

MAINE STATE LEGISLATURE

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R. 018

L.D. 855

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DATE: (Filing No. H- 724)

APPROPRIATIONS AND FINANCIAL AFFAIRS

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

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855, 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, 2002 and June 30, 2003"

Amend the bill by striking out the title and substituting the following:

'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, 2001, June 30, 2002 and June 30, 2003'

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

'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 incident to the operation of state departments and institutions will become due and payable prior to June 30, 2001; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of

COMMITTEE AMENDMENT

Maine and require the following legislation as immediately 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 and allocations. There are appropriated and allocated from various funds for the fiscal years ending June 30, 2002 and June 30, 2003, to the departments listed, the following amounts.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Central Motor Pool

New Initiative: Provides funding for 2 positions in Central Fleet Management. An Auto Mechanic II position and a Fleet Support Specialist position are required to prepare vehicles, manage maintenance and process new, used and surplus vehicles.

Central Motor Pool Fund	2001-02	2002-03
Positions - Legislative Count	(2.000)	(2.000)
Personal Services	\$62,158	\$64,992
All Other	8,966	8,357
Total	71,124	73,349

Central Services - Purchases

New Initiative: Provides for the deallocation of Personal Services funding for the transfer of the Director of Leased Space position to the Real Property Lease Fund account.

Postal, Printing and Supply Fund	2001-02	2002-03
Positions - Legislative Count	(-1.000)	(-1.000)
Personal Services	(78,394)	(82,314)
Total	(78,394)	(82,314)

Buildings and Grounds Operations

New Initiative: Provides funding for 2 Custodian I positions and All Other to support operations at the Maine Criminal Justice Academy.

General Fund	2001-02	2002-03
Positions - Legislative Count	(2.000)	(2.000)
Personal Services	46,142	48,450

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2	All Other	203,858	201,550
4	Total	<u>250,000</u>	<u>250,000</u>

6 New Initiative: Provides for the transfer of one Building Custodian position from the Maine Criminal Justice Academy account. The State Controller shall transfer \$39,706 in fiscal year 2001-02 and \$41,258 in fiscal year 2002-03 to General Fund unappropriate surplus from revenue derived from the academy.

10	General Fund	2001-02	2002-03
12	Positions - Legislative Count	(1,000)	(1,000)
14	Personal Services	39,706	41,258
16	Total	<u>39,706</u>	<u>41,258</u>

18 New Initiative: Provides for an allocation to expand the H-Building Fund to encompass other available sites on the BMHI campus that may be used as office space. The allocation will be for normal operating costs.

22	Other Special Revenue Funds	2001-02	2002-03
24	All Other	300,000	300,000
26	Total	<u>300,000</u>	<u>300,000</u>

28 New Initiative: Provides for the increase in allocation to pay for the transfer of the Director of Leased Space position from the Postal, Printing and Supply Fund.

30	Real Property Lease Internal Service Fund	2001-02	2002-03
32	Positions - Legislative Count	(1,000)	(1,000)
34	Personal Services	78,394	82,314
36	Total	<u>78,394</u>	<u>82,314</u>

38 **Information Services**

40 New Initiative: Provides an allocation for an additional 10 positions required by the Bureau of Information Services to meet ongoing agency demands for information technology services. Position detail on file with the Bureau of the Budget.

44	Information Services Fund	2001-02	2002-03
46	Positions - Legislative Count	(10,000)	(10,000)
48	Personal Services	607,689	617,649
	All Other	112,200	116,251

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2	Total	719,889	733,900
4	Salary Plan		
6	New Initiative: Provides funds for the Salary Plan to cover prospective salary cost increases associated with the collective bargaining process.		
8			
10	General Fund	2001-02	2002-03
12	Personal Services	7,500,000	7,390,275
14	Total	<u>7,500,000</u>	<u>7,390,275</u>
16	New Initiative: Deappropriates funds from projected savings in the Salary Plan.		
18			
20	General Fund	2001-02	2002-03
22	Personal Services		(267,179)
24	Total		<u>(267,179)</u>
26	ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF		
28	Department Totals	2001-02	2002-03
30	Department Summary - All Funds	8,880,719	8,521,603
32	Department Summary - General Fund	7,789,706	7,414,354
34	Department Summary - Other Special Revenue Funds	300,000	300,000
36	Department Summary - Central Motor Pool Fund	71,124	73,349
38	Department Summary - Printing, Postal and Supply Fund	(78,394)	(82,314)
40	Department Summary - Real Property Lease Internal Service Fund	78,394	82,314
42	Department Summary - Information Services Fund	719,889	733,900
44	AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF		
46	Quality Assurance and Regulation, Division of		
48	New Initiative: Transfers 1/2 of a Management Analyst position from the Quality Inspection program to better reflect program operations.		
50			
52	Other Special Revenue Funds	2001-02	2002-03
54	Positions - Legislative Count	(0.500)	(0.500)
56	Personal Services	20,664	21,756
58	All Other	645	678
60	Total	<u>21,309</u>	<u>22,434</u>

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2 New Initiative: Increases allotment for 1/2 of a Management
 4 Analyst I position that was hired at a higher step than was
 budgeted.

6	Other Special Revenue Funds	2001-02	2002-03
	Personal Services	3,374	3,553
8	All Other	105	111
10	Total	<u>3,479</u>	<u>3,664</u>

12 New Initiative: Establishes 2 Consumer Protection Inspector
 14 positions for conducting a feed, seed and fertilizer inspection,
 labeling and testing program. This initiative will increase
 16 General Fund undedicated revenues by \$256,530 annually in fiscal
 years 2001-02 and 2002-03 from the additional collection of
 registration fees.

18	General Fund	2001-02	2002-03
20	Positions - Legislative Count	(2,000)	(2,000)
	Personal Services	108,686	111,342
22	All Other	68,272	60,000
24	Total	<u>176,958</u>	<u>171,342</u>

26 **Harness Racing Commission**

28 New Initiative: Increases hours of one intermittent Paddock
 30 Assistant position and one intermittent Pari-mutuel Supervisor
 position in order to meet the need of more racing days per year.

32	General Fund	2001-02	2002-03
	Positions - FTE Count	(0.233)	(0.233)
34	Personal Services	6,211	6,211
	All Other	(6,211)	(6,211)
36	Total	<u>0</u>	<u>0</u>

38 **Pesticides Control, Board of**

40 New Initiative: Continues a 20-hour-per-week Clerk Typist III
 42 position established by financial order to assist with clerical
 duties, data entry and report compilation.

44	Federal Expenditures Fund	2001-02	2002-03
46	Positions - Legislative Count	(0.500)	(0.500)
	Personal Services	18,420	19,655
48	Total	<u>18,420</u>	<u>19,655</u>

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Milk Commission

2

New Initiative: Transfer 312 hours of a split-funded Clerk Typist II position to the Office of the Commissioner to provide a departmental receptionist. Headcount is already authorized.

4

6

Other Special Revenue Funds	2001-02	2002-03
8 Personal Services	(5,970)	(6,168)
10 Total	(5,970)	(6,168)

12 **Quality Inspection**

14 New Initiative: Transfers 1/2 of a Management Analyst I position to the Division of Quality Assurance and Regulation to better reflect program operations. The receiving account has adequate revenue to support this change.

18

Other Special Revenue Funds	2001-02	2002-03
20 Positions - Legislative Count	(-0.500)	(-0.500)
Personal Services	(20,664)	(21,756)
22 All Other	(645)	(678)
24 Total	(21,309)	(22,434)

26 New Initiative: Increases allotment for 1/2 of a Management Analyst I position that was hired at a higher step than was budgeted.

28

Other Special Revenue Funds	2001-02	2002-03
30 Personal Services	3,374	3,553
32 All Other	105	111
34 Total	3,479	3,664

36 **Market and Production Development, Division of**

38 New Initiative: Upgrades one Planning and Research Associate I position to a Development Project Officer position.

40

General Fund	2001-02	2002-03
42 Personal Services	8,737	8,737
All Other	(8,737)	(8,737)
44 Total	0	0

46

Plant Industry, Division of

48

50 New Initiative: Transfers one 800-hour intermittent Entomologist I position to the Division of Plant Industry's General Fund to

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

assist with inspection efforts. (840 hours in '02 and 1000 hours in '03).

4	General Fund	2001-02	2002-03
	Positions - FTE Count	(0.404)	(0.481)
6	Personal Services	16,275	21,006
8	Total	<hr/>	<hr/>
		16,275	21,006
10	Other Special Revenue Funds	2001-02	2002-03
	Positions - FTE Count	(-0.385)	(-0.385)
12	Personal Services	(18,779)	(20,009)
14	All Other	(585)	(624)
16	Total	<hr/>	<hr/>
		(19,364)	(20,633)

Animal Health and Industry, Division of

New Initiative: Eliminates a Lab Technician II position that no longer has funding.

22	Federal Expenditures Fund	2001-02	2002-03
24	Positions - Legislative Count	(-1.000)	(-1.000)

Commissioner, Office of the

New Initiative: Transfers 312 hours of a split-funded Clerk Typist II position from the Maine Milk Commission to provide a departmental receptionist. The position has authorized headcount.

30	General Fund	2001-02	2002-03
32	Personal Services	5,970	6,168
34	Total	<hr/>	<hr/>
		5,970	6,168

New Initiative: Establishes an allocation in the department's conference account pursuant to the Maine Revised Statutes, Title 5, section 1550 to be used to help to collect registrations fees to defray the cost of conferences.

40	Other Special Revenue Funds	2001-02	2002-03
42	All Other	6,000	6,000
44	Total	<hr/>	<hr/>
		6,000	6,000

New Initiative: Increases the department's contribution to the ACE Service Center for funding of proposed reclasses.

46	General Fund	2001-02	2002-03
48	All Other	2,755	2,826
50			

2	Total	2,755	2,826
4	Rural Rehabilitation		
6	New Initiative: Increases funds for scholarships and grants due to higher interest earnings for these awards.		
8			
10	Other Special Revenue Funds	2001-02	2002-03
	All Other	6,000	6,000
12	Total	6,000	6,000
14	Commissioner, Office of the		
16	New Initiative: Provides funds for the department's share of the management initiated reclass of the Director of Administrative Services at the ACE Service Center as part of a planned reorganization.		
18			
20			
22	General Fund	2001-02	2002-03
	All Other	2,269	2,269
24	Total	2,269	2,269
26	Division of Animal Health and Industry		
28	New Initiative: Provides 1/2 time Veterinarian position to staff foot and mouth disease prevention efforts.		
30			
32	General Fund	2001-02	2002-03
	Positions - Legislative Count	(0.500)	(0.500)
	Personal Services	42,578	43,118
34	All Other	9,749	14,896
36	Total	52,327	58,014
38	AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF		
	Department Totals	2001-02	2002-03
40	Department Summary - All Funds	268,598	273,807
	Department Summary - General Fund	256,554	261,625
42	Department Summary - Federal Expenditures Fund	18,420	19,655
44	Department Summary - Other Special Revenue Funds	(6,376)	(7,473)
46	ATLANTIC SALMON COMMISSION		
48	Atlantic Salmon Commission		
50			

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

New Initiative: Establishes one full-time Biology Specialist position and 2 9-month Conservation Aide positions to assist in salmon restoration efforts.

Federal Expenditures Fund	2001-02	2002-03
Positions - Legislative Count	(1.000)	(1.000)
Positions - FTE Count	(1.500)	(1.500)
Personal Services	76,697	82,064
All Other	15,500	15,500
Total	92,197	97,564

New Initiative: Establishes one seasonal Conservation Aide position, 1560 hours, to assist salmon biologists primarily along the Kennebec River.

Other Special Revenue Funds	2001-02	2002-03
Positions - FTE Count	(0.750)	(0.750)
Personal Services	19,989	21,440
All Other	9,500	9,500
Total	29,489	30,940

ATLANTIC SALMON COMMISSION

Department Totals	2001-02	2002-03
Department Summary - All Funds	121,686	128,504
Department Summary - Federal Expenditures Fund	92,197	97,564
Department Summary - Other Special Revenue Funds	29,489	30,940

ATTORNEY GENERAL, DEPARTMENT OF THE

Administration - Attorney General

New Initiative: Transfer one Assistant Attorney General position and related costs for cases of the Department of Labor, Bureau of Labor Standards from Other Special Revenue funds to the General Fund. This initiative will increase General Fund undedicated revenue by \$175,000 annually in fiscal year 2001-02 and fiscal year 2002-03.

General Fund	2001-02	2002-03
Positions - Legislative Count	(1.000)	(1.000)
Personal Services	63,000	66,150
Total	63,000	66,150

Other Special Revenue Funds	2001-02	2002-03
Positions - Legislative Count	(-1.000)	(-1.000)

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2	Personal Services	(63,000)	(66,150)
4	Total	<u>(63,000)</u>	<u>(66,150)</u>

6 New Initiative: Transfer one Research Assistant position to the General Fund in the new civil rights program project.

8	Other Special Revenue Funds	2001-02	2002-03
10	Positions - Legislative Count	(-1,000)	(-1,000)
12	Personal Services	(50,000)	(50,000)
	Total	<u>(50,000)</u>	<u>(50,000)</u>

14 **Human Services Division**

16 New Initiative: Establish one Assistant Attorney General position and related costs to handle legal issues associated with the Medicaid program.

20	Federal Expenditures Fund	2001-02	2002-03
22	Positions - Legislative Count	(1,000)	(1,000)
24	Personal Services	51,950	54,547
	All Other	6,219	3,109
26	Total	<u>58,169</u>	<u>57,656</u>

28 **Civil Rights**

30 New Initiative: Transfer one Research Assistant position from Other Special Revenue funds in the Admin. - Attorney General program and increase All Other funds for the civil rights team project.

34	General Fund	2001-02	2002-03
36	Positions - Legislative Count	(1,000)	(1,000)
	Personal Services	50,000	50,000
38	All Other	200,000	200,000
40	Total	<u>250,000</u>	<u>250,000</u>

42 **Administration - Attorney General**

44 New Initiative: Establish one Assistant Attorney General position and related costs to prosecute consumer law cases. The proposal will increase General Fund Undedicated Revenue by \$100,000 annually in fiscal years 2001-02 and 2002-03.

48	General Fund	2001-02	2002-03
50	Positions - Legislative Count	(1,000)	(1,000)
	Personal Services	51,950	54,547

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2	All Other	5,094	1,994
4	Total	<u>57,044</u>	<u>56,541</u>

6 New Initiative: Establish one Assistant Attorney General position and related costs to handle matters related to charities.

8	Other Special Revenue Funds	2001-02	2002-03
10	Positions - Legislative Count	(1,000)	(1,000)
12	Personal Services	51,950	54,547
14	All Other	5,094	1,994
16	Total	<u>57,044</u>	<u>56,541</u>

18 New Initiative: Allocation of funds for information and technology for prosecution initiatives to combat violent crimes against women.

18	Federal Expenditures Fund	2001-02	2002-03
20	All Other	150,000	150,000
22	Total	<u>150,000</u>	<u>150,000</u>

24 **District Attorneys Salaries**

26 New Initiative: Establish 7 Assistant District Attorney positions to assist in the area of juvenile prosecution.

28	Other Special Revenue Funds	2001-02	2002-03
30	Positions - Legislative Count	(7,000)	(7,000)
32	Personal Services	291,228	407,720
34	All Other	5,744	8,042
36	Total	<u>296,972</u>	<u>415,762</u>

38 New Initiative: Establish 2 Research Assistant positions to support the child protective and child support attorneys in Aroostook County.

40	Federal Expenditures Fund	2001-02	2002-03
42	Positions - Legislative Count	(2,000)	(2,000)
44	Personal Services	66,976	69,829
46	All Other	(66,976)	(69,829)
48	Total	<u>0</u>	<u>0</u>

Administration - Attorney General

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

New Initiative: Appropriates funds for one Research Assistant position to supervise and back up the technology and computer systems for the Department of the Attorney General.

4	General Fund	2001-02	2002-03
6	Positions - Legislative Count	(1,000)	(1,000)
	Personal Services	71,629	74,991
8	All Other	2,820	1,120
10	Total	<u>74,449</u>	<u>76,111</u>

12	ATTORNEY GENERAL, DEPARTMENT OF THE		
	Department Totals	2001-02	2002-03
14	Department Summary - All Funds	893,678	1,012,611
	Department Summary - General Fund	444,493	448,802
16	Department Summary - Federal		
	Expenditures Fund	208,169	207,656
18	Department Summary - Other Special		
	Revenue Funds	241,016	356,153

BAXTER STATE PARK AUTHORITY

Baxter State Park Authority

New Initiative: Increase a Campground Ranger position from 18 to 52 weeks and reclassify to a full-time Interpretive Specialist position to support ADA mandates, technical development and user trends.

30	Other Special Revenue Funds	2001-02	2002-03
	Positions - Legislative Count	(1,000)	(1,000)
32	Positions - FTE Count	(-0.346)	(-0.346)
	Personal Services	36,437	37,438
34	Total	<u>36,437</u>	<u>37,438</u>

Baxter State Park Authority

New Initiative: Provides for the transfer of funds from Personal Services to All Other to accurately reflect costs associated with workers' compensation insurance for park employees.

42	Other Special Revenue Funds	2001-02	2002-03
44	Personal Services	(25,000)	(25,000)
	All Other	25,000	25,000
46	Total	<u>0</u>	<u>0</u>

BAXTER STATE PARK AUTHORITY

50	Department Totals	2001-02	2002-03
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2	Department Summary - All Funds	36,437	37,438
	Department Summary - Other Special		
4	Revenue Funds	36,437	37,438

CONSERVATION, DEPARTMENT OF

Administrative Services, Conservation

8
10 New Initiative: Provide funds to lease office space for headquarters of DOC in a building free of environmental and physical hazards.

12	General Fund	2001-02	2002-03
14	All Other	306,131	311,160
16	Total	<u>306,131</u>	<u>311,160</u>

18 New Initiative: Fund 30% of the Director of Real Property Management position to account for the work that the position does for the department. This position will be split-funded with the Bureau of Parks and Lands.

22	Other Special Revenue Funds	2001-02	2002-03
24	Personal Services	23,187	23,786
26	Total	<u>23,187</u>	<u>23,786</u>

Boating Facilities Fund

30 New Initiative: Provides funds for one 16-week project Navigational Aids Assistant position in fiscal year 2001-02 and the extension of one seasonal Assistant Park Ranger position to full time.

34	Other Special Revenue Funds	2001-02	2002-03
36	Positions - Legislative Count	(1.000)	(1.000)
	Positions - FTE Count	(-0.500)	(-0.500)
38	Personal Services	36,402	20,000
	All Other	(36,402)	(20,000)
40	Total	<u>0</u>	<u>0</u>

Off-road Recreational Vehicles Program

44 New Initiative: Provides funds for the extension of 3 seasonal Heavy Equipment Operator positions (6463, 6498, 6459) from 16 weeks to 20 weeks each.

48	Other Special Revenue Funds	2001-02	2002-03
50	Positions - FTE Count	(0.231)	(0.231)

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2	Personal Services	9,215	9,215
	All Other	(9,215)	(9,215)
4	Total	<u>0</u>	<u>0</u>

6 **Parks General Operations**

8 New Initiative: Provides for the addition of 265 weeks to 47
 10 existing positions at 24 parks, 5 new seasonal positions and
 12 related All Other expenses. This initiative will increase
 General Fund revenue by \$203,000 annually in fiscal year 2001-02
 and fiscal year 2002-03.

14	General Fund	2001-02	2002-03
	Positions - Legislative Count	(1.000)	(1.000)
16	Positions - FTE Count	(6.712)	(6.712)
	Personal Services	241,120	241,120
18	All Other	14,835	14,835
	Capital Expenditures	(33,000)	(33,000)
20	Total	<u>222,955</u>	<u>222,955</u>

22 New Initiative: Provides funds for an additional week for the
 24 Clerk Typist II position in the campsite reservation system.

26	General Fund	2001-02	2002-03
	Positions - FTE Count	(0.038)	(0.038)

28 New Initiative: Deappropriates funds from the Director, Real
 30 Property Management position in order to split fund the position
 between Parks and General Services.

32	General Fund	2001-02	2002-03
34	Personal Services	(23,187)	(23,786)
36	Total	<u>(23,187)</u>	<u>(23,786)</u>

38 New Initiative: Deappropriates funds to reduce an Interpretive
 Specialist position from year-round to 26 weeks.

40	Other Special Revenue Funds	2001-02	2002-03
42	Positions - Legislative Count	(-1.000)	(-1.000)
	Positions - FTE Count	(0.500)	(0.500)
44	Personal Services	(22,432)	(25,961)
46	Total	<u>(22,432)</u>	<u>(25,961)</u>

48 New Initiative: Provides funds and FTE count necessary to
 transfer a Radio Operator position from the Bureau of Parks and
 50 Lands to the Division of Forest Protection.

2	General Fund	2001-02	2002-03
	Positions - FTE Count	(-0.346)	(-0.346)
4	Personal Services	(11,544)	(12,357)
6	Total	<u>(11,544)</u>	<u>(12,357)</u>

8 **Maine State Parks Development Fund**

10 New Initiative: Provides funds for 6 seasonal and 2 year-round
 12 Park Ranger positions and 2 seasonal Assistant Park Ranger
 14 positions to improve security, safety, visitor assistance and
 maintenance at parks; and one Civil Engineer I position to assist
 with capital projects.

16	Other Special Revenue Funds	2001-02	2002-03
	Positions - Legislative Count	(3.000)	(3.000)
18	Positions - FTE Count	(4.000)	(4.000)
	Personal Services	220,695	228,657
20	All Other	9,265	9,265
22	Total	<u>229,960</u>	<u>237,922</u>

24 **Land Management and Planning**

26 New Initiative: Provides funds to increase 2 CT III positions
 28 from 30 to 40 hours a week; extend 2 seasonal Park Ranger
 30 positions; and add 3 new Park Ranger positions for 20 weeks, a
 new P and R Associate II position for 26 weeks, 6 new Forester I
 Specialist position.

32	Other Special Revenue Funds	2001-02	2002-03
34	Positions - Legislative Count	(8.000)	(8.000)
	Positions - FTE Count	(1.769)	(1.769)
36	Personal Services	509,718	531,287
	All Other	65,450	65,450
38	Total	<u>575,168</u>	<u>596,737</u>

40 New Initiative: Provides funds for the extension of a seasonal
 42 Planning and Research Associate I position to full time.

44	Other Special Revenue Funds	2001-02	2002-03
	Positions - Legislative Count	(1.000)	(1.000)
46	Positions - FTE Count	(-0.481)	(-0.481)
	Personal Services	16,807	19,505
48	Total	<u>16,807</u>	<u>19,505</u>

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Forestry Administration

2

New Initiative: Provides funds for split funding of an existing
 4 federally funded Resource Administrator position.

6	General Fund	2001-02	2002-03
	Positions - Legislative Count	(0.500)	(0.500)
8	Personal Services	31,090	33,271
10	Total	<u>31,090</u>	<u>33,271</u>

12 New Initiative: Provides for the transfer of 1/2 of a Resource
 Administrator position.

14

	Federal Expenditures Fund	2001-02	2002-03
16	Positions - Legislative Count	(-0.500)	(-0.500)
	Personal Services	(31,090)	(33,271)
18	Total	<u>(31,090)</u>	<u>(33,271)</u>

20

Forest Protection, Division of

22

New Initiative: Provides funds and FTE count necessary to
 24 transfer a Radio Operator position from the Bureau of Parks and
 Lands to the Division of Forest Protection.

26

	General Fund	2001-02	2002-03
28	Positions - FTE Count	(0.346)	(0.346)
	Personal Services	11,544	12,357
30	Total	<u>11,544</u>	<u>12,357</u>

32

Forest Practices

34

New Initiative: Provides funds for split funding of an existing
 36 federally funded Resource Administrator position.

38	General Fund	2001-02	2002-03
	Personal Services	(31,090)	(33,271)
40	Total	<u>(31,090)</u>	<u>(33,271)</u>

42

Forest Policy and Management, Division of

44

New Initiative: Provides funds for the reclassification of a
 46 Planning and Research Associate I position to a Planning and
 Research Associate II position.

48

	General Fund	2001-02	2002-03
50	Personal Services	6,263	6,340

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2	All Other	(6,263)	(6,340)
4	Total	<u>0</u>	<u>0</u>

Forest Fire Control

6 New Initiative: Provides funds for the range change of 7 Radio
8 Operator positions. This employee-initiated request was approved
by the Bureau of Human Resources.

10	General Fund	2001-02	2002-03
12	Personal Services	35,457	16,372
14	Total	<u>35,457</u>	<u>16,372</u>

CONSERVATION, DEPARTMENT OF

16	Department Totals	2001-02	2002-03
18	Department Summary - All Funds	1,332,956	1,345,419
20	Department Summary - General Fund	541,356	526,701
22	Department Summary - Federal Expenditures Fund	(31,090)	(33,271)
24	Department Summary - Other Special Revenue Funds	822,690	851,989

CORRECTIONS, DEPARTMENT OF

Administration - Corrections

28 New Initiative: Transfer one Victim Services Coordinator position
30 and one Account Clerk II position to the Office of Victim
Services program.

32	General Fund	2001-02	2002-03
34	Positions - Legislative Count	(-2,000)	(-2,000)
36	Personal Services	(89,198)	(93,240)
38	All Other	(24,232)	(24,232)
	Total	<u>(113,430)</u>	<u>(117,472)</u>

40 New Initiative: Provides funds from the DI-CAP to establish one
42 Staff Accountant position, one Clerk Typist II position and one
Personnel Specialist position and transfers one Senior Staff
Accountant position from the Federal Expenditures Fund program.

44	Federal Expenditures Fund	2001-02	2002-03
46	Positions - Legislative Count	(-1,000)	(-1,000)
48	Personal Services	(52,693)	(55,850)
50	Total	<u>(52,693)</u>	<u>(55,850)</u>

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

	Other Special Revenue Funds	2001-02	2002-03
2	Positions - Legislative Count	(4,000)	(4,000)
	Personal Services	189,201	184,043
4	All Other	38,541	41,951
6	Total	<u>227,742</u>	<u>225,994</u>

8 New Initiative: Provides funds to implement the new
 10 classifications and pay ranges for security staff and other staff
 having inmate contact.

12	General Fund	2001-02	2002-03
14	Personal Services	7,664	7,775
16	Total	<u>7,664</u>	<u>7,775</u>

18 **Office of Victim Services**

20 New Initiative: Transfers one Victim Services Coordinator
 position and one Account Clerk II position from Administration
 and an Advocate position from Juvenile Community Corrections.

