursuant to the Maine Revised Statutes, Title 22, section 254, utilizing funds appropriated in section 8 of this Part.

Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter II-A.

Sec. RR-8. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1998-99

**HUMAN SERVICES,
DEPARTMENT OF**

**Low Cost Drugs for Maine's
Elderly**

All Other	\$2,000,000
Provides funds to cover the costs of expanding the number of drugs covered by the elderly low-cost drug program.	

PART SS

Sec. SS-1. Report. The Department of Education and the Department of Corrections shall jointly review all educational programs at the Maine Youth Center. The departments shall report their findings to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Education and Cultural Affairs no later than July 1, 1998. After receiving comments from the joint standing committees, the Department of Education and the Department of Corrections shall prepare a school approval corrective action plan and submit the plan along with any implementing legislation to the Legislative Council no later than January 1, 1999.

Sec. SS-2. Plan implementation; progress monitored. The Department of Corrections is responsible for the implementation of the school approval plan. The Department of Education is responsible for monitoring the progress of the plan and shall provide technical assistance as requested.

Sec. SS-3. Annual review. The joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over education and cultural affairs shall annually review the progress made by the Department of Corrections in implementing the school approval corrective action plan.

PART TT

Sec. TT-1. Report. The Department of Mental Health, Mental Retardation and Substance Abuse Services and the Department of Corrections shall jointly review all mental health programs within state-operated juvenile correctional facilities. The departments shall report their findings to the Joint Standing Committee on Appropriations and Financial Affairs, the Joint Standing Committee on Criminal Justice and the Joint Standing Committee on Health and Human Services no later than July 1, 1998. After receiving comments from the joint standing committees, the Department of Mental Health, Mental Retardation and Substance Abuse Services and the Department of Corrections shall prepare a mental health action plan and submit the plan along with any implementing legislation to the Legislative Council no later than January 1, 1999.

Sec. TT-2. Plan implementation; progress monitored. The Department of Corrections is responsible for the implementation of the mental health action plan. The Department of Mental Health, Mental Retardation and Substance Abuse Services is responsible for monitoring the progress of the plan and shall provide services, technical assistance and training, as requested.

Sec. TT-3. Annual review. The joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs, the joint standing committee of the Legislature having jurisdiction over criminal justice matters and the joint standing committee of the Legislature having jurisdiction over health and human services matters shall annually review the progress made by the Department of Corrections in implementing the mental health action plan.

PART UU

Sec. UU-1. Legislative intent; Maine Criminal Justice Academy. It is the intent of the Legislature to reduce the General Fund subsidy appropriated to the Maine Criminal Justice Academy for operational costs in the 2000-2001 biennium as compared to the amount appropriated in the 1998-1999 biennium.

Sec. UU-2. Operational cost savings plan. The Director of the Maine Criminal Justice Academy is directed to develop a plan to reduce the academy's reliance on the General Fund. The study must include, but not be limited to, a review of additional funding mechanisms for the academy, including admitting unsponsored trainees to the academy. The Director of the Maine Criminal Justice Academy shall present the plan and implementing legislation to the joint standing committee of the Legislature having jurisdiction over

appropriations and financial affairs by January 15, 1999.

PART VV

Sec. VV-1. 22 MRSA §3769-B is enacted to read:

§3769-B. Assistance in meeting basic needs

Beginning July 1, 1998, the department shall increase the maximum amount of TANF assistance by an amount equal to 5% of the maximum payments that were in effect on January 1, 1998 and shall increase the standard of need to maintain the same differential between the maximum payment and the standard of need that was in effect on January 1, 1998.

1. Limitation. The assistance increase required by this section does not apply to assistance units with earned income disregarded pursuant to department rule or section 3762, subsection 3, paragraph B, subparagraph (7).

2. Determination of eligibility. In determining eligibility for TANF benefits for applicants after July 1, 1998, the department shall use the gross income pretest in effect on January 1, 1998.

3. Coordination with special housing allowance. The assistance increase required by this section does not decrease the special housing allowance payment under section 3762, subsection 3, paragraph B, subparagraph (6) to assistance units that have received the special housing allowance without interruption since June 1998.

