

# MAINE STATE LEGISLATURE

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AUGUSTA, MAINE

L.D. 958

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**APPROPRIATIONS AND FINANCIAL AFFAIRS**

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**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
117TH LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT "A" to H.P. 700, L.D. 958, Bill, "An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1996 and June 30, 1997"

Amend the bill by striking out everything after the title and before the statement of fact and inserting in its place the following:

**Mandate preamble.** This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, two thirds of all of the members elected to each House have determined it necessary to enact this measure.

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

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

**Whereas,** certain obligations and expenses will become due and payable on or immediately after July 1, 1995; and

**Whereas,** in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately

COMMITTEE AMENDMENT "A" to H.P. 700, L.D. 958

necessary for the preservation of the public peace, health and safety; now, therefore,

**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, 1996 and June 30, 1997, to the departments listed, the following sums.

	1995-96	1996-97
<b>ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF</b>		
Buildings and Grounds Operations		
Personal Services		\$74,428
Provides for the appropriation of additional funds through a transfer from Pineland Center.		
Bureau of Taxation		
Positions - Legislative Count		(2.0)
Personal Services		59,613
All Other		18,613
Capital Expenditures		13,064
TOTAL		<u>91,290</u>
Provides funds for one Property Appraiser II position and one Clerk-Typist II position to administer the Personal Property Tax Reform program.		
Personal Property Tax Reform		
All Other		4,746,068
Provides funds for reimbursements to businesses for personal property taxes		

2	paid on certain eligible property.		
4	<b>DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES</b>		
6	<b>TOTAL</b>	-0-	\$4,911,786
8	<b>AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF</b>		
10	Administration - Agriculture		
12	All Other	(95,481)	(98,346)
14	Provides for the deappropriation of funds to establish a hunger prevention program as part of a reorganization to more accurately reflect program operations.		
22	Food Assistance Program		
24	All Other	95,481	98,346
26	Provides for the appropriation of funds to establish a hunger prevention program as part of a reorganization to more accurately reflect program operations.		
34	<b>DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES</b>		
36	<b>TOTAL</b>	-0-	-0-
38	<b>HUMAN SERVICES, DEPARTMENT OF</b>		
40	Elder and Adult Services - Bureau of		
42	Positions - Legislative Count	(-1.0)	(-1.0)
44	Personal Services	(33,538)	(32,585)
46	Provides for the deappropriation of funds for one Clerk Typist III position being transferred to the		

**COMMITTEE AMENDMENT**

2	Medical Care Administration account.		
4	Medical Care Administration		
6	Positions - Legislative Count	(-0.5)	(-0.5)
8	Provides for a reduction in headcount to correct an error.		
10	Medical Care Administration		
12	Positions - Legislative Count	(1.0)	(1.0)
14	Personal Services	33,538	32,585
16	Provides for the appropriation of funds for one Clerk Typist III position transferred from the Bureau of Elder and Adult Services account.		
20	Elder and Adult Services - Bureau of		
22	All Other	(20,000)	(21,000)
24	Provides for the deappropriation of funds from training and computer purchases to be transferred for paralegal services to support the Augusta Mental Health Institute Consent Decree.		
34	Elder and Adult Services - Bureau of		
36	All Other	20,000	21,000
38	Provides for the appropriation of funds for paralegal services to support the Augusta Mental Health Institute Consent Decree.		
40	Medical Care - Payments to Providers		
42	All Other	75,000	100,000
44	Provides for the		

**COMMITTEE AMENDMENT**

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2	appropriation of funds for		
4	state seed for the Medicaid		
6	waiver for home and community		
8	based services for Augusta		
10	Mental Health Institute class		
12	members for head injuries.		
14	<b>Purchased Social Services</b>		
16			
18	All Other	60,012	60,012
20			
22	Provides for the		
24	appropriation of funds for		
26	transportation of Augusta		
28	Mental Health Institute		
30	Consent Decree class members.		
32	<b>State Supplement to Federal</b>		
34	<b>Supplemental Security Income</b>		
36			
38	All Other		352,000
40			
42	Provides for the		
44	appropriation of funds for		
46	additional residential care		
48	services for Augusta Mental		
50	Health Institute Consent		
	Decree class members.		
	<b>DEPARTMENT OF HUMAN SERVICES</b>		
	<b>TOTAL</b>	<u>135,012</u>	<u>512,012</u>
	<b>MARINE RESOURCES,</b>		
	<b>DEPARTMENT OF</b>		
	<b>Administration - Marine Resources</b>		
	Positions - Legislative Count	(2.0)	(2.0)
	Personal Services	108,508	109,246
	All Other	54,130	54,744
	<b>TOTAL</b>	<u>162,638</u>	<u>163,990</u>
	Provides for the		
	appropriation of funds		
	through a transfer of one		
	Regulation and Information		
	Officer position from the		
	Bureau of Marine Sciences and		
	one Clerk Typist III position		

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2	from the Bureau of Marine		
4	Patrol, as part of a		
6	departmental reorganization.		
8	<b>Marine Development - Bureau of</b>		
10			
12	Positions - Legislative Count	(4.0)	(4.0)
14	Personal Services	187,755	187,487
16	All Other	33,005	32,950
18			
20	<b>TOTAL</b>	<u>220,760</u>	<u>220,437</u>
22			
24	Provides for the		
26	appropriation of funds		
28	through a transfer of one		
30	Marine Resources Specialist I		
32	position, one Marine		
34	Resources Technician		
36	position, one Marine		
38	Resources Scientist IV		
40	position, one Marine		
42	Resources Scientist I		
44	position and one Marine		
46	Resources Specialist II		
48	position from the Bureau of		
50	Marine Sciences and the		
	transfer of one Marine		
	Resources Scientist II		
	position to the Bureau of		
	Marine Sciences. This is		
	part of the reorganization of		
	the department.		
	<b>Marine Development - Bureau of</b>		
	Personal Services	1,415	7,332
	All Other	(1,415)	(7,332)
	<b>TOTAL</b>	<u>-0-</u>	<u>-0-</u>
	Provides for the		
	appropriation of funds		
	through a transfer from All		
	Other to Personal Services		
	through the reorganization of		
	the industry resources		
	division. The reorganization		
	will downgrade one Marine		
	Scientist II position to one		
	Microbiologist I position,		

**COMMITTEE AMENDMENT**

2 upgrade one Microbiologist  
 Supervisor position; upgrade  
 4 2 Marine Scientist I  
 positions to 2 Marine  
 6 Scientist II positions, and  
 upgrade 2 Marine Resource  
 8 Technician positions to 2  
 Marine Resource Specialist  
 positions.

10 Marine Sciences - Bureau of

12	Positions - Legislative Count	(-5.0)	(-5.0)
14	Personal Services	(253,347)	(253,206)
16	All Other	(44,005)	(43,950)
18	<b>TOTAL</b>	<u>(297,352)</u>	<u>(297,156)</u>

20 Provides for the  
 deappropriation of funds  
 22 through the transfer of one  
 Regulation and Information  
 24 Officer position to the  
 Bureau of Administration; one  
 26 Marine Resources Specialist I  
 position, one Marine  
 28 Resources Technician  
 position, one Marine  
 30 Resources Scientist IV  
 position, one Marine  
 32 Resources Scientist I  
 position and one Marine  
 34 Resources Specialist II  
 position to the Bureau of  
 Marine Development; one  
 36 Marine Resources Scientist II  
 position from the Bureau of  
 38 Marine Development, as part  
 of the reorganization of the  
 40 department.

42 Marine Patrol - Bureau of

44	Positions - Legislative Count	(-1.0)	(-1.0)
46	Personal Services	(42,916)	(43,527)
48	All Other	(43,130)	(43,744)
50	<b>TOTAL</b>	<u>(86,046)</u>	<u>(87,271)</u>

Provides for the

2 deappropriation of funds  
 through the transfer of one  
 4 Clerk Typist III position to  
 the Bureau of Administration  
 6 as part of the reorganization  
 of the department.

8 **DEPARTMENT OF MARINE RESOURCES**  
 10 **TOTAL**

-0- -0-

12 **MENTAL HEALTH AND MENTAL**  
 14 **RETARDATION, DEPARTMENT OF**

Administration - Mental Health  
 and Mental Retardation

16	Positions - Legislative Count	(1.0)	(1.0)
18	Personal Services	100,000	100,000

20 Provides for the  
 22 appropriation of funds for  
 one Associate Commissioner of  
 24 Programs position as an  
 offset to a previous  
 26 deappropriation.

28 Office of Advocacy - Mental  
 Health and Mental Retardation

30	Positions - Legislative Count	(8.5)	(8.5)
32	Personal Services	456,617	453,803
34	All Other	(321,827)	(321,185)
36	<b>TOTAL</b>	<u>134,790</u>	<u>132,618</u>

38 Provides for the  
 40 appropriation of funds for  
 the Office of Advocacy,  
 including 8.5 Advocate  
 42 positions as an offset to a  
 previous deappropriation.

44 Disproportionate Share - Augusta  
 Mental Health Institute

46 Provides for the substitution  
 48 of the closure of the  
 geropsychiatric unit on July  
 1, 1996 with the closure of  
 50 15 admitting beds on July 1,

1996 and the substitution of the closure of an admissions unit on March 1, 1997, eliminating 109 positions with the closure of 25 admitting beds on March 1, 1997, eliminating 98 positions, contingent upon expanded community development. Under this revised plan a total of 137 Other Special Revenue headcount would be eliminated. Positions are on file with the Bureau of the Budget.

Disproportionate Share - Augusta Mental Health Institute

Personal Services	324,828	(639)
All Other	172	639
<b>TOTAL</b>	<b>325,000</b>	<b>-0-</b>

Provides funds to adjust a previous deappropriation to reflect the elimination of 21.5 positions in fiscal year 1995-96 and a total of 44 Other Special Revenue positions in fiscal year 1996-97 rather than the 43.5 positions originally planned, within the hospital to reappropriate funds to expand community mental health services in compliance with the Augusta Mental Health Institute Consent Decree. Positions are on file with the Bureau of the Budget.

Disproportionate Share - Bangor Mental Health Institute

Personal Services	(53,775)	(92,926)
All Other	22,302	65,398
<b>TOTAL</b>	<b>(31,473)</b>	<b>(27,528)</b>

Provides funds to adjust a previous deappropriation to reflect the closure of one psychiatric unit in January 1996 rather than the closure of one long-term psychiatric unit in January 1996 as originally planned. Position headcounts are in Other Special Revenue and on file with the Bureau of the Budget.

Freeport Towne Square

Positions - Legislative Count	(1.0)	(1.0)
Personal Services	109,089	131,040

Provides for the appropriation of funds through the transfer of one position from the Pineland Center to complete the establishment of the Freeport Towne Square as a separate organizational structure. The position is on file with the Bureau of the Budget.

Medicaid Services - Mental Retardation

All Other	(509,285)	226,521
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Provides funds to adjust a previous appropriation for seed for additional waiver slots for class members, Department of Mental Health and Mental Retardation community consent decree, in the home and community-based waiver program. Funds now will be used for seed for additional waiver slots in the home and community-based waiver program.

Medicaid Services - Mental Retardation

2	All Other	1,748,062	2,000,668
4	Provides for the		
6	appropriation of funds due to		
8	the savings from the		
10	downsizing/closing of		
12	Pineland Center, for		
	community placements, staff		
	retention, DRI and		
	continuation of existing		
	services.		
14	Mental Health Services -		
	Child Medicaid		
16	All Other		131,864
18	Provides for the		
20	appropriation of funds to		
22	offset a previous		
24	deappropriation and to		
26	reflect that savings from		
28	eliminating cost-of-living		
30	adjustments in fiscal year		
32	1995-96 will be used for the		
34	state match of a federal		
36	grant and consent decree		
	activities rather than the		
	state match of a federal		
	grant and seed for the home		
	and community-based services		
	waiver for 15 identified		
	children as originally		
	planned.		
36	Mental Health Services -		
38	Community Medicaid		
40	All Other	(226,020)	(1,546,320)
42	Provides for the		
44	deappropriation of funds as		
46	an offset to a previous		
	appropriation.		
48	Mental Health Services -		
	Community Medicaid		
50	All Other	(259,670)	(259,670)

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2	Provides for the		
4	deappropriation of funds by		
6	eliminating cost-of-living		
8	adjustments in fiscal year		
10	1995-96 in order to expand		
12	community mental health		
	services in compliance with		
	the Augusta Mental Health		
	Institute Consent Decree.		
12	Mental Health Services -		
	Community Medicaid		
14	All Other	(214,351)	(453,831)
16	Provides for the		
18	deappropriation of funds to		
20	substitute the closing of one		
22	long-stay unit at the		
24	Augusta Mental Health		
26	Institute and one long-term		
28	psychiatric unit at the		
30	Bangor Mental Health		
32	Institute in January 1996		
	with the closing of one		
	long-term psychiatric unit at		
	Bangor Mental Health		
	Institute in January 1996 to		
	continue community		
	development.		
32	Mental Health Services -		
34	Community Medicaid		
36	All Other	(500,000)	
38	Provides for the		
40	deappropriation of funds as		
42	an offset to a previous		
	appropriation.		
44	Mental Health Services - Children		
46	All Other		17,518
48	Provides for the		
50	appropriation of funds as an		
	offset to a previous		
	deappropriation to reflect a		

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change in the fiscal year  
 2 1996-97 cost-of-living  
 adjustment.

4 Mental Health Services - Community

6 All Other (1,049,687) (2,656,355)

8 Provides for the  
 10 deappropriation of funds as  
 12 an offset to a previous  
 appropriation.

14 Mental Health Services - Community

16 All Other (437,114) (437,114)

18 Provides for an adjustment in  
 20 the deappropriation of funds  
 by reducing contracted  
 22 community inpatient services  
 and eliminating  
 24 cost-of-living adjustments  
 for fiscal years 1995-96 and  
 26 1996-97 instead of reducing  
 outpatient services and  
 28 contracted community  
 inpatient services and  
 30 eliminating cost-of-living  
 adjustments for fiscal year  
 32 1996-97 as originally  
 planned, in order to  
 34 reappropriate funds to expand  
 community mental health  
 36 services in compliance with  
 the Augusta Mental Health  
 38 Institute Consent Decree.

40 Mental Retardation Services -  
 Community

42 Positions - Legislative Count (-18.0) (-1.0)  
 Personal Services (431,730) 25,484  
 44 All Other (495,047) 147,327  
 Capital Expenditures (12,000)

46 TOTAL (938,777) 172,811

48 Provides funds to substitute  
 50 the creation of 25 positions

with funds for one Crisis  
 2 Systems Manager position, one  
 Social Services Program  
 4 Specialist II position and 5  
 Program Supervisor positions  
 6 in fiscal year 1995-96; one  
 Crisis Services Manager  
 8 position, 2 Social Services  
 Program Specialist II  
 10 positions, 5 Program  
 Supervisor positions, one  
 12 Director, Division of Mental  
 Retardation position and 15  
 14 Mental Health Worker III  
 positions in fiscal year  
 16 1996-97 to meet the terms of  
 the community consent  
 18 decree. Services include  
 20 family support, supported  
 employment, transition  
 22 services, training and  
 consultation.

24 Pineland Center

26 Positions - Legislative Count (-1.0) (-1.0)  
 Personal Services (109,089) (131,040)

28 Provides for the  
 30 deappropriation of funds to  
 complete the establishment of  
 32 Freeport Towne Square as a  
 separate organizational  
 34 structure through a transfer  
 to a new account.

36 Pineland Center

38 Personal Services (74,428)

40 Provides for the  
 42 deappropriation of additional  
 funds through a transfer to  
 44 the Bureau of General  
 Services, Department of  
 46 Administrative and Financial  
 Services.

48 Pineland Center

50



2	Positions - Legislative Count	(-71.0)	(-68.0)
	Personal Services	(203,992)	(3,613,084)
4	All Other	200,000	(900,000)
	<b>TOTAL</b>	<b>(3,992)</b>	<b>(4,513,084)</b>

6 Provides for the  
8 deappropriation of funds due  
10 to the downsizing of Pineland  
12 Center with a tentative  
14 closing date of June 30,  
16 1996. It leaves 9 positions  
at Pineland Center for 4  
crisis beds. Positions are on  
file with the Bureau of the  
Budget.

18 Consent Decree Reinvestment Program -  
Mental Health

20	All Other	214,351	453,831
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22 Provides for the  
24 appropriation of funds from  
26 savings from the closing of  
one long-stay unit at the  
28 Augusta Mental Health  
30 Institute in January 1996 to  
continue community  
development.

32 Consent Decree Reinvestment Program -  
Mental Health

34	All Other	2,079,789	3,575,581
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36 Provides for the  
38 appropriation of non-Medicaid  
40 seed funds for the  
42 development of necessary  
44 services for class members in  
the Augusta Mental Health  
Institute Consent Decree.