22	General Fund	2001-02	2002-03
24	Positions - Legislative Count	(3,000)	(3,000)
	Personal Services	137,264	144,484
26	All Other	29,704	29,704
28	Total	<u>166,968</u>	<u>174,188</u>

30	Other Special Revenue Funds	2001-02	2002-03
32	All Other	13,115	13,115
34	Total	<u>13,115</u>	<u>13,115</u>

36 **Correctional Program Improvement**

38 New Initiative: Provides, from the transfer of funds, a
 centralized account in which to manage the medical contract and
 establishes one Business Manager II position.

40	General Fund	2001-02	2002-03
42	Positions - Legislative Count	(1,000)	(1,000)
	Personal Services	54,444	57,926
44	All Other	5,778,336	5,798,409
46	Total	<u>5,832,780</u>	<u>5,856,335</u>

48 **Adult Community Corrections**

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2 New Initiative: Transfer 6 Probation Officer positions and one
 3 Correctional Planning Analyst position from federal funds and
 4 establish 2 Assistant Regional Correctional Administrator
 positions.

6	General Fund	2001-02	2002-03
	Positions - Legislative Count	(9,000)	(9,000)
8	Personal Services	487,434	575,348
	All Other	(357,250)	(390,975)
10		<hr/>	<hr/>
	Total	130,184	184,373

12	Federal Expenditures Fund	2001-02	2002-03
14	Positions - Legislative Count	(-7,000)	(-7,000)
	Personal Services	(391,172)	(408,800)
16	All Other	(55,287)	(56,066)
18		<hr/>	<hr/>
	Total	(446,459)	(464,866)

20 **Juvenile Community Corrections**

22 New Initiative: To transfer one Advocate position to the Office
 of Victim Services.

24	General Fund	2001-02	2002-03
26	Positions - Legislative Count	(-1,000)	(-1,000)
	Personal Services	(48,066)	(51,244)
28	All Other	(5,472)	(5,472)
30		<hr/>	<hr/>
	Total	(53,538)	(56,716)

32 New Initiative: Provides federal funds for multi-systemic
 therapy, foster care and day reporting.

34	Federal Expenditures Fund	2001-02	2002-03
36	All Other	337,904	337,904
38		<hr/>	<hr/>
	Total	337,904	337,904

40 **Maine State Prison**

42 New Initiative: To transfer MSP'S portion of the medical contract
 to a centralized account.

44	General Fund	2001-02	2002-03
46	All Other	(2,025,598)	(2,482,394)
48		<hr/>	<hr/>
	Total	(2,025,598)	(2,482,394)

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2 New Initiative: Provides funds to implement the new
 4 classifications and pay ranges for security staff and other staff
 having inmate contact.

6	General Fund	2001-02	2002-03
	Personal Services	812,377	722,799
8	Total	<u>812,377</u>	<u>722,799</u>
10	Other Special Revenue Funds	2001-02	2002-03
	Personal Services	3,226	6,532
12	Total	<u>3,226</u>	<u>6,532</u>
14	Prison Industries	2001-02	2002-03
16	Personal Services	11,001	11,074
18	Total	<u>11,001</u>	<u>11,074</u>

20 New Initiative: Elimination of 2 Correctional Officer I positions
 22 and one Correctional Officer II position and transfer of one
 Correctional Officer to the canteen in fiscal year 2002-03.

24	General Fund	2001-02	2002-03
	Positions - Legislative Count	(-3,000)	(-4,000)
26	Personal Services	(130,184)	(184,373)
28	Total	<u>(130,184)</u>	<u>(184,373)</u>
30	Other Special Revenue Funds	2001-02	2002-03
	Positions - Legislative Count		(1,000)
32	Personal Services		46,093
	All Other		1,000
34	Total	<u></u>	<u>47,093</u>

36 **Central Maine Pre-Release Center**

38 New Initiative: To transfer CMPRC portion of the medical contract
 40 to a centralized account.

42	General Fund	2001-02	2002-03
	All Other	(103,447)	(107,585)
44	Total	<u>(103,447)</u>	<u>(107,585)</u>

46 New Initiative: Provides funds to implement the new
 48 classifications and pay ranges for security staff and other staff
 having inmate contact.

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COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

	General Fund	2001-02	2002-03
2	Personal Services	48,573	49,225
4	Total	<u>48,573</u>	<u>49,225</u>

6 **Maine Correctional Center**

8 New Initiative: To transfer MCC portion of the medical contract to a centralized account.

	General Fund	2001-02	2002-03
12	All Other	(1,971,748)	(1,848,514)
14	Total	<u>(1,971,748)</u>	<u>(1,848,514)</u>

16 New Initiative: Provides funds to implement the new classifications and pay ranges for security staff and other staff having inmate contact.

	General Fund	2001-02	2002-03
20	Personal Services	414,183	392,385
22	Total	<u>414,183</u>	<u>392,385</u>

	Other Special Revenue Funds	2001-02	2002-03
26	Personal Services	775	829
28	Total	<u>775</u>	<u>829</u>

30 New Initiative: To exchange 2 Correctional Officer positions for one Chaplain I position and one Psychiatric Social Worker II position.

	General Fund	2001-02	2002-03
34	Personal Services	(488)	(53)
36	Total	<u>(488)</u>	<u>(53)</u>

38 New Initiative: Delayed hiring certain positions until new women's unit nears completion.

	General Fund	2001-02	2002-03
42	Personal Services	(284,084)	
44	Total	<u>(284,084)</u>	

46 **Downeast Correctional Facility**

48 New Initiative: To transfer DCF portion of the medical contract to a centralized account.

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2	General Fund	2001-02	2002-03
	All Other	(244,000)	(188,515)
4			
	Total	<u>(244,000)</u>	<u>(188,515)</u>

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New Initiative: Provides funds to implement the new classifications and pay ranges for security staff and other staff having inmate contact.

12	General Fund	2001-02	2002-03
	Personal Services	118,081	120,703
14			
	Total	<u>118,081</u>	<u>120,703</u>

16	Other Special Revenue Funds	2001-02	2002-03
	Personal Services	14,331	14,955
18	All Other	74	77
20			
	Total	<u>14,405</u>	<u>15,032</u>

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New Initiative: Provides funds for one Correctional Trades Shop Supervisor position for a new garment industries program at DCF.

26	Other Special Revenue Funds	2001-02	2002-03
	Positions - Legislative Count	(1,000)	(1,000)
28	Personal Services	37,979	38,992
30	All Other	15,550	13,425
32			
	Total	<u>53,529</u>	<u>52,417</u>

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Charleston Correctional Center

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New Initiative: To transfer CCF portion of the medical contract to a centralized account.

38	General Fund	2001-02	2002-03
	All Other	(209,418)	(217,795)
40			
	Total	<u>(209,418)</u>	<u>(217,795)</u>

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New Initiative: Provides funds to implement the new classifications and pay ranges for security staff and other staff having inmate contact.

46	General Fund	2001-02	2002-03
	Personal Services	51,362	53,787
48			
	Total	<u>51,362</u>	<u>53,787</u>

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

	Federal Expenditures Fund	2001-02	2002-03
2	Personal Services	5,330	5,619
	All Other	28	29
4			
	Total	5,358	5,648
6			
	Other Special Revenue Funds	2001-02	2002-03
8	Personal Services	14,331	14,955
	All Other	74	77
10			
	Total	14,405	15,032
12			
	Northern Maine Juvenile Facility		
14			
	New Initiative: Provides the necessary operating expenses to		
16	operate the Northern Maine Juvenile Facility.		
18	General Fund	2001-02	2002-03
	All Other	859,015	863,995
20	Capital Expenditures	25,333	
22	Total	884,348	863,995
24			
	New Initiative: Provides funds to implement the new		
26	classifications and pay ranges for security staff and other staff		
	having offender contact.		
28	General Fund	2001-02	2002-03
	Personal Services	69,414	72,257
30			
	Total	69,414	72,257
32			
	New Initiative: To transfer NMJF portion of the medical contract		
34	to a centralized account.		
36	General Fund	2001-02	2002-03
	All Other	(438,708)	(499,641)
38			
	Total	(438,708)	(499,641)
40			
	New Initiative: Establishes 3 Juvenile Program Worker positions.		
42			
	General Fund	2001-02	2002-03
44	Positions - Legislative Count	(3,000)	(3,000)
	Personal Services	134,933	144,430
46	All Other	(43,933)	(53,430)
48	Total	91,000	91,000

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

New Initiative: Provides allocation in the event NMJF is able to secure other funding.

4	Federal Expenditures Fund	2001-02	2002-03
	All Other	58,572	58,572
6	Capital Expenditures	10,000	10,000
8	Total	<u>68,572</u>	<u>68,572</u>

10	Other Special Revenue Funds	2001-02	2002-03
	All Other	1,218,125	1,218,125
12	Capital Expenditures	30,000	30,000
14	Total	<u>1,248,125</u>	<u>1,248,125</u>

16 **Maine Youth Center**

18 New Initiative: To transfer SMJF portion of the medical contract to a centralized account.

20	General Fund	2001-02	2002-03
22	All Other	(555,777)	(511,891)
24	Total	<u>(555,777)</u>	<u>(511,891)</u>

26 New Initiative: Provides funds to implement the new classifications and pay ranges for security staff and other staff having inmate contact.

30	General Fund	2001-02	2002-03
	Personal Services	23,974	23,974
32	Total	<u>23,974</u>	<u>23,974</u>

34 New Initiative: Elimination of 7 Juvenile Program Worker positions that no longer have funding.

38	Other Special Revenue Funds	2001-02	2002-03
	Positions - Legislative Count	(-7,000)	(-7,000)
40	Personal Services	(294,117)	(314,955)
42	Total	<u>(294,117)</u>	<u>(314,955)</u>

44 New Initiative: Deappropriation in All Other to support NMJF.

46	General Fund	2001-02	2002-03
	All Other	(91,000)	(91,000)
48	Total	<u>(91,000)</u>	<u>(91,000)</u>

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Administration - Corrections

2

New Initiative: Reorganize 3 positions with the Management Information Services Division.

4

6	General Fund	2001-02	2002-03
	Personal Services	17,425	21,100
8	All Other	(17,425)	(21,100)
10	Total	<u>0</u>	<u>0</u>

12 **Northern Maine Juvenile Facility**

14 New Initiative: Provides the necessary operating expenses to
 16 implement the Learning for Life task force recommendations and
 18 the Jobs for Maine's Graduates Program. This initiative funds
 506 hours in fiscal year 2001-02 and 674 hours in fiscal year
 2002-03 for substitute teachers.

20	General Fund	2001-02	2002-03
	Positions - FTE Count	(0.268)	(0.268)
22	Personal Services	7,950	10,600
24	All Other	97,146	84,646
26	Total	<u>105,096</u>	<u>95,246</u>

Maine Youth Center

28

30 New Initiative: Provides the necessary operating expenses to
 32 implement the Learning for Life task force recommendations. This
 initiative funds 506 hours in fiscal year 2001-02 and 674 hours
 in fiscal year 2002-03 for substitute teachers.

34	General Fund	2001-02	2002-03
	Positions - FTE Count	(0.268)	(0.268)
36	Personal Services	7,950	10,600
38	All Other	97,146	84,646
40	Total	<u>105,096</u>	<u>95,246</u>

Juvenile Community Corrections

42

44 New Initiative: Provides funds to support the building
 alternatives program.

46	General Fund	2001-02	2002-03
	All Other	45,000	45,000
48	Total	<u>45,000</u>	<u>45,000</u>

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COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2 New Initiative: Provides funds to support the building
alternatives program.

4	General Fund	2001-02	2002-03
	All Other	205,000	105,000
6			
	Total	<u>205,000</u>	<u>105,000</u>

8
10 New Initiative: Deappropriates funds to reallocate resources
from other community-based programs to support the building
alternative program.

12	General Fund	2001-02	2002-03
14	All Other	(205,000)	(105,000)
16			
	Total	<u>(205,000)</u>	<u>(105,000)</u>

18
20 **Maine Youth Center**

22 New Initiative: Transfer of All Other to Personal Services to
have a Clinical Director on staff rather than contract. The
24 Clinical Director position will utilize Legislative Count
designated for a Teacher Aide position that will not be filled.

26	General Fund	2001-02	2002-03
	Personal Services	115,907	122,148
28	All Other	(115,907)	(122,148)
30			
	Total	<u>0</u>	<u>0</u>

32 **CORRECTIONS, DEPARTMENT OF**

34	Department Totals	2001-02	2002-03
	Department Summary - All Funds	3,889,568	3,754,035
	Department Summary - General Fund	2,684,680	2,542,339
36	Department Summary - Federal		
	Expenditures Fund	(87,318)	(108,592)
38	Department Summary - Other Special		
	Revenue Funds	1,281,205	1,309,214
40	Department Summary - Prison Industries		
	Fund	11,001	11,074

42 **CULTURAL AFFAIRS COUNCIL, MAINE STATE**

44 **New Century Program Fund**

46
48 New Initiative: Establishes funds for the continuation of the New
Community Century Program for supplies, travel, etc., as well as
for the part-time services of an existing staff member at one of
50 the collaborating agencies.

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

	Other Special Revenue Funds	2001-02	2002-03
2	All Other	59,500	59,500
4	Total	<hr/> 59,500	<hr/> 59,500
6	CULTURAL AFFAIRS COUNCIL, MAINE STATE		
	Department Totals	2001-02	2002-03
8	Department Summary - All Funds	59,500	59,500
10	Department Summary - Other Special Revenue Funds	59,500	59,500
12	DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF		
14	Military Training and Operations		
16	New Initiative: Transfer 4 and upgrade 2 positions from the		
18	General Fund to the Federal Expenditures Fund to reflect proper		
	funding and adjust for a required federal match.		
20	General Fund	2001-02	2002-03
	Positions - Legislative Count	(-4,000)	(-4,000)
22	Personal Services	(282,156)	(284,702)
24	Total	<hr/> (282,156)	<hr/> (284,702)
26	Federal Expenditures Fund	2001-02	2002-03
	Positions - Legislative Count	(4,000)	(4,000)
28	Personal Services	289,661	293,860
	All Other	1,714	1,729
30	Total	<hr/> 291,375	<hr/> 295,589
32	New Initiative: Transfer 4 positions from the Federal		
34	Expenditures Fund to the General Fund to reflect proper funding		
	and adjust for a required federal match.		
36	General Fund	2001-02	2002-03
38	Positions - Legislative Count	(4,000)	(4,000)
	Personal Services	230,282	231,043
40	Total	<hr/> 230,282	<hr/> 231,043
42	Federal Expenditures Fund	2001-02	2002-03
44	Positions - Legislative Count	(-4,000)	(-4,000)
	Personal Services	(230,282)	(231,043)
46	All Other	(1,399)	(1,403)
48	Total	<hr/> (231,681)	<hr/> (232,446)
50	Veterans' Services		

2 New Initiative: To fund employee-initiated and approved range
 4 changes.

6	General Fund	2001-02	2002-03
6	Personal Services	48,478	25,660
8	Total	<u>48,478</u>	<u>25,660</u>

10 **DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF**

10	Department Totals	2001-02	2002-03
12	Department Summary - All Funds	56,298	35,144
14	Department Summary - General Fund	(3,396)	(27,999)
16	Department Summary - Federal		
16	Expenditures Fund	59,694	63,143

18 **ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF**

20 **Energy Resources, Office of**

22 New Initiative: Transfers in Personal Services and All Other
 24 funds and one Energy Specialist position from the Energy
 Conservation Program account to consolidate program functions and
 facilitate performance budgeting.

26	General Fund	2001-02	2002-03
28	Positions - Legislative Count	(1,000)	(1,000)
28	Personal Services	47,733	49,118
30	All Other	1,000	1,000
32	Total	<u>48,733</u>	<u>50,118</u>

34 **Energy Conservation Division**

36 New Initiative: Transfers out Personal Services and All Other
 38 funds and one Energy Specialist position to the Energy Resources
 Office account to consolidate program functions and facilitate
 performance budgeting.

40	General Fund	2001-02	2002-03
42	Positions - Legislative Count	(-1,000)	(-1,000)
44	Personal Services	(47,733)	(49,118)
44	All Other	(1,000)	(1,000)
46	Total	<u>(48,733)</u>	<u>(50,118)</u>

48 **Applied Technology Development Center System**

50 New Initiative: Provides grant funds to continue the operation of
 the 7 technology-based incubation centers.

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2	General Fund	2001-02	2002-03
	All Other		300,000
4			<hr/>
6	Total		300,000

Maine Biomedical Research Fund

8
 10 New Initiative: Provides grant funds to continue biomedical research in the State.

12	General Fund	2001-02	2002-03
	All Other	2,000,000	
14		<hr/>	
16	Total	2,000,000	

Maine Biomedical Research Fund

18
 20 New Initiative: To allocate an estimated unobligated balance of prior-year funds that were not disbursed in fiscal year 2000-01 due to a delay in the implementation of the program.

22	Other Special Revenue Funds	2001-02	2002-03
24	All Other	10,000,000	
26		<hr/>	
	Total	10,000,000	

Community Development Block Grant Program

30
 32 New Initiative: Allocates federal funds recently awarded by the United States Department of Housing and Urban Development to implement a project supporting housing and economic development in rural areas of the State.

34	Federal Expenditures Fund	2001-02	2002-03
36	All Other	425,000	
38		<hr/>	
	Total	425,000	

Regional Development - SCEDC

42
 44 New Initiative: Appropriates funds to support economic development initiatives in Somerset County. The Somerset County Economic Development Corporation will assist existing businesses to sustain current operations and stimulate the growth of new business enterprises within its service area.

48	General Fund	2001-02	2002-03
	All Other	50,000	50,000
50		<hr/>	<hr/>

	Total	50,000	50,000
2			
	ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF		
4	Department Totals	2001-02	2002-03
	Department Summary - All Funds	12,475,000	350,000
6	Department Summary - General Fund	2,050,000	350,000
	Department Summary - Other Special		
8	Revenue Funds	10,000,000	
	Department Summary - Federal		
10	Expenditures Fund	425,000	
12	EDUCATION, DEPARTMENT OF		
14	Education in Unorganized Territory		
16	New Initiative: Transfers the IASA - Title VI grant program funds		
18	from the Federal Block Grant Fund to the Federal Expenditures		
	Fund.		
20	Federal Expenditures Fund	2001-02	2002-03
	All Other	5,000	6,000
22			
	Total	5,000	6,000
24			
	Federal Block Grant Fund	2001-02	2002-03
26	All Other	(5,000)	(6,000)
28	Total	(5,000)	(6,000)
30	Leadership		
32	New Initiative: Provides funding for the Partnerships in		
34	Character Education federal grant program addressing student		
	behavioral issues and development of character education.		
36	Federal Expenditures Fund	2001-02	2002-03
	All Other	250,000	250,000
38			
	Total	250,000	250,000
40			
	New Initiative: Transfer one Administrative Secretary position to		
42	support systems.		
44	General Fund	2001-02	2002-03
	Positions - Legislative Count	(-1,000)	(-1,000)
46	Personal Services	(39,803)	(42,283)
48	Total	(39,803)	(42,283)
50	Support Systems		

2 New Initiative: To establish a new Administrative Secretary
 4 position in the School Renovation Admin. unit to provide support
 for a greatly increased workload in the areas of school
 6 construction and renovation.

	2001-02	2002-03
8 Other Special Revenue Funds		
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	38,220	38,990
10		
Total	38,220	38,990

12 New Initiative: Transfer one Administrative Secretary position
 14 from Leadership.

	2001-02	2002-03
16 General Fund		
Positions - Legislative Count	(1,000)	(1,000)
18 Personal Services	39,803	42,283
20		
Total	39,803	42,283

22 **Management Information Systems**

24 New Initiative: Provides funding for the federal Title VI
 26 Class-Size Reduction grant program assisting in recruiting and
 training additional teachers to reduce class size in the early
 28 grades.

	2001-02	2002-03
30 Federal Expenditures Fund		
All Other	640,648	656,664
32		
Total	640,648	656,664

34 New Initiative: Provides funding for maintenance and network
 36 management for additional sites established in the ATM distance
 learning network. The Department of Education must report back
 to the Joint Standing Committee on Appropriations and Financial
 38 Affairs and the Joint Standing Committee on Education by January
 15, 2002 on the status of the ATM distance learning network
 40 initiative.

	2001-02	2002-03
42 General Fund		
All Other	525,000	525,000
44		
Total	525,000	525,000

46 New Initiative: Transfer IASA-Title VI program allocation from
 48 the Federal Block Grant Fund to the Federal Expenditures Fund.

	2001-02	2002-03
50 Federal Expenditures Fund		

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2	Positions - Legislative Count	(4.000)	(4.000)
	Personal Services	239,991	245,999
4	All Other	2,872,827	2,944,650
6	Total	<u>3,112,818</u>	<u>3,190,649</u>
	Federal Block Grant Fund	2001-02	2002-03
8	Positions - Legislative Count	(-4.000)	(-4.000)
	Personal Services	(239,991)	(245,999)
10	All Other	(2,872,827)	(2,944,650)
12	Total	<u>(3,112,818)</u>	<u>(3,190,649)</u>
14	Learning Systems		
16	New Initiative: Increase one Clerk-Typist II position from 32 hours to 40 hours per week.		
18			
	Federal Expenditures Fund	2001-02	2002-03
20	Personal Services	6,820	7,030
22	Total	<u>6,820</u>	<u>7,030</u>
24	Regional Services		
26	New Initiative: Establishes the federal advanced placement grant program to enhance student aspirations and postsecondary placement.		
28			
30	Federal Expenditures Fund	2001-02	2002-03
	All Other	535,959	549,358
32	Total	<u>535,959</u>	<u>549,358</u>
34	Support Systems		
36	New Initiative: Provides funding for the reorganization of Position #01400-2621 from an Accountant I position to an Accounting Technician position.		
38			
40	Federal Expenditures Fund	2001-02	2002-03
42	Personal Services	1,099	1,099
44	Total	<u>1,099</u>	<u>1,099</u>
46	Management Information Systems		
48	New Initiative: Increases funding for the federal Title VI Class-size Reduction grant program to the actual amount of the anticipated grant.		
50			

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2	Federal Expenditures Fund	2001-02	2002-03
	All Other	6,965,132	7,139,261
4			
	Total	<u>6,965,132</u>	<u>7,139,261</u>
6			
	Learning Systems		
8			
10	New Initiative: Provides increased allocation from the Fund for		
12	a Healthy Maine for personal services in the School Nurse		
	Consultant program due to the hiring of an Education Specialist		
	III at a higher step than budgeted.		
14	Other Special Revenue Funds	2001-02	2002-03
	Personal Services	14,794	15,221
16	All Other	345	355
18			
	Total	<u>15,139</u>	<u>15,576</u>
20			
	Leadership		
22	New Initiative: Reclassifies Position #01400-6071 from a		
24	Federal-State Program Coordinator position to an Education Team		
	Leader and Policy Director position through All Other funding		
	reductions in other accounts.		
26			
	General Fund	2001-02	2002-03
28	Personal Services	21,066	16,961
30			
	Total	<u>21,066</u>	<u>16,961</u>
32			
	Management Information Systems		
34	New Initiative: Provides funding for the reclassification of		
36	Position #01400-6071 in the Leadership program through the		
	deferral of routine replacement of department equipment.		
38	General Fund	2001-02	2002-03
	All Other	(7,000)	(5,000)
40			
	Total	<u>(7,000)</u>	<u>(5,000)</u>
42			
	Learning Systems		
44			
46	New Initiative: Provides funding for the reclassification of		
	Position #01400-6071 in the Leadership program by savings in		
48	in-state travel and publication and printing costs through		
	distance learning and electronic transmission.		
50	General Fund	2001-02	2002-03

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2	All Other	(14,066)	(11,961)
4	Total	<u>(14,066)</u>	<u>(11,961)</u>

General Purpose Aid for Local Schools

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8
New Initiative: Appropriates funds in fiscal year 2002-03 to provide a 3% increase in General Purpose Aid for Local Schools.

10	General Fund	2001-02	2002-03
12	All Other		13,420,153
14	Total		<u>13,420,153</u>

Magnet School

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20
New Initiative: Appropriates funds for a cost-of-living adjustment of 5% the first year and 3% the 2nd year over the fiscal year 2000-01 base funding level for the Maine School of Science and Mathematics.

22	General Fund	2001-02	2002-03
24	All Other	74,147	120,859
26	Total	<u>74,147</u>	<u>120,859</u>

EDUCATION, DEPARTMENT OF

28	Department Totals	2001-02	2002-03
30	Department Summary - All Funds	9,052,164	22,723,990
32	Department Summary - General Fund	599,147	14,066,012
34	Department Summary - Federal Expenditures Fund	11,517,476	11,800,061
36	Department Summary - Other Special Revenue Funds	53,359	54,566
38	Department Summary - Federal Block Grant Fund	(3,117,818)	(3,196,649)

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Remediation and Waste Management

42
44
New Initiative: Transfers out one Clerk Typist II position to the Dedicated Overhead Account - DEP Administration to align function with funding.

46	Other Special Revenue Funds	2001-02	2002-03
48	Positions - Legislative Count	(-1,000)	(-1,000)
50	Personal Services	(29,559)	(31,427)
	All Other	(550)	(585)

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

	Total	(30,109)	(32,012)
2			
4	New Initiative: Transfers in a GIS Coordinator position from the Federal Expenditures Fund to the Groundwater Oil Clean-up Fund for alignment of function with funding.		
6			
8	Other Special Revenue Funds	2001-02	2002-03
	Positions - Legislative Count	(1,000)	(1,000)
	Personal Services	46,326	49,880
10	All Other	862	929
12	Total	<u>47,188</u>	<u>50,809</u>
14	New Initiative: Transfers in 2 ES III positions and associated All Other to the solid waste account, consistent with prior program mergers.		
16			
18	Other Special Revenue Funds	2001-02	2002-03
	Positions - Legislative Count	(2,000)	(2,000)
20	Personal Services	99,142	106,309
	All Other	10,711	11,065
22	Unallocated	184,660	189,277
24	Total	<u>294,513</u>	<u>306,651</u>
26	New Initiative: Allocates funds from the Maine Solid Waste Management Fund for sampling and analytical work and other program activities.		
28			
30	Other Special Revenue Funds	2001-02	2002-03
	All Other	203,723	203,723
32	Capital Expenditures	28,000	28,000
34	Total	<u>231,723</u>	<u>231,723</u>
36	New Initiative: Allocates funds for analytical and diagnostic equipment used in remedial activities.		
38			
40	Federal Expenditures Fund	2001-02	2002-03
	Capital Expenditures	15,000	
42	Total	<u>15,000</u>	
44	New Initiative: Allocates funds for Capital Expenditures to ensure proper storage, transport, safety, sampling and response clean-up capacity.		
46			
48	Other Special Revenue Funds	2001-02	2002-03
	Capital Expenditures	57,834	9,500
50		<u>57,834</u>	<u>9,500</u>

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2	Total	57,834	9,500
4	New Initiative: Allocates funds for analytical and diagnostic equipment used in remedial activities.		
6	Other Special Revenue Funds	2001-02	2002-03
8	Capital Expenditures	25,000	
10	Total	<u>25,000</u>	
12	New Initiative: Allocates funds for Capital Expenditures to ensure safety, proper storage, sampling and response clean-up capacity.		
14	Other Special Revenue Funds	2001-02	2002-03
16	Capital Expenditures	421,834	241,700
18	Total	<u>421,834</u>	<u>241,700</u>
20	New Initiative: Allocates funds for Capital Expenditures to ensure proper storage, safety, sampling and response clean-up capacity.		
22			
24	Other Special Revenue Funds	2001-02	2002-03
26	Capital Expenditures	68,434	25,500
28	Total	<u>68,434</u>	<u>25,500</u>
30	New Initiative: Allocates funds for one Senior Geologist position and one Environmental Specialist III position to oversee groundwater contamination remediation in the eastern region of the State.		
32			
34	Other Special Revenue Funds	2001-02	2002-03
36	Positions - Legislative Count	(2,000)	(2,000)
38	Personal Services	113,214	121,427
40	All Other	2,108	2,260
42	Total	<u>115,322</u>	<u>123,687</u>
44	Solid Waste Management		
46	New Initiative: Transfers out 2 positions and associated All Other to the Solid Waste account, consistent with prior program mergers.		
48	Other Special Revenue Funds	2001-02	2002-03
50	Positions - Legislative Count	(-2,000)	(-2,000)
	Personal Services	(99,142)	(106,309)
	All Other	(10,711)	(11,065)

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2	Unallocated	(184,660)	(189,277)
4	Total	<u>(294,513)</u>	<u>(306,651)</u>

Performance Partnership Grant

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New Initiative: Transfers out 2 Central Service positions to the Dedicated Overhead Account - DEP Administration to align function with funding.