Sec. VV-2. Department of Human Services; General Fund revenue. The Department of Human Services shall seek reimbursement of expenditures under Medicaid for targeted case management in the Bureau of Elder and Adult Services program in the amount of \$643,112 in fiscal year 1998-99 and \$500,000 in the Bureau of Child and Family Services - Regional program in fiscal year 1998-99.

PART WW

Sec. WW-1. 22 MRSA §3273, sub-§9 is enacted to read:

9. Supplemental security income for legal immigrants. Supplemental security income for legal immigrants is governed by the following.

A. The department shall provide assistance to all aliens lawfully residing in the United States who would be eligible for assistance under the federal supplemental security income program, 42 United States Code, Section 1381, et seq. except for the provisions of Sections 401, 402 and 403

of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

B. The total amount of monthly assistance provided under this section must equal the amount that the individual would be eligible to receive under the federal supplemental security income program, 42 United States Code, Section 1382, or its successor, if the individual were eligible for that program, and the state supplemental income payment provided to eligible individuals under section 3274.

Sec. WW-2. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1998-99

**HUMAN SERVICES,
DEPARTMENT OF**

**State Supplement to Federal
Supplemental Security Income**

All Other \$248,976

Provides funds for a supplemental security income benefit for certain legal immigrants.

PART XX

Sec. XX-1. 30-A MRSA §5044, sub-§4, as enacted by PL 1989, c. 601, Pt. B, §4, is amended to read:

4. Serve as coordinator of information. Serve as a coordinator of information and communication among state agencies and among the state, municipal and private sectors with respect to this chapter; ~~and~~

Sec. XX-2. 30-A MRSA §5044, sub-§5, as amended by PL 1991, c. 610, §19, is further amended to read:

5. Assistance to homeless. In cooperation with the state authority, identify the resources available to the homeless and persons with special needs, identify the gaps in delivery services to this population and make recommendations concerning the policies and programs serving this population; ~~and~~

Sec. XX-3. 30-A MRSA §5044, sub-§6 is enacted to read:

6. Review and monitor plans. Review and comment on plans submitted pursuant to Title 34-B, section 1221. The interagency task force must notify the Maine State Housing Authority and the Depart-

ment of Mental Health, Mental Retardation and Substance Abuse Services that those plans have been submitted and provide to that department a copy of the plans and the interagency task force's comments on the plans. The interagency task force shall monitor the implementation of the plans and report its findings to the joint standing committee of the Legislature having jurisdiction over health and human services matters by January 1st of each year. The report may include any legislation the interagency task force recommends.

Sec. XX-4. 34-B MRSA §1221 is enacted to read:

§1221. Plans for the homeless

The regional housing coordinator for each region shall convene a working group annually to develop a plan that states how mental health or substance abuse services needed by individuals using homeless shelters will be provided. Each working group shall submit a plan annually to the local quality improvement council established pursuant to section 3607. The local quality improvement council shall review the plan and submit it, with any suggested changes, to the Interagency Task Force on Homelessness and Housing Opportunities, established pursuant to Title 30-A, section 5041.

1. Working group. The working group in each region consists of the following members:

A. Representatives of homeless shelter operators that receive shelter operating subsidy funds from the Housing Opportunities for Maine Fund designated by the Maine State Housing Authority;

B. Representatives of mental health provider agencies designated by the department;

C. Representatives of providers of substance abuse services designated by the department;

D. The regional housing coordinators; and

E. Representatives of the boards of directors of the entities listed in paragraphs A, B and C designated by the boards of directors.

2. Plan contents. Each plan must be designed to meet local needs and must include, but is not limited to, the following components:

A. An overview of local service area needs;

B. A review of the factors that lead to homelessness, the barriers to permanent housing and the clinical needs of individuals using homeless shelters based upon discussions with those persons; and

C. Procedures for referrals, treatment planning, information sharing, clinical services, training for shelter and mental health services providers and determining consumer satisfaction with shelter services and mental health services.