46 Consent Decree Reinvestment Program -  
Mental Health

48	All Other	2,524,146	4,652,024
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50 Provides for the

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2 appropriation of Medicaid  
4 seed funds for the  
6 development of necessary  
services for class members in  
the Augusta Mental Health  
Institute.

8 **DEPARTMENT OF MENTAL HEALTH  
AND MENTAL RETARDATION**

10	<b>TOTAL</b>	<b>2,955,769</b>	<b>1,495,106</b>
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12 **SECTION**

14	<b>TOTAL APPROPRIATIONS</b>	<b>3,090,781</b>	<b>6,918,904</b>
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16 **Sec. A-2. Allocation.** The following funds are allocated from  
the Federal Expenditure Fund for the fiscal years ending June 30,  
1996 and June 30, 1997 to carry out the purposes of this Part.

18		<b>1995-96</b>	<b>1996-97</b>
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20 **ADMINISTRATIVE AND FINANCIAL  
SERVICES, DEPARTMENT OF**

22 Taxation, Bureau of

24	All Other	71,000	71,000
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26 Provides for the allocation  
28 of funds for the purpose of  
30 carrying out enforcement  
32 responsibilities under the  
diesel fuel grant.

34 **DEPARTMENT OF ADMINISTRATIVE  
AND FINANCIAL SERVICES**

36	<b>TOTAL</b>	<b>71,000</b>	<b>71,000</b>
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38 **AGRICULTURE, FOOD AND RURAL  
RESOURCES, DEPARTMENT OF**

40 Administration - Agriculture

42	Positions - Other Count	(-2.5)	(-2.5)
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44 Provides for the adjustment  
46 in headcount related to a  
previous deallocation of  
48 funds through the transfer of  
one part-time Planning and

**COMMITTEE AMENDMENT**

2	Research Associate II position, one part-time Clerk Typist II position and one full-time Director, Surplus Foods Property position to the newly established temporary emergency food assistance program. This is part of a reorganization to more accurately reflect program operations.		
12	Food Assistance Program		
14	Positions - Other Count	(2.5)	(2.5)
16	Provides for the adjustment in headcount related to a previous allocation of funds through the transfer of one part-time Clerk Typist III position, one part-time Planning and Research Associate II position, one part-time Clerk Typist II position and one full-time Director, Surplus Foods Property position to the newly established temporary emergency food assistance program. This is part of a reorganization to more accurately reflect program operations.		
36	Agricultural Production		
38	All Other	85,000	86,445
40	Provides for the allocation of funds for a grant to oversee and coordinate voluntary compliance.		
46	<b>DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES</b>		
48	<b>TOTAL</b>	<u>85,000</u>	<u>86,445</u>
50	<b>ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF</b>		

2	Economic Conversion Division		
4	Positions - Other Count		(1.0)
6	Personal Services		47,000
8	Provides for allocation of Department of Defense funds for one Development Project Officer position.		
12	<b>DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT</b>		
14	<b>TOTAL</b>		<u>47,000</u>
16	<b>EDUCATION, DEPARTMENT OF</b>		
18	Blind and Visually Impaired - Division for the		
20	All Other	(300,000)	(400,000)
24	Provides for the deallocation of funds for grant awards to offset a previous allocation.		
28	Division of Instruction		
30	Positions - Other Count	(1.0)	(1.0)
32	Personal Services	49,375	52,299
34	All Other	(49,375)	(52,299)
36	<b>TOTAL</b>	<u>-0-</u>	<u>-0-</u>
38	Provides for the allocation of funds to adjust a previous allocation including one Education Specialist III position.		
40	Rehabilitation Services		
42	All Other	(197,251)	(410,290)
44	Provides for the deallocation of funds in All Other to offset a previous allocation.		
48	Rehabilitation Services		
50			

2	All Other		147,800
	Capital Expenditures		(147,800)
4	TOTAL		-0-
6	Provides for the allocation of funds through a line category transfer to All Other from Capital Expenditures to offset a previous line category transfer.		
14	School to Work Transition		
16	All Other	(500,000)	(375,000)
18	Provides for the deallocation of funds through a transfer to the Department of Labor, which can perform the services within existing resources.		
26	<b>DEPARTMENT OF EDUCATION</b>		
	<b>TOTAL</b>	<u>(997,251)</u>	<u>(1,185,290)</u>
28	<b>ENVIRONMENTAL PROTECTION, DEPARTMENT OF</b>		
30	Oil and Hazardous Materials Control		
32	Positions - Other Count	(0.5)	(0.5)
34	Personal Services	2,696	2,664
	All Other	(5,552)	(5,521)
36	TOTAL	<u>(2,856)</u>	<u>(2,857)</u>
40	Provides for the allocation of funds through the elimination of one 1/2-time Environmental Specialist II position and the transfer of one Clerk Typist II position from the Water Quality Control program, Federal Expenditure Fund, to be reorganized to a full-time Conservation Aide position.		

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Pollution Prevention			
2	Positions - Other Count	(1.0)	(1.0)
4	Personal Services	40,751	40,786
	All Other	(39,732)	(41,806)
6	TOTAL	<u>1,019</u>	<u>(1,020)</u>
10	Provides for the allocation of funds for the transfer of one Environmental Specialist III position from the Oil and Hazardous Materials Control program, Other Special Revenue fund and promotion of cleaner technologies in Maine and New England.		
18	Solid Waste Management		
20	All Other	(20,750)	(20,895)
24	Provides for the deallocation of funds to offset a previous allocation.		
28	Lake Restoration and Protection Fund		
30	Positions - Other Count	(-1.0)	(-1.0)
32	Personal Services	(40,751)	(40,786)
34	All Other	(1,019)	(1,020)
36	TOTAL	<u>(41,770)</u>	<u>(41,806)</u>
38	Provides for the deallocation of funds through the transfer of one Biologist I position to the Administration - Environmental Protection program, Other Special Revenue fund.		
46	Municipal Sewerage Construction		
48	Positions - Other Count	(-1.0)	(-1.0)
	Personal Services	(36,877)	(36,830)
	All Other	(996)	(994)

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2	TOTAL	(37,873)	(37,824)
4	Provides for the deallocation of funds through the transfer of one Environmental Specialist II position to the Oil and Hazardous Materials Control program, Other Special Revenue fund.		
10	Municipal Sewerage Construction		
12	Capital Expenditures	(3,000)	(3,000)
14	Provides for the deallocation of funds through the transfer of computer replacement costs to the Administration - Environmental Protection program, Other Special Revenue fund.		
22	Oil and Hazardous Materials Control		
24	Capital Expenditures	(8,000)	(6,100)
26	Provides for the deallocation of funds through the transfer of computer replacement costs to the Administration - Environmental Protection program, Other Special Revenue fund.		
34	Water Quality Control		
36	Positions - Other Count	(-1.0)	(-1.0)
38	Personal Services	(26,699)	(26,449)
40	All Other	(667)	(661)
42	TOTAL	(27,366)	(27,110)
44	Provides for the deallocation of funds through the transfer of one Clerk Typist II position to the Oil and Hazardous Materials Control program, Federal Expenditure Fund.		

2	Water Quality Control		
4	Capital Expenditures	(60,000)	(9,000)
6	Provides for the deallocation of funds through a transfer of computer replacement costs to the Administration - Environmental Protection program, Other Special Revenue fund.		
12	Water Quality Control		
14	Capital Expenditures	(3,000)	(3,000)
16	Provides for the deallocation of funds through a transfer of computer replacement costs to the Administration - Environmental Protection program, Other Special Revenue fund.		
24	Water Quality Control		
26	Positions - Other Count	(-1.0)	(-1.0)
28	Personal Services	(40,751)	(40,786)
30	All Other	(1,100)	(1,101)
32	TOTAL	(41,851)	(41,887)
34	Provides for the deallocation of funds through the transfer of one Environmental Specialist III position to the Oil and Hazardous Materials Control program, Other Special Revenue fund.		
42	<b>DEPARTMENT OF ENVIRONMENTAL PROTECTION</b>		
44	<b>TOTAL</b>	(245,447)	(194,499)
46	<b>HUMAN SERVICES, DEPARTMENT OF</b>		
48	Elder and Adult Services - Bureau of		
50	Positions - Other Count	(1.0)	(1.0)
50	Personal Services	33,538	32,585

2	Provides for the allocation of funds for the transfer of one Clerk Typist III position from the Bureau of Medical Services.		
4			
6			
8	Health - Bureau of		
10	Positions - Other Count	(1.0)	(1.0)
	Personal Services	36,720	38,153
12	All Other	(36,720)	(38,153)
14	TOTAL	-0-	-0-
16	Provides for the allocation of funds for one Public Health Nurse II position for the childhood lead poisoning prevention program.		
18			
20			
22	Health - Bureau of		
24	Positions - Other Count	(1.0)	(1.0)
	Personal Services	26,202	26,202
26	All Other	(26,202)	(26,202)
28	TOTAL	-0-	-0-
30	Provides for the allocation of funds for one Clerk Typist III position for implementing an office of disability prevention and injury control.		
32			
34			
36	Medical Care Administration		
38	Positions - Other Count	(-1.0)	(-1.0)
	Personal Services	(33,538)	(32,585)
40			
42	Provides for the deallocation of funds to transfer one Clerk Typist III position to the Bureau of Elder and Adult Services program account.		
44			
46			
48	Welfare Employment, Education and Training		
50	All Other	(1,791,325)	(1,970,457)

**COMMITTEE AMENDMENT**

2	Provides for the deallocation of funds as an offset to a previous allocation.		
4			
6	Bureau of Health		
8	All Other	162,777	162,777
10	Provides for the allocation of funds for the continuation of the lead poisoning prevention program funding by the Federal Environmental Protection Agency.		
12			
14			
16			
18	DEPARTMENT OF HUMAN SERVICES		
	TOTAL	(1,628,548)	(1,807,680)
20			
22	MARINE RESOURCES, DEPARTMENT OF		
24	Administration - Marine Resources		
26	Positions - Other Count	(1.0)	(1.0)
	Personal Services	48,860	53,226
28	All Other	21,541	22,175
	Capital Expenditures	5,000	
30	TOTAL	75,401	75,401
32	Provides for the allocation of funds to establish one Assistant to the Commissioner of Marine Resources position in a newly created federal fund account to attend federal and interstate fisheries management meetings.		
34			
36			
38	Administration - Marine Resources		
40			
42	Positions - Other Count	(1.0)	(1.0)
	Personal Services	37,189	37,494
44	All Other	8,047	8,129
46	Capital Expenditures	1,997	1,997
48	TOTAL	47,233	47,620
50	Provides for the allocation		

**COMMITTEE AMENDMENT**

2	of funds through the transfer		
	of one Accountant I position		
4	from the Bureau of Marine		
	Sciences as part of the		
6	reorganization of the		
	department.		
8	Marine Development - Bureau of		
10	Positions - Other Count	(15.5)	(15.5)
	Personal Services	630,522	635,701
12	All Other	136,434	137,825
	Capital Expenditures	33,850	33,850
14	TOTAL	<u>800,806</u>	<u>807,376</u>
16	Provides for the allocation		
18	of funds through the transfer		
	of positions from the Bureau		
20	of Marine Sciences as part of		
	the reorganization of the		
22	department. The positions		
	are on file in the Bureau of		
24	the Budget.		
26	Marine Sciences - Bureau of		
28	Positions - Other Count	(-18.5)	(-18.5)
	Personal Services	(735,327)	(741,367)
30	All Other	(159,112)	(160,734)
	Capital Expenditures	(39,477)	(39,477)
32	TOTAL	<u>(933,916)</u>	<u>(941,578)</u>
34	Provides for the deallocation		
36	of funds through the transfer		
	of positions to the Bureau of		
38	Marine Patrol, Bureau of		
	Marine Development and Bureau		
40	of Administration as part of		
	the reorganization of the		
42	department. Positions are		
	one file in the Bureau of the		
44	Budget.		
46	Marine Patrol - Bureau of		
48	Positions - Other Count	(2.0)	(2.0)
	Personal Services	67,616	68,172
50	All Other	14,631	14,780

2	Capital Expenditures	3,630	3,630
4	TOTAL	<u>85,877</u>	<u>86,582</u>
6	Provides for the allocation		
	of funds through the transfer		
8	of one First Mate position		
	and one Marine Resources		
10	Specialist I position from		
	the Bureau of Marine		
12	Sciences, as part of the		
	reorganization of the		
14	department.		
16	DEPARTMENT OF MARINE RESOURCES		
	TOTAL	<u>75,401</u>	<u>75,401</u>
18	SECTION		
	TOTAL ALLOCATIONS	<u>(2,639,845)</u>	<u>(2,907,623)</u>
20	Sec. A-3. Allocation. The following funds are allocated from		
22	Other Special Revenue funds for the fiscal years ending June 30,		
	1996 and June 30, 1997 to carry out the purposes of this Part.		
24		1995-96	1996-97
26	BAXTER STATE PARK AUTHORITY		
28	Baxter State Park Authority		
30	All Other	750,000	750,000
32	Provides for the allocation		
34	of funds to offset a previous		
	deallocation.		
36	Baxter State Park Authority		
38	Positions - Other Count	(1.5)	(1.5)
40	Personal Services	25,214	28,952
42	Provides for the allocation		
	of funds for the addition of		
44	one seasonal Campground		
	Ranger position, one seasonal		
46	Campground Attendant position		
	and one seasonal Clerk II		
48	position.		
50	Baxter State Park Authority		

2	Positions - Other Count	(1.5)	(1.5)
4	Personal Services	26,096	27,350
6	Provides for the allocation of funds to increase one seasonal Park Receptionist position from 14 weeks to 40 weeks, increase one seasonal Trail Supervisor position from 28 weeks to 40 weeks and increase 2 seasonal Gatehouse Attendant positions from 25 weeks to 32 weeks.		
16	<b>BAXTER STATE PARK AUTHORITY</b>		
18	<b>TOTAL</b>	<u>801,310</u>	<u>806,302</u>
20	<b>CONSERVATION, DEPARTMENT OF</b>		
22	Mining Operations		
24	Personal Services	9,891	11,004
26	All Other	(9,891)	(11,004)
28	<b>TOTAL</b>	<u>-0-</u>	<u>-0-</u>
30	Provides for the allocation of funds to reorganize one Geology Technician position to one Geologist position and associated costs to complete the legislatively mandated statewide sand and gravel aquifer mapping program.		
36	Boating Facilities Fund		
40	Positions - Other Count	(-2.5)	(-2.5)
42	Personal Services	(80,773)	(104,445)
44	All Other	40,300	52,200
46	Capital Expenditures	40,473	52,245
48	<b>TOTAL</b>	<u>-0-</u>	<u>-0-</u>
50	Provides for the allocation of funds through the elimination of one State Waterways Supervisor position and one Navigational Aids		

**COMMITTEE AMENDMENT**

2	Supervisor position in the 2nd quarter of fiscal year 1995-96 and the elimination of one Assistant Park Ranger position at the beginning of fiscal year 1995-96 to provide additional grants to municipalities for boat site development and capital improvements at state-operated boat access sites.		
14	<b>DEPARTMENT OF CONSERVATION</b>		
16	<b>TOTAL</b>	<u>-0-</u>	<u>-0-</u>
18	<b>ECONOMIC AND COMMUNITY DEVELOPMENT</b>		
20	<b>DEPARTMENT OF</b>		
22	Economic Conversion Division		
24	All Other	1,000,000	
26	Provides for the allocation of funds granted by the Finance Authority of Maine to be used as the match to federal Economic Development Administration funds. The Finance Authority of Maine acquired these funds from an approved \$15,000,000 General Fund bond, which is to be utilized for economic development.		
28	<b>DEPARTMENT OF ECONOMIC AND</b>		
30	<b>COMMUNITY DEVELOPMENT</b>		
32	<b>TOTAL</b>	<u>1,000,000</u>	
34	<b>ENVIRONMENTAL PROTECTION,</b>		
36	<b>DEPARTMENT OF</b>		
38	Administration - Environmental Protection		
40	Positions - Other Count	(1.0)	(1.0)
42	Personal Services	37,880	37,772
44	All Other	(41,736)	(41,847)
46	Capital Expenditures	(3,000)	

**COMMITTEE AMENDMENT**

COMMITTEE AMENDMENT "A" to H.P. 700, L.D. 958

2	TOTAL	(6,856)	(4,075)
4	Provides for the allocation of funds through the transfer of one Biologist I position from the Lake Restoration and Protection Fund program, Federal Expenditure Fund, to be reorganized to a Senior Paralegal position.		
12	Oil and Hazardous Materials Control		
14	Positions - Other Count	(1.0)	(1.0)
16	Personal Services	40,751	40,786
16	All Other	14,699	10,719
18	Capital Expenditures		8,155
20	TOTAL	55,450	59,660
22	Provides for the allocation of funds for the transfer of one Environmental Specialist III position from the Water Quality Control program, Federal Expenditure Fund and for training, health monitoring services and equipment.		
30	Oil and Hazardous Materials Control		
32	Positions - Other Count	(0.5)	(0.5)
34	Personal Services	22,153	22,378
36	All Other	(12,099)	(12,516)
38	TOTAL	10,054	9,862
40	Provides allocation of funds for the upgrade of a seasonal full-time Conservation Aide position to a full-time limited period position, emergency response and other equipment and support for a southern Maine spill response facility.		
48	Oil and Hazardous Materials Control		
50			