	Federal Expenditures Fund	2001-02	2002-03
	Positions - Legislative Count	(-2,000)	(-2,000)
	Personal Services	(113,579)	(120,481)
	All Other	(2,114)	(2,243)
	Total	<u>(115,693)</u>	<u>(122,724)</u>

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New Initiative: Allocates funds for the continuation of one limited-period Environmental Specialist III position until June 7, 2003 to support groundwater supply database development and management.

	Federal Expenditures Fund	2001-02	2002-03
	Personal Services	49,884	53,485
	All Other	929	996
	Total	<u>50,813</u>	<u>54,481</u>

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New Initiative: Allocates funds for the purchase of 2 portable video projection units for the Non Point Source Training Center and decreases the All Other.

	Federal Expenditures Fund	2001-02	2002-03
	All Other	(10,000)	
	Capital Expenditures	10,000	
	Total	<u>0</u>	

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New Initiative: Transfers one Biologist I position from the Maine Environmental Protection Fund to the Federal Expenditures Fund to align function with funding.

	Federal Expenditures Fund	2001-02	2002-03
	Positions - Legislative Count	(1,000)	(1,000)
	Personal Services	54,540	55,844
	All Other	1,015	1,040
	Total	<u>55,555</u>	<u>56,884</u>

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2 New Initiative: Funds one Biologist II position and lab costs to
 fulfill federal responsibilities to produce total maximum daily
 loads for lakes and associated streams.

4

	2001-02	2002-03
6 Federal Expenditures Fund		
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	62,546	66,586
8 All Other	57,188	57,263
10 Total	119,734	123,849

12 New Initiative: Funds the continuation of one limited-period
 Environmental Specialist II position until June 7, 2003 for
 14 groundwater database quality assurance.

	2001-02	2002-03
16 Federal Expenditures Fund		
Personal Services	44,890	48,072
18 All Other	3,382	3,441
20 Total	48,272	51,513

22 New Initiative: Transfers a GIS Coordinator position from the
 Federal Expenditures Fund to the Groundwater Oil Clean-Up Fund
 24 for alignment of function with funding.

	2001-02	2002-03
26 Federal Expenditures Fund		
Positions - Legislative Count	(-1,000)	(-1,000)
28 Personal Services	(46,326)	(49,880)
All Other	(862)	(929)
30 Total	(47,188)	(50,809)

32 New Initiative: Funds one ES III position for watershed
 34 management efforts and nonpoint source pollution prevention
 projects in Atlantic salmon watersheds in the eastern portion of
 36 the State.

	2001-02	2002-03
38 Federal Expenditures Fund		
Positions - Legislative Count	(1,000)	(1,000)
40 Personal Services	59,545	61,453
All Other	6,202	6,237
42 Total	65,747	67,690

44 **Maine Environmental Protection Fund**

46 New Initiative: Transfers out one Biologist I position from the
 48 Maine Environmental Protection Fund to the Performance
 Partnership Grant to align function with funding.

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COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

	2001-02	2002-03
Other Special Revenue Funds		
2 Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(54,540)	(55,844)
4 All Other	(1,015)	(1,040)
	<hr/>	<hr/>
6 Total	(55,555)	(56,884)

8 **Administration, Environmental Protection**

10 New Initiative: Transfers in 2 Central Service positions from the
 12 Federal Expenditures Fund and one from the Groundwater Oil
 Clean-up Fund to align function with funding.

	2001-02	2002-03
Other Special Revenue Funds		
14 Positions - Legislative Count	(3,000)	(3,000)
16 Personal Services	143,138	151,908
All Other	2,664	2,828
	<hr/>	<hr/>
18 Total	145,802	154,736

20 **Administrative Service Center**

22 New Initiative: Allocates funds for the reorganization of the
 24 accounting staff at ACE Service Center.

	2001-02	2002-03
Other Special Revenue Funds		
26 Personal Services	11,181	11,471
28 All Other	591	606
	<hr/>	<hr/>
30 Total	11,772	12,077

32 **Land and Water Quality**

34 New Initiative: Allocates All Other funds in the Coastal Zone
 36 Management Grant account to align expenditures with grant funding
 resources.

	2001-02	2002-03
Federal Expenditures Fund		
38 All Other	49,999	49,999
	<hr/>	<hr/>
40 Total	49,999	49,999

42 New Initiative: Allocates funds for the continuation of 2
 44 Environmental Specialist II positions until December 31, 2001 as
 46 project positions to complete field work in the DHS/DEP
 Groundwater GIS field location study.

	2001-02	2002-03
Federal Expenditures Fund		
48 Personal Services	47,463	
50 All Other	884	

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

	2001-02	2002-03
Federal Expenditures Fund		
2 Personal Services	68,307	73,243
4 All Other	316,171	1,363
	<hr/>	<hr/>
6 Total	384,478	74,606

8 New Initiative: Allocates funds for the establishment of one
 10 limited-period Environmental Specialist III position until June
 12 7, 2003 to take corrective action on clean-up sites.

	2001-02	2002-03
Federal Expenditures Fund		
12 Personal Services	51,674	55,451
14 All Other	962	1,032
	<hr/>	<hr/>
16 Total	52,636	56,483

18 New Initiative: Allocates funds for the continuation of one
 20 limited-period Environmental Specialist III position until June
 22 7, 2003 to support groundwater supply database development and
 24 management.

	2001-02	2002-03
Federal Expenditures Fund		
22 Personal Services	49,884	53,485
24 All Other	929	996
	<hr/>	<hr/>
26 Total	50,813	54,481

28 **Maine Environmental Protection Fund**

30 New Initiative: Allocates funds for the transfer of a
 32 Conservation Aide position from the Remediation program to the
 34 Maine Environmental Protection Fund program to align function
 36 with funding.

	2001-02	2002-03
Other Special Revenue Funds		
36 Positions - Other Count	(0.500)	(0.500)
38 Personal Services	16,185	17,303
40 All Other	301	322
	<hr/>	<hr/>
42 Total	16,486	17,625

44 New Initiative: Allocates funds for the transfer of an
 46 Environmental Specialist IV position from the Administrative
 48 Overhead program to the Maine Environmental Protection Fund
 50 program to align function with funding.

	2001-02	2002-03
Other Special Revenue Funds		
48 Positions - Legislative Count	(1.000)	(1.000)
50 Personal Services	64,885	69,591
	<hr/>	<hr/>
50 All Other	1,208	1,296

2	Total	66,093	70,887
4	Administration - Environmental Protection		
6	New Initiative: Deallocates funds for the transfer of an		
8	Environmental Specialist IV position from the Administrative		
	Overhead program to the Maine Environmental Protection Fund		
10	program to align function with funding.		
	Federal Expenditures Fund	2001-02	2002-03
12	Positions - Legislative Count	(-1,000)	(-1,000)
	Personal Services	(64,885)	(69,591)
14	All Other	(1,208)	(1,296)
16	Total	(66,093)	(70,887)
18	Administrative Service Center		
20	New Initiative: Allocates funds for the Department of		
22	Environmental Protection's share of the management-initiated		
24	reclassification of the Director of Administrative Services		
	position at the ACE Service Center as part of a planned		
	reorganization.		
26	Other Special Revenue Funds	2001-02	2002-03
	Personal Services	9,210	9,320
28	All Other	486	492
30	Total	9,696	9,812
32	ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
	Department Totals	2001-02	2002-03
34	Department Summary - All Funds	1,923,180	1,187,101
	Department Summary - General Fund	0	0
36	Department Summary - Federal		
	Expenditures Fund	745,934	327,941
38	Department Summary - Other Special		
	Revenue Funds	1,177,246	859,160
40	EXECUTIVE DEPARTMENT - STATE PLANNING OFFICE		
42	Planning Office - Smart Growth Initiative		
44	New Initiative: Establishes a limited-period Senior Planner		
46	position to assist in managing increased grant and planning		
48	activities under the smart growth initiative.		
	General Fund	2001-02	2002-03
50	Personal Services	65,170	21,196

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2	All Other	(65,170)	(21,196)
4	Total	<u>0</u>	<u>0</u>

State Planning Office

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New Initiative: Provides an allocation for approved reclassifications of an Accountant I position and an Account Clerk II position to Senior Staff Accountant and Staff Accountant.

10	Federal Expenditures Fund	2001-02	2002-03
12	Personal Services	2,312	4,624
14	Total	<u>2,312</u>	<u>4,624</u>

EXECUTIVE DEPARTMENT - STATE PLANNING OFFICE

16	Department Totals	2001-02	2002-03
18	Department Summary - All Funds	2,312	4,624
20	Department Summary - General Fund	0	0
22	Department Summary - Federal Expenditures Fund	2,312	4,624

GOVERNOR BAXTER SCHOOL

Governor Baxter School for the Deaf

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New Initiative: Establishes one Literacy Teacher position, full time; 8 seasonal Teaching Assistant for the Deaf positions; one seasonal Information System Support Specialist position; and adds 484 hours to an existing seasonal Information System Support Specialist position.

32	General Fund	2001-02	2002-03
34	Positions - Legislative Count	(1.000)	
36	Positions - FTE Count	(7.675)	
38	Personal Services	263,172	
40	All Other		272,338
42	Total	<u>263,172</u>	<u>272,338</u>

GOVERNOR BAXTER SCHOOL

42	Department Totals	2001-02	2002-03
44	Department Summary - All Funds	263,172	272,338
46	Department Summary - General Fund	263,172	272,338

MAINE HEALTH DATA ORGANIZATION

Maine Health Data Organization

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2 New Initiative: Link maternal and child health national core
 performance and outcomes data with hospital clinical data of the
 State.

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6	Federal Expenditures Fund	2001-02	2002-03
	All Other	58,300	58,300
8	Total	<hr/> 58,300	<hr/> 58,300

10 **MAINE HEALTH DATA ORGANIZATION**

12	Department Totals	2001-02	2002-03
	Department Summary - All Funds	58,300	58,300
14	Department Summary - Federal Expenditures Fund	58,300	58,300

16 **HUMAN SERVICES, DEPARTMENT OF**

18 **Office of Management and Budget**

20 New Initiative: Transfers one Information System Support
 Specialist position and one Information System Support Specialist
 22 II position from the Federal Project Grants account.

24

26	Federal Expenditures Fund	2001-02	2002-03
	Positions - Legislative Count	(2,000)	(2,000)
	Personal Services	91,090	93,822
28	Total	<hr/> 91,090	<hr/> 93,822

30 New Initiative: Transfers one Clerk Typist II position from the
 Statistics Project Federal Grant to the Vital Records account.

32

34	Other Special Revenue Funds	2001-02	2002-03
	Positions - Legislative Count	(1,000)	(1,000)
	Personal Services	37,285	39,150
36	Total	<hr/> 37,285	<hr/> 39,150

38 **OMB Operations - Regional**

40 New Initiative: Installs foreign language computer kiosks in
 42 public reception areas in Portland, Biddeford and Lewiston
 44 offices to facilitate communications with non-English speaking
 clients.

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48	Federal Expenditures Fund	2001-02	2002-03
	All Other	50,000	
50	Total	<hr/> 50,000	

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2 New Initiative: Replaces outdated technology equipment in support
of services and programs in client service offices.

4			
6	Federal Expenditures Fund	2001-02	2002-03
	All Other	43,160	
8	Total	<hr/>	<hr/>
		43,160	

10 **Purchased Social Services**

12 New Initiative: Transfers the Community Intervention program to
Child Welfare Services.

14			
16	General Fund	2001-02	2002-03
	All Other	(3,310,000)	(3,310,000)
18	Total	<hr/>	<hr/>
		(3,310,000)	(3,310,000)

20 New Initiative: Transfers grants to the Purchased Social Services
program from the Bureau of Child and Family Services.

22			
24	Federal Expenditures Fund	2001-02	2002-03
	All Other	3,959,227	3,959,227
26	Total	<hr/>	<hr/>
		3,959,227	3,959,227

28 **Child Care Services**

30 New Initiative: Allocates Child Care Development Fund grant
increases to increasing child care vouchers and slots for
32 families transitioning off TANF.

34	Federal Block Grant Fund	2001-02	2002-03
	All Other	1,662,302	1,662,302
36	Total	<hr/>	<hr/>
		1,662,302	1,662,302

38 **Community Services Block Grant**

40 New Initiative: Allocates increased Community Services Block
42 Grant funds to provide case management services to low-income
families with multiple barriers to self-sufficiency.

44			
46	Federal Block Grant Fund	2001-02	2002-03
	All Other	159,857	159,857
48	Total	<hr/>	<hr/>
		159,857	159,857

50 **Bureau of Child and Family Services - Central**

2 New Initiative: Transfers the federal discretionary grants to the
 3 Community Services Center, including Crimes Victims Assistance,
 4 Ryan White, Family Violence Prevention and Health Systems.

6	Federal Expenditures Fund	2001-02	2002-03
	All Other	(3,228,098)	(3,228,098)
8			
	Total	(3,228,098)	(3,228,098)

10

12 New Initiative: Transfers the Refugee Resettlement Social
 13 Services, the Refugee Targeted Assistance and the Refugee Cash
 14 and Medical grants to the Community Services Center.

16	Federal Expenditures Fund	2001-02	2002-03
	All Other	(731,129)	(731,139)
18			
	Total	(731,129)	(731,139)

20 **Foster Care**

22 New Initiative: Expands the Statewide Youth Leadership Building,
 23 Rapid Evaluation, Family Connections Kinship, Maine Caring
 24 Families and Supported Family Services programs.

26	Federal Expenditures Fund	2001-02	2002-03
	All Other	356,494	397,575
28			
	Total	356,494	397,575

30

32 **Child Welfare Services**

34 New Initiative: Transfers funds from the Purchased Social
 35 Services account for the Community Intervention program.

36	General Fund	2001-02	2002-03
	All Other	3,310,000	3,310,000
38			
	Total	3,310,000	3,310,000

40

42 **Elder and Adult Services - Bureau of**

44 New Initiative: Transfers 19 positions in the Assisted Living
 45 Unit from the Bureau of Medical Services to the Bureau of Elder
 46 and Adult Services. A position listing is on file in the Bureau
 of the Budget.

48	General Fund	2001-02	2002-03
	Positions - Legislative Count	(8,000)	(8,000)
50	Personal Services	413,310	414,754
	All Other	122,500	122,500

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2	Total	535,810	537,254
4	Federal Expenditures Fund	2001-02	2002-03
	Positions - Legislative Count	(10,000)	(10,000)
6	Personal Services	506,982	510,755
	All Other	30,000	30,000
8		<hr/>	<hr/>
	Total	536,982	540,755

10 **Health - Bureau of**

12
14 New Initiative: Provides a state match for breast and cervical cancer screening services to support community outreach and media.

16	General Fund	2001-02	2002-03
	All Other	350,000	380,000
18		<hr/>	<hr/>
	Total	350,000	380,000

20 New Initiative: Addresses asthma from a public health perspective, develops surveillance system, coordinates services and activities, improves access to care and prevention services.

24	Federal Expenditures Fund	2001-02	2002-03
26	All Other	188,758	188,758
28		<hr/>	<hr/>
	Total	188,758	188,758

30 New Initiative: Allocates a cardiovascular disease federal grant and establishes one Cardiovascular Health Epidemiologist position required by the grant.

34	Federal Expenditures Fund	2001-02	2002-03
	Positions - Legislative Count	(1,000)	(1,000)
36	Personal Services	113,693	119,378
	All Other	1,086,307	1,080,622
38		<hr/>	<hr/>
	Total	1,200,000	1,200,000

40 New Initiative: Establishes one Public Health Educator III position and one Planning and Research Associate II position in the Immunization program to protect at-risk adults from preventable disability or death from diseases such as influenza, pneumonia and hepatitis.

46	Federal Expenditures Fund	2001-02	2002-03
48	Positions - Legislative Count	(2,000)	(2,000)
	Personal Services	93,028	97,679
50		<hr/>	<hr/>

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2 Total 93,028 97,679

4 New Initiative: Establishes one Public Health Physician position
to support bioterrorism surveillance and acute epidemiology
6 response.

	2001-02	2002-03
8 Federal Expenditures Fund		
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	94,584	99,313
10 All Other	5,416	687
12 Total	100,000	100,000

14 New Initiative: Establishes one Public Health Nurse II position
to provide quality assurance and quality improvement oversight
16 and ongoing professional education to contractors in
community-based organizations.

	2001-02	2002-03
18 Federal Expenditures Fund		
20 Positions - Legislative Count	(1,000)	(1,000)
Personal Services	43,214	44,904
22 Total	43,214	44,904

24 New Initiative: Upgrades one Programmer Analyst position to a
26 Senior Programmer Analyst position and one Clerk Typist II
position to a Clerk Typist III position within the Immunization
28 program.

	2001-02	2002-03
30 Federal Expenditures Fund		
Personal Services	18,664	19,597
32 Total	18,664	19,597

34 New Initiative: Transfers one Clerk Typist II position from the
36 Statistical Projects Program to the Office of Vital Statistics in
the Office of Management and Budget.

	2001-02	2002-03
38 Federal Expenditures Fund		
40 Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(37,285)	(39,150)
42 Total	(37,285)	(39,150)

44 New Initiative: Transfers one Medical Secretary position from
46 Federal Project Grants to the Maternal and Child Health Block
Grant.

	2001-02	2002-03
48 Federal Expenditures Fund		
50 Positions - Legislative Count	(-1,000)	(-1,000)

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

	Personal Services	(33,923)	(35,619)
2			
	Total	(33,923)	(35,619)

4
 6 New Initiative: Transfers one Information Support Specialist position and one Information Support Specialist II position to the Office of Management and Budget Central.

	Federal Expenditures Fund	2001-02	2002-03
10	Positions - Legislative Count	(-2,000)	(-2,000)
	Personal Services	(91,090)	(93,822)
12			
	Total	(91,090)	(93,822)

14
 16 New Initiative: Provides funding for position upgrades in the Health and Environmental Testing Laboratory to reflect the increased complexity of accepting, processing and testing samples. Position listing is on file in the Bureau of the Budget.

	Other Special Revenue Funds	2001-02	2002-03
20	Personal Services	21,000	21,840
22			
	Total	21,000	21,840

24
 26 New Initiative: Establishes one Chemist I position in the Health and Environmental Testing Laboratory to do chemical testing of drug enforcement samples.

	Other Special Revenue Funds	2001-02	2002-03
30	Positions - Legislative Count	(1,000)	(1,000)
	Personal Services	54,756	56,946
32	All Other	50,000	54,000
34			
	Total	104,756	110,946

36 **Plumbing - Control Over**

38 New Initiative: Upgrades one Sanitarian II position to an Environmental Specialist II position in the Control Over Plumbing program.

	Other Special Revenue Funds	2001-02	2002-03
42	Personal Services	2,171	2,279
44			
	Total	2,171	2,279

46
 48 New Initiative: Upgrades one Health Program Manager position to a Director of Wastewater and Plumbing Control position in the Control Over Plumbing program.

50

COMMITTEE AMENDMENT

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

	2001-02	2002-03
2 Other Special Revenue Funds		
Personal Services	15,841	16,634
4 Total	15,841	16,634

6 **Maternal and Child Health**

8 New Initiative: Upgrades one previously approved Clerk III position to a Research Assistant position.

	2001-02	2002-03
10 Federal Block Grant Fund		
12 Personal Services	1,353	1,421
14 Total	1,353	1,421

16 New Initiative: Transfers one Medical Secretary position from Federal Project Grants to the Maternal and Child Health Block Grant.

	2001-02	2002-03
20 Federal Block Grant Fund		
Positions - Legislative Count	(1,000)	(1,000)
22 Personal Services	33,923	35,619
24 Total	33,923	35,619

26 **Special Children's Services**

28 New Initiative: Upgrades one Public Health Nurse I position to a Children with Special Health Needs Coordinator position.

	2001-02	2002-03
30 Federal Block Grant Fund		
32 Personal Services	6,410	6,731
34 Total	6,410	6,731

36 **Drinking Water Enforcement**

38 New Initiative: Upgrades one Paralegal Assistant position to an Environmental Specialist IV position in the Drinking Water Program.

	2001-02	2002-03
42 Other Special Revenue Funds		
Personal Services	5,420	5,691
44 Total	5,420	5,691

46 New Initiative: Upgrades one Environmental Engineer position to a Sanitary Engineer II position.

	2001-02	2002-03
50 Other Special Revenue Funds		

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2	Personal Services	10,088	10,592
	Total	<u>10,088</u>	<u>10,592</u>

4

Additional Support for Persons in Retraining and Employment

6

8 New Initiative: Transfers Federal Block Grant Funds from the
 8 General Assistance program to the ASPIRE program to assist TANF
 recipients with support services.

10

12	Federal Block Grant Fund	2001-02	2002-03
	All Other	700,000	700,000
14	Total	<u>700,000</u>	<u>700,000</u>

16 New Initiative: Transfers 7 Human Services Aide III positions
 18 from the Federal Expenditures Fund to the Federal Block Grant
 Fund in ASPIRE.

20	Federal Expenditures Fund	2001-02	2002-03
	Positions - Legislative Count	(-7,000)	(-7,000)
22	Personal Services	(242,625)	(242,625)
	All Other	(21,000)	(21,000)
24	Total	<u>(263,625)</u>	<u>(263,625)</u>

26	Federal Block Grant Fund	2001-02	2002-03
28	Positions - Legislative Count	(7,000)	(7,000)
	Personal Services	242,625	242,625
30	All Other	21,000	21,000
32	Total	<u>263,625</u>	<u>263,625</u>

34 **Bureau of Family Independence - Central**

36 New Initiative: Implements the electronic benefit transfer (EBT)
 38 system for the distribution of food stamps and cash benefits to
 public assistance recipients.

40	General Fund	2001-02	2002-03
	All Other	550,000	482,000
42	Total	<u>550,000</u>	<u>482,000</u>

44	Federal Expenditures Fund	2001-02	2002-03
46	All Other	550,000	482,000
48	Total	<u>550,000</u>	<u>482,000</u>

50 **General Assistance - Reimbursement to Cities and Towns**

2 New Initiative: Transfers Federal Block Grant Funds from the
 4 General Assistance program to the ASPIRE program to assist TANF
 recipients with support services.

6	Federal Block Grant Fund	2001-02	2002-03
	All Other	(700,000)	(700,000)
8			
	Total	<u>(700,000)</u>	<u>(700,000)</u>

10

Bureau of Medical Services

12

14 New Initiative: Transfers 19 positions in the Assisted Living
 Unit from the Bureau of Medical Services to the Bureau of Elder
 and Adult Services. A position listing is on file in the Bureau
 16 of the Budget.

18	General Fund	2001-02	2002-03
	Positions - Legislative Count	(-8,000)	(-8,000)
20	Personal Services	(413,310)	(414,754)
	All Other	(122,500)	(122,500)
22			
	Total	<u>(535,810)</u>	<u>(537,254)</u>

24

	Federal Expenditures Fund	2001-02	2002-03
26	Positions - Legislative Count	(-10,000)	(-10,000)
	Personal Services	(506,982)	(510,755)
28	All Other	(30,000)	(30,000)
30	Total	<u>(536,982)</u>	<u>(540,755)</u>

32 New Initiative: Establishes 4 Health Services Consultant
 34 positions to accomplish increased federal long-term care
 complaint investigations.

36	Federal Expenditures Fund	2001-02	2002-03
	Positions - Legislative Count	(4,000)	(4,000)
38	Personal Services	176,423	183,396
	All Other	50,637	33,634
40			
	Total	<u>227,060</u>	<u>217,030</u>

42

Community Services Center

44

46 New Initiative: Transfers 3 Social Services Program Specialist I
 positions (#00-4356; #00-4368; and #90-005) to the Department of
 Mental Health, Mental Retardation and Substance Abuse Services.

48

50	General Fund	2001-02	2002-03
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COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2	Positions - Legislative Count	(-3.000)	(-3.000)
	Personal Services	(154,626)	(156,865)
4	All Other	(10,434)	(10,746)
6	Total	<u>(165,060)</u>	<u>(167,611)</u>

Bureau of Medical Services

8
 10 New Initiative: Reorganizes an Account Clerk I position
 12 (#10-1891) to a Clerk III position and Health Care Financial
 Analyst positions (#00-1917 and #00-2156) to Financial Analyst
 positions.

14	Federal Expenditures Fund	2001-02	2002-03
16	Personal Services	16,678	17,513
18	Total	<u>16,678</u>	<u>17,513</u>

**Elder and Adult Services,
 Bureau of**

22 New Initiative: Allocates funds for the purpose of implementing
 24 the Family Caregiver Support Program.

26	Federal Expenditures Fund	2001-02	2002-03
28	All Other	564,300	564,300
	Total	<u>564,300</u>	<u>564,300</u>

30 New Initiative: Establishes a Caseworker position to comply with
 32 the AMHI Consent Decree requiring active caseloads for
 caseworkers not to exceed 25 cases. This position is funded 50%
 34 by the Department of Mental Health, Mental Retardation and
 Substance Abuse Services.