Sec. XX-5. Study and report on the problems of homeless youth. The Interagency Task Force on Homelessness and Housing Opportunities shall prepare a report examining the causes of homelessness among youth and young adults, existing efforts to address those causes, the strengths and weaknesses of the current homeless shelter system, anticipated needs of youth and young adults and conditions in the shelters and any recommended legislation. The interagency task force shall submit its report to the joint standing committee of the Legislature having jurisdiction over health and human services matters in the First Regular Session of the 119th Legislature.

Sec. XX-6. Training. The Department of Mental Health, Mental Retardation and Substance Abuse Services, in conjunction with the Maine State Housing Authority, shall provide training for homeless shelter staff to help them understand and recognize people who may have mental illness or substance abuse problems. The Maine State Housing Authority, in conjunction with the Department of Mental Health, Mental Retardation and Substance Abuse Services, shall provide training for providers of mental health and substance abuse services to help them understand the problems of those who are homeless.

Sec. XX-7. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1998-99

**MAINE STATE HOUSING
AUTHORITY**

**Housing Opportunities for Maine
Fund**

All Other	\$500,000
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Provides funds to expand the shelter operating subsidy program from \$500,000 to \$1,000,000 annually. Fifteen percent of these funds must be designated for shelter services to homeless youth and young adults.

PART YY

Sec. YY-1. 38 MRSA c. 3, art. 1-G is enacted to read:

Article 1-G

LAKES ASSESSMENT AND PROTECTION PROGRAM

§410-L. Lakes Assessment and Protection Program established

The Lakes Assessment and Protection Program is established within the department to monitor and protect the health and integrity of the State's lakes.

§410-M. Lakes assessment and protection

In implementing the Lakes Assessment and Protection Program, the commissioner shall conduct activities within the following areas:

1. Education and technical assistance. Education and technical assistance relating to lake functions and values, watershed planning and management, implementation of best management practices, effects of cumulative impacts and applicable laws and rules;

2. Resource monitoring and research. Monitoring and research relating to the ecology and quality of lake resources, the vulnerability and the status of lakes, the relationship between the quality of lake resources and development, the design and effectiveness of best management practices and the effectiveness of efforts to protect lakes; and

3. Compliance monitoring and enforcement. Promoting and monitoring compliance with and enforcement of the natural resources protection laws, the mandatory shoreland zoning laws, the storm water management laws, the erosion and sedimentation control laws and other state and local laws providing standards for the protection of lakes.

In establishing priorities for activities within the Lakes Assessment and Protection Program, the commissioner shall consider the recommendations of the Great Pond Task Force developed pursuant to section 1842-A and the watershed priorities established by the Land and Water Resources Council pursuant to Title 5, section 3331.

Sec. YY-2. Lakes Assessment and Protection Program. The State's lakes have great scenic beauty and irreplaceable recreational, cultural, historical, economic and environmental value to the citizens of the State. Uses of the lakes and their watersheds are causing the degradation of lake water quality and habitat, producing significant adverse economic and environmental impacts and threatening

the health, safety and general welfare of the citizens of the State.

The uses of concern that affect lakes are both regulated and nonregulated, cause individual and cumulative impacts and must be addressed in both the immediate and the long term. The Maine Revised Statutes, Title 38, chapter 3, article 1-G establishes the Lakes Assessment and Protection Program within the Department of Environmental Protection to monitor and protect the health and integrity of Maine's lakes, thus maintaining the value of the lakes to the citizens of the State.

Sec. YY-3. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1998-99

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Land and Water Quality

Positions - Legislative Count	(4,000)
Personal Services	\$171,948
All Other	279,568

Provides funds for one Biologist II position, one Biologist I position, one Environmental Specialist III position and one Environmental Specialist II position for support costs and to carry out lake assessment and protection projects.

DEPARTMENT OF ENVIRONMENTAL PROTECTION TOTAL

\$451,516

PART ZZ

Sec. ZZ-1. Compensation authorized. Notwithstanding any other provisions of law, the Governor is authorized and directed, upon receipt of appropriate releases, to pay \$125,000 from the Risk Management Fund to compensate Dan Corey and Nu Seed Corporation of Monticello for damages suffered as a result of decertification of their 1996 seed potato crop by the Department of Agriculture, Food and Rural Resources. This payment is in full settlement and satisfaction of any and all claims by Dan Corey and Nu Seed Corporation against the State, the Department of Agriculture, Food and Rural Resources

and present or former employees of the State for those damages.