**COMMITTEE AMENDMENT**

COMMITTEE AMENDMENT "A" to H.P. 700, L.D. 958

2	Positions - Other Count	(1.0)	(1.0)
4	Personal Services	36,877	36,830
6	All Other	(40,419)	(41,306)
8	TOTAL	(3,542)	(4,476)
10	Provides for the allocation of funds from the transfer of one Environmental Specialist II position from the Municipal Sewerage Construction program, Federal Expenditure Fund, emergency response equipment and contributions toward a spill response storage facility.		
18	Administration - Environmental Protection		
20	Positions - Other Count	(7.0)	(7.0)
22	Personal Services	248,054	247,777
24	All Other	282,881	284,517
26	TOTAL	530,935	532,294
28	Provides for the allocation of funds through the transfer of 3 Clerk Typist II positions, one Clerk Typist III position, one Conservation Aide position, one Regional Director, Department of Environmental Protection position and office rental costs from the Maine Environmental Protection Fund program, Other Special Revenue and one Clerk Typist III position and office rental costs from the Oil and Hazardous Materials Control program, Other Special Revenue.		
46	Administration - Environmental Protection		
48	Capital Expenditures	204,500	122,600
50			

**COMMITTEE AMENDMENT**



2	Provides for the allocation of funds for departmental computer equipment.		
4	Maine Environmental Protection Fund		
6			
8	Positions - Other Count	(-6.0)	(-6.0)
10	Personal Services	(214,410)	(215,340)
12	All Other	(224,999)	(226,667)
14	TOTAL	(439,409)	(442,007)
16	Provides for the deallocation of funds through the transfer of 3 Clerk Typist II positions, one Clerk Typist III position, one Conservation Aide position and one Regional Director, Department of Environmental Protection position and office rental costs to the Administration - Environmental Protection program, Other Special Revenue.		
18	Maine Environmental Protection Fund		
20			
22	Capital Expenditures	(52,500)	(52,500)
24	Provides for the deallocation of funds through transfer of computer replacement costs to the Administration - Environmental Protection program, Other Special Revenue.		
26	Oil and Hazardous Materials Control		
28			
30	Positions - Other Count	(-1.0)	(-1.0)
32	Personal Services	(40,751)	(40,786)
34	All Other	(1,019)	(1,020)
36	TOTAL	(41,770)	(41,806)

**COMMITTEE AMENDMENT**

2	Provides for the deallocation of funds through the transfer of one Environmental Specialist III position to the Pollution Prevention program, Federal Expenditures Fund.		
4	Oil and Hazardous Materials Control		
6			
8	Positions - Other Count	(-1.0)	(-1.0)
10	Personal Services	(33,644)	(32,437)
12	All Other	(57,882)	(57,850)
14	TOTAL	(91,526)	(90,287)
16	Provides for the deallocation of funds through the transfer of one Clerk Typist III position and office rental cost to the Administration - Environmental Protection program, Other Special Revenue.		
18	Oil and Hazardous Materials Control		
20			
22	Capital Expenditures	(21,500)	
24	Provides for the deallocation of funds through the transfer of computer replacement costs to the Administration - Environmental Protection program, Other Special Revenue.		
26	Oil and Hazardous Materials Control		
28			
30	Capital Expenditures	(33,500)	(23,500)
32	Provides for the deallocation of funds through the transfer of computer replacement costs to the Administration - Environmental Protection program, Other Special Revenue.		
34	Oil and Hazardous Materials Control		
36			
38	Capital Expenditures	(33,500)	(23,500)
40	Provides for the deallocation of funds through the transfer of computer replacement costs to the Administration - Environmental Protection		

**COMMITTEE AMENDMENT**

2	program, Other Special Revenue.		
4	Oil and Hazardous Materials Control		
6	Capital Expenditures	(23,000)	(25,500)
8			
10	Provides for the deallocation of funds through the transfer of computer replacement costs to the Administration - Environmental Protection program, Other Special Revenue.		
12			
14			
16	Oil and Hazardous Materials Control		
18			
20	Positions - Other Count	(-1.0)	(-1.0)
22	Personal Services	(28,862)	(28,563)
24	All Other	(779)	(771)
26	TOTAL	(29,641)	(29,334)
28			
30	Provides for the deallocation of funds through the elimination of one Clerk Typist III position.		
32	<b>DEPARTMENT OF ENVIRONMENTAL PROTECTION</b>		
34	<b>TOTAL</b>	<u>57,695</u>	<u>10,931</u>
36	<b>HUMAN SERVICES, DEPARTMENT OF</b>		
38	Health - Bureau of		
40	Positions - Other Count	(1.5)	(1.5)
42	Personal Services	56,410	56,693
44			
46	Provides for the allocation of funds for the transfer of one Chemist II position and 1/2 of one Laboratory Technician II position from the Other Special Revenue health account.		
48			
50	Health - Bureau of		

2	Positions - Other Count	(-1.5)	(-1.5)
4	Personal Services	(56,410)	(56,693)
6			
8	Provides for the deallocation of funds from the transfer of one Chemist II position and 1/2 of one Laboratory Technician II position to the public health lab account.		
10			
12	Health Planning and Development		
14	All Other	65,000	65,000
16			
18	Provides for the allocation of funds for the continuation of the certificate of need program within the hospital cooperation account.		
20			
22	<b>DEPARTMENT OF HUMAN SERVICES</b>		
24	<b>TOTAL</b>	<u>65,000</u>	<u>65,000</u>
26	<b>LEGISLATURE</b>		
28	Maine Health Care Reform Commission		
30	Positions - Other Count	(-1.0)	
32	Personal Services	(43,000)	
34	All Other	43,000	
36	TOTAL	<u>-0-</u>	
38			
40	Provides for the allocation of funds through a line category to reflect the actions of the Legislature in Public Law 1995, chapter 5.		
42			
44	<b>LEGISLATURE</b>		
46	<b>TOTAL</b>	<u>-0-</u>	
48	<b>MARINE RESOURCES, DEPARTMENT OF</b>		
50	Administration - Marine Resources		
52	Positions - Other Count	(1.0)	(1.0)
54	Personal Services	41,606	44,890
56	All Other	5,000	5,000

COMMITTEE AMENDMENT "A" to H.P. 700, L.D. 958

2	Capital Expenditures	5,000	
4	TOTAL	51,606	49,890
6	Provides for the allocation of funds to establish one Special Assistant to the Commissioner of Marine Resources position in a newly created Other Special Revenue account to do outreach to the public for fisheries management.		
14	Administration - Marine Resources		
16	Capital Expenditures	100,000	100,000
18	Provides for the allocation of funds for the Boat Conversion account established in Public Law 1995, chapter 368 under the Bureau of Marine Sciences. This language transfers the account to the Administration - Marine Resources program as part of the reorganization of the department.		
30	Marine Development - Bureau of		
32	Positions - Other Count	(4.5)	(4.5)
34	Personal Services	182,579	182,045
36	All Other	33,916	34,212
36	Capital Expenditures	40,622	40,622
38	TOTAL	257,117	256,879
40	Provides for the allocation of funds through the transfer of one Marine Research Scientist II position, 3 part-time Conservation Aide positions and one Marine Patrol Officer from the Bureau of Marine Sciences. This transfers the Shellfish Fund as part of the		

**COMMITTEE AMENDMENT**

COMMITTEE AMENDMENT "A" to H.P. 700, L.D. 958

2	reorganization of the department.		
4	Marine Development - Bureau of		
6	All Other	26,210	27,497
8	Provides for the allocation of funds through the transfer of the Toxin Monitoring Fund from the Bureau of Marine Resources as part of the reorganization of the department.		
14	Marine Development - Bureau of		
16	All Other	50,514	51,035
18	Provides for the allocation of funds through the transfer of the Seafood Market Development program as part of the reorganization of the department.		
24	Marine Development - Bureau of		
26	Positions - Other Count	(-1.0)	(-1.0)
28	Personal Services	(43,368)	(44,653)
30	All Other	(98,914)	(99,968)
32	Capital Expenditures	(39,421)	(39,421)
34	TOTAL	(181,703)	(184,042)
36	Provides for the deallocation of funds through the transfer of one Marine Research Scientist II position to the Bureau of Marine Sciences. This transfers the Salmon Aquaculture Monitoring and Research Fund as part of the reorganization of the department.		
40	Marine Development - Bureau of		
42	All Other	(74,780)	(75,176)
44			
46			
48			
50			

**COMMITTEE AMENDMENT**

2 Provides for the deallocation  
of funds through the transfer  
4 of funds to the Bureau of  
Marine Patrol as part of the  
6 reorganization of the  
department.

8 Marine Patrol - Bureau of

10	All Other	74,780	75,176
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12 Provides for the allocation  
of funds through the transfer  
14 of the seed lobster fund  
account from the Bureau of  
16 Marine Development as part of  
the reorganization of the  
18 department.

20 Marine Sciences - Bureau of

22	Positions - Other Count	(-4.5)	(-4.5)
	Personal Services	(182,579)	(182,045)
24	All Other	(33,916)	(34,212)
	Capital Expenditures	(40,622)	(40,622)
26	TOTAL	(257,117)	(256,879)

28 Provides for the deallocation  
of funds through the transfer  
30 of one Marine Research  
32 Scientist II position, 3  
part-time Conservation Aide  
34 positions and one Marine  
Patrol Officer position to  
36 the Bureau of Marine  
Development. This transfers  
38 the Shellfish Fund as part of  
the reorganization of the  
40 department.

42 Marine Sciences - Bureau of

44	All Other	(26,210)	(27,497)
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46 Provides for the deallocation  
of funds through the transfer  
48 of the Toxin Monitoring Fund  
to the Bureau of Marine  
50 Development as part of the

2 reorganization of the  
department.

4 Marine Sciences - Bureau of

6	Positions - Other Count	(1.0)	(1.0)
	Personal Services	43,368	44,653
8	All Other	98,914	99,968
	Capital Expenditures	39,421	39,421
10	TOTAL	181,703	184,042

12 Provides for the allocation  
of funds through the transfer  
14 of one Marine Research  
16 Scientist II position from  
the Bureau of Marine  
18 Development. This transfers  
the Salmon Aquaculture  
20 Monitoring and Research Fund  
as part of the reorganization  
of the department.

24 Seafood Market Development

26	All Other	(50,514)	(51,035)
----	-----------	----------	----------

28 Provides for the deallocation  
of funds through the transfer  
30 of this program to the Bureau  
of Marine Development.

32 DEPARTMENT OF MARINE RESOURCES

34	TOTAL	151,606	149,890
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36 MENTAL HEALTH AND MENTAL RETARDATION,  
DEPARTMENT OF

38 Augusta Mental Health Institute

40 Positions - Other Count (11.0)

42 Provides headcount to reflect  
the substitution of the  
44 closure of the  
geropsychiatric unit on July  
46 1, 1995 with the closure of  
48 15 admitting beds on July 1,  
1996, and the substitution of  
50 the closure of an admission

unit on March 1, 1997, eliminating 109 positions, with the closure of 25 admitting beds on March 1, 1997, eliminating 98 positions, contingent upon expanded community development. A total of 137 positions would be eliminated. Positions are on file with the Bureau of the Budget.

14 Augusta Mental Health Institute

16	Positions - Other Count	(22.0)	(-0.5)
18	Personal Services	560,263	(1,101)
18	All Other	297	1,101
20	TOTAL	560,560	-0-

22 Provides funds to adjust a previous deallocation to reflect the elimination of a total of 21.5 positions in fiscal year 1995-96 and 44 positions in fiscal year 1996-97, rather than the 43.5 positions originally planned, within the hospital to reappropriate funds to expand community mental health services in compliance with the Augusta Mental Health Institute Consent Decree. Positions are on file with the Bureau of the Budget.

38 Bangor Mental Health Institute

40 Provides clarification that a previous deallocation of funds from the closing of one long-term psychiatric unit in January 1996 involving 16.5 positions reflected position funding for 6 months with headcount authorized for 9 months. Positions are on file with the Bureau of the Budget.

2 Freeport Towne Square

4	All Other	96,085	97,094
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6 Provides for the allocation of funds through a transfer from the Pineland Center special revenue account to establish the Freeport Towne Square workshop as a separate organizational structure.

14 Pineland Center

16	All Other	(96,085)	(97,094)
----	-----------	----------	----------

18 Provides for the deallocation of funds through a transfer of All Other to establish the Freeport Towne Square workshop as a separate organizational structure.

24 DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION

26	TOTAL	560,560	-0-
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30 PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF

32 Administrative Services - Professional and Financial Regulation

34	Positions - Other Count	(2.0)	(2.0)
36	Personal Services	61,250	62,000

38 Provides for the allocation of funds to establish 2 Information Systems Support Technician positions as part of the reorganization of the department. These positions will serve as technical support for the department's computer users.

48 Banking - Bureau of

50	Positions - Other Count	(-1.0)	(-1.0)
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COMMITTEE AMENDMENT "A" to H.P. 700, L.D. 958

2	Personal Services	(33,500)	(34,000)
4	Provides for the deallocation of funds through the elimination of one Bank Examiner position as part of the reorganization of the department.		
10	Licensing and Enforcement		
12	Positions - Other Count	(-0.5)	(-0.5)
14	Personal Services	(12,500)	(13,000)
16	Provides for the deallocation of funds through the elimination of one part-time Clerk Typist III position as part of the reorganization of the department.		
24	Licensing and Enforcement		
26	Positions - Other Count	(1.0)	(1.0)
28	Personal Services	33,250	33,800
30	Provides for the allocation of funds to establish one Pharmacy Inspector position to regulate a business that has greatly expanded. This is part of the department's reorganization.		
36	Real Estate Commission		
38	Positions - Other Count	(-2.0)	(-2.0)
40	Personal Services	(48,500)	(48,800)
42	Provides for the deallocation of funds through the elimination of one Clerk Typist II position and one Account Clerk I position as part of the reorganization of the department.		
50	DEPARTMENT OF PROFESSIONAL AND		

**COMMITTEE AMENDMENT**

COMMITTEE AMENDMENT "A" to H.P. 700, L.D. 958

2	<b>FINANCIAL REGULATION</b>		
4	<b>TOTAL</b>	-0-	-0-
4	<b>RADIOLOGICAL EMERGENCY PREPAREDNESS COMMITTEE</b>		
8	Nuclear Emergency Planning Fund - Maine		
10	Positions - Legislative Count	(-1.0)	(-1.0)
12	Provides for the elimination of one vacant Planning and Research Associate I position.		
16	<b>RADIOLOGICAL EMERGENCY PREPAREDNESS COMMITTEE</b>		
18	<b>TOTAL</b>	-0-	-0-
20	<b>SECTION</b>		
22	<b>TOTAL ALLOCATIONS</b>	2,636,171	1,032,123
24	<b>Sec. A-4. Allocation.</b> The following funds are allocated from Federal Block Grant funds for the fiscal years ending June 30, 1996 and June 30, 1997 in order to carry out the purposes of this Part.		
26		<b>1995-96</b>	<b>1996-97</b>
30	<b>HUMAN SERVICES, DEPARTMENT OF</b>		
32	Health - Bureau of		
34	Positions - Legislative Count	(1.0)	(1.0)
36	Personal Services	45,914	45,914
38	All Other	(48,414)	(45,914)
40	Capital Expenditures	2,500	
42	<b>TOTAL</b>	-0-	-0-
44	Provides for the allocation of funds for one Comprehensive Health Planner II position to support the youth violence prevention program and related All Other and Capital Expenditures.		
48	Health - Bureau of		
50	Positions - Legislative Count	(1.0)	(1.0)

**COMMITTEE AMENDMENT**

COMMITTEE AMENDMENT "A" to H.P. 700, L.D. 958

2	Personal Services	37,737	37,737
	All Other	(40,237)	(37,737)
	Capital Expenditures	2,500	
4			
6	TOTAL	-0-	-0-
8	Provides for the allocation of funds for one Public Health Educator III position to staff a rabies program.		
12	Health - Bureau of		
14	Positions - Legislative Count	(1.0)	(1.0)
	Personal Services	45,914	45,914
16	All Other	(48,914)	(45,914)
	Capital Expenditures	3,000	
18			
20	TOTAL	-0-	-0-
22	Provides for the allocation of funds for one Health Program Manager position in the preventative health account along with related All Other and Capital Expenditures.		
24	Health - Bureau of		
26	Positions - Legislative Count	(1.0)	(1.0)
	Personal Services	43,194	41,733
32	All Other	(46,194)	(41,733)
	Capital Expenditures	3,000	
34			
36	TOTAL	-0-	-0-
38	Provides for the allocation of funds for one Public Health Educator III position to support the community health promotion program.		
40	SECTION		
42	TOTAL ALLOCATIONS	-0-	-0-

44 **Sec. A-5. Allocation.** The following funds are allocated from  
 46 the Potato Market Improvement Fund for the fiscal years ending  
 48 June 30, 1996 and June 30, 1997 in order to carry out the  
 50 purposes of this Part.