36	General Fund	2001-02	2002-03
38	Positions - Legislative Count	(1.000)	(1.000)
	Personal Services	43,057	45,261
40	All Other	(21,529)	(22,630)
42	Total	<u>21,528</u>	<u>22,631</u>

Health, Bureau of

44
 46 New Initiative: Allocates funds for the reorganization of
 Position #00-2402 from an Accountant II position to a Staff
 Accountant position.

48	Federal Expenditures Fund	2001-02	2002-03
50	Personal Services	1,677	1,749

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2	Total	1,677	1,749
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4 New Initiative: Deallocates funds to correct a budgeting error.
 6 The allocation should have been straight lined from fiscal year
 2000-01.

8	Other Special Revenue Funds	2001-02	2002-03
	All Other	(205,780)	(410,404)
10			
12	Total	(205,780)	(410,404)

Child Care Services

14 New Initiative: Allocates funds in the Child Care Development
 16 Block Grant based on increases in the grant award.

18	Federal Block Grant Fund	2001-02	2002-03
	All Other	3,760,874	3,760,874
20			
22	Total	3,760,874	3,760,874

Community Services Block Grant

24 New Initiative: Allocates funds in the Community Services Block
 26 Grant based on an increase in the grant award.

28	Federal Block Grant Fund	2001-02	2002-03
	All Other	383,558	383,558
30			
32	Total	383,558	383,558

Drinking Water Enforcement

34 New Initiative: Allocates funds to establish 4 Environmental
 36 Specialist II positions, one Environmental Specialist III
 38 position and one Assistant Engineering position. Existing staff
 is not able to meet the needs of the program nor the demands set
 by Congress and the United States Environmental Protection Agency.

40	Other Special Revenue Funds	2001-02	2002-03
42	Positions - Legislative Count	(6,000)	(6,000)
	Personal Services	283,390	297,560
44	All Other	24,000	24,000
46			
	Total	307,390	321,560

Human Leukocyte Antigen Screening Fund

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2 New Initiative: Allocates funds in the Human Leukocyte Antigen
Screening Fund based on taxpayer refunds designated for this
4 purpose.

6	Other Special Revenue Funds	2001-02	2002-03
	All Other	50,000	50,000
8	Total	<u>50,000</u>	<u>50,000</u>

10 **Medical Care - Payments to Providers**

12 New Initiative: To transfer the low-cost drugs for the elderly
14 program to the Medical Care - Payments to Providers account.

16	General Fund	2001-02	2002-03
	All Other	7,973,198	9,768,198
18	Total	<u>7,973,198</u>	<u>9,768,198</u>

20	Other Special Revenue Funds	2001-02	2002-03
	All Other	10,000,000	10,000,000
22	Total	<u>10,000,000</u>	<u>10,000,000</u>

24 New Initiative: Allocates funds for the federal match for
26 Medicaid services seeded by the Department of Mental Health,
Mental Retardation and Substance Abuse Services.

28	Federal Expenditures Fund	2001-02	2002-03
30	All Other	1,875,998	2,156,411
32	Total	<u>1,875,998</u>	<u>2,156,411</u>

34 **Low-cost Drugs for Maine's Elderly**

36 New Initiative: To transfer the low-cost drugs for the elderly
38 program to the Medical Care - Payments to Providers account.

40	General Fund	2001-02	2002-03
	All Other	(7,973,198)	(9,768,198)
42	Total	<u>(7,973,198)</u>	<u>(9,768,198)</u>

44	Other Special Revenue Funds	2001-02	2002-03
	All Other	(10,000,000)	(10,000,000)
46	Total	<u>(10,000,000)</u>	<u>(10,000,000)</u>

48	HUMAN SERVICES, DEPARTMENT OF		
50	Department Totals	2001-02	2002-03

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2	Department Summary - All Funds	12,370,739	12,308,407
	Department Summary - General Fund	756,468	717,020
4	Department Summary - Federal Expenditures Fund	4,994,198	5,149,112
6	Department Summary - Other Special Revenue Funds	348,171	168,288
8	Department Summary - Federal Block Grant Fund	6,271,902	6,273,987

10 INDIAN TRIBAL-STATE COMMISSION, MAINE

12 Maine Indian Tribal-State Commission

14 New Initiative: Continues a one-time biennial appropriation
 16 enacted by the 119th Legislature to support the involvement of
 Maliseet and Micmac representatives in MITSC's work.

18	General Fund	2001-02	2002-03
	All Other	15,000	15,000
20		<hr/>	<hr/>
22	Total	15,000	15,000

24 INDIAN TRIBAL-STATE COMMISSION, MAINE

24	Department Totals	2001-02	2002-03
	Department Summary - All Funds	15,000	15,000
26	Department Summary - General Fund	15,000	15,000

28 INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF

30 Resource Management Services

32 New Initiative: Establishes a Biologist II position to oversee
 34 the maintenance of roads, bridges, dams, buildings and property
 lines and to implement wildlife habitat and forest management on
 department lands.

36	Other Special Revenue Funds	2001-02	2002-03
38	Positions - Legislative Count		(1,000)
	Personal Services		61,519
40	All Other		1,481
	Capital Expenditures		12,000
42			<hr/>
44	Total		75,000

46 Public Information and Education, Division of

48 New Initiative: Manage the Hunter Safety program through a
 transfer of this program from the Warden Service.

50	General Fund	2001-02	2002-03
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COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

	Positions - Legislative Count	(3.000)	(3.000)
2	Positions - FTE Count	(2.885)	(2.885)
	Personal Services	167,730	173,422
4	All Other	20,820	20,708
		<hr/>	<hr/>
6	Total	188,550	194,130
	Federal Expenditures Fund	2001-02	2002-03
8	Personal Services	65,000	65,000
10	All Other	100,000	100,000
		<hr/>	<hr/>
12	Total	165,000	165,000
14	Enforcement Operations		
16	New Initiative: Transfer the Hunter Safety program to the Information and Education program.		
18			
	General Fund	2001-02	2002-03
20	Positions - Legislative Count	(-2.000)	(-2.000)
	Positions - FTE Count	(-3.966)	(-3.966)
22	Personal Services	(158,550)	(164,130)
	All Other	(30,000)	(30,000)
24		<hr/>	<hr/>
	Total	(188,550)	(194,130)
26			
	Federal Expenditures Fund	2001-02	2002-03
28	Personal Services	(65,000)	(65,000)
	All Other	(100,000)	(100,000)
30		<hr/>	<hr/>
	Total	(165,000)	(165,000)
32			
	INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF		
34	Department Totals	2001-02	2002-03
	Department Summary - All Funds	0	75,000
36	Department Summary - General Fund	0	0
	Department Summary - Other Special		
38	Revenue Funds		75,000
40	JUDICIAL DEPARTMENT		
42	Courts - Supreme, Superior and District		
44	New Initiative: Establish 8 Financial Screener positions to provide screening for indigent legal services and deappropriate		
46	All Other funds currently used to contract for these services.		
48	General Fund	2001-02	2002-03
	Positions - Legislative Count		(8.000)
50	Personal Services		317,145

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2	All Other		(187,624)
4	Total		<u>129,521</u>

6 New Initiative: Provides for the replacement of 30 Contract
7 Security positions with 30 state employees and the creation of 2
8 Regional Security Coordinator positions.

10	General Fund	2001-02	2002-03
	Positions - Legislative Count		(32,000)
	Personal Services		1,311,210
12	All Other		(507,354)
14	Total		<u>803,856</u>

16 New Initiative: Provides funds to establish 5 additional
17 Assistant Court Clerks.

18	General Fund	2001-02	2002-03
20	Positions - Legislative Count		(5,000)
	Personal Services		177,435
22	All Other		17,500
24	Total		<u>194,935</u>

26 New Initiative: Provides funds to continue a limited-period Court
27 Appointed Special Advocate (CASA) Staff Attorney position through
28 June 15, 2002.

30	Other Special Revenue Funds	2001-02	2002-03
	Personal Services	59,508	
32	All Other	3,000	
34	Total	<u>62,508</u>	

36 New Initiative: Establishes one part-time, limited-period
37 Volunteer Coordinator position with an end date of June 14, 2003.

38	Other Special Revenue Funds	2001-02	2002-03
40	Personal Services	37,073	39,017
	All Other	10,000	10,000
42	Total	<u>47,073</u>	<u>49,017</u>

44	JUDICIAL DEPARTMENT		
46	Department Totals	2001-02	2002-03
	Department Summary - All Funds	109,581	1,177,329
48	Department Summary - General Fund		1,128,312
50	Department Summary - Other Special Revenue Funds	109,581	49,017

2 **LABOR, DEPARTMENT OF**

4 **Employment Services Activity**

6 New Initiative: Provides funding to maintain support for the
 8 public employment/labor exchange activities of the current 23
 career centers.

10	General Fund	2001-02	2002-03
12	Personal Services	648,297	673,765
12	All Other	351,703	326,235
14	Total	<u>1,000,000</u>	<u>1,000,000</u>

16 **Regulation and Enforcement**

18 New Initiative: Transfers 1/2 of an Occupational Health
 20 Specialist position from an Other Special Revenue account and
 combines it with a like position held by the same person and
 22 funded from this federal account.

24	Federal Expenditures Fund	2001-02	2002-03
24	Positions - Legislative Count	(0.500)	(0.500)
26	Personal Services	28,882	29,390
28	Total	<u>28,882</u>	<u>29,390</u>

30 New Initiative: Allocates 1/2 of the expense of a Clerk Typist
 32 III position to an Other Special Revenue account because the
 federal OSHA has informed BLS that it will not allow additional
 clerical support to be funded by the grant.

34	Federal Expenditures Fund	2001-02	2002-03
34	Personal Services	(19,938)	(20,624)
36	All Other	19,938	20,624
38	Total	<u>0</u>	<u>0</u>

40 **Safety Education and Training Programs**

42 New Initiative: Transfers 1/2 of an Occupational Health
 44 Specialist position from this account to a federal account and
 combines it with a like position held by the same person.

46	Other Special Revenue Fund	2001-02	2002-03
46	Positions - Legislative Count	(-0.500)	(-0.500)
48	Personal Services	(28,882)	(29,390)
50	Total	<u>28,882</u>	<u>29,390</u>

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2 Total 0 0

4 New Initiative: Allocates 1/2 the expense of a Clerk Typist III
6 position from a federal account because the federal OSHA has
informed BLS that it will not allow additional clerical support
to be funded by the grant.

8	Other Special Revenue Fund	2001-02	2002-03
10	Personal Services	19,938	20,624
	All Other	(19,938)	(20,624)
12	Total	<hr/> 0	<hr/> 0

14 **Labor Relations Board**

16 New Initiative: Provides funds to increase a Clerk Stenographer
18 III position from 32 to 40 hours per week. Per diem is requested
for members attending meetings on administrative matters that can
not be billed to particular parties.

20	General Fund	2001-02	2002-03
22	Personal Services	11,348	11,745
24	Total	<hr/> 11,348	<hr/> 11,745

26 **Blind and Visually Impaired, Division for the**

28 New Initiative: Provides for the elimination of one Employment
and Training Specialist I position at range 17 and the creation
30 of one Mobility and Orientation Instructor for the Blind position
at range 22.

32	Federal Expenditures Fund	2001-02	2002-03
34	Personal Services	7,138	7,430
36	Total	<hr/> 7,138	<hr/> 7,430

38 New Initiative: Provides for the transfer of one Business
Enterprise Program Assistant position from this federal funding
40 source to an Other Special Revenue funding source.

42	Federal Expenditures Fund	2001-02	2002-03
44	Positions - Legislative Count	(-1,000)	(-1,000)
	Personal Services	(44,656)	(47,828)
46	All Other	44,656	47,828
	Total	<hr/> 0	<hr/> 0

48 New Initiative: Provides for the elimination of one Business
50 Enterprise Program Assistant position at pay range 20 and the

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2 creation of a Business Enterprise Program Aide position, so
called, at pay range 17.

4	Other Special Revenue Fund	2001-02	2002-03
	Personal Services	(3,834)	(4,059)
6	All Other	3,834	4,059
8	Total	<u>0</u>	<u>0</u>

10 New Initiative: Provides for the transfer of one Business
Enterprise Program Assistant position to this account from the
12 federal blind and visually impaired program.

14	Other Special Revenue Fund	2001-02	2002-03
	Positions - Legislative Count	(1,000)	(1,000)
16	Personal Services	44,656	47,828
18	Total	<u>44,656</u>	<u>47,828</u>

20 **Blind and Visually Impaired, Division for the**

22 New Initiative: Appropriates funds to support a supplemental
grant to the Iris Network, formerly the Maine Center for the
24 Blind, for the provision of independent living services to older
blind and visually impaired clients. The funds will provide 3
26 rehabilitation teachers, to improve services to blind residents
in underserved areas of the State. The division shall adopt a
28 performance measure that states the response time, referral to
intake, in these areas will be equal to the statewide average
30 response time. By January 15, 2002, the division shall provide a
report on the progress of meeting the performance measure to the
32 Joint Standing Committee on Appropriations and Financial Affairs
and the Joint Standing Committee on Labor.

34	General Fund	2001-02	2002-03
36	All Other	150,000	150,000
38	Total	<u>150,000</u>	<u>150,000</u>

40 **Maine Centers for Women, Work and Community**

42 New Initiative: Appropriates funds for a 3% salary increase and
accompanying personnel benefits increase for all current program
44 staff.

46	General Fund	2001-02	2002-03
	All Other	16,367	17,634
48	Total	<u>16,367</u>	<u>17,634</u>

50

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

LABOR, DEPARTMENT OF

2	Department Totals	2001-02	2002-03
	Department Summary - All Funds	1,258,391	1,264,027
4	Department Summary - General Fund	1,177,715	1,179,379
	Department Summary - Federal		
6	Expenditures Fund	36,020	36,820
	Department Summary - Other Special		
8	Revenue Funds	44,656	47,828

10 **MARINE RESOURCES, DEPARTMENT OF**

12 **Bureau of Resource Management**

14 New Initiative: Establishes one Data Entry Specialist position
to provide data entry support for various fisheries statistics.

16	General Fund	2001-02	2002-03
18	Positions - Legislative Count	(1,000)	(1,000)
	Personal Services	30,902	31,950
20	All Other	(30,902)	(31,950)
22	Total	<u>0</u>	<u>0</u>

24 New Initiative: Transfers out one Senior Programmer Analyst
position to the Division of Administrative Services to accurately
26 reflect program activities.

28	Federal Expenditures Fund	2001-02	2002-03
	Positions - Legislative Count	(-1,000)	(-1,000)
30	Personal Services	(75,356)	(75,356)
	All Other	(1,507)	(1,507)
32	Total	<u>(76,863)</u>	<u>(76,863)</u>

34 **Division of Administrative Services**

36 New Initiative: Transfers in one Senior Programmer Analyst
38 position from the Bureau of Resource Management to accurately
reflect program activities.

40	Federal Expenditures Fund	2001-02	2002-03
42	Positions - Legislative Count	(1,000)	(1,000)
	Personal Services	75,356	75,356
44	All Other	1,507	1,507
46	Total	<u>76,863</u>	<u>76,863</u>

48 **Bureau of Resource Management**

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2 New Initiative: Reorganizes 3 Marine Resource Specialist II
positions to Marine Resource Scientist I positions to properly
align class with job duties.

4

General Fund	2001-02	2002-03
6 Personal Services	6,213	11,982
All Other	(6,213)	(11,982)
8 Total	<u>0</u>	<u>0</u>

10 **Bureau of Marine Patrol**

12 New Initiative: Appropriates funds to reorganize one Secretary
14 position to an Administrative Secretary position to properly
align class with job duties.

16

General Fund	2001-02	2002-03
18 Personal Services	2,122	3,420
All Other	(2,122)	(3,420)
20 Total	<u>0</u>	<u>0</u>

22 **Division of Community Resource Development**

24 New Initiative: Appropriates funds to reorganize a Clerk
26 Stenographer III position to a Planning and Research Associate I
position to align class with job duties.

28

General Fund	2001-02	2002-03
30 Personal Services	1,847	3,244
All Other	(1,847)	(3,244)
32 Total	<u>0</u>	<u>0</u>

34 **Bureau of Marine Patrol**

36 New Initiative: Allocates funds to establish 2 Marine Patrol
38 Specialist positions and support costs within the Bureau of
Marine Patrol in order to facilitate implementation of a joint
40 enforcement agreement with the United States Coast Guard.

42

Federal Expenditures Fund	2001-02	2002-03
44 Positions - Legislative Count	(2,000)	(2,000)
Personal Services	113,268	117,352
All Other	25,100	15,100
46 Total	<u>138,368</u>	<u>132,452</u>

48 New Initiative: Deallocates funds for 6 vacant part-time Marine
50 Patrol Officer positions and support costs.

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2	Other Special Revenue	2001-02	2002-03
	Positions - FTE Count	(-1,892)	(-1,892)
4	Personal Services	(79,356)	(83,571)
	All Other	(6,106)	(6,161)
6		<hr/>	<hr/>
	Total	(85,462)	(89,732)

8	MARINE RESOURCES, DEPARTMENT OF		
10	Department Totals	2001-02	2002-03
	Department Summary - All Funds	52,906	42,720
12	Department Summary - General Fund	0	0
	Department Summary - Federal		
14	Expenditures Fund	138,368	132,452
	Department Summary - Other		
16	Special Revenue Funds	(85,462)	(89,732)

18
19 **MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES,**
20 **DEPARTMENT OF**

21 **Regional Operations**

24 New Initiative: Provides overhead costs for 3 Nurse III positions
25 that perform utilization review for children's services.

26	General Fund	2001-02	2002-03
28	All Other	18,000	18,000
30		<hr/>	<hr/>
	Total	18,000	18,000

32 New Initiative: Provides overhead costs for one Director of
33 Psychology Services position and 2 Psychiatric Social Worker II
34 positions needed to support the mental health services in the
35 juvenile correctional facilities.

36	General Fund	2001-02	2002-03
38	All Other	27,000	18,000
40		<hr/>	<hr/>
	Total	27,000	18,000

42 New Initiative: Provides operational costs for 22 positions
43 needed to meet requirements of the community consent decree.

44	General Fund	2001-02	2002-03
46	All Other	198,000	132,000
48		<hr/>	<hr/>
	Total	198,000	132,000

50 **Mental Health Services - Children**

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2 New Initiative: Provides short-term residential services for
 4 children with mental retardation and/or autism to provide
 behavior stabilization and behavior management to prevent longer
 term and more costly out-of-home placement.

	2001-02	2002-03
6 General Fund		
8 All Other	150,000	150,000
10 Total	<u>150,000</u>	<u>150,000</u>

12 New Initiative: Continues 3 Nurse III positions that provide
 14 utilization review functions, which will end in June 2001. This
 request will generate \$57,496 in General Fund revenue in fiscal
 year 2001-02 and \$64,108 in fiscal year 2002-03.

	2001-02	2002-03
16 General Fund		
18 Positions - Legislative Count	(3,000)	(3,000)
20 Personal Services	176,563	182,741
22 Total	<u>176,563</u>	<u>182,741</u>

24 New Initiative: Establishes one Director of Psychology Services
 position and 2 Psychiatric Social Worker II positions to support
 26 mental health services in the juvenile correctional facilities.
 This request will generate \$52,586 in General Fund revenue in
 fiscal year 2001-02 and \$55,269 in fiscal year 2002-03.

	2001-02	2002-03
28 General Fund		
30 Positions - Legislative Count	(3,000)	(3,000)
32 Personal Services	148,288	156,231
34 Total	<u>148,288</u>	<u>156,231</u>

36 New Initiative: Provides specialized crisis services for children
 with mental retardation and/or autism to divert from costly
 out-of-home placements and hospitalizations.

	2001-02	2002-03
38 General Fund		
40 All Other	100,000	100,000
42 Total	<u>100,000</u>	<u>100,000</u>

44 New Initiative: Provides children's respite services.

	2001-02	2002-03
46 General Fund		
48 All Other	200,000	200,000
50 Total	<u>200,000</u>	<u>200,000</u>

Mental Health Services - Community Medicaid

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New Initiative: Transfers funds to Mental Health Services - Children for the purpose of developing mobile crisis services for children with mental retardation and/or autism.

General Fund	2001-02	2002-03
All Other	(100,000)	(100,000)
Total	(100,000)	(100,000)

New Initiative: Transfers funds to Mental Health Services - Children for the purpose of developing respite services.

General Fund	2001-02	2002-03
All Other	(150,000)	
Total	(150,000)	

New Initiative: Transfers funds to Mental Health Services - Children to establish one Director of Psychology Services position and 2 Psychiatric Social Worker II positions to support mental health services in juvenile correctional facilities.

General Fund	2001-02	2002-03
All Other	(148,288)	(156,231)
Total	(148,288)	(156,231)

New Initiative: Transfers funds to Mental Health Services - Children for the purpose of continuing 3 Nurse III positions who provide utilization review.

General Fund	2001-02	2002-03
All Other	(176,563)	(182,741)
Total	(176,563)	(182,741)

New Initiative: Transfers funds to Medicaid Services - Mental Retardation for a residential treatment program for sexual offenders.

General Fund	2001-02	2002-03
All Other	(150,000)	(300,000)
Total	(150,000)	(300,000)

New Initiative: Transfers funds to Mental Health Services - Children for the purpose of developing short-term residential services for children with mental retardation and/or autism.

2	General Fund	2001-02	2002-03
	All Other	(150,000)	(150,000)
4		<hr/>	<hr/>
	Total	(150,000)	(150,000)

Bangor Mental Health Institute

New Initiative: Closure of Bangor Pre-Release.

10	General Fund	2001-02	2002-03
12	All Other	(231,568)	(231,568)
14		<hr/>	<hr/>
	Total	(231,568)	(231,568)

New Initiative: Continues inpatient and outpatient pharmacy services at the Bangor Mental Health Institute.

18	Other Special Revenue Funds	2001-02	2002-03
20	All Other	26,509	26,509
22		<hr/>	<hr/>
	Total	26,509	26,509

New Initiative: Establishes equity between nursing salaries of the Augusta Mental Health Institute and the Bangor Mental Health Institute.

28	Other Special Revenue Funds	2001-02	2002-03
	Personal Services	71,316	75,528
30		<hr/>	<hr/>
	Total	71,316	75,528

New Initiative: Provides for the deallocation of funds through a transfer to Disproportionate Share - Augusta Mental Health Institute for the purpose of reflecting one Licensed Practical Nurse position and one Nurse III position in the correct program.

38	Other Special Revenue Funds	2001-02	2002-03
	Positions - Legislative Count	(-2,000)	(-2,000)
40	Personal Services	(69,767)	(70,346)
42		<hr/>	<hr/>
	Total	(69,767)	(70,346)

Disproportionate Share - Augusta Mental Health Institute

New Initiative: Continues on-call physician coverage for nights and weekends at the Augusta Mental Health Institute.

48	General Fund	2001-02	2002-03
50	All Other	58,103	58,103

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2	Total	58,103	58,103
4	New Initiative: Transfers funds from Disproportionate Share -		
6	Bangor Mental Health Institute for the purpose of reflecting one		
	Licensed Practical Nurse position and one Nurse III position in		
	the correct program.		
8			
	General Fund	2001-02	2002-03
10	Personal Services	35,748	36,046
12	Total	35,748	36,046
14	Augusta Mental Health Institute		
16	New Initiative: Continues on-call physician coverage for nights		
	and weekends at Augusta Mental Health Institute.		
18			
	Other Special Revenue Funds	2001-02	2002-03
20	All Other	113,393	113,393
22	Total	113,393	113,393
24	New Initiative: Transfers funds from Bangor Mental Health		
26	Institute for the purpose of reflecting one Licensed Practical		
	Nurse and one Nurse III position in the correct account.		
28	Other Special Revenue Funds	2001-02	2002-03
	Positions - Legislative Count	(2,000)	(2,000)
30	Personal Services	69,767	70,346
32	Total	69,767	70,346
34	New Initiative: Continues using contract nurses at the Augusta		
	Mental Health Institute.		
36			
	Other Special Revenue Funds	2001-02	2002-03
38	All Other	261,306	
40	Total	261,306	
42	Disproportionate Share - Bangor Mental Health Institute		
44	New Initiative: Continues inpatient and outpatient pharmacy		
	services at the Bangor Mental Health Institute.		
46			
	General Fund	2001-02	2002-03
48	All Other	18,111	18,111
50	Total	18,111	18,111

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2 New Initiative: Establishes equity between nursing salaries of
 4 the Augusta Mental Health Institute and the Bangor Mental Health
 Institute.

6	General Fund	2001-02	2002-03
	Personal Services	36,542	38,701
8		<hr/>	<hr/>
	Total	36,542	38,701

10 New Initiative: Transfers funds to Disproportionate Share -
 12 Augusta Mental Health Institute for the purpose of reflecting one
 Licensed Practical Nurse position and one Nurse III position in
 14 the correct program.

16	General Fund	2001-02	2002-03
	Personal Services	(35,748)	(36,046)
18		<hr/>	<hr/>
	Total	(35,748)	(36,046)

20 **Mental Retardation Services - Community**

22 New Initiative: Transfers funds to Medicaid Services - Mental
 24 Retardation for the purpose of developing a specialty team.

26	General Fund	2001-02	2002-03
	All Other	(55,950)	(55,950)
28		<hr/>	<hr/>
	Total	(55,950)	(55,950)

30 New Initiative: Transfers funds to Medicaid Services - Mental
 32 Retardation for home-and-community-based waiver expenditures.

34	General Fund	2001-02	2002-03
	All Other	(1,615,438)	(1,615,438)
36		<hr/>	<hr/>
	Total	(1,615,438)	(1,615,438)

38 New Initiative: Establishes 4 Social Service Program Specialist I
 40 positions, 6 Mental Health Worker II positions and 12 MHMR
 Caseworker positions in order to meet the requirements of the
 42 community consent decree. This initiative will increase General
 Fund undedicated revenue by \$1,442,787 in fiscal year 2001-02 and
 44 \$1,227,666 in fiscal year 2002-03.

46	General Fund	2001-02	2002-03
	Positions - Legislative Count	(22,000)	(22,000)
48	Personal Services	863,696	894,073
	All Other	180,000	180,000
50		<hr/>	<hr/>

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

	Total	80,000	80,000
2			
4	Mental Health - Children		
6	New Initiative: Provides funding to increase MHMR Caseworker positions one pay range pursuant to an arbitration award.		
8	General Fund	2001-02	2002-03
10	Personal Services	168,225	65,380
12	Total	<u>168,225</u>	<u>65,380</u>
14	New Initiative: Increase in Community Mental Health Services block grant.		
16	Federal Block Grant Fund	2001-02	2002-03
18	All Other	353,370	176,685
20	Total	<u>353,370</u>	<u>176,685</u>
22	New Initiative: Provides an allocation for federal funds earned through the department's cost allocation plan for mental retardation services.		
24	Federal Expenditures Fund	2001-02	2002-03
26	All Other	40,000	40,000
28	Total	<u>40,000</u>	<u>40,000</u>
30	Mental Health Services - Community		
32	New Initiative: Provides funding to increase MHMR Caseworker positions one pay range pursuant to an arbitration award.		
34	General Fund	2001-02	2002-03
36	Personal Services	1,498	1,528
38	Total	<u>1,498</u>	<u>1,528</u>
40	New Initiative: Increase in Community Mental Health Services block grant.		
42	Federal Block Grant Fund	2001-02	2002-03
44	All Other	171,126	85,563
46	Total	<u>171,126</u>	<u>85,563</u>
48			

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2 New Initiative: Transfer of funds to the Department of Human
 4 Services to establish one Caseworker position to comply with the
 AMHI Consent Decree requiring caseloads for caseworkers not to
 exceed 25 cases.