PART AAA

Sec. AAA-1. 5 MRSA §1516-A is enacted to read:

§1516-A. Capital Construction and Improvements Reserve Fund

1. Capital Construction and Improvements Reserve Fund. There is created the Capital Construction and Improvements Reserve Fund, referred to in this section as the "fund," that may be used solely for capital projects that construct, renovate or improve state facilities. Money in the fund may not be expended on facility maintenance issues.

2. Nonlapsing fund. Any unexpended money appropriated or allocated to the fund may not lapse, but must be carried forward.

3. Investment of funds. The money in the fund may be invested as provided by law with the earnings credited to the fund.

4. Report. The Commissioner of Administrative and Financial Services shall provide a report to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs annually by January 15th that includes the following:

A. The status of any capital projects undertaken or completed during the most recently completed fiscal year and the current fiscal year;

B. Money expended during the most recently completed and the current fiscal year, by project; and

C. Remaining fund balances at the end of the most recently completed fiscal year.

Sec. AAA-2. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1998-99

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Bureau of General Services - Capital Construction and Improvements Reserve Fund

Capital Expenditures \$10,000,000

Provides funds for the Maine Criminal Justice Academy for renovation, construction and expansion of facilities at the Oak Grove Coburn campus.

Bureau of General Services - Capital Construction and Improvements Reserve Fund

Capital Expenditures 18,000,000

Provides funds for the Maine Youth Center project to include renovation, construction and expansion of facilities at the South Portland campus.

Bureau of General Services - Capital Construction and Improvements Reserve Fund

Capital Expenditures 18,000,000

Provides funds for the renovation, construction and expansion of facilities at the Charleston Correctional Facility that are necessary to convert the facility to a juvenile center.

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES TOTAL

\$46,000,000

PART BBB

Sec. BBB-1. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1998-99

EDUCATION, DEPARTMENT OF

Jobs for Maine's Graduates

All Other \$515,000

Provides funds to replace lost federal funds to prevent the shutdown of 14 school sites and the elimination of services to 580 Maine students.

PART CCC

Sec. CCC-1. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1998-99

MAINE TECHNICAL COLLEGE SYSTEM - BOARD OF TRUSTEES

Maine Technical College System - Board of Trustees

All Other \$400,000

Provides for the appropriation of funds to continue the work-based learning program for Maine's youth as provided by the Maine Career Advantage Program.

PART DDD

Sec. DDD-1. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1998-99

LABOR, DEPARTMENT OF

Employment Services Activity

Positions - Legislative Count (1,000)
 Personal Services \$138,598
 All Other 259,002
 Capital Expenditures 7,500

TOTAL 405,100

Provides funds for the expansion of the Maine apprenticeship program and transfers one Director, Apprenticeship Standards position from federal funding. Also transfers funding from a federal program to cover proportional costs of one Division Director position, one Administrative Secretary position, one Employment and Training Specialist IV position and the equivalent costs of a

portion of an Employment and Training Specialist II position.

Administration - Labor

Personal Services 14,925
 All Other 4,975

TOTAL 19,900

Provides funds to cover the direct and indirect overhead associated with the expansion of the Maine apprenticeship program.

DEPARTMENT OF LABOR

TOTAL 425,000

Sec. DDD-2. Allocation. The following funds are allocated from Federal Expenditure Funds to carry out the purposes of this Part.

1998-99

LABOR, DEPARTMENT OF

Employment Services Activity

Positions - Legislative Count (-1,000)
 Personal Services (\$138,598)

Provides for the deallocation of funds associated with the expansion of the Maine apprenticeship program and transfers one Director, Apprenticeship Standards position to the General Fund. Also deallocates funds to reflect the transfer to the General Fund of certain proportional costs of one Division Director position, one Administrative Secretary position, one Employment and Training Specialist IV position and the equivalent costs of a portion of an Employment and Training Specialist II position.

Administration - Labor

Personal Services (14,925)
 All Other (4,975)

TOTAL (19,900)

Provides for the deallocation of funds to reflect the direct and indirect overhead associated with the expansion of the Maine apprenticeship program.

preservation, as determined by the Land for Maine's Future Board.