**COMMITTEE AMENDMENT**

COMMITTEE AMENDMENT "A" to H.P. 700, L.D. 958

2		1995-96	1996-97
4	<b>AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF</b>		
6	Capital Construction/Repairs/Improvements - Agriculture		
8			
10	Positions - Other Count	(-2.0)	(-2.0)
	Personal Services	(85,519)	(85,764)
12	All Other	(107,336)	(108,698)
14			
16	TOTAL	(192,855)	(194,462)
18	Provides for the deallocation of funds through a transfer of one Clerk Typist II position and one Potato Storage Consultant position to the newly established Potato Market Improvement Fund program.		
20	Potato Market Improvement Fund		
22			
24	Positions - Other Count	(2.0)	(2.0)
	Personal Services	85,519	85,764
28	All Other	107,336	108,698
30			
32	TOTAL	192,855	194,462
34	Provides for the allocation of funds through a transfer of one Clerk Typist II position and one Potato Storage Consultant position from the Capital Construction/Repairs/Improvements program.		
36	DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES		
38			
40	TOTAL	-0-	-0-

46 **Sec. A-6. Allocation.** The following funds are allocated from  
 48 the Island Ferry Service Fund for the fiscal years ending June  
 50 30, 1996 and June 30, 1997 in order to carry out the purposes of this Part.

**COMMITTEE AMENDMENT**

	1995-96	1996-97
<b>TRANSPORTATION, DEPARTMENT OF</b>		
Island Ferry Service		
Positions - Other Count	(2.0)	(2.0)
Personal Services	59,453	59,695
All Other	945	949
<b>TOTAL</b>	<b>60,398</b>	<b>60,644</b>

Provides for the allocation of funds for one Account Clerk I position and one Account Clerk II position transferred from the Ports and Marine Fund.

<b>DEPARTMENT OF TRANSPORTATION</b>		
<b>TOTAL</b>	<b>60,398</b>	<b>60,644</b>

**Sec. A-7. Allocation.** The following funds are allocated from the Marine Ports Fund for the fiscal years ending June 30, 1996 and June 30, 1997 in order to carry out the purposes of this Part.

	1995-96	1996-97
<b>TRANSPORTATION, DEPARTMENT OF</b>		
Ports and Marine Transportation		
Positions - Other Count	(-2.0)	(-2.0)
Personal Services	(59,453)	(59,695)
All Other	(945)	(949)
<b>TOTAL</b>	<b>(60,398)</b>	<b>(60,644)</b>

Provides for the deallocation of funds through the transfer of one Account Clerk I position and one Account Clerk II position to the Island Ferry Service Fund.

**Sec. A-8. Allocation.** The following funds are allocated from the state-administered insurance fund for the fiscal years

	1995-96	1996-97
ending June 30, 1996 and June 30, 1997 in order to carry out the purposes of this Part.		
<b>ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF</b>		
Risk Management - Claims		
All Other	74,000	74,000
Provides for the allocation of funds to meet operating expenses associated with the establishment of a state-administered insurance fund in accordance with Public Law 1993, chapter 470.		
Risk Management - Claims		
All Other	1,000,000	1,000,000
Provides for the allocation of funds for the purpose of paying claims from the state-administered insurance fund in accordance with Public Law 1993, chapter 470.		
<b>DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES</b>		
<b>TOTAL</b>	<b>1,074,000</b>	<b>1,074,000</b>

**Sec. A-9. Allocation.** The following funds are allocated from the Risk Management Fund for the fiscal years ending June 30, 1996 and June 30, 1997 in order to carry out the purposes of this Part.

	1995-96	1996-97
<b>ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF</b>		
Risk Management - Claims		
All Other	(11,349)	(11,539)
Provides for the deallocation		



of funds associated with the creation of a state-administered insurance fund in accordance with Public Law 1993, chapter 470.

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES  
TOTAL

(11,349) (11,539)

PART B

Sec. B-1. 5 MRSA c. 151-C is enacted to read:

CHAPTER 151-C

COMMISSION ON PERFORMANCE BUDGETING

§1710-K. Commission on Performance Budgeting established

The Commission on Performance Budgeting, referred to in this chapter as the "commission," is established to monitor, track and guide performance budgeting in State Government and to report to the Legislature and the Governor periodically on recommendations for improvements in performance budgeting.

§1710-L. Commission membership; appointment

1. Membership. The commission is composed of the following 13 members:

A. Two members of the Senate and 2 members of the House of Representatives who serve on the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs, appointed by the presiding officers of their respective legislative bodies;

B. One member of the Senate and one member of the House of Representatives who serve on the joint standing committee of the Legislature having jurisdiction over state and local government matters, appointed by the presiding officers of their respective legislative bodies;

C. Four members representing state departments, appointed by the Governor;

D. The Director of the State Planning Office;

E. The State Budget Officer; and

F. The State Controller.

At least one of the legislative members appointed by the President of the Senate and one of the members appointed by the Speaker of the House of Representatives must belong to the political party that has the 2nd largest number of members in the legislative body of that appointed member.

2. Chair. The Governor, the President of the Senate and the Speaker of the House of Representatives shall appoint a chair from among the members of the commission.

3. Time of appointment; terms. Commission members must be appointed in July and serve 2-year terms, except that the initial commission members must be appointed within 30 days of the effective date of this section and serve until June 1997. The commission shall hold its first meeting, called by the Director of the State Planning Office, before August 1, 1995.

§1710-M. Duties of commission

The commission shall:

1. Provision of guidance and advice. Provide strategic guidance and advice to the Legislature and the Governor regarding performance budgeting in State Government, including the methods and strategies used by departments and agencies for the collection and evaluation of information related to programs and services provided, public benefits, services not provided, coordination, alternatives and impact;

2. Evaluation. Evaluate the structure and system of performance budgeting in State Government;

3. Review of performance budgeting information. Receive and review performance budgeting information on a periodic basis from the Legislature and the Governor;

4. Research. Research national trends among other states in the implementation of performance budgeting; and

5. Report. Report periodically to the Legislature and the Governor on recommendations for improvements in performance budgeting in State Government.

§1710-N. Staffing

The commission may receive staff assistance from the Legislative Council, the State Planning Office, the Bureau of the

Budget, the Department of Audit and the Department of Administrative and Financial Services. The heads of all departments and agencies of State Government shall cooperate with the commission on matters related to performance budgeting including, as necessary, the provision of staff to work with the Bureau of the Budget, the State Planning Office, the Legislative Council, the Department of Audit and the Department of Administrative and Financial Services.

**§1710-O. Meetings**

The commission shall meet at least quarterly. Additional meetings may be called by a majority vote of the commission. All meetings are open to the public.

Sec. B-2. 5 MRSA §12004-I, sub-§29-C is enacted to read:

29-C. Commission on Not 5 MRSA  
Finance Performance Authorized §1710-K  
Budgeting

Sec. B-3. 30-A MRSA §5252, sub-§2-C is enacted to read:

2-C. Commission. "Commission" means the Commission on Performance Budgeting established in Title 5, section 1710-K.

Sec. B-4. PL 1995, c. 368, Part FF is repealed.

**PART C**

Sec. C-1. 2 MRSA §6, sub-§2, as amended by PL 1995, c. 309, §1 and affected by §29, and amended by c. 368, Pt. GG, §1, is repealed and the following enacted in its place:

2. Range 90. The salaries of the following state officials and employees are within salary range 90:

Superintendent of Banking;

State Tax Assessor;

Superintendent of Insurance;

Associate Commissioner for Programs, Department of Mental Health and Mental Retardation;

Associate Commissioner of Administration, Department of Mental Health and Mental Retardation;

Executive Director, Maine Waste Management Agency; and

Deputy Commissioner, Department of Administrative and Financial Services.

Sec. C-2. 34-B MRSA §1202, sub-§2, ¶B, as amended by PL 1995, c. 368, Pt. GG, §2, is further amended to read:

B. If the office of the commissioner is vacant or if the commissioner is absent or disabled, the associate commissioner for administration programs shall perform the duties and have the powers provided by law for the commissioner.

Sec. C-3. 34-B MRSA §1202, sub-§2, ¶D is enacted to read:

D. If the offices of the commissioner and the associate commissioner for programs are vacant or if both officials are absent or disabled, the associate commissioner for administration shall perform the duties and have the powers provided by law for the commissioner.

Sec. C-4. 34-B MRSA §1204, sub-§2, ¶B, as amended by PL 1995, c. 368, Pt. GG, §4, is further amended to read:

B. The commissioner may appoint and set the salary salaries for an associate commissioner for programs and an associate commissioner for administration to assist in carrying out the responsibilities of the department.

(1) The Each appointment must be for an indeterminate term and until a successor is appointed and qualified or during the pleasure of the commissioner.

(3) To be eligible for appointment as associate commissioner for administration, a person must have training and experience in general management.

(4) To be eligible for appointment as associate commissioner for programs, a person must have training and experience in the planning and administration of human services.

Sec. C-5. Reimbursement rates. Notwithstanding the Maine Revised Statutes, Title 22, sections 3186 and 3187 or any other provision of law, for fiscal year 1995-96 and fiscal year 1996-97 funds for principles of reimbursement established for intermediate care facilities for the mentally retarded and other providers of mental retardation services are not frozen at their

fiscal year 1994-95 levels. Cost-of-living increases are not suspended for the 2-year period.

**Sec. C-6. Bangor Mental Health Institute positions.** If the Department of Mental Health and Mental Retardation 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 and Mental Retardation 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 on Human Resources or 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.

**PART D**

**Sec. D-1. 5 MRSA §3305, sub-§1, ¶D,** as repealed and replaced by PL 1989, c. 502, Pt. A, §21, is amended to read:

D. Upon request provide technical assistance to local and regional planning groups in the fields of planning, public housing and urban renewal. The office shall make available to municipalities and regional planning agencies existing information from state agencies to be used in the development of comprehensive plans and land use ordinances. The director shall oversee delivery of technical assistance and resources to municipalities for the purpose of flood plain management activities and enhancing and expanding parks, open spaces and recreational opportunities as a part of comprehensive community development. Within available resources, the director shall provide technical assistance to municipalities and regional planning organizations in the development and implementation of local comprehensive land use plans;

**Sec. D-2. 5 MRSA §3305, sub-§1, ¶K,** as amended by PL 1995, c. 345, §2, is further amended to read:

K. Coordinate the development of energy policy, including:

(1) Collecting and analyzing energy data from all available energy sources in the State. The director shall afford confidential treatment to information, documents and data dealing with sales of individual companies that are engaged in the wholesale and retail trade of petroleum products in the State, upon request of the individual companies;

(2) Preparation of an energy resources plan to be submitted to the Governor and the Legislature every 2 years that includes a description of historical energy demand by end-use sector and energy resources used to meet that demand and a forecast of energy demand by end-use sector for the next 5 years, 10 years and 20 years, which shall ~~must~~ include an electric and gas forecast;

(3) Encouragement and direction or sponsorship of research, experiments and demonstration projects within the State to develop alternate energy sources, particularly, but not limited to, those sources that rely on renewable natural resources of the State, such as solar energy, water of tides and rivers, forests, winds and other sources that to date have not been fully explored or utilized; and

(4) Provision of conservation alternatives to proposed new electric power generating plants and assessment of the long-term and short-term energy savings realized by the conservation alternatives; and

**Sec. D-3. 5 MRSA §3305, sub-§1, ¶L,** as enacted by PL 1995, c. 345, §3, is amended to read:

L. Review and update the great ponds management strategy developed by the Great Pond Task Force pursuant to Title 38, section 1843-A at least every 5 years, based on the goals and principles set forth in the original strategy report; and

**Sec. D-4. 5 MRSA §3305, sub-§1, ¶M** is enacted to read:

M. Administer a program of training and financial assistance for municipal code enforcement officers.

**Sec. D-5. 5 MRSA §13062-A, sub-§5,** as amended by PL 1993, c. 725, §1, is further amended to read:

5. ~~Repeal. The Economic Conversion Division is eliminated and this~~ This section is repealed on July 1, 1995 1997. The Office of Business Development shall provide its recommendations to the Governor and the joint standing committee of the Legislature having jurisdiction over economic development matters concerning the need for extending authorization of the division.

Sec. D-6. 5 MRSA §13072, sub-§4, as amended by 1991, c. 622, Pt. F, §8, is further amended to read:

4. Provide information. The director shall provide municipalities with information about the department's programs and services and shall refer municipalities to the offices and programs within the State that can best assist them. ~~The office shall make available to municipalities and regional planning agencies existing information from state agencies to be used in the development of comprehensive plans and land use ordinances.~~

Sec. D-7. 5 MRSA §13072, sub-§7, as amended by PL 1993, c. 92, §§12 and 13, is further amended to read:

7. Oversee community development resources and programs. The director shall oversee the implementation of community development programs to include at a minimum:

- A. The Community Development Block Grant Program;
- ~~B. The Coastal Zone Management Local Grants Program; and~~
- ~~F. The National Flood Insurance Program.~~

Sec. D-8. 5 MRSA §13072, sub-§8, as amended by PL 1991, c. 622, Pt. F, §11, is further amended to read:

8. Provide technical assistance. The director shall oversee delivery of technical assistance and resources to municipalities and regional community and economic development organizations for the purpose of encouraging economic growth while maintaining the quality of life. ~~Additionally, the director shall oversee delivery of technical assistance and resources to municipalities for the purpose of flood plain management activities and enhancing and expanding parks, open spaces and recreational opportunities as a part of comprehensive community development. Within available resources, the director shall provide technical assistance to municipalities and regional planning organizations in the development and implementation of local comprehensive land use plans.~~

Sec. D-9. 5 MRSA §13072, sub-§10, as enacted by PL 1991, c. 622, Pt. F, §12, is repealed.

Sec. D-10. 5 MRSA §13076, sub-§1, as enacted by PL 1993, c. 92, §15, is amended to read:

1. Establishment. The Natural Areas Program is established within the Department of ~~Economic and Community Development~~ Conservation and is administered by the commissioner.

Sec. D-11. 5 MRSA §13076, sub-§2, ¶A, as enacted by PL 1993, c. 92, §15, is amended to read:

A. "Commissioner" means the Commissioner of ~~Economic and Community Development~~ Conservation.

Sec. D-12. 30-A MRSA §4301, sub-§13, as amended by PL 1991, c. 780, Pt. E, §1, is further amended to read:

13. Office. "Office" means the ~~Office of Community Development in the Department of Economic and Community Development~~ State Planning Office.

Sec. D-13. 30-A MRSA §4345, first ¶, as amended by PL 1993, c. 721, Pt. A, §6 and affected by Pt. H, §1, is further amended to read:

Under the provisions of this article, a municipality may request financial or technical assistance from the ~~Office of Community Development State Planning Office~~, referred to in this article as the office, for the purpose of planning and implementing a local growth management program. A municipality that requests and receives a financial assistance grant shall develop and implement its growth management program in cooperation with the office and in a manner consistent with the provisions of this article.

Sec. D-14. Transition provisions. The following provisions apply to the reassignment of the duties and responsibilities of the Natural Areas Program, the local growth management program, the Coastal Zone Management Local Grants Program, the National Flood Insurance Program and the Code Enforcement Certification and Training program from the Department of Economic and Community Development to the State Planning Office and the Department of Conservation.

1. All accrued expenditures, assets, liabilities, balances, appropriations or allocations, transfers, revenues and other available funds in any account of the Natural Areas Program affected by this Part are transferred to the Department of Conservation. All such accrued expenditures, assets, liabilities, balances, appropriations or allocations, transfers,

revenues and other available funds in any account of the local growth management program, the Coastal Zone Management Local Grants Program, the National Flood Insurance Program and the Code Enforcement Certification and Training program affected by this Part are transferred to the State Planning Office.

2. All employees and positions of the Natural Areas Program are transferred to the Department of Conservation. All employees and positions of the local growth management program, the Coastal Zone Management Local Grants Program, the National Flood Insurance Program and the Code Enforcement Certification and Training program are transferred to the State Planning Office. Additionally, one employee position within the Office of Administration of the Department of Economic and Community Development is transferred to the State Planning Office. All personnel transferred by this Part retain their accrued fringe benefits, including vacation and sick leave, health and life insurance and retirement benefits.

3. All equipment, records and property of the State used by the programs and employees transferred in this Part must be transferred to the State Planning Office. All equipment, records and property used by the Natural Areas Program and its staff must be transferred to the Department of Conservation.

4. All contracts, agreements, compacts, rules and procedures in effect and in operation pertaining to the local growth management program, the Coastal Zone Management Local Grants Program, the National Flood Insurance Program, the Code Enforcement Certification and Training program and the Natural Areas Program remain in effect until rescinded, revised or amended by the proper authority.