6	General Fund	2001-02	2002-03
	All Other	(21,528)	(22,631)
8			
	Total	<u>(21,528)</u>	<u>(22,631)</u>

10 **Bangor Mental Health Institute**

12 New Initiative: Provides funding to increase MHMR Caseworker
 14 positions one pay range pursuant to an arbitration award.

16	Other Special Revenue Funds	2001-02	2002-03
	All Other	996	1,017
18			
	Total	<u>996</u>	<u>1,017</u>

20 New Initiative: Provides funds to contract for nurse coverage
 22 due to difficulty in recruiting state employees.

24	Other Special Revenue Funds	2001-02	2002-03
	All Other	262,670	
26			
	Total	<u>262,670</u>	

28 **Disproportionate Share - Augusta Mental Health Institute**

30 New Initiative: Continue on-call physician coverage for nights
 32 and weekends at the Augusta Mental Health Institute.

34	General Fund	2001-02	2002-03
	All Other	37,242	38,359
36			
	Total	<u>37,242</u>	<u>38,359</u>

38 New Initiative: Establish one Physician III position and one
 40 Social Service Manager I position through a transfer from All
 42 Other to Personal Services.

44	General Fund	2001-02	2002-03
	Personal Services	84,280	84,368
	All Other	(84,280)	(84,368)
46			
	Total	<u>0</u>	<u>0</u>

48 New Initiative: Wage parity for dentists and hygienists.
 50

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2	General Fund	2001-02	2002-03
	All Other	40,543	41,220
4	Total	<u>40,543</u>	<u>41,220</u>

6 **Augusta Mental Health Institute**

8 New Initiative: Continue on-call physician coverage for nights and weekends at Augusta Mental Health Institute.

10	Other Special Revenue Funds	2001-02	2002-03
12	All Other	72,582	74,759
14	Total	<u>72,582</u>	<u>74,759</u>

16 New Initiative: Establish one Physician III position and one Social Service Manager I position through a transfer from All Other to Personal Services.

20	Other Special Revenue Funds	2001-02	2002-03
	Positions - Legislative Count	(2,000)	(2,000)
22	Personal Services	164,480	170,370
	All Other	(164,480)	(170,370)
24	Total	<u>0</u>	<u>0</u>

26 New Initiative: Wage parity for dentists and hygienists.

28	Other Special Revenue Funds	2001-02	2002-03
30	All Other	79,126	83,236
32	Total	<u>79,126</u>	<u>83,236</u>

34 New Initiative: Modernization of management information system.

36	Other Special Revenue Funds	2001-02	2002-03
	All Other	44,222	7,484
38	Total	<u>44,222</u>	<u>7,484</u>

40 **Disproportionate Share - Bangor Mental Health Institute**

42 New Initiative: Provides funding to increase MHMR Caseworker positions one pay range pursuant to an arbitration award.

46	General Fund	2001-02	2002-03
	Personal Services	502	511
48	Total	<u>502</u>	<u>511</u>

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COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

New Initiative: Purchase of a pharmacy system that measures and dispenses medications.

4	General Fund	2001-02	2002-03
6	All Other	21,864	21,790
8	Total	<u>21,864</u>	<u>21,790</u>

Mental Retardation Services - Community

New Initiative: Provides funding to increase MHMR Caseworker positions one pay range pursuant to an arbitration award.

14	General Fund	2001-02	2002-03
16	All Other	824,402	238,705
18	Total	<u>824,402</u>	<u>238,705</u>

Freeport Towne Square

New Initiative: Provides funding to increase MHMR Caseworker positions one pay range pursuant to an arbitration award.

24	General Fund	2001-02	2002-03
26	All Other	4,896	2,215
28	Total	<u>4,896</u>	<u>2,215</u>

Office of Substance Abuse

New Initiative: Increase in block grant.

34	Federal Block Grant Fund	2001-02	2002-03
36	All Other	300,000	300,000
38	Total	<u>300,000</u>	<u>300,000</u>

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

40	Department Totals	2001-02	2002-03
42	Department Summary - All Funds	4,337,204	2,944,282
44	Department Summary - General Fund	2,460,588	1,880,108
46	Department Summary - Other Special		
48	Revenue Funds	932,120	381,926
50	Department Summary - Federal		
	Expenditures Fund	120,000	120,000
	Department Summary - Federal		
	Block Grant Fund	824,496	562,248

MUSEUM, MAINE STATE

2 **Maine State Museum**

4 New Initiative: Provides funds to establish one Assistant
 6 Director position, one Museum Technician I position and one
 8 part-time Museum Specialist II position and training, supplies,
 exhibit materials and other general operating costs.

General Fund	2001-02	2002-03
10 Positions - Legislative Count	(2,500)	(2,500)
12 Personal Services	123,733	129,178
14 All Other	75,000	75,000
	198,733	204,178

16 **MUSEUM, MAINE STATE**

Department Totals	2001-02	2002-03
18 Department Summary - All Funds	198,733	204,178
20 Department Summary - General Fund	198,733	204,178

22 **PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF**

24 **Administrative Services - Professional and Financial Regulation**

26 New Initiative: Provides for the deallocation of funds,
 eliminates the Information Systems Support Technician position,
 #09270600105, and transfers the count to the Board of Dental
 28 Examiners.

Other Special Revenue Funds	2001-02	2002-03
30 Positions - Legislative Count	(-1,000)	(-1,000)
32 Personal Services	(29,500)	(29,500)
34 Total	(29,500)	(29,500)

36 **Licensing and Enforcement**

38 New Initiative: Provides for an appropriation of funds for the
 40 Maine Athletic Commission to cover the anticipated shortfall in
 program operations in fiscal year 2001-02 and fiscal year 2002-03.

General Fund	2001-02	2002-03
42 All Other	18,000	10,900
44 Total	18,000	10,900

46 **Dental Examiners - Board of**

48

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

New Initiative: Provides for the allocation of funds to establish a Clerk Typist III position in the Board of Dental Examiners and transfers in a position count from the commissioner's office.

Other Special Revenue Funds	2001-02	2002-03
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	44,730	46,475
Total	44,730	46,475

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF

Department Totals	2001-02	2002-03
Department Summary - All Funds	33,230	27,875
Department Summary - General Fund	18,000	10,900
Department Summary - Other Special Revenue Funds	15,230	16,975

MAINE PUBLIC BROADCASTING CORPORATION

Maine Public Broadcasting Corporation

New Initiative: Appropriates additional funds for this program.

General Fund	2001-02	2002-03
All Other	36,166	36,166
Total	36,166	36,166

MAINE PUBLIC BROADCASTING CORPORATION

Department Totals	2001-02	2002-03
Department Summary - All Funds	36,166	36,166
Department Summary - General Fund	36,166	36,166

PUBLIC SAFETY, DEPARTMENT OF

Liquor Enforcement

New Initiative: Transfer one Administrative Secretary position to the State Police.

General Fund	2001-02	2002-03
Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(42,058)	(43,244)
Total	(42,058)	(43,244)

New Initiative: Lease vehicles instead of purchasing.

General Fund	2001-02	2002-03
All Other	42,283	83,861

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2	Capital Expenditures	(150,500)	(86,000)
4	Total	<u>(108,217)</u>	<u>(2,139)</u>
6	New Initiative: Transfer one Clerk Typist III position to Liquor Enforcement Program from the State Police.		
8	General Fund	2001-02	2002-03
10	Positions - Legislative Count	(1,000)	(1,000)
12	Personal Services	38,050	39,182
14	Total	<u>38,050</u>	<u>39,182</u>
16	New Initiative: Transfer one Administrative Secretary position from the Liquor Enforcement Program.		
18	General Fund	2001-02	2002-03
20	Personal Services	16,930	17,408
22	Total	<u>16,930</u>	<u>17,408</u>
24	New Initiative: Transfer one Clerk Typist III position to the Liquor Enforcement Program.		
26	General Fund	2001-02	2002-03
28	Personal Services	(15,317)	(15,773)
30	Total	<u>(15,317)</u>	<u>(15,773)</u>
32	Turnpike Enforcement		
34	New Initiative: Establishment of 3 Emergency Communications Specialist positions necessary for 24-hour coverage.		
36	Other Special Revenue Funds	2001-02	2002-03
38	Positions - Legislative Count	(3,000)	(3,000)
40	Personal Services	169,744	172,904
42	All Other	3,300	
44	Total	<u>173,044</u>	<u>172,904</u>
46	Licensing and Enforcement - Public Safety		
48	New Initiative: Establish a Lieutenant position to provide supervision.		
50	Other Special Revenue Funds	2001-02	2002-03
	Positions - Legislative Count	(1,000)	(1,000)
	Personal Services	88,924	89,978
	All Other	17,505	12,561

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2	Capital Expenditures	26,500	
4	Total	<u>132,929</u>	<u>102,539</u>

Administration - Public Safety

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New Initiative: Transfers one Planning and Research Associate II position from the Criminal Justice Academy and one Senior Planner position, one Planning and Research Associate II position and one Planning and Research Associate I position from Highway Safety.

12	Federal Expenditures Fund	2001-02	2002-03
14	Positions - Legislative Count	(4,000)	(4,000)
16	Personal Services	216,474	226,089
18	All Other	1,581	1,651
20	Total	<u>218,055</u>	<u>227,740</u>

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New Initiative: Transfer in one Accounting Technician position from the Criminal Justice Academy and transfer out one Planning and Research Associate position to the Criminal Justice Academy.

22	Other Special Revenue Funds	2001-02	2002-03
24	Personal Services	5,707	6,062
26	All Other	42	44
28	Total	<u>5,749</u>	<u>6,106</u>

Emergency Medical Services

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New Initiative: Transfers one Clerk Typist III position and one Public Health Educator III position from the Federal Block Grant Fund to the General Fund.

34	General Fund	2001-02	2002-03
36	Positions - Legislative Count	(2,000)	(2,000)
38	Personal Services	102,771	109,456
40	All Other	(7,771)	(14,456)
42	Total	<u>95,000</u>	<u>95,000</u>

42	Federal Block Grant Fund	2001-02	2002-03
44	Positions - Legislative Count	(-2,000)	(-2,000)
46	Personal Services	(97,366)	(101,929)
48	Total	<u>(97,366)</u>	<u>(101,929)</u>

Criminal Justice Academy

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2 New Initiative: Transfers one Planning and Research Associate II
 position to the Administration program to consolidate planning
 and research functions of the department.

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Federal Expenditures Fund	2001-02	2002-03
6 Positions - Legislative Count	(-1.000)	(-1.000)
Personal Services	(57,541)	(59,151)
8 All Other	(565)	(580)
10 Total	(58,106)	(59,731)

12 New Initiative: Transfer out one Accounting Technician position
 to the Administration program and transfer in one Planning and
 14 Research Associate position from the Administration program.

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Other Special Revenue Funds	2001-02	2002-03
Personal Services	(5,707)	(6,062)
18 All Other	(56)	(59)
20 Total	(5,763)	(6,121)

22 New Initiative: Transfer of one Building Custodian position from
 the Academy to the Bureau of General Services.

24

Other Special Revenue Funds	2001-02	2002-03
26 Positions - Legislative Count	(-1.000)	(-1.000)
Personal Services	(39,707)	(41,258)
28 All Other	(390)	(405)
30 Total	(40,097)	(41,663)

32 **Highway Safety DPS**

34 New Initiative: Transfers one Senior Planner position, one
 Planning and Research Associate I position and one Planning and
 36 Research Associate II position to Administration program to
 consolidate planning and research functions of the department.

38

Federal Expenditures Fund	2001-02	2002-03
40 Positions - Legislative Count	(-3.000)	(-3.000)
Personal Services	(158,933)	(166,937)
42 All Other	(1,515)	(1,592)
44 Total	(160,448)	(168,529)

46 **PUBLIC SAFETY, DEPARTMENT OF**

48 Department Totals	2001-02	2002-03
Department Summary - All Funds	152,385	221,750
Department Summary - General Fund	(15,612)	90,434
50 Department Summary - Federal		

	Expenditures Fund	(499)	(520)
2	Department Summary - Other Special		
	Revenue Funds	265,862	233,765
4	Department Summary - Federal Block		
	Grant Fund	(97,366)	(101,929)

TRANSPORTATION, DEPARTMENT OF

Ports and Marine Transportation

New Initiative: Appropriates funds to provide an operating subsidy for the Sunset Bay Ferry Company.

14	General Fund	2001-02	2002-03
	All Other	5,000	5,000
16		<hr/>	<hr/>
	Total	5,000	5,000

TRANSPORTATION, DEPARTMENT OF

18	Department Totals	2001,02	2002-03
20	Department Summary - All Funds	5,000	5,000
22	Department Summary - General Fund	5,000	5,000

TREASURER OF STATE, OFFICE OF

Debt Service - Treasury

New Initiative: Provides for a reduction in funding representing a change in borrowing requirements for fiscal years 2001-02 and 2002-03.

32	General Fund	2001-02	2002-03
	All Other	(3,297,505)	(112,581)
34		<hr/>	<hr/>
	Total	(3,297,505)	(112,581)

TREASURER OF STATE, OFFICE OF

38	Department Totals	2001-02	2002-03
40	Department Summary - All Funds	(3,297,505)	(112,581)
42	Department Summary - General Fund	(3,297,505)	(112,581)

UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE

Education and General Activities - UMS

New Initiative: Continues funding for applied research and development at the University of Maine System.

50	General Fund	2001-02	2002-03
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COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2	All Other		2,000,000
4	Total		<u>2,000,000</u>
6	UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE		
8	Department Totals	2001-02	2002-03
10	Department Summary - All Funds		2,000,000
12	Department Summary - General Fund		2,000,000
14		2001-02	2002-03
16	Section Summary - All Funds	54,585,398	59,973,567
18	Section Summary - General Fund	15,980,265	33,008,088
20	Section Summary - Federal Expenditures Fund	18,297,181	17,874,945
22	Section Summary - Other Special Revenue Funds	15,624,724	4,734,554
24	Section Summary - Federal Block Grant Funds	3,881,214	3,537,657
26	Section Summary - Postal Printing & Supply Fund	(78,394)	(82,314)
28	Section Summary - Office of Information Services Fund	719,889	733,900
30	Section Summary - Central Motor Pool	71,124	73,349
32	Section Summary - Real Property Lease Internal Service Fund	78,394	82,314
34	Section Summary - Prison Industries Fund	11,001	11,074

PART B

Sec. B-1. Appropriation. There are appropriated from the General Fund for the fiscal years ending June 30, 2002 and June 30, 2003 to the departments listed the sums identified in the following in order to provide funding for approved reclassifications and range changes.

38		2001-02	2002-03
40	AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF		
42	Division of Animal Health and Industry		
44	Personal Services	\$4,302	\$5,560
46	All Other	(4,302)	(5,560)
48	TOTAL	<u>0</u>	<u>0</u>

2	Division of Quality Assurance and Regulation		
4	Personal Services	10,019	7,045
6	All Other	(10,019)	(7,045)
8	TOTAL	<u>0</u>	<u>0</u>
10	Harness Racing Commission		
12	Personal Services	2,897	3,312
14	All Other	(2,897)	(3,312)
16	TOTAL	<u>0</u>	<u>0</u>
18	DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES		
20	TOTAL	<u>0</u>	<u>0</u>
22	CONSERVATION, DEPARTMENT OF Maine Land Use Regulation Commission		
24	Personal Services	13,345	15,769
26	All Other	(13,345)	(15,769)
28	TOTAL	<u>0</u>	<u>0</u>
30	DEPARTMENT OF CONSERVATION		
32	TOTAL	<u>0</u>	<u>0</u>
34	CORRECTIONS, DEPARTMENT OF Adult Community Corrections		
36	Personal Services	5,218	5,282
38	All Other	(5,218)	(5,282)
40	TOTAL	<u>0</u>	<u>0</u>
42	Correctional Center		
44	Personal Services	6,386	6,386
46	All Other	(6,386)	(6,386)
48	TOTAL	<u>0</u>	<u>0</u>
50	Downeast Correctional Facility		

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2	Personal Services	5,231	5,231
	All Other	(5,231)	(5,231)
4	TOTAL	<hr/> 0	<hr/> 0
6	Juvenile Community Corrections		
8	Personal Services	7,799	7,892
	All Other	(7,799)	(7,892)
10	TOTAL	<hr/> 0	<hr/> 0
12	DEPARTMENT OF CORRECTIONS		
14	TOTAL	<hr/> 0	<hr/> 0
16	DEFENSE, VETERANS AND EMERGENCY		
18	MANAGEMENT, DEPARTMENT OF		
20	Military Training and Operations		
22	Personal Services	3,436	3,398
	All Other	(3,436)	(3,398)
24	TOTAL	<hr/> 0	<hr/> 0
26	Veterans Services		
28	Personal Services	6,655	8,875
	All Other	(6,655)	(8,875)
30	TOTAL	<hr/> 0	<hr/> 0
32	DEPARTMENT OF DEFENSE, VETERANS		
34	AND EMERGENCY MANAGEMENT		
	TOTAL	<hr/> 0	<hr/> 0
36	EDUCATION, DEPARTMENT OF		
38	Management Information Systems		
40	Personal Services	2,142	2,218
42	All Other	(2,142)	(2,218)
44	TOTAL	<hr/> 0	<hr/> 0
46	Support Systems		
48	Personal Services	21,612	12,830
50	All Other	(21,612)	(12,830)
	TOTAL	<hr/> 0	<hr/> 0

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2	TOTAL	0	0
4	DEPARTMENT OF EDUCATION		
4	TOTAL	<u>0</u>	<u>0</u>
6	EXECUTIVE DEPARTMENT		
8	Planning Office		
10	Personal Services	12,258	10,385
12	All Other	(12,258)	(10,385)
14	TOTAL	<u>0</u>	<u>0</u>
16	EXECUTIVE DEPARTMENT		
16	TOTAL	<u>0</u>	<u>0</u>
18	HUMAN SERVICES, DEPARTMENT OF		
20	Bureau of Child and Family		
22	Services - Central		
24	Personal Services	8,700	3,600
24	All Other	(8,700)	(3,600)
26	TOTAL	<u>0</u>	<u>0</u>
28	Bureau of Child and Family		
30	Services - Regional		
32	Personal Services	2,200	4,600
32	All Other	(2,200)	(4,600)
34	TOTAL	<u>0</u>	<u>0</u>
36	Bureau of Medical Services		
38	Personal Services	15,890	12,550
40	All Other	(15,890)	(12,550)
42	TOTAL	<u>0</u>	<u>0</u>
44	Bureau of Health		
46	Personal Services	17,430	15,015
46	All Other	(17,430)	(15,015)
48	TOTAL	<u>0</u>	<u>0</u>
50	Office of Management and Budget		

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2	Personal Services	4,900	2,600
	All Other	(4,900)	(2,600)
4			
	TOTAL	<u>0</u>	<u>0</u>
6			
	OMB Operations - Regional		
8			
	Personal Services	11,590	5,720
10	All Other	(11,590)	(5,720)
12	TOTAL	<u>0</u>	<u>0</u>
14			
	DEPARTMENT OF HUMAN SERVICES		
	TOTAL	<u>0</u>	<u>0</u>
16			
	INLAND FISHERIES AND WILDLIFE,		
18	DEPARTMENT OF		
	Enforcement Operations -		
20	Inland Fisheries and Wildlife		
22			
	Personal Services	3,996	2,406
24	All Other	(3,996)	(2,406)
26	TOTAL	<u>0</u>	<u>0</u>
28			
	Office of the Commissioner -		
30	Inland Fisheries and Wildlife		
	Personal Services	3,379	3,420
32	All Other	(3,379)	(3,420)
34	TOTAL	<u>0</u>	<u>0</u>
36			
	DEPARTMENT OF INLAND FISHERIES		
	AND WILDLIFE		
38	TOTAL	<u>0</u>	<u>0</u>
40			
	MARINE RESOURCES, DEPARTMENT OF		
42	Bureau of Resource Management		
44	Personal Services	10,011	4,994
	All Other	(5,011)	(4,994)
46	Capital Expenditures	(5,000)	
48	TOTAL	<u>0</u>	<u>0</u>
50			
	Division of Administrative Services		

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2	Personal Services	12,247	7,802
	All Other	(12,247)	(7,802)
4		<hr/>	<hr/>
	TOTAL	0	0
6			
	Bureau of Marine Patrol		
8			
	Personal Services	55,057	33,264
10	All Other	(55,057)	(33,264)
		<hr/>	<hr/>
12	TOTAL	0	0
14			
	DEPARTMENT OF MARINE RESOURCES		
	TOTAL	<hr/>	<hr/>
16		0	0
18			
	MENTAL HEALTH, MENTAL RETARDATION		
	AND SUBSTANCE ABUSE SERVICES,		
	DEPARTMENT OF		
20			
	Disproportionate Share - AMHI		
22			
	Personal Services	2,696	1,220
24			
	Drivers Education and Evaluation		
	Program - Substance Abuse		
26			
	Personal Services	1,726	1,872
28	All Other	(1,726)	(1,872)
		<hr/>	<hr/>
30	TOTAL	0	0
32			
	Office of Management and		
	Budget		
34			
	Personal Services	(2,696)	(1,220)
36			
	DEPARTMENT OF MENTAL HEALTH,		
	MENTAL RETARDATION AND SUBSTANCE		
	ABUSE SERVICES		
40		<hr/>	<hr/>
	TOTAL	0	0
42			
	PUBLIC SAFETY, DEPARTMENT OF		
44			
	State Police		
46			
	Personal Services	13,382	9,639
48	All Other	(13,382)	(9,639)
		<hr/>	<hr/>
50	TOTAL	0	0

2	DEPARTMENT OF PUBLIC SAFETY		
	TOTAL	0	0
4			
	SECTION		
6	TOTAL APPROPRIATIONS	0	0
8	Sec. B-2. Allocations; Federal Expenditures Fund. There are		
10	allocated from the Federal Expenditures Fund for the fiscal years		
12	ending June 30, 2002 and June 30, 2003 to the departments listed		
	the sums identified in the following in order to provide funding		
	for approved reclassifications and range changes.		
14		2001-02	2002-03
16	AGRICULTURE, FOOD AND RURAL		
18	RESOURCES, DEPARTMENT OF		
20	Division of Quality Assurance		
	and Regulation		
22	Personal Services	10,499	5,169
24	All Other	(10,499)	(5,169)
26	DEPARTMENT OF AGRICULTURE, FOOD		
	AND RURAL RESOURCES		
28	TOTAL	0	0
30	ARTS COMMISSION, MAINE		
32	Arts - Sponsored Program		
34	Personal Services	1,375	993
36	MAINE ARTS COMMISSION		
	TOTAL	1,375	993
38	CONSERVATION, DEPARTMENT OF		
40	Administration - Forestry		
42	Personal Services	6,027	3,317
44	Division of Forest Policy		
46	and Management		
48	Personal Services	12,609	13,559
50	DEPARTMENT OF CONSERVATION		
	TOTAL	18,636	16,876

2	EDUCATION, DEPARTMENT OF		
4	Support Systems		
6	Personal Services	44,308	20,668
8	DEPARTMENT OF EDUCATION		
10	TOTAL	<u>44,308</u>	<u>20,668</u>
12	ENVIRONMENTAL PROTECTION,		
14	DEPARTMENT OF		
16	Administration - Environmental		
18	Protection		
20	Personal Services	2,839	1,717
22	Land and Water Quality		
24	Personal Services	7,119	9,208
26	Performance Partnership		
28	Grant		
30	Personal Services	13,454	7,170
32	DEPARTMENT OF ENVIRONMENTAL		
34	PROTECTION		
36	TOTAL	<u>23,412</u>	<u>18,095</u>
38	HUMAN SERVICES, DEPARTMENT OF		
40	Bureau of Family Independence -		
42	Central		
44	Personal Services	1,500	850
46	Bureau of Medical Services		
48	Personal Services	15,210	11,655
50	Bureau of Health		
	Personal Services	18,420	15,060
	Office of Management and Budget		
	Personal Services	13,400	15,600

2	OMB Operations - Regional		
4	Personal Services	18,200	11,700
6	DEPARTMENT OF HUMAN SERVICES		
8	TOTAL	<u>66,730</u>	<u>54,865</u>
10	MARINE RESOURCES, DEPARTMENT OF		
12	Bureau of Resource Management		
14	Personal Services	8,736	9,260
16	DEPARTMENT OF MARINE RESOURCES		
18	TOTAL	<u>8,736</u>	<u>9,260</u>
20	SECTION		
22	TOTAL ALLOCATIONS	<u>163,197</u>	<u>120,757</u>
24	Sec. B-3. Allocations; Other Special Revenue. There are allocated from Other Special Revenue funds for the fiscal years ending June 30, 2002 and June 30, 2003 to the departments listed the sums identified in the following in order to provide funding for approved reclassifications and range changes.		
26		2001-02	2002-03
28	AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF		
30	Board of Pesticides Control		
32	Personal Services	4,001	4,051
34	All Other	(4,001)	(4,051)
36	TOTAL	<u>0</u>	<u>0</u>
38	DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES		
40	TOTAL	<u>0</u>	<u>0</u>
42	CONSERVATION, DEPARTMENT OF		
44	Administrative Services - Conservation		
46	Personal Services	2,235	2,356
48	Off-Road Recreational Vehicle Program		
50			

2	Personal Services	33,595	14,589
4	DEPARTMENT OF CONSERVATION		
	TOTAL	<u>35,830</u>	<u>16,945</u>
6			
8	DEFENSE, VETERANS AND EMERGENCY		
	MANAGEMENT, DEPARTMENT OF		
10	Administration - Maine Emergency		
	Management Agency		
12	Personal Services	6,262	6,340
14			
16	DEPARTMENT OF DEFENSE, VETERANS		
	AND EMERGENCY MANAGEMENT		
	TOTAL	<u>6,262</u>	<u>6,340</u>
18			
20	ENVIRONMENTAL PROTECTION,		
	DEPARTMENT OF		
22	Administration - Environmental		
	Protection		
24	Personal Services	23,636	28,276
26			
28	Board of Environmental Protection		
	Fund		
30	Personal Services	7,737	6,954
32	Maine Environmental Protection		
	Fund		
34	Personal Services	10,355	10,368
36			
38	Remediation and Waste Management		
	Personal Services	33,621	30,012
40			
42	DEPARTMENT OF ENVIRONMENTAL		
	PROTECTION		
	TOTAL	<u>75,349</u>	<u>75,610</u>
44			
46	GOVERNMENTAL ETHICS AND ELECTION		
	PRACTICES, COMMISSION ON		
48	Commission on Governmental Ethics		
	and Election Practices		
50			

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2	Personal Services	13,359	13,754
4	COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES		
6	TOTAL	<u>13,359</u>	<u>13,754</u>
8	HUMAN SERVICES, DEPARTMENT OF		
10	Drinking Water Enforcement		
12	Personal Services	33,235	15,325
14	Plumbing - Control Over		
16	Personal Services	3,425	1,865
18	DEPARTMENT OF HUMAN SERVICES		
20	TOTAL	<u>36,660</u>	<u>17,190</u>
22	LABOR, DEPARTMENT OF		
24	Safety, Education and Training Program		
26	Personal Services	11,301	14,829
28	DEPARTMENT OF LABOR		
30	TOTAL	<u>11,301</u>	<u>14,829</u>
32	MARINE RESOURCES, DEPARTMENT OF		
34	Bureau of Resource Management		
36	Personal Services	8,237	10,483
38	Marine Patrol - Bureau of		
40	Personal Services	3,095	4,442
42	DEPARTMENT OF MARINE RESOURCES		
44	TOTAL	<u>11,332</u>	<u>14,925</u>
46	MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES, DEPARTMENT OF		
48	Augusta Mental Health Institute		
50	Personal Services	4,343	2,430

2	DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES		
4	TOTAL	<u>4,343</u>	<u>2,430</u>
6	PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF		
8	Bureau of Insurance		
10	Personal Services	16,775	11,325
12			
14	Office of Consumer Credit Regulation		
16	Personal Services	3,000	3,000
18	DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION		
20	TOTAL	<u>19,775</u>	<u>14,325</u>
22	PUBLIC SAFETY, DEPARTMENT OF		
24	Office of Fire Marshal		
26	Personal Services	1,095	1,355
28	DEPARTMENT OF PUBLIC SAFETY		
30	TOTAL	<u>1,095</u>	<u>1,355</u>
32	PUBLIC UTILITIES COMMISSION		
34	Public Utilities - Administrative Services		
36	Personal Services	9,753	4,754
38	All Other	(9,753)	(4,754)
40	PUBLIC UTILITIES COMMISSION TOTAL	<u>0</u>	<u>0</u>
42	SECTION		
44	TOTAL ALLOCATIONS	<u>215,306</u>	<u>177,703</u>

50 **Sec. B-4. Allocations; Federal Block Grant Fund.** There are allocated from the Federal Block Grant Fund for the fiscal years ending June 30, 2002 and June 30, 2003 to the departments listed the sums identified in the following in order to provide funding for approved reclassifications and range changes.