DEPARTMENT OF LABOR
TOTAL (\$158,498)

PART GGG

Sec. GGG-1. 5 MRSA §1513, sub-§1-K is enacted to read:

PART EEE

Sec. EEE-1. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1-K. Transfer from Maine Rainy Day Fund. Notwithstanding subsection 2 and section 1585, an amount not to exceed \$5,000,000 must be transferred by the State Controller from the available balance in the Maine Rainy Day Fund to the unappropriated surplus of the General Fund no later than June 30, 1999.

1998-99

MAINE PUBLIC BROADCASTING CORPORATION

PART HHH

Maine Public Broadcasting Corporation

Sec. HHH-1. 5 MRSA §1518, sub-§1, ¶A, as enacted by PL 1997, c. 24, Pt. E, §1, is repealed.

All Other \$2,000,000

Sec. HHH-2. 36 MRSA §507, first ¶, as amended by PL 1985, c. 376, is further amended to read:

Provides funds to assist the Maine Public Broadcasting Corporation with the federally mandated conversion to digital broadcasting.

When a municipality issues a property tax bill to each taxpayer, each bill ~~shall~~ must contain a statement or calculation that demonstrates the amount or percentage by which the taxpayer's tax has been reduced by the distribution of state-municipal revenue sharing, state reimbursement for the Maine resident homestead property tax exemption and state aid for education. The property tax bill must contain a statement of the assessed value of a homestead, before and after the calculation of a Maine resident homestead property tax exemption, and the amount of the exemption applied to the homestead. The State Tax Assessor shall annually provide each municipality with the amount of state-municipal revenue sharing and state aid for education subject to identification under this section.

PART FFF

Sec. FFF-1. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

Sec. HHH-3. 36 MRSA c. 105, sub-c. IV-B is enacted to read:

1998-99

EXECUTIVE DEPARTMENT

SUBCHAPTER IV-B

Land for Maine's Future Fund

All Other \$3,000,000

MAINE RESIDENT HOMESTEAD PROPERTY TAX EXEMPTION

Provides funds for acquisitions that will be targeted to sites with outstanding recreational, scenic, natural or wildlife values in accordance with the policies and criteria developed by the Land for Maine's Future Board. These funds will be matched with at least \$1,500,000 in public and private funding. Up to 20% of this appropriation must be expended for farmland

§681. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Applicant. "Applicant" means an individual who has applied for a homestead property tax exemption pursuant to this subchapter.

2. Homestead. "Homestead" means any residential property in this State assessed as real property owned by an applicant or held in a revocable living trust for the benefit of the applicant and occupied by the applicant as the applicant's permanent residence. A "homestead" does not include any real property used solely for commercial purposes.

3. Permanent residence. "Permanent residence" means that place where an individual has a true, fixed and permanent home and principal establishment to which the individual, whenever absent, has the intention of returning. An individual may have only one permanent residence at a time and, once a permanent residence is established, that residence is presumed to continue until circumstances indicate otherwise.

4. Permanent resident. "Permanent resident" means an individual who has established a permanent residence.

§682. Permanent residency; factual determination by assessor

The assessor shall determine whether an applicant has a permanent residence in this State. In making a determination as to the intent of an individual to establish a permanent residence in this State, the assessor may consider the following:

1. Formal declarations. Formal declarations of the applicant or any other individual;

2. Informal statements. Informal statements of the applicant or any other individual;

3. Place of employment. The place of employment of the applicant;

4. Previous permanent residence. The previous permanent residence of the applicant and the date the previous permanent residency was terminated;

5. Voter registration. The place where the applicant is registered to vote;

6. Driver's license. The place of issuance to the applicant of a driver's license and the address listed on the license;

7. Certificate of motor vehicle registration. The place of issuance of a certificate of registration of a motor vehicle owned by the applicant and the address listed on the certificate;

8. Income tax returns. The residence claimed on any income tax return filed by the applicant;

9. Motor vehicle excise tax. The place of payment of a motor vehicle excise tax by the applicant; or

10. Military residence. A declaration by the applicant of permanent residence registered with any branch of the Armed Forces of the United States.