Sec. D-15. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

	1995-96	1996-97
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**CONSERVATION, DEPARTMENT OF**

**Natural Areas Program**

All Other	\$40,000	\$40,000
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Provides for the appropriation of funds through the transfer of All Other funds from the Office of Community Development.

These funds are utilized as a match for federal funds.

**DEPARTMENT OF CONSERVATION  
TOTAL**

40,000	40,000
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**ECONOMIC AND COMMUNITY DEVELOPMENT,  
DEPARTMENT OF**

**Administration - Economic and  
Community Development**

Positions - Legislative Count	(-1.0)	(-1.0)
Personal Services	(36,827)	(36,649)

Provides for the deappropriation of funds through the transfer of one Accountant I position from the Office of Administration.

**Office of Community Development**

Positions - Legislative Count	(-8.0)	(-8.0)
Personal Services	(386,739)	(389,966)
All Other	(902,918)	(911,512)

<b>TOTAL</b>	<b>(1,289,657)</b>	<b>(1,301,478)</b>
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Provides for the deappropriation of funds through the transfer of the following positions: One Development Program Manager position, 3 Senior Planner positions, 3 Planner II positions, one Development Project Officer position and funds for the general operation of the program.

**Office of Community Development**

Positions - Legislative Count	(1.0)	(1.0)
Personal Services	42,950	43,850
All Other	7,688	7,910

<b>TOTAL</b>	<b>50,638</b>	<b>51,760</b>
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Provides for the

2	appropriation of funds for		
3	one Development Project		
4	Officer position to remain in		
5	the department to provide the		
6	required state match to the		
7	Community Development Block		
8	Grant program.		
9			
10	<b>DEPARTMENT OF ECONOMIC AND</b>		
11	<b>COMMUNITY DEVELOPMENT</b>		
12	<b>TOTAL</b>	<u>(1,275,846)</u>	<u>(1,286,367)</u>
13			
14	<b>EXECUTIVE DEPARTMENT</b>		
15	<b>State Planning Office</b>		
16			
17	Positions - Legislative Count	(8.0)	(8.0)
18	Personal Services	380,616	382,765
19	All Other	795,730	863,602
20	Capital Expenditures	59,500	
21			
22	Provides for the		
23	appropriation of funds		
24	through the transfer of one		
25	Development Program Manager		
26	position, 3 Senior Planner		
27	positions, 3 Planner II		
28	positions and one Accountant		
29	I position to the State		
30	Planning Office. Also		
31	provides All Other funds for		
32	the general operation and		
33	grants for technical		
34	assistance to		
35	municipalities. Also		
36	provides Capital Expenditure		
37	funds to provide computers		
38	and workstations.		
39			
40	<b>EXECUTIVE DEPARTMENT</b>		
41	<b>TOTAL</b>	<u>1,235,846</u>	<u>1,246,367</u>
42			
43	<b>SECTION</b>		
44	<b>TOTAL APPROPRIATIONS</b>	<u>-0-</u>	<u>-0-</u>
45			
46	<b>Sec. D-16. Allocation.</b> The following funds are allocated from		
47	the Federal Expenditure Fund to carry out the purposes of this		
48	Part.		
49			
50		<b>1995-96</b>	<b>1996-97</b>

2	<b>CONSERVATION, DEPARTMENT OF</b>		
3			
4	<b>Natural Areas Program</b>		
5			
6	Positions - Other Count	(2.0)	(2.0)
7	Personal Services	97,600	99,490
8	All Other	100,000	100,000
9	Capital Expenditures	4,000	4,000
10			
11	<b>TOTAL</b>	<u>201,600</u>	<u>203,490</u>
12			
13	Provides for the allocation		
14	of funds through the transfer		
15	of one Chief Planner position		
16	and one Senior Planner		
17	position. Provides All Other		
18	and Capital Expenditure funds		
19	for the operation of the		
20	program.		
21			
22	<b>Natural Areas Program</b>		
23			
24	Personal Services	88,600	93,825
25			
26	Provides for the allocation		
27	of funds through the transfer		
28	from the Office of Community		
29	Development due to the		
30	reorganization of the		
31	Department of Economic and		
32	Community Development.		
33			
34	<b>DEPARTMENT OF CONSERVATION</b>		
35	<b>TOTAL</b>	<u>290,200</u>	<u>297,315</u>
36			
37	<b>ECONOMIC AND COMMUNITY DEVELOPMENT,</b>		
38	<b>DEPARTMENT OF</b>		
39			
40	<b>Office of Community Development</b>		
41			
42	Positions - Other Count	(-11.5)	(-11.5)
43	Personal Services	(536,769)	(537,833)
44	All Other	(671,767)	(673,069)
45	Capital Expenditures	(4,000)	(4,000)
46			
47	<b>TOTAL</b>	<u>(1,212,536)</u>	<u>(1,214,902)</u>
48			
49	Provides for the deallocation		
50	of funds through the transfer		

2	of the following positions:		
3	Two Planning and Research		
4	Associate I positions, one		
5	Chief Planner position, 5		
6	Senior Planner positions, 2		
7	1/2 Planner II positions and		
8	one Clerk Typist II position		
9	and funds for the general		
10	operation of the program.		
11	<b>Office of Community Development</b>		
12	Personal Services	(88,600)	(93,825)
13	Provides for the deallocation		
14	of funds through the transfer		
15	to the Administrative		
16	Services - Conservation		
17	program due to the		
18	reorganization of the		
19	Department of Economic and		
20	Community Development.		
21			
22			
23	<b>DEPARTMENT OF ECONOMIC AND</b>		
24	<b>COMMUNITY DEVELOPMENT</b>		
25	<b>TOTAL</b>	<u>(1,301,136)</u>	<u>(1,308,727)</u>
26			
27	<b>EXECUTIVE DEPARTMENT</b>		
28			
29	<b>State Planning Office</b>		
30			
31	Positions - Other Count	(9.5)	(9.5)
32	Personal Services	439,169	438,343
33	All Other	571,767	573,069
34			
35	Provides for the allocation		
36	of funds through the transfer		
37	of 2 Planning and Research		
38	Associate I positions, 4		
39	Senior Planner positions, 3		
40	Planner II positions and one		
41	Clerk Typist II position.		
42	Also provides All Other funds		
43	for the general operating		
44	expenses and technical		
45	assistance to municipalities.		
46			
47	<b>EXECUTIVE DEPARTMENT</b>		
48	<b>TOTAL</b>	<u>1,010,936</u>	<u>1,011,412</u>
49			
50			

2	<b>SECTION</b>		
3	<b>TOTAL ALLOCATIONS</b>	-0-	-0-
4	<b>Sec. D-17. Allocation.</b> The following funds are allocated from		
5	Other Special Revenue to carry out the purposes of this Part.		
6			
7		<b>1995-96</b>	<b>1996-97</b>
8	<b>CONSERVATION, DEPARTMENT OF</b>		
9	<b>Natural Areas Program</b>		
10			
11	Positions - Other Count	(2.5)	(2.5)
12	Personal Services	112,115	115,306
13	All Other	36,251	37,720
14	Capital Expenditures	5,000	5,000
15			
16	Provides for the allocation		
17	of funds through the transfer		
18	of one Planning and Research		
19	Associate II position, one		
20	Planner II position and 1/2		
21	Chief Planner position. Also		
22	provides All Other and		
23	Capital Expenditure funds for		
24	the operation of the program.		
25			
26			
27	<b>DEPARTMENT OF CONSERVATION</b>		
28	<b>TOTAL</b>	<u>153,366</u>	<u>158,026</u>
29			
30	<b>ECONOMIC AND COMMUNITY DEVELOPMENT,</b>		
31	<b>DEPARTMENT OF</b>		
32	<b>Office of Community Development</b>		
33			
34	Positions - Other Count	(-2.5)	(-2.5)
35	Personal Services	(112,115)	(115,306)
36	All Other	(36,251)	(37,720)
37	Capital Expenditures	(5,000)	(5,000)
38			
39	Provides for the deallocation		
40	of funds through the transfer		
41	of the following positions:		
42	one Planner II position, one		
43	Planning and Research		
44	Associate II position and 1/2		
45	Chief Planner position. Also		
46	transferred are funds to		
47	provide for the general		
48	operation of the program.		
49			
50			

**DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT**

**TOTAL** (153,366) (158,026)

**SECTION**

**TOTAL ALLOCATIONS** -\$0- -\$0-

**Sec. D-18. Retroactivity.** That section of this Part that amends the Maine Revised Statutes, Title 5, section 13062-A, subsection 5 applies retroactively to July 1, 1995.

**PART E**

**Sec. E-1. 5 MRSA §945, sub-§1, ¶B,** as amended by PL 1989, c. 348, §1, is further amended to read:

B. Chief, Bureau of Marine Patrol; and

**Sec. E-2. 5 MRSA §945, sub-§1, ¶D,** as enacted by PL 1989, c. 348, §1, is amended to read:

D. Assistant to the Commissioner for Public Information;

**Sec. E-3. 5 MRSA §945, sub-§1, ¶¶E and F** are enacted to read:

E. Assistant to the Commissioner; and

F. Special Assistant to the Commissioner.

**PART F**

**Sec. F-1. PL 1993, c. 707, Pt. G, §12** is amended to read:

**Sec. G-12. Maine Labor Relations Board unit clarification decisions that result in the determination of positions as confidential.** Notwithstanding any other provision of law, the employer cost of the pick-up retirement from unit clarification decisions of the Maine Labor Relations Board that result in the determination of positions as confidential may be funded in ~~fiscal year 1993-94 and fiscal year 1994-95~~ the fiscal year in which the unit clarification decision is made and in each fiscal year of the ensuing biennium from accrued salary savings within an appropriation or allocation for Personal Services in the account where the savings exist or in another account in the same fund and department. These costs are considered ongoing current services items in subsequent fiscal year budget submissions. The Commissioner of Administrative and Financial Services shall

report to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs no later than February 1, 1995 1st of each fiscal year with the number of cases that have been settled or are expected to be settled and the cost of any settlement, segregated by funding source.

**Sec. F-2. 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 payment of premium overtime in accordance with the federal Fair Labor Standards Act to employees in the Department of Corrections, Division of Probation and Parole, in fiscal year 1995-96.

**Sec. F-3. Transfer of funds.** Notwithstanding any other provision of law, the State Controller may transfer \$30,486 from the Intermediate Care - Payments to Providers, Other Special Revenue account in the Department of Human Services to General Fund undedicated revenue no later than June 30, 1996.

**Sec. F-4. Transfer of funds.** Notwithstanding any other provision of law, the State Controller may transfer \$104,526 in fiscal year 1995-96 and \$160,012 in fiscal year 1996-97 from the Bureau of Medical Services, Other Special Revenue account in the Department of Human Services to General Fund undedicated revenue no later than June 30, 1996 and June 30, 1997, respectively.

**Sec. F-5. Transfer of funds.** Notwithstanding any other provision of law, the State Controller may transfer \$352,000 from the Aid to Families with Dependent Children, Other Special Revenue account in the Department of Human Services to General Fund undedicated revenue no later than June 30, 1997.

**PART G**

**Sec. G-1. 5 MRSA §946, sub-§1, ¶F,** as enacted by PL 1983, c. 729, §4, is repealed.

**Sec. G-2. 5 MRSA §946, sub-§1, ¶J,** as amended by PL 1989, c. 501, Pt. BB, §3, is further amended to read:

J. Assistants to the Commissioner; and

**Sec. G-3. 5 MRSA §946, sub-§1, ¶K,** as enacted by PL 1989, c. 501, Pt. BB, §3, is amended to read:

K. Assistant Associate Commissioners, 1 and

**Sec. G-4. 5 MRSA §946, sub-§1, ¶L** is enacted to read:



L. Director, Division of Mental Retardation.

Sec. G-5. 5 MRSA §12004-I, sub-§60-A, as amended by PL 1993, c. 360, Pt. H, §1, is repealed.

Sec. G-6. 18-A MRSA §5-608, as enacted by PL 1979, c. 540, §1, is amended to read:

**§5-608. Determination of need for guardianship of mentally retarded persons in institutions and residence facilities**

Whenever a mentally retarded minor has been admitted to the ~~PineLand-Center-or-to-any-other~~ a state-operated institution or residence facility for the mentally retarded, and has not been discharged therefrom ~~from the institution or residence facility~~, the head thereof ~~of the institution or residence facility~~ shall, within 6 months prior to the 18th birthday of such mentally retarded person, cause ~~him the mentally retarded person~~ to be examined to ascertain whether such person will, by reason of mental retardation, be in need of guardianship on attainment of ~~his the mentally retarded person's~~ majority. If, in the opinion of the examiner such need will exist, the institutional or residence facility head may advise in writing the parent, next of kin, or guardian of such minor of the need to institute proceedings for appointment of a guardian. In the event no guardian has been appointed, or no guardianship proceedings are pending when such minor has attained age 18, or the institutional or residence facility head ~~shall--have~~ has determined that nomination of the public guardian is advisable in lieu of petition for guardianship by any of such persons, such institutional or residence facility head shall nominate the public guardian to serve as guardian of such mentally retarded person.

Prior to release of any mentally retarded person from the ~~PineLand-Center,-or-from-any-other~~ a state-operated institution or residence facility for the mentally retarded, the head thereof ~~of the institution or residence facility~~ shall cause such person to be examined to ascertain whether such person will, by reason of mental retardation, be in need of guardianship upon release from such institution or residence facility, and if in the opinion of such examiner such need will exist upon release, the institutional or residence facility head may advise in writing the parent or next of kin of such mentally retarded person of the need to institute proceedings for appointment of a guardian. If neither the parent nor next of kin is willing to institute proceedings for the appointment of a guardian for such mentally retarded person, or the institutional or residence facility head

~~shall-have~~ has determined that nomination of the public guardian is advisable in lieu of petition for guardianship by any of such persons, the institutional or residence facility head shall, prior to the release of such mentally retarded person, nominate the public guardian.

Sec. G-7. 22 MRSA §2883, first paragraph, as amended by PL 1989, c. 56, is further amended to read:

All public officers, agents and servants of any and every county and municipality, and of any and every almshouse, prison, morgue, hospital or any other public institution having charge or control over dead human bodies required to be buried at the public expense are required to notify immediately the board of distribution, or the person or persons as may from time to time be designated by the board, or its duly authorized officer or agent, whenever any body or bodies come into their possession, charge or control, and shall, without fee or reward, deliver the body or bodies to the board or its duly authorized officer or agent, and permit and suffer the board or its agents, or the physicians and surgeons from time to time designated by it or them, who comply with this chapter, to take and remove any and all bodies to be used within the State for the advancement of medical education. No notice need be given and no body shall ~~must~~ be delivered if any person, satisfying the authorities in charge of the body that the person is a member of the family or next of kin to the deceased, shall claim the body for burial, but it shall ~~must~~ be surrendered to the person for interment, and no notice may be given and no body delivered to the board or its agents if the deceased person was a traveler and not a vagabond, who died suddenly, in which case the body shall ~~must~~ be buried. No notice may be given and no body delivered to the board or its agents by the Department of Corrections if, at its option, the department assumes responsibility for the expenses of burial. The option may be exercised by the Department of Corrections regardless of whether the body is claimed by a member of the family or next of kin, but in such a case it may only be exercised with the agreement of the person making the claim. The superintendents and medical staffs of the Augusta Mental Health Institute, ~~and~~ the Bangor Mental Health Institute ~~and-PineLand Center~~, having charge or control over dead human bodies required to be buried at public expense, when no person satisfies the superintendent of either hospital for the mentally ill ~~or--the PineLand-Center~~, and the Department of Mental Health and Mental Retardation that the person is a member of the family of, or has some family connection or is next of kin to the deceased, and wishes to claim the body for burial, may for the advancement of science hold an autopsy and examine the body of the deceased person, notwithstanding any provisions of this chapter.

2 **Sec. G-8. 29-A MRSA §2301, sub-§4**, as enacted by PL 1993, c. 683, Pt. A, §2, and affected by Pt. B, §5, is amended to read:

4 **4. School-age persons.** "School-age persons" means all children up to the age of 18 years, and persons 18 years and older who are enrolled in a state-approved program of primary or secondary education, as defined in Title 20-A, ~~and persons as described in Title 34-B, section 5402, subsection 1 living at Pineland Center or in any of its residential facilities who are based to and from sites off the center grounds as part of their treatment.~~

12 **Sec. G-9. 34-A MRSA §3070**, as amended by PL 1991, c. 314, §58, is repealed.

16 **Sec. G-10. 34-B MRSA §1001, sub-§8, ¶C**, as enacted by PL 1983, c. 459, §7, is repealed.