	2001-02	2002-03
2		
4	HUMAN SERVICES, DEPARTMENT OF	
6	Bureau of Health	
8	Personal Services	7,000
10		7,000
12	DEPARTMENT OF HUMAN SERVICES	
14	TOTAL	<u>7,000</u>
16		<u>7,000</u>
18	SECTION	
20	TOTAL ALLOCATIONS	<u>\$7,000</u>
22		<u>\$7,000</u>

PART C

Sec. C-1. 5 MRSA §1519, sub-§§1-A and 3 to 5 are enacted to read:

1-A. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Board" means the Board of Trustees, Maine State Retirement System established under section 12004-F, subsection 9.

B. "Commissioner" means the Commissioner of Administrative and Financial Services.

C. "Fund" means the Retiree Health Insurance Internal Service Fund.

3. Investment of the fund. The board shall invest the cash assets of the fund that are not required to pay insurance premiums and other operating expenses at the request of the commissioner in the same manner and according to the same investment policy and practices by which the board invests the assets of the Maine State Retirement System. The board shall treat the fund as held in trust on behalf of the State for the purposes specified in this section and no other and shall separately account for the fund as investment assets, attributing to the fund its proportional share of investment returns and of investment management costs and expenses, including costs and expenses of the retirement system arising because of the board's investment of the fund. The commissioner and the board shall develop jointly a memorandum of understanding that sets out their mutual understanding of the investment of the fund, the related

2 investment accounting and investment return and expense
3 attribution.

4 **4. Audit of the fund.** The commissioner shall ensure
5 adequate audit of the investment management of the fund and the
6 expenditures of the fund each fiscal year within the scope of the
7 annual audit of the Maine State Retirement System and the State's
8 single audit or through a separate audit as considered
9 appropriate by the board. Any separate audit must be reported to
10 the Governor, the Legislature, the commissioner and the State
11 Controller in as timely a manner as possible after the close of
12 each fiscal year.

13 **5. Use of the fund.** Notwithstanding subsection 1, the fund
14 may be used for necessary audit services, legal expenses,
15 investment management fees and services, general administrative
16 expenses, costs related to the management and administration of
17 the fund and health insurance premium costs.

18 **Sec. C-2. Calculation and transfer; retiree health insurance costs.**
19 Notwithstanding the Maine Revised Statutes, Title 5, section
20 1585, in fiscal year 2002-03, the State Budget Officer shall
21 calculate the amounts set aside at the close of fiscal year
22 2000-01 pursuant to Title 5, section 1519 that apply against each
23 affected account in the Personal Services appropriations and
24 allocations of the affected accounts based on the proportionate
25 share of retiree health insurance costs in the Personal Services
26 appropriations and allocations of the affected accounts and shall
27 transfer the calculated amounts by financial order upon the
28 approval of the Governor. These transfers are considered
29 adjustments to appropriations and allocations in fiscal year
30 2002-03. The State Budget Officer shall provide the joint
31 standing committee of the Legislature having jurisdiction over
32 appropriations and financial affairs with a report of the
33 transferred amounts no later than January 31, 2004.

34 **Sec. C-3. Retiree health insurance rates.** The State Budget
35 Officer shall adjust the retiree health insurance rates in fiscal
36 year 2002-03 based on the actuarial amounts and rates provided by
37 the Department of Administrative and Financial Services, Division
38 of Financial and Personnel Services so that the actual retiree
39 health insurance costs in each account affected by section 2 of
40 this Part approximate the net appropriations and allocations to
41 each account after the adjustments required by section 2.

42 **Sec. C-4. Effective date.** That section of this Part that enacts
43 the Maine Revised Statutes, Title 5, section 1519, subsection 1-A
44 and subsections 3 to 5 takes effect June 30, 2001.

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PART D

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Sec. D-1. 36 MRSA §5102, sub-§6, as repealed and replaced by PL 1999, c. 708, §33 and affected by §51, is amended to read:

6. Corporation. "Corporation" means any business entity subject to income taxation as a corporation under the laws of the United States, except the following:

- A. A corporation that is subject to tax under chapter 357 or that would be subject to tax under chapter 357 if the insurance business conducted by such corporation were conducted in this State;
- B. A corporation subject to tax under section 5206; or
- C. A business entity referred to in Title 24-A, section 1157, subsection 5, paragraph B, subparagraph (1).

For purposes of this subsection, a corporation described in paragraph A is an "insurance company," and a health maintenance organization to the extent operated under authority of a certificate issued by the Superintendent of Insurance pursuant to Title 24-A, section 4204 is a "Maine health maintenance organization." Notwithstanding paragraph A, an insurance company is subject to the tax imposed by this Part with respect to income it receives from a Maine health maintenance organization, except where the Maine health maintenance organization is separately organized and subject to income taxation. The provisions of this Part pertaining to the taxation and reporting obligations of a unitary business, including section 5200, section 5220, subsection 5 and section 5244, apply to the income, factors and affiliations of an insurance company arising from a Maine health maintenance organization as though the Maine health maintenance organization were a separate corporation, but do not otherwise apply to such insurance company.

Sec. D-2. 36 MRSA §5202-C is enacted to read:

§5202-C. Separate accounting required in certain cases

A corporation that is subject to tax under chapter 357 or that would be subject to tax under chapter 357 if the insurance business conducted by such corporation were conducted in this State shall separately account to the State Tax Assessor for income received from a health maintenance organization to the extent operated under authority of a certificate issued by the Superintendent of Insurance pursuant to Title 24-A, section 4204, except income from a health maintenance organization that is separately organized and subject to income taxation. The

2 assessor may distribute, apportion or allocate gross income,
3 deductions, credits, allowances or assets between or among
4 related entities and operating divisions if the assessor
5 determines such action to be necessary in order to prevent
6 evasion of taxes or to properly reflect earned income.

7 **Sec. D-3. 36 MRSA §5206-D, sub-§5,** as enacted by PL 1997, c.
8 404, §5 and affected by §10, is amended to read:

9 **5. Compensation.** "Compensation" means wages, salaries,
10 commissions and any other form of remuneration paid to employees
11 for personal services. "Compensation" includes amounts paid to
12 an employee-leasing company for leased employees and amounts paid
13 to a temporary services company for temporary employees, pursuant
14 to a contract between the taxpayer and an employee-leasing
15 company or temporary services company.

16 **Sec. D-4. 36 MRSA §5206-D, sub-§§7-A, 8-A, 20-A and 20-B** are
17 enacted to read:

18 **7-A. Employee-leasing company.** "Employee-leasing company"
19 means a business that contracts with client companies to supply
20 workers to perform services for client companies, except that the
21 term "employee-leasing company" does not include private
22 employment agencies that provide workers to client companies on a
23 temporary help basis.

24 **8-A. Leased employee.** "Leased employee" means an
25 individual who performs services for a client company pursuant to
26 a contract between the client company and an employee-leasing
27 company.

28 **20-A. Temporary help.** "Temporary help" means employee
29 services provided to client companies for a contractual period of
30 less than 12 months.

31 **20-B. Temporary services company.** "Temporary services
32 company" means a private employment agency, other than an
33 employee-leasing company, that provides workers to client
34 companies on a temporary help basis.

35 **Sec. D-5. 36 MRSA §5206-E, sub-§4,** as enacted by PL 1997, c.
36 404, §5 and affected by §10, is amended to read:

37 **4. Payroll factor.** The payroll factor is a fraction, the
38 numerator of which is the total amount paid in this State during
39 the taxable year by the taxpayer for compensation and the
40 denominator of which is the total compensation paid both in and
41 outside this State during the taxable year. The payroll factor
42 includes only that compensation that is included in the
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2 computation of the apportionable income tax base for the taxable
3 year. Eighty-five percent of any amounts paid pursuant to a
4 contract by the taxpayer to an employee-leasing company for
5 leased employees, and 100% of the amount paid pursuant to a
6 contract to a temporary services company for temporary employees,
7 must be included in the taxpayer's payroll factor. The payroll
8 factor of an employee-leasing company or a temporary services
9 company must exclude compensation paid to leased or temporary
10 employees who are providing personal services to client companies.

11
12 A. The compensation of any employee for services or
13 activities that are connected with the production of income
14 that is not includable in the apportionable income base and
15 payments made to any independent contractor or any other
16 person not properly classifiable as an employee are excluded
17 from both the numerator and denominator of the factor.

18 B. Compensation is paid in this State if any one of the
19 following tests, applied consecutively, is met.

20 (1) The employee's services are performed entirely in
21 this State.

22 (2) The employee's services are performed both in and
23 outside the State, but the service performed outside
24 the State is incidental to the employee's service in
25 the State. For the purposes of this subsection,
26 "incidental" means any service that is temporary to
27 transitory in nature or that is rendered in connection
28 with an isolated transaction.

29 (3) If the employee's services are performed both in
30 and outside the State, the employee's compensation is
31 attributed to this State:

32 (a) If the employee's principal base of
33 operations is in this State;

34 (b) If there is no principal base of operations
35 in any state in which some part of the services
36 are performed, but the place from which the
37 services are directed or controlled is in this
38 State; or

39 (c) If the principal base of operations and the
40 place from which the services are directed or
41 controlled are not in any state in which some part
42 of the service is performed, but the employee's
43 residence is in this State.

2 **Sec. D-6. 36 MRSA §5210, sub-§3**, as enacted by PL 1981, c.
698, §187, is amended to read:

4 **3. Compensation.** "Compensation" means wages, salaries,
6 commissions and any other form of remuneration paid to employees
7 for personal services. "Compensation" includes amounts paid to
8 an employee-leasing company for leased employees and amounts paid
9 to a temporary services company for temporary employees, pursuant
10 to a contract between the taxpayer and an employee-leasing
11 company or temporary services company.

12 **Sec. D-7. 36 MRSA §5210, sub-§§3-A, 3-B, 7 and 8** are enacted to
13 read:

14 **3-A. Employee-leasing company.** "Employee-leasing company"
15 means a business that contracts with client companies to supply
16 workers to perform services for the client companies, except that
17 the term "employee-leasing company" does not include private
18 employment agencies that provide workers to client companies on a
19 temporary help basis.

20 **3-B. Leased employee.** "Leased employee" means an individual
21 who performs services for a client company pursuant to a contract
22 between the client company and an employee-leasing company.

23 **7. Temporary help.** "Temporary help" means employee services
24 provided to client companies for a contractual period of less
25 than 12 months.

26 **8. Temporary services company.** "Temporary services company"
27 means a private employment agency, other than an employee-leasing
28 company, that provides workers to client companies on a temporary
29 help basis.

30 **Sec. D-8. 36 MRSA §5211, sub-§12**, as enacted by P&SL 1969, c.
31 154, §F, is amended to read:

32 **12. Payroll factor.** The payroll factor is a fraction, the
33 numerator of which is the total amount paid in this State during
34 the tax period by the taxpayer for compensation, and the
35 denominator of which is the total compensation paid everywhere
36 during the tax period. Eighty-five percent of any amounts paid
37 pursuant to a contract by the taxpayer to an employee-leasing
38 company for leased employees, and 100% of the amount paid
39 pursuant to a contract to a temporary services company for
40 temporary employees, must be included in the taxpayer's payroll
41 factor. The payroll factor of an employee-leasing company or a
42 temporary services company must exclude compensation paid to
43 leased or temporary employees who are providing personal services
44 to client companies.

2 Services, in cooperation with the Treasurer of State may enter
4 into financing arrangements in fiscal years 2001-02 and 2002-03
6 for the acquisition of hardware, software and systems to support
8 the operations of State Government. The financing agreements may
10 not exceed 3 years in duration and \$3,000,000 in principal
costs. The interest rate may not exceed 7% and total interest
costs may not exceed \$340,000. The annual principal and interest
costs must be paid from the appropriate line category allocations
in the Bureau of Information Services Internal Service Fund
account.

12 **Sec. F-3. Maine Governmental Facilities Authority; issuance of**
14 **securities.** Pursuant to the Maine Revised Statutes, Title 4,
16 section 1606, subsection 1, the Maine Governmental Facilities
18 Authority may issue securities in its own name in an amount up to
20 \$7,360,000, the proceeds of which must be used for the purposes
22 of paying the cost of the construction and renovation of the
following projects: utilities infrastructure replacement and
renovation at the Augusta Mental Health Institute, certain
renovations at Buildings G, H and I at the Governor Baxter School
for the Deaf and renovations at the Department of Transportation
building in Augusta.

24

PART G

26

28 **Sec. G-1. 34-A MRSA §1214** is enacted to read:

30

§1214. Office of Victim Services

32

34 1. Establishment. The Office of Victim Services, referred
36 to in this section as the "office," is established within the
department to advocate for compliance by the department, any
correctional facility, any detention facility, community
corrections as defined in section 1210-A or any contract agency
with all laws, administrative rules and institutional and other
policies relating to the rights and dignity of victims.

38

40 2. Victim Services Coordinator. The Victim Services
Coordinator shall direct and coordinate the office.

42 A. The Victim Services Coordinator shall report only to the
44 commissioner or an associate commissioner.

46

48 B. The Victim Services Coordinator shall, with the approval
50 of the commissioner or an associate commissioner, select
other victim advocates needed to carry out the intent of
this section and who shall report only to the Victim
Services Coordinator.

2 3. Duties. The office, through the Victim Services
3 Coordinator and other victim advocates, shall:

4 A. Receive or refer complaints made by victims;

6 B. Intercede on behalf of victims with officials of the
7 department, any correctional facility, any detention
8 facility, community corrections as defined in section 1210-A
9 or any contract agency or assist these persons in the
10 resolution of victim-related issues;

12 C. Act as an information source regarding the rights of
13 victims and keep informed about all laws, administrative
14 rules and institutional and other policies relating to the
15 rights and dignity of victims and about relevant legal
16 decisions and other developments related to the field of
17 corrections, both in this State and in other parts of the
18 country;

20 D. Ensure that victims who request notice of release
21 receive it;

22 E. Assist victims who are being harassed by persons in the
23 custody or under the supervision of the department with
24 obtaining protection from that harassment; and

25 F. Assist victims with obtaining victim compensation,
26 restitution and other benefits of restorative justice.

28 4. Confidentiality. Requests for action by the office must
29 be treated confidentially and may be disclosed only to a state
30 agency if necessary to carry out the statutory functions of that
31 agency or to a criminal justice agency if necessary to carry out
32 the administration of criminal justice or the administration of
33 juvenile criminal justice. In no case may a victim's request for
34 notice of release be disclosed outside the department and the
35 office of the attorney for the State with which the request was
36 filed.

38 Sec. G-2. 34-A MRSA §1403, sub-§9, ¶E, as amended by PL 1991,
39 c. 716, §6, is further amended to read:

40 E. Funds from these industries accounts may be used to pay
41 for materials, supplies, equipment, salaries and other costs
42 of establishing and operating applied technology training,
43 work and industrial programs. For industries programs
44 certified by the United States Department of Justice under
45 the United States Code, Title 18, Section 1761, mandatory
46 contributions to the Crime-Victim-Assistance-Program shall
47 for crime victim services must be made from these industries
48 for crime victim services must be made from these industries
49 for crime victim services must be made from these industries
50 for crime victim services must be made from these industries

2 ~~accounts and transferred to the control of the Department of~~
3 ~~Human Services to be used exclusively for the Crime Victim~~
4 ~~Assistance Program Office of Victim Services, as established~~
5 ~~in section 1214.~~

6 **Sec. G-3. Transfer of funds; teachers at Northern Maine Juvenile**
7 **Facility.** Notwithstanding the Maine Revised Statutes, Title 5,
8 section 1585 or any other provision of law, the Department of
9 Corrections is authorized to transfer, by financial order,
10 Personal Services, All Other or Capital Expenditures funding
11 between accounts within the same fund for the purposes of paying
12 overtime expenses and authorized labor market adjustments for
13 teachers at the Northern Maine Juvenile Facility in accordance
14 with Title 5, section 7065.

15 **Sec. G-4. Intermittent positions.** Notwithstanding the Maine
16 Revised Statutes, Title 5, section 1583-A or any other provision
17 of law, the Department of Corrections may establish, if funds are
18 available, intermittent positions for the purpose of performing
19 duties for which unbudgeted overtime would otherwise be incurred.

20 Notwithstanding any other restriction of funds appropriated
21 or allocated to the Department of Corrections, the State Budget
22 Officer may, after determining that funds are available, either
23 approve the use of the funds or recommend appropriate action to
24 the Governor when the Governor's approval is required.

25 Available funds may include amounts appropriated or
26 allocated to the Department of Corrections for Personal Services,
27 All Other or Capital Expenditures or unallocated funds.

28 **Sec. G-5. Rename Southern Maine Juvenile Facility.**
29 Notwithstanding any other provision of law, on July 1, 2001, the
30 title of the Southern Maine Juvenile Facility is changed to Long
31 Creek Youth Development Center.

32 **Sec. G-6. Revision clause.** Wherever in the Maine Revised
33 Statutes the words "Southern Maine Juvenile Facility" appear or
34 reference is made to that entity or those words, they are amended
35 to read and mean "Long Creek Youth Development Center" or
36 "facility" as appropriate and the Revisor of Statutes shall
37 implement this revision when updating, publishing or republishing
38 the statutes.

39 **Sec. G-7. Rename Northern Maine Juvenile Facility.**
40 Notwithstanding any other provision of law, on July 1, 2001, the
41 title of the Northern Maine Juvenile Facility is changed to
42 Mountain View Youth Development Center.

2 **Sec. G-8. Revision clause.** Wherever in the Maine Revised
Statutes the words "Northern Maine Juvenile Facility" appear or
4 reference is made to that entity or those words, they are amended
to read and mean "Mountain View Youth Development Center" or
6 "facility" as appropriate and the Revisor of Statutes shall
implement this revision when updating, publishing or republishing
the statutes.

8
10 **Sec. G-9. Funds carried forward.** Notwithstanding the Maine
Revised Statutes, Title 5, section 1585, or any other provision
12 of law, an amount not to exceed \$582,099 in the Personal Services
line category remaining on June 30, 2001 in the General Fund,
14 Maine Correctional Center program in the Department of
Corrections may not lapse but must be carried forward to fiscal
16 year 2001-02 within the same account for the purpose of allowing
overtime funds to be used as needed to prepare the department for
openings of new facilities.

18
20 **Sec. G-10. Funds carried forward.** Notwithstanding the Maine
Revised Statutes, Title 5, section 1585, or any other provision
22 of law, an amount not to exceed \$293,279 in the Personal Services
line category remaining on June 30, 2001 in the General Fund,
24 Northern Maine Juvenile Facility program in the Department of
Corrections may not lapse but must be carried forward to fiscal
26 year 2001-02 within the same or renamed account for the purpose
of allowing overtime funds to be used as needed to prepare the
department for openings of new facilities.

28
30 **Sec. G-11. Funds carried forward.** Notwithstanding the Maine
Revised Statutes, Title 5, section 1585, or any other provision
32 of law, an amount not to exceed \$488,333 in the Personal Services
line category remaining on June 30, 2001 in the General Fund,
34 Maine State Prison program in the Department of Corrections may
not lapse but must be carried forward to fiscal year 2001-02
36 within the same account for the purpose of allowing overtime
funds to be used as needed to prepare the department for openings
of new facilities.

38
40 **Sec. G-12. Funds carried forward.** Notwithstanding the Maine
Revised Statutes, Title 5, section 1585, or any other provision
42 of law, an amount not to exceed \$557,407 in the Personal Services
line category remaining on June 30, 2001 in the General Fund,
44 Maine Youth Center program in the Department of Corrections may
not lapse but must be carried forward to fiscal year 2001-02
46 within the same or renamed account for the purpose of allowing
overtime funds to be used as needed to prepare the department for
openings of new facilities.

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PART H

2001-02

2002-03

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**INLAND FISHERIES AND WILDLIFE,
DEPARTMENT OF**

**Public Information and Education -
Division of**

Positions - FTE Count	(0.924)	(0.924)
Personal Services	\$20,000	\$20,000

Appropriates funds to restore
3 part-time Recreational and
Safety Coordinator positions.

PART J

Sec. J-1. 5 MRSA §946, sub-§1, ¶K, as amended by PL 1995, c. 395, Pt. G, §3 and affected by §20, is further amended to read:

K. Assistant Associate Commissioners; and

Sec. J-2. 5 MRSA §946, sub-§1, ¶L, as enacted by PL 1995, c. 395, Pt. G, §4 and affected by §20, is amended to read:

L. Director, Division of Mental Retardation; and

Sec. J-3. 5 MRSA §946, sub-§1, ¶M is enacted to read:

M. Deputy Commissioner.

Sec. J-4. 34-B MRSA §1202, sub-§2, ¶B, as amended by PL 1995, c. 395, Pt. C, §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 deputy commissioner for programs shall perform the duties and have the powers provided by law for the commissioner.

Sec. J-5. 34-B MRSA §1202, sub-§2, ¶D, as enacted by PL 1995, c. 395, Pt. C, §3, is amended to read:

D. If the offices of the commissioner and the associate deputy 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. J-6. 34-B MRSA §1204, sub-§2, as amended by PL 2001, c. 194, §1, is further amended to read:

2 **2. Appointments of deputy commissioner, associate**
3 **commissioners and other employees.** The commissioner's powers to
4 appoint a deputy commissioner, associate commissioners and other
5 employees are as follows.

6 A. The commissioner may appoint, subject to the Civil
7 Service Law and except as otherwise provided, any employees
8 who may be necessary.

9 B. The commissioner may appoint and set the salaries for an
10 ~~associate commissioner for programs~~ a deputy commissioner,
11 an associate commissioner for administration and an
12 associate commissioner for systems operations to assist in
13 carrying out the responsibilities of the department.

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

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

20 (3) ~~To be eligible for appointment as associate~~
21 ~~commissioner for programs, a person must have training~~
22 ~~and experience in the planning and administration of~~
23 ~~human services.~~

24 (4) To be eligible for appointment as associate
25 commissioner for systems operations, a person must have
26 training and experience in general management or
27 administration.

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

30 (1) Associate Commissioners;

31 (2) Superintendent, Augusta Mental Health Institute;

32 (3) Superintendent, Bangor Mental Health Institute;

33 (4) ~~Superintendent, Pineland Center;~~

34 (5) Director, Mental Retardation Facility;

35 (6) Director, Elizabeth Levinson Center;

2 Deaf is authorized to transfer available balances of
appropriations and allocations between line categories within the
4 same account in fiscal year 2001-02 by financial order, upon the
recommendation of the State Budget Officer and approval of the
6 Governor.

8 **Sec. K-2. Position authorization.** Notwithstanding any other
provision of law, the Governor Baxter School for the Deaf is
10 authorized to extend one limited-period Education Team and Policy
Director position to June 30, 2002. This position is necessary
12 for the continued development and implementation of residential
services, health services, guidance program and policy
14 development and implementation at the Governor Baxter School for
the Deaf. This position must be funded from the Governor Baxter
School for the Deaf budget and must end on June 30, 2002.

16
18 **PART L**

20 **Sec. L-1. 33 MRSA §1953, sub-§1, ¶C,** as enacted by PL 1997, c.
508, Pt. A, §2 and affected by §3, is amended to read:

22
24 C. Stock or other equity interest in a business association
or financial organization, including a security entitlement
under Title 11, Article 8, except for property described in
26 paragraph O, 5 years after the earlier of:

28 (1) The date of the most recent dividend, stock split
or other distribution unclaimed by the apparent owner;
30 or

32 (2) The date of the 2nd mailing of a statement of
account or other notification or communication that was
34 returned as undeliverable or after the holder
discontinued mailings, notifications or communications
36 to the apparent owner;

38 **Sec. L-2. 33 MRSA §1953, sub-§1, ¶O,** as amended by PL 1999, c.
284, §2, is further amended to read:

40
42 O. All other property, 5 years after the owner's right to
demand the property or after the obligation to pay or
44 distribute the property arises, whichever first occurs; and

46 **Sec. L-3. 33 MRSA §1953, sub-§1, ¶P,** as enacted by PL 1999, c.
284, §3, is amended to read:

48 P. Notwithstanding paragraph E, property contained in a
prearranged funeral or burial plan described in Title 32,

2 section 1401, including deposits containing funds from such
a plan, 3 years after the death of the person on whose
4 behalf funds were paid into the plan; and

6 **Sec. L-4. 33 MRSA §1953, sub-§1, ¶Q** is enacted to read:

8 Q. Property distributable in the course of a
demutualization or related reorganization of an insurance
company, 2 years after the earlier of:

10 (1) The date of the distribution of the property; or

12 (2) The date of last contact with a policyholder.