§683. Exemption of homesteads

1. Exemption amount. The estate up to the just value of \$7,000 of the homestead of a permanent resident of this State who has owned a homestead in this State for the preceding 12 months is exempt from taxation except for assessments for special benefits. In determining the local assessed value of the exemption, the assessor shall multiply the amount of the exemption by the ratio of current just value upon which the assessment is based as furnished in the assessor's annual return pursuant to section 383. If the title to a homestead is held by the applicant jointly or in common with others, the exemption may not exceed \$7,000 of the just value of the homestead, but may be apportioned among the owners who reside on the property to the extent of their respective interests. A municipality responsible for administering the homestead exemption has no obligation to create separate accounts for each partial interest in a homestead owned jointly or in common.

2. Exemption in addition to other exemptions. The exemption provided in this subchapter is in addition to the exemptions provided in sections 653 and 654.

3. Effect on state valuation. The just value of homesteads exempt under this subchapter must be included in the annual determination of state valuation under sections 208 and 305.

4. Property tax rate. The value of homestead exemptions under this subchapter must be included in the total municipal valuation used to determine the municipal tax rate. The municipal tax rate as finally determined may be applied to only the taxable portion of each homestead qualified for that tax year.

§684. Forms; application

1. Generally. The bureau shall furnish to the assessor of each municipality a sufficient number of printed forms to be filed by applicants for an exemption under this subchapter and shall determine the content of the forms. A municipality shall provide to its inhabitants reasonable notice of the availability of application forms. An individual claiming an exemption under this subchapter for the first time shall file the application form with the assessor or the assessor's representative. For an exemption from taxes based on the status of property on April 1, 1998, the application must be filed by May 15, 1998. For taxes based on the status of property after April 1, 1998, the application must be filed by April 1st of the year on which the taxes are based.

2. False filing. An individual who knowingly gives false information for the purpose of claiming a homestead exemption under this subchapter commits a Class E crime. An individual who claims to be a permanent resident of this State under this subchapter who also claims to be a permanent resident of another state for the tax year for which an application for a homestead exemption is made commits a Class E crime.

3. Continuation of eligibility. The assessor shall evaluate annually the ongoing eligibility of property for which a homestead exemption has been approved under this subchapter. The evaluation must be based on the status of the property on April 1st of the year on which the homestead exemption is based. The evaluation must include, but is not limited to, a review of whether the ownership of the property has changed in any manner that would disqualify the property for an exemption under this subchapter or whether the owner has ceased to use the property as a homestead. If the assessor determines that the property is no longer entitled to an exemption under this subchapter, the assessor shall notify the owner as provided in section 686 that the property is no longer entitled to an exemption under this subchapter.

4. Owner notification. An owner of property receiving an exemption under this subchapter shall notify the assessor promptly when the ownership or use of the property changes so as to change the qualification of the property for an exemption under this subchapter.

§685. Duty of assessor; reimbursement by State

1. Examination and identification. The assessor shall examine each application for homestead exemption that is timely filed with the assessor, determine whether the property is entitled to an exemption under this subchapter and identify the exemption in the municipal valuation.

2. Entitlement to reimbursement by the State; calculation. A municipality that has approved homestead exemptions under this subchapter may recover from the State 100% of the taxes lost by reason of the exemptions upon proof in a form satisfactory to the bureau. The bureau shall reimburse the Unorganized Territory Education and Services Fund for 100% of taxes lost by reason of the exemption.

3. Information provided to State; deviations in assessment ratio. The assessor shall provide by June 1st, annually, any relevant information requested by the bureau for the purpose of determining the actual assessment ratio for developed parcels in use in a municipality. The certified ratio declared by the municipality must be considered accurate by the bureau if it is within 10% of the assessment ratio last

determined by the bureau in its annual report of ratio studies involving developed parcels of property. The assessor may submit additional information on the relevant assessment ratio to the bureau in order to prove that a different ratio should apply. The bureau may accept a certified ratio that deviates more than 10% from the last reported developed parcel ratio only if the information submitted by the municipality clearly indicates that the certified ratio is more accurate than the assessment ratio contained in the bureau's most recent annual report.