20 **Sec. G-11. 34-B MRSA §1204, sub-§2, ¶C**, as amended by PL 1993, c. 410, Pt. CCC, §11, is further amended to read:

22 C. The commissioner shall appoint the following officials to serve at the commissioner's pleasure:

- 24 (1) Associate Commissioners;
- 26 (3) Superintendent, Augusta Mental Health Institute;
- 28 (4) Superintendent, Bangor Mental Health Institute;
- 30 ~~(6) Superintendent, Pineland Center;~~
- 32 (7) Director, Bureau of Children with Special Needs;
- 34 (8) Director, Mental Retardation Facility;
- 36 (9) Director, Elizabeth Levinson Center;
- 38 (10) Assistant to the Commissioner for Public Information;
- 40 (11) Assistant to the Commissioner; and
- 42 (12) Director, Bath Children's Home; and
- 44 (13) Director, Division of Mental Retardation.

48 **Sec. G-12. 34-B MRSA §1401, sub-§1, ¶B**, as amended by PL 1993, c. 667, §2, is further amended to read:

2 B. The Chief Administrative Officer of the Bangor Mental Health Institute reports directly to the Chief Administrative Officer of the Augusta Mental Health Institute, who in turn reports directly to the commissioner. The Chief Administrative Officer of the Aroostook Residential Center reports ~~directly to the Chief Administrative Officer of the Pineland Center, who in turn reports~~ directly to the commissioner, or the commissioner's designee.

10 **Sec. G-13. 34-B MRSA §1403-A**, as amended by PL 1993, c. 360, Pt. H, §2, is repealed.

14 **Sec. G-14. 34-B MRSA §5401**, as amended by PL 1985, c. 503, §6, is further amended to read:

16 **§5401. Maintenance of facilities**

18 The department shall maintain the following 2 residential facilities facility for the care and treatment of mentally retarded persons:

- 20 1. ~~Pineland Center;~~ and
- 22 2. Aroostook Residential Center.

26 **Sec. G-15. 34-B MRSA §5402**, as amended by PL 1993, c. 667, §§3 to 5, is repealed.

30 **Sec. G-16. 34-B MRSA §5403, sub-§3, ¶C**, as amended by PL 1993, c. 667, §6, is further amended to read:

32 C. Have direct supervision, management and control of the grounds, buildings, property, officers and employees of the Aroostook Residential Center, ~~subject to the approval of the Superintendent of the Pineland Center.~~

38 **Sec. G-17. 34-B MRSA §5473, sub-§4**, as enacted by PL 1983, c. 459, §7, is repealed.

42 **Sec. G-18. 34-B MRSA §6254, sub-§1**, as enacted by PL 1985, c. 503, §12, is amended to read:

44 1. **Policy direction.** All programs and services provided to children and adolescents at Augusta Mental Health Institute and Bangor Mental Health Institute ~~or Pineland Center~~ shall must be coordinated with the Bureau of Children with Special Needs and shall be operated in concert with general policy of the bureau as outlined in this chapter.

2 **Sec. G-19. Crisis-emergency facility.** The Department of Mental  
 4 Health and Mental Retardation shall maintain a 4-bed  
 6 crisis-emergency facility available to former Pineland Center  
 8 residents effective July 1, 1996. The location of this facility  
 must be determined by the department prior to July 1, 1996.

10 **Sec. G-20. Effective date.** Sections 1 to 18 of this Part take  
 12 effect July 1, 1996.

14 **PART H**

16 **Sec. H-1. Consent Decree Reinvestment Fund - MR.**  
 18 Notwithstanding the Maine Revised Statutes, Title 5, section  
 20 1585, or any other provision of law, there is established the  
 Consent Decree Reinvestment Fund - MR program to transfer  
 available appropriation balances and General Fund revenues in  
 excess of baseline estimates in order to satisfy consent decree  
 plans and obligations. Funds must be utilized and transferred  
 from this account pursuant to the provisions of this Part.

22 **Sec. H-2. Funding.** Notwithstanding the Maine Revised  
 24 Statutes, Title 5, section 1585 or any other provision of law,  
 for the period beginning with the fiscal year ending June 30,  
 1996, the State Controller shall transfer all available  
 26 appropriation balances within all mental retardation General  
 Fund programs to the Consent Decree Reinvestment Fund - MR  
 28 program. For the period beginning July 1, 1995 and ending June  
 30, 1996, the State Controller, upon the review and approval by  
 the Bureau of the Budget, shall transfer on or before June 30,  
 1996 an amount equivalent to the revenues in excess of the  
 32 baseline General Fund revenue estimates related to mental  
 retardation from the unappropriated surplus of the General Fund  
 to the Consent Decree Reinvestment Fund - MR program.

34 **Sec. H-3. Transfers.** Notwithstanding the Maine Revised  
 36 Statutes, Title 5, section 1585 or any other provision of law,  
 the Commissioner of Mental Health and Mental Retardation is  
 38 authorized to transfer funds from the Consent Decree Reinvestment  
 Fund - MR program to the appropriate mental retardation programs  
 40 in order to satisfy consent decree obligations and plans. The  
 transfers and allotment of available funds must be implemented by  
 42 financial order contingent upon the recommendation of the State  
 Budget Officer and approval of the Governor and upon review by  
 44 the Joint Standing Committee on Appropriations and Financial  
 Affairs. This financial order must include a specific plan  
 46 outlining how these funds will be expended. This financial order  
 takes effect upon approval by the Governor.

2 **Sec. H-4. Position creation.** Notwithstanding the Maine Revised  
 4 Statutes, Title 5, section 1585 or any other provision of law,  
 the Commissioner of Mental Health and Mental Retardation is  
 6 authorized to establish limited period positions as needed to  
 satisfy consent decree obligations and plans. Establishment of  
 8 these positions must be implemented by financial order following  
 the rules set forth in sections 3 and 7 of this Part. These  
 positions terminate on March 31st of the fiscal year in which the  
 10 positions are established unless extended through legislative  
 approval.

12 **Sec. H-5. Consent Decree Reinvestment Fund - MH.**  
 14 Notwithstanding the Maine Revised Statutes, Title 5, section 1585  
 or any other provision of law, there is established the Consent  
 16 Decree Reinvestment Fund - MH program to transfer available  
 appropriation balances and General Fund revenues in excess of  
 18 baseline estimates in order to satisfy consent decree plans and  
 obligations. Funds must be utilized and transferred from this  
 account pursuant to the provisions of this Part.

20 **Sec. H-6. Funding.** Notwithstanding the Maine Revised  
 22 Statutes, Title 5, section 1585 or any other provision of law, for  
 the period beginning with the fiscal year ending June 30, 1996,  
 24 the State Controller shall transfer all available appropriation  
 balances within all mental health programs to the Consent Decree  
 26 Reinvestment Fund - MH program. For the period beginning July  
 1, 1995 and ending June 30, 1996, the State Controller, upon  
 28 review and approval by the Bureau of the Budget, shall transfer  
 on or before June 30, 1996 an amount equivalent to the revenues  
 30 in excess of the baseline General Fund revenue estimates related  
 to mental health from the unappropriated surplus of the General  
 32 Fund to the Consent Decree Reinvestment Fund - MH program.

34 **Sec. H-7. Transfers.** Notwithstanding the Maine Revised  
 36 Statutes, Title 5, section 1585 or any other provision of law,  
 the Commissioner of Mental Health and Mental Retardation is  
 38 authorized to transfer funds from the Consent Decree Reinvestment  
 Fund - MH program to the appropriate mental health programs in  
 40 order to satisfy consent decree obligations and plans. The  
 transfers and allotment of available funds must be implemented by  
 42 financial order contingent upon the recommendation of the State  
 Budget Officer and approval of the Governor and upon review by  
 the Joint Standing Committee on Appropriations and Financial  
 44 Affairs. This financial order must include a specific plan  
 outlining how these funds will be expended. This financial order  
 46 takes effect upon approval by the Governor.

48 **Sec. H-8. Carrying balance.** Notwithstanding the Maine Revised  
 50 Statutes, Title 5, section 1585 or any other provision of law  
 except Title 5, section 1589, subsection 1, any balance

remaining on June 30, 1996 in all General Fund accounts in the Department of Mental Health and Mental Retardation may not lapse but must be carried forward to June 30, 1997 to be used for the consent decree reinvestment funds.

**Sec. H-9. Appropriation and position transfers.** Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, the Commissioner of Mental Health and Mental Retardation as an interim strategy to downsize the Augusta Mental Health Institute and the Pineland Center is authorized by financial order to transfer positions authorized by the Legislature between accounts within the same fund and to transfer available balances of appropriations and allocations between line categories and accounts within the same fund, as the positions and funds become available through the downsizing of the Augusta Mental Health Institute and the Pineland Center, in order to achieve provisions of the consent decree plans. Positions and funding from the Augusta Mental Health Institute budget must be transferred as needed for reassignment to support and establish geographical Local Mental Health Authority Districts within the Division of Mental Health, Community Program and necessary services consistent with the AMHI Consent Decree Plan. Positions and funding from the Pineland Center budget must be transferred as needed to ensure the adequate provision of community and crisis supports for Pineland Center residents. The transfer of positions and funding is authorized in order to comply with the consent decree plans consistent with the substantially detailed plan submitted to and reviewed by the Joint Standing Committee on Appropriations and Financial Affairs.

**Sec. H-10. Repeal.** This Part is repealed June 30, 1997.

**PART I**

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

	1995-96	1996-97
<b>ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF</b>		
<b>Economic Conversion Division</b>		
Positions - Legislative Count	(1.0)	(1.0)
Personal Services	\$43,702	\$44,609
All Other	81,298	80,391

TOTAL \$125,000 \$125,000

Provides for the appropriation of funds to offset a previous deappropriation.

**DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT**

**TOTAL** \$125,000 \$125,000

**EXECUTIVE DEPARTMENT**

**Office of Substance Abuse**

All Other \$125,000

Provides for the appropriation of funds to partially offset a deappropriation in Public Law 1995, c. 368, Part HHH.

**EXECUTIVE DEPARTMENT TOTAL** \$125,000

**HUMAN SERVICES, DEPARTMENT OF**

**Elder and Adult Services - Bureau of**

All Other \$255,000 \$262,000

Provides for the appropriation of funds to support community-based services for patients with Alzheimer's disease.

**Purchased Social Services**

All Other 350,000 350,000

Provides \$175,000 annually for family crisis services to increase services to new geographic areas, increase services to children, sustain existing services and build

2	- infrastructure. Also		
	provides \$175,000 annually		
4	for additional rape crisis		
	services.		
6	<b>DEPARTMENT OF HUMAN SERVICES</b>		
	<b>TOTAL</b>	<u>\$605,000</u>	<u>\$612,000</u>
8			
10	<b>MENTAL HEALTH AND MENTAL</b>		
	<b>RETARDATION, DEPARTMENT OF</b>		
12	<b>Contingency Account - Mental</b>		
	<b>Health and Mental Retardation</b>		
14			
	All Other	(\$2,109,790)	(\$3,207,046)
16			
18	Provides for the		
	deappropriation of funds as		
20	an offset to a previous		
	appropriation concerning the		
22	consent decrees.		
24	<b>DEPARTMENT OF MENTAL HEALTH</b>		
	<b>AND MENTAL RETARDATION</b>		
26	<b>TOTAL</b>	<u>(\$2,109,790)</u>	<u>(\$3,207,046)</u>
28			
30	<b>SACO RIVER CORRIDOR COMMISSION</b>		
	<b>Saco River Corridor Commission</b>		
32			
	All Other	\$5,000	\$5,000
34			
	Provides funds for operating		
36	costs of the commission.		
	<b>SACO RIVER CORRIDOR COMMISSION</b>		
38	<b>TOTAL</b>	<u>\$5,000</u>	<u>\$5,000</u>
40			
	<b>SAINT CROIX INTERNATIONAL</b>		
42	<b>Waterway Commission</b>		
44			
	All Other	\$10,000	\$10,000
46			
48	Provides funds for operating		
	costs of the commission.		
50	<b>SAINT CROIX INTERNATIONAL</b>		

**COMMITTEE AMENDMENT**

2	<b>WATERWAY COMMISSION</b>		
	<b>TOTAL</b>	<u>\$10,000</u>	<u>\$10,000</u>
4			
	<b>MAINE WORLD TRADE ASSOCIATION</b>		
6	<b>Maine World Trade Association</b>		
8			
	All Other	\$125,000	\$125,000
10			
12	Provides for the		
	appropriation of funds for		
14	the operations of the Maine		
	World Trade Association.		
16	<b>MAINE WORLD TRADE ASSOCIATION</b>		
	<b>TOTAL</b>	<u>\$125,000</u>	<u>\$125,000</u>
18			
	<b>SECTION</b>		
20	<b>TOTAL APPROPRIATIONS</b>	<u>(\$1,114,790)</u>	<u>(\$2,330,046)</u>

**PART J**

Sec. J-1. 20-A MRSA §§9 and 10 are enacted to read:

**§9. Education Coordinating Committee**

The Education Coordinating Committee, referred to in this section as the "committee," is established to promote efficiency, cooperative effort and strategic planning between the Department of Education, the State Board of Education, the University of Maine System, the Maine Technical College System and the Maine Maritime Academy. The committee consists of the Commissioner of Education, the Chair of the State Board of Education, the Chancellor of the University of Maine System, the Chair of the Board of Trustees of the University of Maine System, the President of the Maine Technical College System, the Chair of the Board of Trustees of the Maine Technical College System, the President of the Maine Maritime Academy and the Chair of the Board of Trustees of the Maine Maritime Academy.

The committee shall meet at least twice each year. The commissioner shall convene the first meeting of the committee by October 15, 1995. The committee shall elect a chair from among its members to serve for a term to be determined by the committee. The committee shall report on its deliberations and any recommendations to the Governor and the joint standing committee of the Legislature having jurisdiction over education matters by February 15th each year.

**COMMITTEE AMENDMENT**

2 **§10. Education Research Institute**

4 The Education Research Institute, referred to in this  
6 section as the "institute," is established to collect and analyze  
8 education information and perform targeted education research for  
10 the Legislature. The institute shall create and maintain an  
education information system that tracks important education data  
for kindergarten and grades one to 12. The institute shall also  
conduct exploratory, long-term research on education issues.

12 1. Legislature to contract with university. The  
14 Legislature, through the joint standing committee of the  
16 Legislature having jurisdiction over education matters, shall  
18 contract with the University of Maine System to establish and  
20 maintain the institute. Personnel coordinating the work of the  
22 institute must be appointed by the University of Maine System in  
consultation with the Legislature and those personnel shall  
consult with and act on behalf of the Legislature,  
performing such data collection, analysis and research as the  
Legislature may require.

24 2. Steering committee. The Education Research Institute  
26 Steering Committee, referred to in this section as the "steering  
28 committee," is established to advise the Legislature and the  
30 University of Maine System on all matters related to the  
32 institute. Steering committee members must be appointed by the  
joint standing committee of the Legislature having jurisdiction  
over education matters for a term of 2 years. The steering  
committee shall meet at least 4 times each year and must include  
one member of each of the following:

34 A. The joint standing committee of the Legislature having  
jurisdiction over education matters;

36 B. The Department of Education;

38 C. The State Board of Education;

40 D. The University of Maine System;

42 E. The Maine School Management Association;

44 F. The Maine Education Association;

46 G. The Maine Municipal Association; and

48 H. The Maine Principals Association.

2 The steering committee shall elect a chair from among its members  
4 to serve a term of 2 years.

6 3. Location and access. The education information system  
8 and research results gathered pursuant to this section must be  
10 maintained by the institute at the University of Maine System.  
The education information system and research results must be  
available for use by any interested group or individual in the  
form available from the institute.

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

**1995-96**

16 **EDUCATION, DEPARTMENT OF**

18 **General Purpose Aid for Local Schools**

20 All Other (\$75,000)

22 Provides for the  
24 deappropriation of  
26 anticipated general purpose  
aid balances.

28 **DEPARTMENT OF EDUCATION**  
**TOTAL**

(75,000)

30 **LEGISLATURE**

32 **Education Research Institute**

34 All Other 75,000

36 Provides for the  
38 appropriation of funds to the  
40 Education Research Institute  
for continued development of  
42 the grades K to 12 education  
data base and for the conduct  
of targeted education  
44 research.

46 **LEGISLATURE**  
**TOTAL**

\$75,000

48 **SECTION**  
**TOTAL APPROPRIATION**

\$-0-

2 **Sec. J-3. Expenditure authorization.** The Commissioner of  
Education is authorized to expend up to \$25,000 from the fiscal  
4 year 1995-96 General Purpose Aid for Local Schools appropriation  
to contract for the acquisition of normalized regional cost  
6 adjustment data for use in the school funding formula.

8 **PART K**

10 **Sec. K-1. 36 MRSA §187-B, sub-§2,** as amended by PL 1995, c.  
12 281, §8, is amended to read:

14 **2. Failure to pay.** The following penalties apply.

16 A. Any person who fails to pay, on or before the due date,  
any amount shown as tax on any return required under this  
18 Title is liable for a penalty of 1% of the unpaid tax for  
each month or fraction of a month during which the failure  
20 continues, to a maximum in the aggregate of 25% of the  
unpaid tax.