14 **Sec. L-5. 36 MRSA §112, sub-§9**, as enacted by PL 1997, c. 526,
16 §7, is amended to read:

18 **9. Services provided to another agency of State.** The
assessor may undertake, by arrangement with another agency of the
20 State, to provide or assist with revenue collection services for
that agency after consultation with the joint standing committee
22 of the Legislature having jurisdiction over state and local
government matters.

24 **Sec. L-6. 36 MRSA §191, sub-§2, ¶X**, as amended by PL 2001, c.
26 293, §6, is further amended to read:

28 X. The disclosure to the Department of Human Services of
information relating to the administration of the elderly
30 low-cost drug program and the Healthy Maine Prescription
Program established under Title 22, section 258; and

32 **Sec. L-7. 36 MRSA §191, sub-§2, ¶Y**, as enacted by PL 1999, c.
34 708, §16, is amended to read:

36 Y. The disclosure by the State Tax Assessor, upon request
in writing of any individual against whom an assessment has
38 been made pursuant to section 177, subsection 1, of the
following information:

40 (1) Information regarding the underlying tax liability
42 to the extent necessary to apprise the individual of
the basis of the assessment;

44 (2) The name of any other individual against whom an
46 assessment has been made for the same underlying tax
debt; and

48

(3) The general nature of any steps taken by the assessor to collect the underlying tax debt from any other individuals and the amount collected; and

Sec. L-8. 36 MRSA §191, sub-§2, ¶Z is enacted to read:

Z. The disclosure to the Treasurer of State when necessary for the performance of the Treasurer of State's official duties as administrator under Title 33, chapter 41 of the following information:

(1) The current mailing address for a taxpayer for purposes of returning unclaimed or abandoned property to the rightful owner or heir; and

(2) The names and mailing addresses of all Maine corporate income tax filers in an electronic medium prescribed by the State Tax Assessor.

Sec. L-9. Transfer. Notwithstanding Public Law 2001, chapter 358, Part W or any other provision of law, the Treasurer of State shall transfer \$1,000,000 from the Abandoned Property Fund to the unappropriated surplus of the General Fund no later than June 1, 2002 and \$1,000,000 from the Abandoned Property Fund to the unappropriated surplus of the General Fund no later than June 1, 2003.

PART M

Sec. M-1. Funding change of bargaining unit. Notwithstanding any other provision of law, the Department of Public Safety, with the approval of the State Budget Officer, shall identify the necessary funding from budgeted resources to implement the change of bargaining unit from Professional Technical to Supervisory Services for the Senior DNA Forensic Analyst position within the Bureau of State Police.

Sec. M-2. Funding for position upgrades. Notwithstanding any other provision of law, the Department of Human Services, with the approval of the State Budget Officer, shall identify the necessary funding from budgeted resources to provide for position upgrades in the Drinking Water program and the Eating and Lodging program and a previously approved upgrade of one Planning and Research Associate position.

PART N

Sec. N-1. Maine Governmental Facilities Authority. Pursuant to the Maine Revised Statutes, Title 4, section 1606,

subsections 1 and 2, the Maine Governmental Facilities Authority is authorized to issue securities in its own name in an amount up to \$5,500,000 on or after February 28, 2003 for the purpose of paying the cost of courthouse projects or parts of projects in Rockland and other locations designated by the Maine Governmental Facilities Authority.

PART O

Sec. O-1. 27 MRSA §267, as amended by PL 1975, c. 771, §293, is further amended to read:

§267. Expenses

The actual cash expenses of the State Historian incurred while in the discharge of his official duties, including any sum necessarily contracted by him the State Historian for clerical assistance, shall must be paid from the State Treasury but shall may not exceed \$500 a year. Any portion of said amount may be expended by the State Historian, under the direction of the Governor, in the publication of historical matter and data relating to the history of the State. ~~The appropriation so made available shall constitute a continuous carrying account and any balance of same shall be carried forward and be credited to the appropriation for the same purpose for the succeeding year.~~ Funding for the activities of the State Historian must be appropriated to the Maine Historic Preservation Commission.

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

	2001-02	2002-03
EDUCATION, DEPARTMENT OF		
Office of State Historian		
All Other	(\$500)	(\$500)
Deappropriates funds from this program to offset the appropriation to the Maine Historic Preservation Commission in support of the activities of the State Historian.		
HISTORIC PRESERVATION COMMISSION		

2 **Historic Preservation Commission**

4 All Other \$500 \$500

6 Provides funds in support of
8 the activities of the State
Historian.

10

PART P

12

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

16

2001-02 2002-03

18 **UNIVERSITY OF MAINE SYSTEM,
20 BOARD OF TRUSTEES OF THE**

22 **Educational and General
Activities - UMS**

24 All Other \$75,000

26 Provides a one-time
28 appropriation of funds to the
teachers for elementary and
30 middle schools project at the
Lewiston-Auburn College of
the University of Southern
32 Maine to be used as seed
money for program-related
34 investments in support of
establishing a comprehensive,
36 long-range endowed fellowship
for students in the
38 Lewiston-Auburn College
teachers for elementary and
40 middle schools project.

42 **Maine Patent Program**

44 All Other (75,000)

46 Provides a one-time
deappropriation of funds, due
48 to a delay in implementing
the program, to offset the

2 appropriation for the
Lewiston-Auburn College
4 teachers for elementary and
middle schools project.

6 **Educational and General
Activities - UMS**

8 All Other 4,338,583

10 Provides funds in fiscal year
12 2002-03 for a 2.5% increase
14 in the system's base budget.

16 **BOARD OF TRUSTEES OF THE
UNIVERSITY OF MAINE SYSTEM
TOTAL**

_____ \$0 \$4,338,583

18
20 **MAINE MARITIME ACADEMY**

22 **Maine Maritime Academy - Operations**

24 All Other \$192,132

26 Provides funds in fiscal year
28 2002-03 through a 2.5%
increase in the institution's
base budget.

30
32 **MAINE MARITIME ACADEMY
TOTAL**

_____ 192,132

34 **MAINE TECHNICAL COLLEGE
SYSTEM, BOARD OF TRUSTEES
36 OF THE**

38 **Maine Technical College
40 System, Board of Trustees
of the**

42 All Other 1,009,155

44 Provides funds in fiscal year
46 2002-03 for a 2.5% increase
in the system's base budget.

48 **BOARD OF TRUSTEES OF THE
50 MAINE TECHNICAL COLLEGE
SYSTEM**

TOTAL 1,009,155

SECTION

TOTAL APPROPRIATIONS \$0 \$5,539,870

Sec. P-2. Transfer from General Fund Salary Plan; Maine Technical College System. Notwithstanding the Maine Revised Statutes, Title 5, section 1676 or any other provision of law, in fiscal year 2001-02 and fiscal year 2002-03 the Maine Technical College System may receive transfers from the General Fund Salary Plan for the costs of collective bargaining agreements for employees of the Maine Technical College System in an amount not to exceed \$334,832 in fiscal year 2001-02 and \$1,295,800 in fiscal year 2002-03.

PART Q

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

	2001-02	2002-03
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LEGISLATURE

Legislature

Positions - Legislative Count	(6.500)	(6.500)
Positions - FTE Count	(-6.220)	(-6.220)

Provides for the continuation of an adjustment of headcount that was authorized in Public Law 2001, chapter 1 and reflects the number of positions authorized by the Legislative Council to support the activities of the Legislature.

Legislature

Positions - Legislative Count	(3.000)	(3.000)
Positions - FTE Count	(-0.807)	(-0.807)

Provides for an adjustment of headcount to reflect the number of positions authorized by the Legislative

2 Council to support the
 organization of the 120th
 4 Legislature. The authority
 for this headcount ends
 January 4, 2003.

6
 8 **Legislature**

Personal Services \$178,859 \$214,115

10
 12 Provides funds for salary and
 fringe benefit costs to more
 14 accurately reflect current
 services funding requirements
 of the Legislature.

16
 18 **Legislature**

Positions - Legislative Count	(1,000)	(1,000)
Personal Services	45,576	65,122
All Other	(66,600)	(100,000)
TOTAL	<u>(21,024)</u>	<u>(34,878)</u>

24
 26 Provides for the line
 category transfer of funds to
 28 establish one Client Desktop
 Support position to replace
 30 desktop support currently
 provided by contract.

32 **LEGISLATURE**
 34 **TOTAL**

\$157,835 \$179,237

36 **PART R**

38 **Sec. R-1. Allocation.** The following funds are allocated from
 40 Other Special Revenue funds to carry out the purposes of this
 Part.

42 **2001-02**

44 **LEGISLATURE**

46 **Legislature**

48 All Other \$25,000

50 Provides for the allocation

2 of funds to support a
3 celebration of the State
4 House renovations. This
5 allocation is to be supported
6 by private fund-raising
7 efforts.

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PART S

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11 **Sec. S-1. Reimbursement to agencies.** The 2.5% increase in
12 reimbursement to agencies under contract to provide mental health
13 and mental retardation services to adults and children to
14 increase wages and wage-related benefits for direct care
15 personnel provided in Public Law 2001, chapter 358, section FF is
16 intended to be in addition to current contracts and contracts
17 currently in negotiation. These funds may not be used to
18 supplant current or anticipated funding for contracts beginning
19 January 1, 2001.

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PART T

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Sec. T-1. 5 MRSA §1513, sub-§§1-R and 1-T are enacted to read:

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1-R. Transfer from Maine Rainy Day Fund; Baxter Compensation Authority Other Special Revenue Fund account. Notwithstanding subsection 2 and section 1585, \$2,000,000 must be transferred by the State Controller from the available balance in the Maine Rainy Day Fund to the Baxter Compensation Authority Other Special Revenue Fund account in fiscal year 2001-02.

1-T. Transfer from Governor Baxter School for the Deaf Compensation Fund within Maine Rainy Day Fund; Governor Baxter School for the Deaf victims' compensation. Notwithstanding subsection 2 and section 1585 or any other provision of law, an amount not to exceed \$3,000,000 may be transferred by the State Controller from the balance in the Governor Baxter School for the Deaf Compensation Fund within the Maine Rainy Day Fund to the Baxter Compensation Authority Other Special Revenue Fund account to be made available by financial order upon the recommendation of the State Budget Officer and approval of the Governor to be used for the payment of costs of administration of the Baxter Compensation Authority and for the payment of compensation to former students who were victims of abuse at the Governor Baxter School for the Deaf or its predecessors. Transfers by the State Controller from the Governor Baxter School for the Deaf Compensation Fund within the Maine Rainy Day Fund must be made upon written request of the Baxter Compensation Authority board

and the approval of the program director of the Baxter Compensation Program.

Sec. T-2. 5 MRSA §1513-A is enacted to read:

§1513-A. Governor Baxter School for the Deaf Compensation Fund established

The Governor Baxter School for the Deaf Compensation Fund, referred to this section as the "compensation fund," is established within the Maine Rainy Day Fund and must be segregated and maintained as a separate account known as the Governor Baxter School for the Deaf Compensation Fund. On July 1, 2001, the State Controller shall capitalize the compensation fund in the amount of \$3,000,000.

Sec. T-3. 5 MRSA §12004-B, sub-§9 is enacted to read:

<u>9. Baxter Compensation Program Compensation Panel</u>	<u>Legislative Per Diem and Expenses</u>	<u>5 MRSA §22004</u>
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Sec. T-4. 5 MRSA §12004-G, sub-§26-E is enacted to read:

<u>26-E. Legislature Authority</u>	<u>Baxter Compensation Authority</u>	<u>Legislative Per Diem and Expenses</u>	<u>5 MRSA §22002</u>
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Sec. T-5. 5 MRSA Pt. 28 is enacted to read:

PART 28

COMPENSATION AND REDRESS

CHAPTER 601

THE BAXTER COMPENSATION AUTHORITY

SUBCHAPTER I

GENERAL PROVISIONS

§22001. Definitions

As used in this chapter, the following terms have the following meanings, unless the context otherwise indicates.

1. Abuse. "Abuse" means sexual abuse, physical abuse or both.

2 **2. Administrative expenses.** "Administrative expenses"
means the expenses necessary for the operation of the program,
4 including the costs of the authority but not including
 compensation payments.

6 **3. Appeal board.** "Appeal board" means the authority board
8 when acting to hear and decide appeals of the compensation
 panel's decisions as provided in section 22005.

10 **4. Authority.** "Authority" means the Baxter Compensation
12 Authority established in section 12004-G, subsection 26-E.

14 **5. Authority board or board.** "Authority board" or "the
16 board" means the 5-member governing body described in section
 22002, subsection 3.

18 **6. Claimant.** "Claimant" means a person who alleges having
20 suffered abuse while a student at the Maine School for the Deaf
 or the Governor Baxter School for the Deaf and applies for
 compensation from the program.

22 **7. Claims consultant.** "Claims consultant" means a person
24 employed by the program to assist claimants in preparing their
 claims for submission to the compensation panel.

26 **8. Compensation panel.** "Compensation panel" means the
28 3-person panel appointed by the authority to hear claims and make
 decisions, consisting of the determination of eligibility and
30 determination of the compensation amount, as provided in section
 22004.

32 **9. Final compensation decision.** "Final compensation
34 decision" means the decision of the compensation panel with
 regard to eligibility and level of compensation if it is not
36 appealed within 60 days of the decision, and the decision of the
 appeal board if the decision of the compensation panel is
38 appealed.

40 **10. Program.** "Program" means the Baxter Compensation
 Program established in section 22021.

42 **11. Program director.** "Program director" means the person
44 appointed by the authority to direct the program as provided in
 section 22003.

46 **12. Program principles.** "The program principles" means the
48 compilation of theoretical and practical bases for operation of
 the program as provided in section 22007.

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2 13. Trust fund. "Trust fund" means the Baxter Compensation
4 Authority Other Special Revenue Fund account authorized pursuant
6 to section 1513, subsection 1-T, or its successor.

6 §2202. Baxter Compensation Authority

8 1. Established. The Baxter Compensation Authority,
10 established in section 12004-G, subsection 26-E, is a public
12 instrumentality of the State, and the exercise by the authority
14 of the powers conferred by this chapter is considered and held to
16 be the performance of essential governmental functions.

18 2. Purpose. The authority is established to administer the
20 Baxter Compensation Program.

22 3. Members. The authority board consists of 5 members, to
24 be appointed by the Governor, subject to review by the joint
26 standing committee of the Legislature having jurisdiction over
28 judiciary matters and confirmation by the Legislature.
30 Collectively, the members must have knowledge and experience in
32 deaf culture; abuse and its effects; the legal system; and
34 redress and compensation principles.

36 4. Chair; quorum. The members of the board shall select a
38 chair from among the members. Three members constitute a
40 quorum. Action taken by the board must be by majority vote.

42 5. Powers. The authority may:

44 A. Buy or lease real and personal property to carry out its
46 duties;

48 B. Establish positions and employ and contract with persons
to carry out its duties; and

C. Accept funds from all sources to be deposited in the
trust fund.

6. Duties. The authority has the following duties.

A. The authority shall establish the Baxter Compensation
Program as provided in section 22021.

B. The authority shall appoint a program director as
provided in section 22003.

C. The authority shall appoint a compensation panel as
provided in section 22004.

2 D. The authority board shall serve as the appeal board as
provided in section 22005.

4 E. The authority shall complete the training and education
under section 22006.

6 F. The authority shall adopt program guidelines as provided
8 in section 22007.

10 G. The authority shall establish criteria for 3 tiers of
12 compensation based on the severity of abuse suffered by the
former students using well-established legal principles
14 governing awarding damages. The 3 tiers of compensation
are: \$25,000; \$60,000; and \$100,000.

16 H. The authority shall submit an annual written report by
18 January 15th of each year to the Governor, the Attorney
General and the joint standing committee of the Legislature
20 having jurisdiction over judiciary matters. The report must
include information on the following:

22 (1) The activities of the authority within the last 12
24 months;

26 (2) The number of employees and volunteers and their
responsibilities;

28 (3) Data pertaining to the following:

30 (a) Requests for information;

32 (b) Applications filed;

34 (c) Claims submitted to the compensation panel;

36 (d) Decisions made by the compensation panel, and
38 the nature of the decisions;

40 (e) Decisions appealed to the appeal board, and
the grounds for and outcomes of the appeals;

42 (f) Claims pending completion prior to being
44 submitted to the compensation panel;

46 (g) Claims pending decision by the compensation
panel;

48 (h) Claims pending resolution by the appeal
50 board; and

(i) Awards made and paid;

(4) Amount of compensation paid;

(5) Any other information that would help to evaluate the performance of the program; and

(6) Any recommended legislation the authority determines is necessary to carry out its duties.

I. The authority shall develop an evaluation process to make ongoing determinations concerning the program's effectiveness and operation within the program guidelines.

7. Application of laws. The authority is subject to the budget, accounts and control and auditing requirements of Part 4.

8. Use of trust fund. The authority may use up to 15% of the trust fund for administrative expenses in each fiscal year.

9. Administrative support. The Department of Labor, Bureau of Rehabilitation, Division of Deafness shall provide such administrative support as is requested by the authority.

10. Legal counsel. Notwithstanding section 191, a staff attorney may act as the counsel for the authority and the authority may employ private counsel to advise and represent the authority.

§22003. Program director

The authority shall appoint a program director to serve as staff to the authority and to direct the program.

§22004. Compensation panel

1. Appointment. The authority shall appoint 3 persons to serve as the compensation panel established in section 12004-B, subsection 9. The compensation panel shall make decisions about the eligibility of claimants and the appropriate compensation payments to be made.

2. Qualifications. Collectively, the members of the compensation panel must have the following qualifications:

A. Familiarity with the legal system, including experience with:

(1) Weighing evidence and making decisions based on that evidence; and

2 (2) Well-established legal principles that govern
4 awarding damages;

6 B. Experience or knowledge of abuse and its effects; and

8 C. Experience or knowledge of deaf culture.

10 The members of the compensation panel may not have any personal
12 bias with regard to the Governor Baxter School for the Deaf, any
14 employee of the Governor Baxter School for the Deaf or any
16 claimant.

18 3. Chair. The compensation panel members shall select a
20 chair from among the members.

22 4. Decision-making; quorum. The compensation panel members
24 shall work together as collaboratively as possible. Decisions on
26 claims must be determined by a majority vote. All 3 members must
28 be present in order for a vote to be taken.

30 5. Training and education. Before handling any claims, the
32 compensation panel shall complete the training and education
34 under section 22006.

36 **§22005. Appeal board**

38 1. Appointment. The authority board shall serve as the
40 appeal board to hear and decide appeals of the decision of the
42 compensation panel.

44 2. Decisions. Decisions on claims must be determined by a
46 majority vote. Three members constitute a quorum.

48 **§22006. Training and education**

1. Training and education program. The program director
shall coordinate training and education for the members of the
authority, the program director and the compensation panel in the
following subject areas:

A. Deaf culture;

B. Physical and sexual abuse and its effects;

C. Basic applicable legal principles; and

D. Any other subject useful to the operation of the program.

2 2. Required. Members of the authority, the program
3 director and the compensation panel shall participate in the
4 training and education.

6 **§22007. Program principles and guidelines**

8 1. Duties. The program has the following duties.

10 A. The program shall provide American Sign Language
11 interpreters to ensure communication between program staff
12 and claimants, their families and friends and advocates
13 providing support.

14 B. The program shall explain to the claimants the
15 compensation process from initial contact with the program
16 through acceptance of the award, release of the State from
17 further liability and the making of the apology.

18 C. The program shall allow claimants to be accompanied in
19 all steps of the process by friends, family and other
20 support people.

22 D. The program shall promote provision of support and
23 immediate access to counseling resources for claimants
24 recounting their experiences, especially those disclosing
25 abuse for the first time.

28 E. The program shall inform as many former students as
29 possible about the program and give those students an
30 opportunity to apply for compensation.

32 F. The program shall work with former students and their
33 families in situations in which the former student is not
34 capable of making decisions concerning participation in the
35 program.

36 G. The program shall develop a plan for working with and
37 providing services to former students no longer living in
38 the State.

40 H. The program may employ only persons who do not have any
41 personal bias with regard to the Governor Baxter School for
42 the Deaf, any employee of the Governor Baxter School for the
43 Deaf or any claimant.

46 2. Program guidelines. The authority shall adopt program
47 guidelines as the theoretical and practical bases for the
48 operation of the program that are consistent with subsection 1,
49 using the following sources as guidance:

2 A. The final report of the Committee to Develop a
4 Compensation Program for Victims of Abuse at the Governor
Baxter School for the Deaf, established by Resolve 1999,
chapter 127, Part B;

6 B. The guiding principles that have been adopted and used
8 by other compensation programs as bases for operation of the
programs;

10 C. The report of the Law Commission of Canada, "Restoring
12 Dignity: Responding to Child Abuse in Canadian
Institutions," issued in 2000;

14 D. Judicial practice, in the State and elsewhere,
16 concerning the awarding of damages; and

18 E. Any other reports, rules or other sources the authority
determines useful.

20 3. Process. The program guidelines are not rules and the
22 authority is not required to proceed under the Maine
24 Administrative Procedure Act in adopting the program guidelines,
26 although the authority may hold public hearings and solicit
28 comments as provided in that Act. In developing the program
guidelines, the authority shall seek input from and work as
collaboratively as possible with all interested parties and
groups, including the deaf community.

30 **§22008. Status of members and employees**

32 1. State employees. Members and employees of the authority
34 may not be construed to be state employees for the purpose of the
state civil service provisions of Part 2 and chapter 372, and any
other purpose except for the following:

36 A. Employees of the authority are deemed state employees
38 for the purposes of the state retirement provisions of Part
20, and the state employee health insurance program under
40 chapter 13, subchapter II; and

42 B. For the purposes of the Maine Tort Claims Act, the
44 authority is deemed a governmental entity and its members
and employees are deemed employees as those terms are
defined in Title 14, section 8102.

46 2. Limitation of liability. A person who is a member of
48 the authority or an employee of the authority is not subject to
personal liability for having acted within the course and scope
50 of the person's membership or employment to carry out any power
or duty under this chapter. The authority shall indemnify a

2 member or employee of the authority against expenses actually and
4 necessarily incurred by the person in connection with the defense
4 of any action or proceeding in which the person is made a party
4 by reason of past or present association with the authority.

6 **§22009. Public proceedings and records; confidentiality**

8 **1. Public proceedings and records.** Except as provided in
10 subsection 2, all meetings and records of the authority are
10 subject to the provisions of Title 1, chapter 13, subchapter I.

12 **2. Confidential.** All information provided by a claimant or
14 a claimant's family is confidential until the claim is submitted
14 to the compensation panel. Once the claim is submitted to the
16 compensation panel, the claim is a public record.

16 **§22010. Repeal**

18 This chapter is repealed on July 1, 2007.

20 **SUBCHAPTER II**

22 **THE BAXTER COMPENSATION PROGRAM**

24 **§22021. Baxter Compensation Program**

26 **1. Purposes.** The purposes of the Baxter Compensation
28 Program are:

30 **A. To provide compensation to former students who suffered**
32 **abuse by a state employee or as a result of state action or**
34 **inaction while students at either the Maine School for the**
34 **Deaf or the Governor Baxter School for the Deaf;**

36 **B. To assist in the victims' healing process by admitting**
36 **the State's responsibility for not protecting students from**
38 **abuse by a state employee or as a result of state action or**
40 **inaction while the victims were attending the Maine School**
40 **for the Deaf or the Governor Baxter School for the Deaf; and**

42 **C. To apologize to the students who were abused and to**
42 **their families.**

44 **2. Program director; duties.** The program director shall
46 direct the program.

48 **A. The program director is responsible for hiring,**
48 **supervising and firing all employees authorized by the**
50 **authority. The program director shall maintain only the**
50 **number of employees necessary to operate the program.**

2 B. The program director is responsible for the day-to-day
4 operations of the program, including overseeing the work of
 the claims consultants.

6 C. The program director shall report to the authority on a
8 regular basis as determined by the authority, and shall keep
 the authority informed about the program and its operation.

10 D. The program director shall maintain communication with
12 the deaf community and other potential beneficiaries of the
 program.

14 E. The program director may not have any personal bias with
16 regard to the Governor Baxter School for the Deaf, any
 employee of the Governor Baxter School for the Deaf or any
18 claimant.

3. Location; travel. The program must be established in a
20 central office location. The program director and all program
22 personnel, including the claims consultants and the compensation
24 panel are based in the central office. Claim consultants may
 travel as needed to assist claimants in preparing their claims.
 The compensation panel may travel as needed to carry out its
26 responsibilities.

4. Claims consultants. The program director shall hire a
28 sufficient number of claims consultants to work with the persons
30 applying for compensation. Claims consultants must be selected
32 to provide personal and professional diversity sufficient to
 allow claimants to select the claims consultant with whom they
 feel the most comfortable.

34 A. The qualifications for claims consultants include:

36 (1) Fluency in American Sign Language;

38 (2) Knowledge of or familiarity with abuse and its
40 effects;

42 (3) Knowledge of or familiarity with deaf culture;

44 (4) Ability to work with deaf interpreters;

46 (5) Ability to work with and refer claimants to
 therapists and counselors; and

48 (6) An absence of personal bias with regard to the
50 Governor Baxter School for the Deaf, any employee of
 the Governor Baxter School for the Deaf or any claimant.

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B. The duties of claims consultants include:

- (1) Working with claimants and potential claimants;
- (2) Helping claimants prepare their materials for submission to the compensation panel;
- (3) Recording claimants' stories and experiences for use in the claims process, including presentation to the compensation panel in written, audio or audio visual formats;
- (4) Assisting claimants in collecting and corroborating information;
- (5) Explaining the compensation program process to claimants;
- (6) Explaining the decision of the compensation panel;
- (7) Assisting claimants in assembling the materials necessary to appeal the compensation panel's decision to the appeal board;
- (8) Referring claimants to a professional outside the program in order to secure legal and financial advice;
- (9) Referring claimants to counseling when appropriate; and
- (10) Other reasonable duties necessary for the operation of the program as assigned by the program director.

A claimant is not required to use the services of a claims consultant to file a claim for compensation.