4. Estimated and final payments by the State. Reimbursement to municipalities must be made in the following manner.

A. The bureau shall estimate the amount of reimbursement required under this section for each municipality and certify 80% of the estimated amount to the Treasurer of State by August 1st, annually. The Treasurer of State shall pay by August 15th, annually, the amount certified to each municipality entitled to reimbursement.

B. A municipality claiming reimbursement under this section shall submit a claim to the bureau by November 1st of the year in which the exemption applies or within 30 days of commitment of taxes, whichever occurs later. The bureau shall review the claims and determine the total amount to be paid. The bureau shall certify and the Treasurer of State shall pay by December 15th of the year in which the exemption applies the difference between the estimated payment issued and the amount that the bureau finally determines for that tax year. Municipal claims that are timely filed after November 1st must be paid as soon as reasonably possible after the December 15th payment date. If the total amount of reimbursement to which a municipality is entitled is less than the amount received under paragraph A, the municipality shall repay the excess to the State by December 30th of the year, or the amount may be offset against the amount of state-municipal revenue sharing due the municipality under Title 30-A, section 5681.

5. Reimbursement for state mandated costs. The bureau shall reimburse municipalities and the Unorganized Territory Education and Services Fund for state mandated costs in the manner provided in Title 30-A, section 5685.

§686. Denial of homestead exemption; appeals

If the assessor determines that a property is not entitled to a homestead exemption under this subchapter, the assessor shall promptly provide a notice of denial, including the reasons for the denial, to the applicant by either personal delivery or regular mail. An applicant may appeal a denial of an exemption

under this subchapter using the procedures provided in subchapter VIII. If the assessor determines that a property receiving an exemption under this subchapter any year within the 10 preceding years was not eligible for the exemption, the assessor shall immediately notify the bureau in writing.

§687. Supplemental assessment

If the assessor notifies the bureau under section 686, or the bureau otherwise determines that a property improperly received an exemption under this subchapter for any of the 10 years immediately preceding the determination, the assessor shall supplementally assess the property for which the exemption was improperly received, plus costs and interest. The supplemental assessment must be assessed and collected pursuant to section 713-B. The bureau shall deduct the value of the portion of the supplemental assessment that pertains to any funds previously reimbursed to the municipality under section 685 from the next reimbursement issued to the municipality.

§688. Effect of determination of residence

A determination of permanent residence made for purposes of this subchapter is not binding on the bureau with respect to the administration of Part 8 and has no effect on determination of domicile for purposes of the Maine individual income tax.

§689. Audits; determinations of bureau

The bureau has the authority to audit the records of a municipality to ensure compliance with this subchapter. The bureau may independently review the records of a municipality to determine if homestead exemptions have been properly approved. If the bureau determines that a homestead exemption was improperly approved, the bureau shall ensure, either by setoff against other payments due the municipality or otherwise, that the municipality is not reimbursed for the exemption. A municipality that is aggrieved by a determination of the bureau under this subchapter may appeal pursuant to section 151.

Sec. HHH-4. 36 MRSA §5126, first ¶, as amended by PL 1997, c. 24, Pt. E, §2, is further amended to read:

A For income tax years beginning on or after January 1, 1998 but before January 1, 1999, a resident individual is allowed \$2,100 \$2,400 for each exemption to which the individual is entitled for the taxable year for federal income tax purposes, unless the taxpayer is claimed as a dependent on another return. No For income tax years beginning on or after January 1, 1999, a resident individual is allowed \$2,750 for each exemption to which the individual is entitled for the taxable year for federal income tax purposes,

unless the taxpayer is claimed as a dependent on another return. An additional exemption may be is not allowed for taxpayers over 65 years of age or blind. The nominal dollar amount of this section is subject to adjustment pursuant to Title 5, section 1518.

Sec. HHH-5. 36 MRSA §5126, 2nd ¶, as enacted by PL 1997, c. 24, Pt. E, §2, is amended to read:

For tax years beginning on or after January 1, ~~1999~~ 2000, the nominal dollar amount of this section is also subject to annual adjustment by multiplying it by the percentage adjustment factor defined in section 5402, subsection 2 and rounded down to the nearest \$50. If any adjustment is made pursuant to this paragraph, it is effective for the current taxable year and is incorporated into the income tax forms and instructions of the State Tax Assessor for that taxable year.