22 B. Any person who fails to pay a tax assessment for which  
no further administrative or judicial review is available  
24 pursuant to section 151 and the Maine Administrative  
Procedure Act is liable for a penalty in the amount of 25%  
26 of the amount of the tax due if the payment of the tax is  
not made within 10 days of the person's receipt of notice of  
28 demand for payment as provided by this Title. This penalty  
must be explained in the notice of demand and is final when  
30 levied.

32 This subsection does not apply to taxes due pursuant to chapter  
34 369.

36 **PART L**

38 **Sec. L-1. Allocation.** In order to provide the necessary  
expenses of operation and administration of the Bureau of  
40 Alcoholic Beverages and Lottery Operations and the State Liquor  
and Lottery Commission, the following amounts are allocated from  
42 revenues derived from operations of the State Lottery Fund for  
the fiscal years ending June 30, 1996 and June 30, 1997 to carry  
44 out the purposes of this Part.

	1995-96	1996-97
46		
48		
50		
	<b>ADMINISTRATIVE AND FINANCIAL</b>	
	<b>SERVICES, DEPARTMENT OF</b>	

2 **Lottery Operations**

4 All Other (\$2,500,650) (\$4,617,600)

6 Provides for the deallocation  
of funds to more accurately  
8 reflect the operating costs  
associated with instant card  
10 vending machines.

12 **DEPARTMENT OF ADMINISTRATIVE  
AND FINANCIAL SERVICES**

14 **TOTAL** (\$2,500,650) (\$4,617,600)

16 **PART M**

18 **Sec. M-1. 12 MRSA §7910, sub-§14** is enacted to read:

20 ~~14. **Savings fund; offset against future fee increases.** A~~  
~~savings fund, referred to in this subsection as the "fund," is~~  
~~established in the department. Appropriations to the fund are~~  
~~considered funds appropriated to the department under the meaning~~  
~~of the Constitution of Maine, Article IX, Section 22. Money~~  
~~appropriated to the fund does not lapse but must be carried~~  
~~forward and may be used by the department only to offset license~~  
~~fee increases if the use of that money for that purpose is~~  
~~approved by the joint standing committee of the Legislature~~  
~~having jurisdiction over inland fisheries and wildlife matters.~~

32 **Sec. M-2. Fish and Wildlife Technician; vacancy.** If the Fish and  
Wildlife Technician positions in the Department of Inland  
34 Fisheries and Wildlife having the position numbers 01868-0895,  
01868-0896 and 01865-0897 become vacant for any reason at any  
time after the effective date of this Part, the Commissioner of  
36 Inland Fisheries and Wildlife may not fill those vacancies on a  
permanent or temporary basis without the prior approval of the  
38 joint standing committee of the Legislature having jurisdiction  
over inland fisheries and wildlife matters.

40 **Sec. M-3. Supplemental appropriations from General Fund.** There  
are appropriated from the General Fund for the fiscal years  
42 ending June 30, 1996 and June 30, 1997 the following sums.

	1995-96	1996-97
46		
48		
50		
	<b>INLAND FISHERIES AND WILDLIFE,</b>	
	<b>DEPARTMENT OF</b>	
	<b>Administrative Services -</b>	

2	<b>Inland Fisheries and Wildlife</b>		
4	Personal Services	(\$3,148)	(\$5,109)
6	Provides for the deappropriation of funds as an offset.		
8	<b>Enforcement Operations - Inland Fisheries and Wildlife</b>		
10			
12	Personal Services	4,118	4,118
14	Provides funds for a reclassification.		
16	<b>Fisheries and Hatcheries Operations</b>		
18			
20	Positions - Legislative Count	(-1.0)	(-2.0)
22	Positions - Other Count	(1.0)	(2.0)
24	Personal Services	(11,895)	(24,017)
26	Provides for the deappropriation of funds as an offset.		
28	<b>Public Information and Education, Division of</b>		
30			
32	Capital Expenditures	(13,000)	
34	Provides for the deappropriation of funds as an offset.		
36	<b>Savings Fund Program</b>		
38			
40	All Other	23,925	25,008
42	Provides for the appropriation of funds to the Savings Fund Program. Money in this fund may only be used to offset future license fee increases.		
44			
46			
48	<b>DEPARTMENT OF INLAND FISHERIES AND WILDLIFE</b>		
50	TOTAL	-0-	-0-

2	<b>Sec. M-4. Allocation.</b> The following funds are allocated from the Federal Expenditure Fund for the fiscal years ending June 30, 1996 and June 30, 1997 to carry out the purposes of this Part.		
4			
6		<b>1995-96</b>	<b>1996-97</b>
8	<b>INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF</b>		
10	<b>Office of the Commissioner - Inland Fisheries and Wildlife</b>		
12			
14	All Other	(120,000)	(120,000)
16	Provides for the deallocation of funds as an offset.		
18	<b>Endangered Nongame Operations</b>		
20			
22	Capital Expenditures	(5,000)	(5,000)
24	Provides for the deallocation of funds as an offset.		
26	<b>DEPARTMENT OF INLAND FISHERIES AND WILDLIFE</b>		
28	TOTAL	(125,000)	(125,000)
30	<b>Sec. M-5. Allocation.</b> The following funds are allocated from Other Special Revenue funds for the fiscal years ending June 30, 1996 and June 30, 1997 to carry out the purposes of this Part.		
32			
34		<b>1995-96</b>	<b>1996-97</b>
36	<b>INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF</b>		
38	<b>Endangered Nongame Operations</b>		
40			
42	All Other	(36,366)	(37,831)
44	Provides for the deallocation of funds as an offset.		
46	<b>Endangered Nongame Operations</b>		
48	All Other	(36,366)	(37,831)



- Provides for the deallocation of funds as an offset.

**4 Endangered Nongame Operations**

All Other (4,000) (2,000)

Provides for the deallocation of funds as an offset.

**10 Endangered Nongame Operations**

All Other (58,139) (57,426)

Provides for the deallocation of funds as an offset.

**18 Public Information and Education, Division of**

Capital Expenditures (4,000)

Provides for the deallocation of funds as an offset.

**26 Waterfowl Habitat Acquisition and Management**

All Other (16,952) (17,427)

Provides for the deallocation of funds as an offset.

**34 DEPARTMENT OF INLAND FISHERIES AND WILDLIFE**

**36 TOTAL (\$151,823) (\$156,515)**

**PART N**

**44 Sec. N-1. Modify 1996 and 1997 state valuations.** Notwithstanding any other provision in the Maine Revised Statutes, Title 36, the 1996 and 1997 state valuations for the Town of Millinocket, for the purposes of calculating county taxes, school appropriations and municipal revenue sharing funds must be based on a valuation that values the property of Bowater Corporation in the Town of Millinocket at \$110,000,000.

**PART O**

**6 Sec. O-1. Contingency plan by departments receiving federal funding.** All departments and agencies of State Government that receive federal funding or federal block grants shall prepare contingency plans that anticipate lower amounts of federal funding or federal block grants for the 1996-1997 biennium. The departments and agencies shall submit the plans to the Legislative Council no later than September 30, 1995.

**PART P**

**16 Sec. P-1. 32 MRSA §1863-B,** as enacted by PL 1991, c. 819, §3, is repealed.

**18 Sec. P-2. 32 MRSA §1866, sub-§7,** as amended by PL 1991, c. 819, §9, is repealed.

**20 Sec. P-3. 32 MRSA §1866-A,** as amended by PL 1991, c. 819, §§10 and 11, is repealed.

**24 Sec. P-4. 32 MRSA §1866-B** is enacted to read:

**26 §1866-B. State payments to deposit initiators**

**28 1. Overpayments.** If a deposit initiator has paid the Treasurer of State more than 50% of its unclaimed minimum deposits during calendar year 1995, the deposit initiator may apply for a refund of the overpayment. Applications for refunds must be filed with the Treasurer of State between March 1, 1996 and April 20, 1996. The Treasurer of State shall refund to the initiator documented claims of overpayment.

**36 2. Over-redemptions.** If a deposit initiator retained a carry-over credit of 50% of over-redeemed minimum deposits from prior years at the end of calendar year 1994, the deposit initiator may apply for a cash payment of any amount of the carry-over credit that remains as of December 31, 1995. Applications for payment of carry-over credits must be filed with the Treasurer of State between March 1, 1996 and April 20, 1996. After the payments have been made, and to the extent that sufficient revenues from deposits collected during calendar year 1995 remain, the Treasurer of State may equitably pay deposit initiators for a maximum of 50% of documented over-redeemed minimum deposits in calendar year 1995. Deposit initiators seeking payment for 50% of over-redeemed deposits from 1995 must file application for payment with the Treasurer of State between March 1, 1996 and April 20, 1996.

2 **Sec. P-5. 32 MRSA §1866-C** is enacted to read:

4 **§1866-C. Reporting and payment obligations**

6 Any distributor or manufacturer who was subject to the reporting and payment obligations under former section 1866-A and who failed to comply with the requirements of that section shall file reports and immediately make payments to the Treasurer of State in accordance with that former section. Deposit initiators who fail to comply with this section are subject to the penalties in section 1869, subsections 1 and 2. If reports were not filed in accordance with former section 1866-A, reimbursements or credits for over-redeemed minimum deposits may not be allowed. The Treasurer of State may conduct audits of any distributor or manufacturer subject to the former section 1866-A to determine whether that distributor or manufacturer has come into compliance.

18 **Sec. P-6. 32 MRSA §1869, sub-§3**, as amended by PL 1991, c. 591, Pt. R, §5, is repealed.

22 **Sec. P-7. 32 MRSA §1871, 2nd ¶**, as enacted by PL 1991, c. 591, Pt. R, §6, is repealed and the following enacted in its place:

24 The Treasurer of State has continuing authority to enforce rules, previously adopted in implementation of former section 1866, subsection 7 and former section 1866-A, to conduct audits, to pursue payments owed or to seek penalties against any deposit initiator in accordance with section 1869, subsections 1 and 2, who failed to meet that initiator's responsibilities under former sections 1866, subsection 7 and 1866-A.

34 **Sec. P-8. 38 MRSA §2201, last ¶**, as repealed and replaced by PL 1993, c. 410, Pt. C, §8, is amended to read:

36 Funds related to administration may only be expended only in accordance with allocations approved by the Legislature for administrative expenses directly related to the agency's and the department's programs, including actions by the department necessary to abate imminent threats to public health, safety and welfare posed by the illegal disposal of solid waste. Funds related to operations may only be expended only in accordance with allocations approved by the Legislature and solely for the development and operation of publicly owned facilities owned or approved by the agency and for the repayment of any obligations of the agency incurred under article 3. These allocations must be based on estimates of the actual costs necessary for the agency and the department to administer their programs, to provide financial assistance to regional associations and to

2 provide other financial assistance necessary to accomplish the purposes of this chapter. Beginning in the fiscal year ending on June 30, 1991 and thereafter, the fund must annually transfer to the General Fund an amount necessary to reimburse the costs of the Bureau of Taxation incurred in the administration of Title 36, section 5219-D and Title 36, chapter 719 and an amount equal to the General Fund revenues lost as the result of Title 36, sections 2526 and 5219-D. ~~Beginning in the fiscal year ending June 30, 1994 and thereafter, the fund must support allocations approved by the Legislature for administrative expenses and reimbursement costs directly related to the administration of Title 32, section 1866, subsection 7 and Title 32, section 1866-A by the Treasurer of State.~~ Allowable expenditures include "Personal Services," "All Other" and "Capital Expenditures" associated with all agency activities other than those included in the operations account.

18 **Sec. P-9. Allocation.** The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Part.

	1995-96	1996-97
<b>(OFFICE OF) TREASURER OF STATE</b>		
<b>Administration - Treasury</b>		
Positions	(-1.0)	(-2.0)
Personal Services	(\$27,872)	(\$64,566)
All Other	(5,596)	(5,747)
Deallocates funds due to the repeal of the unclaimed beverage container program including the elimination of one Clerk II position in fiscal year 1995-96 and the additional elimination of an Auditor I position in fiscal year 1996-97.		
<b>(OFFICE OF) TREASURER OF STATE</b>		
<b>TOTAL</b>	<u>(\$33,468)</u>	<u>(\$70,313)</u>

44 **Sec. P-10. Transition provisions.**

48 1. Notwithstanding the repeal of the reporting requirements contained in the Maine Revised Statutes, Title 32, section

1866-A, subsection 1 by this Part, each deposit initiator shall submit a final report on or before March 20, 1996.

2. Notwithstanding the repeal by this Part of Title 32, section 1866-A, subsection 2, each deposit initiator shall submit a final payment to the Treasurer of State on or before March 20, 1996 in an amount equal to 50% of the unclaimed minimum deposits held by the deposit initiator for the 3-month period ending on the last day of December 1995.

3. Subject to audit, all unclaimed minimum deposits in deposit transaction accounts remaining after any required payment to the State or as of March 20, 1996, whichever is later, may be retained by and become the property of the deposit initiator.

4. Notwithstanding the repeal by this Part of the provisions relating to the administrative costs of the Treasurer of State in Title 38, section 2201, the Maine Solid Waste Management Fund must support allocations approved by the Legislature for administrative expenses and reimbursement costs directly related to the phaseout of the unclaimed beverage container deposit laws through June 30, 1996. Auditing and reimbursement costs of the Treasurer of State may be paid from any amounts recovered in enforcement efforts continuing beyond June 30, 1996.

**Sec. P-11. Effective date.** Sections 1 to 3 and 5 to 8 of this Part take effect December 31, 1995.

**PART Q**

**Sec. Q-1. Commission established.** The Commission on Higher Education Governance, referred to in this Part as the "commission," is established.

**Sec. Q-2. Commission membership.** The commission consists of 11 members, none of whom may be employed by public or private institutions of higher education in the State, appointed as follows:

- 1. Five members, including the chair of the commission, appointed by the Governor;
- 2. Three members appointed by the President of the Senate; and
- 3. Three members appointed by the Speaker of the House of Representatives.

**Sec. Q-3. Appointments; meetings.** All appointments must be made no later than 30 days following the effective date of this Part. Within 15 days of the appointment of all members, the Chair of the Legislative Council shall call and convene the first meeting of the commission.

**Sec. Q-4. Duties.** The commission shall:

1. Review the missions, roles, organizational structure and leadership structure of the State's public institutions of higher education, including the Maine Maritime Academy, the Maine Technical College System and the University of Maine System;

2. Examine the adequacy of opportunities offered to meet the diverse needs of people of the State by public institutions of higher education and the role of the State's private institutions of higher education in complementing those opportunities;

3. Examine how effectively and productively resources are utilized to achieve higher education institutional missions and address the State's economic and social needs;

4. Conduct a review of state funding levels among all constituent entities of public higher education in the State in relationship to each other and to national averages and trends;

5. Review the level and type of state-funded financial aid available to resident students;

6. Examine the provision of community college services, associate degree programs, baccalaureate programs and graduate programs to ensure that the full range of needed academic programs are widely available in the State and are delivered without wasteful overlap by the appropriate institutions;

7. Examine the role, scope, nature and resource needs of distance learning through instructional television provided by the University of Maine System; and

8. Examine the relationship between State Government and the State's private institutions of higher education, including the role of the Legislature in approving degree programs at private institutions of higher education.

**Sec. Q-5. Staff assistance.** The commission shall request staffing assistance from the Legislative Council and the University of Maine System. The commission may also contract for necessary professional assistance.

2 **Sec. Q-6. Reimbursement.** The members of the commission are  
entitled to receive the legislative per diem and must be  
4 reimbursed for expenses upon approval of the chair of the  
commission and application to the Executive Director of the  
6 Legislative Council.

8 **Sec. Q-7. Report.** The commission shall submit a report  
outlining its findings pursuant to section 4 of this Part,  
together with any necessary implementing legislation, to the  
10 Second Regular Session of the 117th Legislature no later than  
December 15, 1995.

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

16 **1995-96**

18 **LEGISLATURE**

20 **Commission on Higher Education Governance**

22 Personal Services \$6,050  
24 All Other 68,950

26 Provides funds to the Commission on Higher  
Education Governance for the per diem and  
28 expenses of members, to contract for  
professional services and for miscellaneous  
30 commission expenses.

32 **LEGISLATURE  
TOTAL**

\$75,000

34 **PART R**

36 **Sec. R-1. 22 MRSA §391, sub-§1,** as amended by PL 1995, c. 368,  
Pt. W, §1, is further amended to read:

38 **1. Assessments.** Every hospital subject to regulation under  
40 this chapter is subject to an assessment of not more than .15% of  
its gross patient service revenues. Notwithstanding any other  
42 provision of law, the commission shall reduce the assessment to  
hospitals. The commission shall determine the assessments  
44 annually prior to July 1st and shall assess each hospital for its  
pro rata share. Each hospital shall pay the assessment charged to  
46 it on a quarterly basis, with payments due on or before July 1st,  
October 1st, January 1st and April 1st of each year. For fiscal  
48 year 1995-96, the assessments may not exceed in total \$1,600,000  
\$1,300,000.