Sec. HHH-6. 36 MRSA §6201, sub-§11-A, as enacted by PL 1987, c. 839, §2, is amended to read:

11-A. Rent constituting property taxes accrued for nonelderly household. "Rent constituting property taxes accrued for nonelderly household" means ~~15%~~ 18% of the gross rent actually paid in cash or its equivalent in any tax year by a claimant and the claimant's household solely for the right of occupancy of their Maine homestead in the tax year and which rent constitutes the basis, in the succeeding calendar year, of a claim for relief under this chapter by the claimant.

Sec. HHH-7. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Act.

1998-99

Administrative and Financial Services, Department of

Bureau of Revenue Services

Positions - Legislative Count	(3,000)
Personal Services	\$88,979
All Other	60,000

TOTAL	\$148,979
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Provides funds for a Revenue Agent position and 2 Property Tax Appraiser I positions and related administrative expenses to implement the Maine Resident Homestead Property Tax Exemption program.

Homestead Property Tax Exemption Reimbursement

All Other	\$46,138,220
Provides funds for 100% of the estimated amount of property tax exempted under the Maine Resident Homestead Property Tax Exemption program.	

Homestead Property Tax Exemption - Mandate Reimbursement

All Other	\$715,000
Provides funds to reimburse municipalities for 90% of the estimated local costs incurred to implement the Maine Resident Homestead Property Tax Exemption program.	

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES

TOTAL

\$47,002,199

Sec. HHH-8. Transfer of funds. Notwithstanding the Maine Revised Statutes, Title 5, section 1585, or any other provision of law, the State Controller is authorized to transfer \$47,051,828 from the Tax Relief Fund for Maine Residents to the General Fund unappropriated surplus in fiscal year 1998-99.

Sec. HHH-9. Transfer of funds. Notwithstanding the Maine Revised Statutes, Title 5, section 1585, or any other provision of law, the State Controller is authorized to transfer \$29,080,192 from the Tobacco Tax Relief Fund to the General Fund unappropriated surplus in fiscal year 1998-99.

Sec. HHH-10. Retroactivity. This Act applies retroactively to April 1, 1998.

See title page for effective date, unless otherwise indicated.

CHAPTER 644

H.P. 447 - L.D. 597

An Act to Amend the Statutes Pertaining to Emergency Medical Services

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

Sec. 1. 32 MRSA §83, sub-§7, as enacted by PL 1981, c. 661, §2, is amended to read:

7. Basic emergency medical technician. "Basic emergency medical technician" means a basic emergency medical ~~services~~ services person who has successfully completed the ~~United States Department of Transportation~~ Maine Emergency Medical Services course for emergency medical treatments and has met the other requirements for licensure at this level.

Sec. 2. 32 MRSA §88, sub-§1, ¶A, as amended by PL 1995, c. 161, §9, is further amended to read:

A. The board has one member representing each regional council, and ~~7~~ 10 persons in addition. Of the additional persons, one is a an emergency physician, one an attorney, ~~one a representative~~ two representatives of the public, one a representative of for-profit ambulance services, one a an emergency professional nurse, one a representative of nontransporting emergency medical services, ~~one a representative of hospitals~~, ~~one a fire services provider~~ and one a representative of not-for-profit ambulance services. The members that represent for-profit ambulance services, non-transporting emergency medical services and not-for-profit ambulance services must be licensed emergency medical services persons. One of the nonpublic members must be a volunteer emergency medical services provider. Appointments are for 3-year terms. Members ~~must be~~ are appointed by the Governor. The state medical director is an ex officio nonvoting member of the board.

See title page for effective date.

CHAPTER 645

H.P. 662 - L.D. 915

An Act to Amend the Laws Concerning Juvenile Petition, Adjudication and Disposition

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

Sec. 1. 15 MRSA §3002, sub-§1, as amended by PL 1979, c. 663, §113, is further amended to read:

1. Purposes. The purposes of this Part are:

A. To secure for each juvenile subject to these provisions such care and guidance, preferably in