2 **Sec. R-2. Allocation.** The following funds are allocated from  
Other Special Revenue to carry out the purposes of this Part.

4 **1995-96**

6 **MAINE HEALTH CARE FINANCE COMMISSION**

8 **Health Care Finance Commission**

10 Unallocated (\$300,000)

12 Deallocates funds due to a reduction in the  
assessment on hospitals. The Executive  
14 Director of the Maine Health Care Finance  
Commission must report to the Joint Standing  
16 Committee on Appropriations and Financial  
Affairs no later than September 1, 1995 on  
18 the specific reductions that will be made to  
20 achieve \$300,000 in savings in fiscal year  
1995-96.

24 **PART S**

26 **Sec. S-1. 36 MRSA §191, sub-§2, ¶Q,** as amended by PL 1995, c.  
368, Pt. W, §7, is further amended to read:

28 Q. The listing of special fuel suppliers possessing  
30 certificates under section 3204; and

32 **Sec. S-2. 36 MRSA §191, sub-§2, ¶R,** as enacted by PL 1995, c.  
368, Pt. W, §8, is amended to read:

34 R. The disclosure to the Department of Human Services,  
36 Bureau of Medical Services of information relating to the  
administration and collection of the tax imposed by chapter  
369-L and

40 **Sec. S-3. 36 MRSA §191, sub-§2, ¶S** is enacted to read:

42 S. The disclosure to an authorized representative of the  
44 Department of Human Services of the names and social  
46 security numbers of applicants for the Maine Residents  
48 Property Tax Relief Program for the purpose of identifying  
50 those who are not eligible for that program pursuant to  
section 6207, subsection 3. The Department of Human  
Services may not disclose names or social security numbers  
to any person, agency or organization, other than the Bureau  
of Taxation, nor may those names and social security numbers

2 be used for any purpose other than the purpose stated in  
3 this paragraph.

4 **Sec. S-4. 36 MRSA §6207, sub-§3,** as enacted by PL 1987, c.  
5 516, §§3 and 6, is amended to read:

6 **3. Subsidized housing; special needs payment.** No A claim  
7 may not be granted under this section to claimants whose housing  
8 ~~costs for the year for which relief is requested were subsidized~~  
9 ~~by government programs which limit housing costs to a percentage~~  
10 ~~of household income.~~

11 A. Whose housing costs for the year for which relief is  
12 requested were subsidized by government programs that limit  
13 housing costs to a percentage of household income; and

14 B. Who are receiving Aid to Families with Dependent  
15 Children and are eligible for the housing special needs  
16 payment pursuant to Title 22, section 3760-D.

17 **Sec. S-5. PL 1995, c. 368, Pt. I, §1** is repealed.

18 **Sec. S-6. Task force to study the impact of reducing the Aid to**  
19 **Families with Dependent Children housing special needs payment.** The  
20 Commissioner of Human Services shall establish a task force to  
21 study the impact of reducing the Aid to Families with Dependent  
22 Children housing special needs payment, including the financial  
23 impact on municipalities and families.

24 The department shall submit a report by February 1, 1996 to  
25 the joint standing committee of the Legislature having  
26 jurisdiction over appropriations and financial affairs and the  
27 joint standing committee of the Legislature having jurisdiction  
28 over human resource matters.

29 The report must show the amount and source of funds  
30 necessary to continue the program at the benefit level in effect  
31 on July 1, 1995 or recommend a plan to redesign the program to  
32 operate within existing resources in a manner that will minimize  
33 the impact on families and municipalities.

34 **Sec. S-7. Balance in General Assistance, General Fund account may**  
35 **not lapse.** Notwithstanding any other provision of law, any balance  
36 remaining in the General Assistance, General Fund account on June  
37 30, 1995 may not lapse but must be carried forward to June 30,  
38 1996 to be used for the same purposes.

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

	1995-96	1996-97
2		
4	<b>ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF</b>	
6	<b>Maine Residents Property Tax Program</b>	
8		
10	All Other	(\$544,500) (\$544,500)
12	Deappropriates funds no longer required due to the exclusion of people eligible for the Aid to Families with Dependent Children housing special needs payment from circuit-breaker eligibility.	
14		
16		
18		
20	<b>DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES</b>	
22	<b>TOTAL</b>	(544,500) (544,500)
24	<b>HUMAN SERVICES, DEPARTMENT OF</b>	
26		
28	<b>Aid to Families with Dependent Children</b>	
30	All Other	750,000 544,500
32	Provides for the appropriation of funds to continue the housing special needs payment through fiscal year 1995-96. Housing special needs payments during fiscal year 1996-97 are limited to the amounts appropriated for that purpose.	
34		
36		
38		
40		
42	<b>General Assistance</b>	
44	All Other	(205,500)
46	Provides for the deappropriation of funds due to an available balance from fiscal year 1994-95.	
48		
50		

**DEPARTMENT OF HUMAN SERVICES**

<b>TOTAL</b>	544,500	544,500
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**SECTION TOTAL APPROPRIATION**

	-0-	-0-
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**Sec. S-9. Allocation.** The following funds are allocated from the Federal Expenditure Fund to carry out the purposes of this Part.

	<b>1995-96</b>	<b>1996-97</b>
--	----------------	----------------

**HUMAN SERVICES, DEPARTMENT OF**

**Aid to Families with Dependent Children**

All Other	\$1,293,596	\$939,961
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Provides for the allocation of funds to continue the housing special needs payment through fiscal year 1995-96. Housing special needs payments during fiscal year 1996-97 are limited to the amounts allocated for that purpose.

**PART T**

**Sec. T-1. Transfer of funds; Maine Health Care Finance Commission.** Notwithstanding any other provision of law, the State Controller is authorized to transfer \$500,000 from the Maine Health Care Finance Commission, Other Special Revenue account in the Maine Health Care Finance commission to General Fund undedicated revenue no later than June 30, 1996.

**Sec. T-2. Transfer of funds; Management Support Fund.** Notwithstanding any other provision of law, the State Controller is authorized to transfer \$643,240 from the Management Support Fund, Other Special Revenue account in the Maine Health Care Finance Commission to General Fund undedicated revenue no later than June 30, 1996.

**Sec. T-3. General Purpose Aid for Local Schools; lapsed balances.** Notwithstanding any other provision of law, \$161,883

in fiscal year 1995-96 in the General Purpose Aid for Local Schools account lapses to the General Fund as a result of construction audit recoveries and \$255,604 lapses to the General Fund from fiscal year 1994-95 estimated account balances.

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

	<b>1995-96</b>	<b>1996-97</b>
--	----------------	----------------

**ADMINISTRATION AND FINANCIAL SERVICES, DEPARTMENT OF**

**Public Improvements - Planning - Construction - Administration**

Capital Expenditures	(\$681,405)	(\$1,681,405)
----------------------	-------------	---------------

Provides for a deappropriation of funds to partially offset a deappropriation in Public Law 1995, chapter 368, Part DD.

**Maine Residents Property Tax Program**

All Other	(244,968)	(255,032)
-----------	-----------	-----------

Deappropriates funds that are no longer provided.

**Departments and Agencies - Statewide**

Personal Services	(125,000)	(140,000)
-------------------	-----------	-----------

Deappropriates additional funds from savings realized from a less than anticipated increase in state employees' health insurance. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provisions of law, the State Budget Officer shall calculate the amounts that apply against each General

Fund account and shall cause the amounts to be transferred from each account by financial order.

<b>DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES</b>		
<b>TOTAL</b>	(1,051,373)	(2,076,437)
<b>EDUCATION, DEPARTMENT OF</b>		
<b>Educational Restructuring and Improvements</b>		
All Other	(148,821)	
Provides for the deappropriation of additional funds to reflect reduced funding for the Technology Enhancement program in fiscal year 1995-96.		
<b>DEPARTMENT OF EDUCATION</b>		
<b>TOTAL</b>	(148,821)	
<b>TOTAL APPROPRIATIONS</b>	(\$1,200,194)	(\$2,076,437)

**Sec. T-5. Allocation.** The following funds are allocated from the Federal Expenditure Fund to carry out the purposes of this Part.

	1995-96	1996-97
<b>HUMAN SERVICES, DEPARTMENT OF</b>		
<b>Disability Determination - Division of</b>		
Positions - Other Count	(1.0)	(1.0)
Personal Services	\$40,455	\$42,320
All Other	3,000	3,000
Capital Expenditures	2,500	
Provides for the allocation of one Disability Claims Hearing Officer position in the Division of Disability Determination. All Other		

and Capital Expenditure funds are needed to support the position.

<b>DEPARTMENT OF HUMAN SERVICES</b>		
<b>TOTAL ALLOCATIONS</b>	\$45,955	\$45,320

**Sec. T-6. Allocation.** The following funds are allocated from the Solid Waste Management Fund to carry out the purposes of this Part.

	1995-96	1996-97
<b>ENVIRONMENTAL PROTECTION, DEPARTMENT OF</b>		
<b>Solid Waste Management</b>		
Positions	(2.0)	(2.0)
Personal Services	\$53,647	\$73,091
All Other	10,193	13,887
Provides funds for an Environmental Specialist II position and an Environmental Specialist III position to ensure better compliance in achieving emissions reduction requirements of the federal Clean Air Act. Expenditures from these allocations may be made only after the allocations made from this fund in Public Law 1995, chapter 368, Part NN are assumed.		
<b>DEPARTMENT OF ENVIRONMENTAL PROTECTION</b>		
<b>TOTAL ALLOCATIONS</b>	\$63,840	\$86,978

**PART U**

**Sec. U-1. PL 1995, c. 368, Pt. P, §1** is amended to read:

**Sec. P-1. Transfer of unexpended balance.** Notwithstanding Private and Special Law 1987, chapter 126, section 3, on or before June 30, 1996, the Treasurer of State shall transfer ~~\$1,200,000~~ ~~\$1,400,000~~ of the unexpended balance in the Maine

State Housing Authority's oil storage and removal bond fund, authorized by Private and Special Law 1987, chapter 126, to the debt service earnings account in the office of the Treasurer of State.

Sec. U-2. PL 1995, c. 368, Pt. P, §2, under the caption "TREASURY DEPARTMENT" in that part relating to "Debt Service - Treasury," the blocked paragraph is amended to read:

Provides for the deappropriation of funds in conjunction with the transfer of funds from the oil storage and removal bond fund in the Maine State Housing Authority in the amount of \$1,200,000 ~~\$1,400,000~~ in fiscal year 1995-96 as specified in section 1 of this Part. Transfers will be made from the General Fund Debt Service Account, the account set up for the retirement of bonds and notes authorized under the Maine Revised Statutes, Title 5, section 151-A, which will provide sufficient funds to cover the projected debt service requirement.

Sec. U-3. PL 1995, c. 368, Pt. UU, §§6 and 7 are repealed.

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

Further amend the bill by striking out the fiscal note and inserting in its place the following:

**FISCAL NOTE**

	1995-96	1996-97	BIENNIUM
General Fund Appropriations			
PART A, Section A-1	\$3,090,781	\$6,918,904	\$10,009,685
PART D, Section D-15	0	0	0
PART I, Section I-1	(1,114,790)	(2,330,046)	(3,444,836)
PART J, Section J-2	0	0	0
PART M, Section M-3	0	0	0
PART Q, Section Q-8	75,000		75,000
PART S, Section S-8	0	0	0
PART T, Section T-4	(1,200,194)	(2,076,437)	(3,276,631)
<b>GENERAL FUND, TOTAL</b>	<b>850,797</b>	<b>2,512,421</b>	<b>3,363,218</b>

Federal Expenditure Fund			
PART A, Section A-2	(2,639,845)	(2,907,623)	(5,547,468)
PART D, Section D-16	0	0	0
PART M, Section M-4	(125,000)	(125,000)	(250,000)
PART S, Section S-9	1,293,596	939,961	2,233,557
PART T, Section T-5	45,955	45,320	91,275
<b>FEDERAL EXPENDITURE FUND, TOTAL</b>	<b>(1,425,294)</b>	<b>(2,047,342)</b>	<b>(3,472,636)</b>
Other Special Revenue Fund			
PART A, Section A-3	2,636,171	1,032,123	3,668,294
PART D, Section D-17	0	0	0
PART M, Section M-5	(151,823)	(156,515)	(308,338)
PART P, Section P-9	(33,468)	(70,313)	(103,781)
PART R, Section R-2	(300,000)	0	(300,000)
PART T, Section T-6	63,840	86,978	150,818
<b>OTHER SPECIAL REVENUE FUND, TOTAL</b>	<b>2,214,720</b>	<b>892,273</b>	<b>3,106,993</b>
Federal Block Grant			
PART A, Section A-4	0	0	0
Potato Marketing Improvement Fund			
PART A, Section A-5	0	0	0
Island Ferry Services Fund			
Part A, Section A-6	60,398	60,644	121,042
Marine Ports Fund			
Part A, Section A-7	(60,398)	(60,644)	(121,042)
State-administered Insurance Fund			
Part A, Section A-8	1,074,000	1,074,000	2,148,000
Risk Management Fund			
Part A, Section A-9	(11,349)	(11,539)	(22,888)
State Lottery Fund			
Part L, Section L-1	(2,500,650)	(4,617,600)	(7,118,250)
<b>GENERAL FUND UNDEDICATED REVENUE</b>			



2	PART A		
4	Section A-1, Mental Health and Mental Retardation	845,979	(1,637,512) (791,533)
6	PART F		
8	Section F-3, Department of Human Services	30,486	30,486
10	PART F		
12	Section F-4, Department of Human Services	104,526	160,012 264,538
14	PART F		
16	Section F-5, Department of Human Services		352,000 352,000
18	PART P		
20	Bureau of Alcoholic Beverages and Lottery Operations	500,000	500,000
22	PART T		
24	Section T-1, Maine Health Care Finance Commission	500,000	500,000
26	PART T		
28	Section T-2, Maine Health Care Finance Commission	643,240	643,240
30	PART T		
32	Section T-3, Department of Education	417,487	417,487
34	GENERAL FUND UNDEDICATED		
36	REVENUE, TOTAL	3,041,718	(1,125,500) 1,916,218

40 The adjustment to the 1996 and 1997 state valuations of  
 42 Millinocket made in Part N will result in redistributions of  
 44 general purpose aid for local schools and state-municipal revenue  
 46 sharing in fiscal years 1996-97 and 1997-98. This Part will also  
 48 redistribute county taxes resulting in higher county tax  
 assessments for other municipalities in Penobscot County for the  
 2 fiscal years ending June 30, 1997 and June 30, 1998. The  
 additional costs of this state mandate are estimated to be  
 approximately \$100,000 per year. Pursuant to the mandate  
 preamble, the 2/3 vote of all members elected to each House

2 exempts the State from the constitutional requirement to fund 90%  
 4 of the additional local costs.

6 In Part O, the cost to prepare contingency plans as required  
 8 by the various departments and agencies of State Government that  
 receive federal expenditure funds and federal block grant funds  
 can be absorbed within the existing resources of those  
 departments and agencies.

10 Part P repeals the laws related to unclaimed beverage  
 12 containers effective December 31, 1995 which will result in a  
 loss of budgeted dedicated revenue to the Solid Waste Management  
 14 Fund. The most recent revenue estimates assume that the amounts  
 of dedicated revenue received from unclaimed bottle deposits will  
 be approximately offset by payments to deposit initiators for  
 16 over-payments and over-redemptions and by funding for the Office  
 of the Treasurer of State for the costs to administer revenue  
 18 collection activities. While the exact impact on revenue can not  
 be determined, sufficient net revenue is available to support an  
 20 Auditor I position in the Office of the Treasurer during fiscal  
 year 1995-96. Part P includes deallocations to reflect the  
 22 elimination of a Clerk II position effective with fiscal year  
 1995-96 and to reflect elimination of the entire program in  
 24 fiscal year 1996-97. The bill will additionally result in a  
 one-time increase in General Fund undedicated revenue of \$500,000  
 26 in fiscal year 1995-96 from a transfer from the Bureau of  
 Alcoholic Beverages and Lottery Operations. This revenue results  
 28 because the bureau, as a deposit initiator, will be allowed to  
 retain all unclaimed minimum deposits in its deposit transaction  
 30 account. The balance in this account is estimated to be \$500,000  
 on March 20, 1996.

32 Part Q establishes the Commission on Higher Education  
 34 Governance. The additional costs to provide staff assistance to  
 the commission can be absorbed by the Legislature and the  
 36 University of Maine System utilizing existing budgeted resources.'

38 **STATEMENT OF FACT**

40 This amendment makes appropriation and allocation  
 42 adjustments to the "Part 2" budget for the 1996-1997 biennium.  
 It also changes certain laws necessary for the proper operation  
 44 of State Government.

46 The General Fund appropriations made in this amendment are  
 48 within the available resources projected for the 1996-1997  
 biennium and a balanced budget is maintained.