§22022. Eligibility

A person is eligible to receive compensation if:

1. Victim of abuse. That person was abused by a state employee or as a result of state action or inaction while a student at the Maine School for the Deaf or the Governor Baxter School for the Deaf, and the abuse occurred either at the school or was associated with the school;

2. Date of abuse. The abuse occurred prior to January 1, 2001; and

2 3. Filing deadline. The claim for compensation is filed
4 with the program by March 31, 2006.

6 **§22023. Claim process**

8 1. Application. A person may apply for compensation by
submitting a completed claim form to the program.

10 2. Submit to compensation panel. The claimant or, if
12 requested by the claimant, a claims consultant shall submit the
information about the claim to the compensation panel.

14 **§22024. Decision**

16 The compensation panel shall issue a decision on each
18 submitted claim. The decision consists of 2 parts.

20 1. Eligibility determination. The compensation panel shall
22 determine whether the claimant is eligible to receive
compensation. For the claimant to be eligible for compensation,
the compensation panel must determine that:

24 A. The claimant was a student at the Maine School for the
26 Deaf or the Governor Baxter School for the Deaf. The
compensation panel may use reliable information in addition
to the information included in the claim;

28 B. The allegation of abuse includes abuse that occurred
30 before January 1, 2001; and

32 C. The claimant was abused by a state employee or as a
34 result of state action or inaction while a student at the
Maine School for the Deaf or the Governor Baxter School for
36 the Deaf. The compensation panel shall make this
determination if the compensation panel finds there is a
38 reasonable likelihood that the claimant was abused while a
student at the Maine School for the Deaf or the Governor
40 Baxter School for the Deaf. The abuse may have occurred at
either school or elsewhere, but the abuse must have been
42 associated with attendance or residence at either school
while the State was responsible for the claimant's care and
44 custody.

46 2. Determination of compensation amount. If the
48 compensation panel determines that the claimant is eligible under
subsection 1, the compensation panel shall review the claim to
determine the amount of compensation. The panel shall apply the
50 criteria adopted under section 22002, subsection 6, paragraph G,
to the facts of the claim to determine which level of

2 compensation is to be awarded. When making the determination,
3 the panel shall award compensation at the highest level that the
4 facts of the claim support.

5 3. Decision. The compensation panel shall complete its
6 decision within 60 days of the filing of the complete claim with
7 the compensation panel.

8 4. Communication of the decision. The compensation panel
9 shall provide to the claims consultant who assisted the claimant
10 or, if no claims consultant assisted the claimant, to a claims
11 consultant a written statement of the decision, including
12 separate findings on each of the determinations. The claims
13 consultant shall provide the statement and explain its content
14 and meaning to the claimant. The claims consultant shall also
15 explain the options available to the claimant if the claimant is
16 not satisfied with the compensation panel's decision.

17 **§22025. Appeal**

18 1. Appeal. If the claimant is not satisfied with the final
19 decision of the compensation panel, the claimant may appeal the
20 decision to the appeal board. The appeal must be submitted
21 within 60 days of the communication of the decision to the
22 claimant, although the appeal board may extend the time limit for
23 good cause.

24 2. Appeal costs. If the claimant appeals the decision, the
25 claimant is responsible for paying the costs of the appeal as
26 follows.

27 A. If the claimant is appealing the compensation panel's
28 decision under section 22024, subsection 1 that the claimant
29 is not eligible for compensation, the claimant is not
30 required to pay any appeal costs.

31 B. If the claimant is appealing the compensation panel's
32 decision under section 22024, subsection 2 regarding the
33 level of compensation, the costs must be paid as follows:

34 (1) If the appeal board disagrees with the claimant
35 and upholds the compensation panel's decision, the
36 appeal cost is \$2,500, to be withheld from the
37 compensation payment; or

38 (2) If the appeal board agrees with the claimant and
39 increases the compensation award of the compensation
40 panel, the claimant is not required to pay any appeal
41 cost.

2 3. Assistance of claims consultant. At the request of a
4 claimant, a claims consultant shall assist the claimant in
assembling the materials necessary to appeal the decision.

6 4. Appeal on record and appeal documents. The appeal board
8 may make the decision on the appeal based solely on the record of
the claim and documents submitted with the appeal. The appeal
board is not required to conduct a hearing or take testimony, but
may do so if it so chooses.

10 5. Standard of review. The appeal board shall review the
12 decision of the compensation panel and may overrule the decision
only if the appeal board determines the decision of the
14 compensation panel is arbitrary and capricious.

16 6. Decision. The appeal board shall complete its decision
18 within 60 days of the filing of the appeal with the appeal board.

20 7. Communication of decision. The appeal board shall
22 provide to the claims consultant a written statement of the
appeal board's decision. The claims consultant shall provide the
statement and explain its content and meaning to the claimant.

24 8. Decision final. The decision of the appeal board is
26 final and is not appealable to any court or other authority.

28 §22026. Acceptance

30 1. Notification. The claimant shall notify a claims
32 consultant whether the claimant will accept the compensation
awarded by the program.

34 2. Release. To receive payment of the compensation, the
36 claimant must release the State from any further liability by
signing a release form provided by the program.

38 3. Financial advice. A claims consultant shall provide to
40 the claimant who has been awarded compensation the names and
addresses of professionals who have agreed to work with claimants
to provide financial advice.

42 §22027. Payment

44 The program shall pay compensation within 30 days of the
46 final compensation decision, or as soon thereafter as possible.

48 §22028. Apology

50 1. Personal apology. When the program pays compensation,
the State shall issue a personal apology to the claimant.

Title 5, section 12004-G, subsection 26-E and for the payment of compensation to former students who were victims of abuse at the Governor Baxter School for the Deaf or its predecessors.

Sec. T-9. Transfer from Governor Baxter School for the Deaf Student Trust Fund.

Notwithstanding any other provision of law, on July 1, 2001 the State Controller shall transfer \$1,000,000 from the Governor Baxter School for the Deaf Student Trust Fund established in the Maine Revised Statutes, Title 20-A, section 7412 to the Baxter Compensation Authority Other Special Revenue Fund account to be made available by financial order upon the recommendation of the State Budget Officer and approval of the Governor.

Sec. T-10. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Part.

	2001-02	2002-03
BAXTER COMPENSATION AUTHORITY		
Baxter Compensation Authority		
Positions - Legislative Count	(4.000)	(6.000)
Personal Services	\$79,710	\$266,767
All Other	1,063,900	24,800

Provides funds for the costs associated with administering the Baxter Compensation Program. Funding is included for the salary, fringe benefits, office expenses and one-time start-up costs for one Program Director position, one Administrative Secretary position, one Claims Consultant position and one Certified Interpreter position in fiscal year 2001-02, for one additional Claims Consultant position and for one additional Certified Interpreter position in fiscal year 2002-03 and for per diem and expenses of members of the authority board and the compensation panel. Funding is also provided for the

2 compensation due former
students who were abused
4 while attending the Governor
Baxter School for the Deaf or
the Maine School for the Deaf.

6
8 **BAXTER COMPENSATION AUTHORITY**
TOTAL
\$1,143,610 \$291,567

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12 **PART U**

14 **Sec. U-1. 5 MRSA §1520** is enacted to read:

16 **§1520. Statewide Radio and Network System Reserve Fund**

18 **1. Fund established.** The Statewide Radio and Network
System Reserve Fund, referred to in this section as the "fund,"
is established as an internal service fund in the Department of
Administrative and Financial Services, Bureau of Information
Services, referred to in this section as the "bureau," for the
purposes of managing the fund and acquiring, expanding, upgrading
and replacing a statewide radio and network system for use by
state agencies. The bureau shall charge a fee to agencies using
the statewide radio and network system in accordance with an
established rate structure. Revenues derived from operations
must be used to pay the costs of the lease-purchase to acquire a
system, expand, upgrade and replace the system, and to manage the
fund.

30 A. The bureau shall work closely with all departments and
agencies to identify radio and network requirements for the
statewide system to ensure that agency program requirements
are met to the maximum extent possible. The bureau shall:

36 (1) Ensure that the annual costs of the lease or
lease-purchase are paid in a timely manner and that the
financial affairs of the fund are properly managed;

40 (2) Maintain records of radio and network system
requirements for all agencies using the system and make
this information available to state agencies;

44 (3) Require state agencies to become part of the
statewide radio and network system when replacing their
current systems or purchasing new systems;

48 (4) Acquire, expand, upgrade or replace the statewide
radio and network system in accordance with an
established replacement plan; and

2 (5) Transfer radio equipment and network
3 infrastructure into the fund from agencies using the
4 system, purchase, lease, lease-purchase or enter into
5 other financing agreements, in accordance with section
6 1587, for the acquisition, expansion, upgrade or
7 replacement of the system or any of its components in
8 accordance with paragraph B when it can be demonstrated
9 that any such action or agreement provides a clear cost
10 or program advantage to the State.

12 B. The Chief Information Officer and the bureau, in
13 conjunction with the agencies using the statewide radio and
14 network system, shall establish the following:

16 (1) Standards for statewide radio and network system
17 operations;

18 (2) Specifications for systems and components to be
19 acquired by the State; and

22 (3) Standards for the exemption or waiver of state
23 agencies from the requirements of this section.

24 By January 15, 2002, standards must be developed for
25 statewide radio and network system usage by all state
26 agencies not exempted under subparagraph (3).

28 C. The bureau shall establish, through the Department of
29 Administrative and Financial Services, Bureau of Accounts
30 and Control, the Statewide Radio and Network System Reserve
31 Fund account. The funds deposited in the account may
32 include, but are not limited to, appropriations made to the
33 account, funds transferred to the account from within the
34 Department of Administrative and Financial Services, funds
35 received from state departments and agencies using the
36 services provided by the bureau, earnings by the fund from
37 the Treasurer of State's pool and proceeds from the sale of
38 system assets under the administrative control of the fund
39 by the state surplus property program in the Department of
40 Administrative and Financial Services, Bureau of General
41 Services in accordance paragraph B and other provisions of
42 law.

44 D. The fund may levy charges according to a rate schedule
45 recommended by the Director of the Bureau of Information
46 Services and approved by the Commissioner of Administrative
47 and Financial Services against all departments and agencies
48 using the services of the statewide radio and network system.

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2 E. Service charges for the statewide radio and network
3 system must be calculated to provide for system acquisition
4 costs, expansion costs, upgrade costs, necessary capital
5 investment and fund management costs, replacement costs and
6 sufficient working capital for the fund.

7 F. Each department or agency using the services of the
8 statewide radio and network system must budget adequate
9 funds to pay for costs described in paragraph E.

10 **Sec. U-2. Report on radio and network system.** The Chief
11 Information Officer of the Department of Administrative and
12 Financial Services shall prepare a report on all activities
13 undertaken pursuant to the Maine Revised Statutes, Title 5,
14 section 1520, subsection 1, paragraph B and submit the report by
15 January 31, 2002 to the Joint Standing Committee on
16 Appropriations and Financial Affairs; the Joint Standing
17 Committee on Criminal Justice; the Joint Standing Committee on
18 Inland Fisheries and Wildlife; the Joint Standing Committee on
19 Marine Resources; the Joint Standing Committee on Natural
20 Resources; and the Joint Standing Committee on Transportation.

21 **Sec. U-3. Department of Administrative and Financial Services;**
22 **lease-purchase authorization.** Pursuant to the Maine Revised
23 Statutes, Title 5, section 1587, the Department of Administrative
24 and Financial Services, Bureau of Information Services may enter
25 into financing arrangements on or after September 1, 2002 for the
26 acquisition of hardware, software and systems to support the
27 operations of the Statewide Radio and Network System Reserve
28 Fund, established in Title 5, section 1520. The financial
29 agreements may not exceed 7 years in duration and \$8,700,000 in
30 principal costs. The interest rate may not exceed 6% and
31 interest costs may not exceed \$2,100,000. Annual principal and
32 interest costs must be paid from the appropriate line category
33 allocations in the Bureau of Information Services, Statewide
34 Radio and Network System Reserve Fund.

35 **Sec. U-4. Appropriations and allocations.** The following amounts
36 are appropriated and allocated from various funds.

37 **ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

38 **Statewide Radio and Network System**

39 **New Initiative:** Provides funds to implement the statewide radio
40 and network system replacement. The capital allocation will be
41 used for planning and engineering services. The All Other funds
42 will be used for the costs of a lease-purchase agreement or other
43 financing vehicle construct and deployment. Provides for the

transfer of funds from the General Fund to the newly established
internal service fund.

4	General Fund	2001-02	2002-03
6	All Other		268,000
8	Total		<hr/> 268,000
10	Statewide Radio and Network System		
12	Reserve Fund	2001-02	2002-03
14	All Other		268,000
16	Capital Expenditures	500,000	
18	Total	<hr/> 500,000	<hr/> 268,000

PART V

Sec. V-1. PL 2001, c. 358, Pt. V, §4, sub-§1 is amended to read:

1. **Replacement of state liquor stores.** ~~The Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations~~ Public Safety, Bureau of Liquor Enforcement may license up to 6 agency stores in a municipality with a population over 20,000 where a state liquor store has been closed and up to 3 agency stores in a municipality where a state liquor store has been closed. The Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations shall establish monthly discounts for all agency stores. ~~The issuance of an agency liquor store license and the operation of agency liquor stores licensed pursuant to this Part are governed by the Maine Revised Statutes, Title 28-A, chapter 19.~~ Notwithstanding the Maine Revised Statutes, Title 28-A, section 453, the Department of Public Safety, Bureau of Liquor Enforcement is authorized to waive the spacing requirement for agency liquor stores in order to license a sufficient number of agency stores in municipalities to implement this Part, to close 8 state liquors stores by December 31, 2001 and 6 additional state liquor stores by December 31, 2002, and to replace the 14 state liquor stores with agency stores.

PART W

Sec. W-1. Transfer of funds. Notwithstanding any other provision of law, the State Controller shall transfer \$150,000 in fiscal year 2001-02 from the General Fund Attorney General -

Contingent program to General Fund unappropriated surplus no later than June 30, 2002.

Sec. W-2. Transfer to General Fund. Notwithstanding any other provision of law, the State Controller shall transfer \$2,550,000 from the Department of Professional and Financial Regulation, Securities Division Other Special Revenue account to the General Fund in fiscal year 2001-02.

PART X

Sec. X-1. 22 MRSA §4002, sub-§3-A, as enacted by PL 1987, c. 511, Pt. A, §2, is repealed.

Sec. X-2. 22 MRSA §4008, sub-§3, ¶D, as amended by PL 1987, c. 511, Pt. A, §3, is further amended to read:

D. An appropriate state executive or legislative official with responsibility for child protection services ~~of the Child Welfare Services Ombudsman in carrying out his official functions~~, provided that no personally identifying information may be made available unless necessary to his that official's functions;

Sec. X-3. 22 MRSA c. 1071, sub-c. X-A is amended by repealing the subchapter headnote and enacting the following in its place:

SUBCHAPTER X-A

OMBUDSMAN SERVICES

Sec. X-4. 22 MRSA §4087, as enacted by PL 1989, c. 400, §§7 and 14, is repealed.

Sec. X-5. 22 MRSA §4087-A is enacted to read:

§4087-A. Ombudsman program

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Ombudsman" means the director of the program and persons employed or volunteering to perform the work of the program.

B. "Program" means the ombudsman program established under this section.

2 2. Program established. The ombudsman program is
4 established as an independent program within the Executive
6 Department to provide ombudsman services to the children and
8 families of the State regarding child welfare services provided
10 by the Department of Human Services. The program shall consider
12 and promote the best interests of the child involved, answer
14 inquiries and investigate, advise and work toward resolution of
complaints of infringement of the rights of the child and family
involved. The program must be staffed, under contract, by an
attorney or a master's level social worker who must have
experience in child development and advocacy, and support staff
as determined to be necessary. The program shall function
through the staff of the program and volunteers recruited and
trained to assist in the duties of the program.

16 3. Contracted services. The program shall operate by
18 contract with a nonprofit organization that the Executive
20 Department determines to be free of potential conflict of
22 interest and best able to provide the services on a statewide
24 basis. The ombudsman may not be actively involved in state-level
political party activities or publicly endorse, solicit funds for
or make contributions to political parties on the state level or
candidates for statewide elective office. The ombudsman may not
be a candidate for or hold any statewide elective or appointive
public office.

26 4. Services. The program shall provide services directly
28 or under contract and may set priorities for service among the
30 types of inquiries and complaints. The program may:

32 A. Provide information to the public about the services of
34 the program through a comprehensive outreach program. The
ombudsman shall provide information through a toll-free
telephone number or numbers;

36 B. Answer inquiries, investigate and work toward resolution
38 of complaints regarding the performance and services of the
department and participate in conferences, meetings and
studies that may improve the performance of the department;

40 C. Provide services to persons to assist them in protecting
42 their rights;

44 D. Inform persons of the means of obtaining services from
46 the department;

48 E. Provide information and referral services;

2 F. Analyze and provide opinions and recommendations to
3 agencies, the Governor and the Legislature on state
4 programs, rules, policies and laws;

6 G. Determine what types of complaints and inquiries will be
7 accepted for action by the program and adopt policies and
8 procedures regarding communication with persons making
9 inquiries or complaints and the department;

10 H. Apply for and utilize grants, gifts and funds for the
11 purpose of performing the duties of the program; and

12 I. Collect and analyze records and data relevant to the
13 duties and activities of the program and make reports as
14 required by law or determined to be appropriate.

16 **5. Access to persons, files and records.** As necessary for
17 the duties of the program, the ombudsman has access to the files
18 and records of the department, without fee, and to the personnel
19 of the department for the purposes of investigation of an inquiry
20 or complaint. The ombudsman may also enter the premises of the
21 department for the purposes of investigation of an inquiry or
22 complaint without prior notice. The program shall maintain the
23 confidentiality of all information or records obtained under this
24 subsection.

26 **6. Confidentiality of records.** Information or records
27 maintained by the program relating to a complaint or inquiry are
28 confidential and may not be disclosed unless the disclosure is
29 permitted by law and consented to by the ombudsman or ordered by
30 court. Records maintained by the program are not public records
31 as defined in Title 1, chapter 13.

34 **7. Liability.** Any person who in good faith submits a
35 complaint or inquiry to the program pursuant to this section is
36 immune from any civil or criminal liability. For the purpose of
37 any civil or criminal proceedings, there is a rebuttable
38 presumption that any person acting pursuant to this section did
39 so in good faith. The ombudsman and employees and volunteers in
40 the program are employees of the State for the purposes of the
41 Maine Tort Claims Act.

42 **8. Penalties.** A person who intentionally obstructs or
43 hinders the lawful performance of the ombudsman's duties commits
44 a Class E crime. A person who penalizes or imposes a restriction
45 on a person who makes a complaint or inquiry to the ombudsman as
46 a result of that complaint or inquiry commits a Class E crime.
47 The Attorney General shall enforce this subsection under Title 5,
48 section 191.

50

2 9. Information. Beginning January 1, 2002, information
3 about the services of the program and any applicable grievance
4 and appeal procedures must be given to all children and families
5 receiving child welfare services from the department and from all
6 persons and entities contracting with the department for the
7 provision of child welfare services.

8 10. Report. The program shall report to the Governor, the
9 department and the Legislature before January 1st each year on
10 the activities and services of the program, priorities among
11 types of inquiries and complaints that may have been set by the
12 program, waiting lists for services, the provision of outreach
13 services and recommendations for changes in policy, rule or law
14 to improve the provision of services.

15 11. Oversight. The joint standing committee of the
16 Legislature having jurisdiction over health and human services
17 matters shall review the operations of the program and may make
18 recommendations to the Governor regarding the contract for
19 services under this section. The committee may submit legislation
20 that it determines necessary to amend or repeal this section.
21

22 **Sec. X-6. Report.** By January 31, 2003, the director of the
23 ombudsman program within the Executive Department, established in
24 the Maine Revised Statutes, Title 22, section 4087-A, shall
25 report to the joint standing committee of the Legislature having
26 jurisdiction over health and human services matters on the
27 feasibility of and any action required for transferring authority
28 for child ombudsman and advocacy services and programs and the
29 funding associated with those services and programs on July 1,
30 2003. In compiling this report, the director shall consider the
31 services provided directly or indirectly by the Department of
32 Mental Health, Mental Retardation and Substance Abuse Services;
33 the Department of Corrections, Office of Advocacy; the Department
34 of Mental Health, Mental Retardation and Substance Abuse
35 Services, Office of Advocacy and Consumer Affairs; the Department
36 of Education; the Department of Human Services; the Department of
37 Corrections; the Department of Human Services, Bureau of Elder
38 and Adult Services; the Disability Rights Center; and such other
39 agencies as the director determines to be appropriate. The joint
40 standing committee of the Legislature having jurisdiction over
41 health and human services matters may submit legislation to the
42 121st Legislature to transfer authority over child ombudsman and
43 advocacy services and programs and the funding associated with
44 those services and programs to the ombudsman program.
45

46 **Sec. X-7. Appropriation.** The following funds are appropriated
47 from the General Fund to carry out the purposes of this Part.
48

	2001-02	2002-03
2		
4	HUMAN SERVICES,	
	DEPARTMENT OF	
6	Bureau of Child and	
	Family Services - Regional	
8		
	Positions - Legislative Count	(21,000) (21,000)
10	Personal Services	\$751,079 \$1,051,510
	All Other	141,750 196,560
12		
	TOTAL	<u>892,829</u> <u>1,248,070</u>
14		
16	Provides funds for 18 Human	
	Services Caseworker positions	
18	and 3 Human Services	
	Caseworker Supervisor	
20	positions and related	
	operating costs to accomplish	
22	100% compliance with safety	
	and well-being reviews. This	
24	initiative will increase	
	General Fund undedicated	
26	revenue by \$690,058 in fiscal	
	year 2001-02 and \$956,886	
28	in fiscal year 2002-03.	
30	Bureau of Child and Family	
	Services - Regional	
32	All Other	95,040 98,842
34		
	Provides funds to cover	
36	increased utilization of cell	
	phones by Human Services	
38	Caseworkers.	
40	Bureau of Child and Family	
	Services - Regional	
42	All Other	82,500 85,800
44		
	Provides funds for travel due	
46	to increased site visits by	
	Human Services Caseworkers	
48	and the placement of children.	
50	Bureau of Child and Family	
	Services - Regional	

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2	Positions	(3,000)	(3,000)
	Personal Services	169,627	237,477
4	All Other	20,250	28,080
6	TOTAL	<u>189,877</u>	<u>265,557</u>
8	Provides funds for the		
	establishment of one Division		
10	Director position and 2		
	Program Administrators -		
12	Child Protective positions		
	and related operating costs		
14	to provide program oversight,		
	policy development, contract		
16	monitoring and foster care		
	recruitment.		
18			
20	Temporary Assistance for		
	Needy Families		
22			
	All Other	(676,188)	(875,198)
24			
	Provides for the		
26	deappropriation of funds in		
	the Temporary Assistance for		
28	Needy Families account		
	based on availability of		
30	one-time TANF Child Support		
	Collection funds, which will		
32	be allocated in the Other		
	Special Revenue account.		
34			
36	DEPARTMENT OF HUMAN SERVICES		
	TOTAL	<u>584,058</u>	<u>823,071</u>
38	EXECUTIVE DEPARTMENT		
40	Ombudsman Program		
42	All Other	106,000	133,815
44	Provides funds to contract		
	with a nonprofit organization		
46	to operate an ombudsman		
	program. Funding is included		
48	for one Ombudsman position		
	and one support staff		

2 position, operating costs and
one-time start-up costs.

4 **TOTAL**
6 **APPROPRIATIONS** \$690,058 \$956,886

8 **Sec. X-8. Allocation.** The following funds are allocated from
the Federal Expenditures Fund to carry out the purposes of this
10 Part.

2001-02

12 **HUMAN SERVICES,**
14 **DEPARTMENT OF**

16 **Bureau of Child and Family**
18 **Services - Central**

20 All Other \$37,500

22 Allocates funds for the
24 replacement of 25 laptop
computers to increase staff
efficiency in the field.

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

2001-02 **2002-03**

32 **HUMAN SERVICES,**
34 **DEPARTMENT OF**

36 **Bureau of Child and Family**
Services - Central

38 All Other \$37,500

40 Allocates funds for the
42 replacement of 25 laptop
computers to increase staff
44 efficiency in the field.

46 **Temporary Assistance for**
Needy Families

48 All Other 676,188 875,198

50 Allocates funds based on the

2 **Sec. Y-2. Allocation.** The following funds are allocated from
the Federal Expenditures Fund to carry out the purposes of this
Part.

4
6
8

2001-02 2002-03

HUMAN SERVICES, DEPARTMENT OF

Bureau of Medical Services

10
12
14
16
18
20

All Other \$12,942,080 \$13,087,391

Allocates federal matching
funds for the completion of
Phase I and for the
implementation of Phase II
and Phase III of the Claims
Management System based on
approved Advanced Planning
Document estimates.

22
24

Sec. Y-3. Allocation. The following funds are allocated from
Other Special Revenue funds to carry out the purposes of this
Part.

26
28

2001-02 2002-03

HUMAN SERVICES, DEPARTMENT OF

**Temporary Assistance for
Needy Families**

30
32

All Other \$378,000 \$1,650,000

36
38
40

Allocates funds based on the
availability of one-time
earned TANF Child Support
Collection revenues.

42

PART Z

44

Sec. Z-1. 5 MRSA c. 316-B is enacted to read:

46

CHAPTER 316-B

48

SEXUAL ASSAULT FORENSIC EXAMINER ADVISORY BOARD

50

§3360-N. Sexual Assault Forensic Examiner Advisory Board

established; membership

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1. Establishment and membership. The Sexual Assault Forensic Examiner Advisory Board, referred to in this chapter as the "board," established under section 12004-J, subsection 13, is established within the Department of the Attorney General. The board consists of 13 members appointed by the Attorney General. Members must include the following:

- A. One physician licensed to practice medicine in the State;
- B. One member of the State Board of Nursing;
- C. One sexual assault nurse examiner;
- D. One representative from a sexual assault center;
- E. One member from a statewide coalition against sexual assault;
- F. One survivor of sexual assault;
- G. One attorney from the Department of the Attorney General;
- H. One employee of the Maine State Police Crime Laboratory;
- I. One member from a statewide association of prosecutors;
- J. One member from a statewide association of hospitals;
- K. One member who is a forensic pediatric health care provider; and
- L. Two public members.

2. Terms of appointment. The term of each member of the board is 3 years. When a vacancy occurs prior to the expiration of a term, the appointment to fill that vacancy is for the balance of the unexpired term. Notwithstanding this subsection, the Attorney General may appoint initial members of the board for terms of fewer than 3 years to ensure staggered terms.

3. Chair. The member to be appointed by the Attorney General pursuant to subsection 1, paragraph G shall act as the chair of the board.

4. Meetings. The board may not meet more than once a month.

5. Quorum. Five members of the board constitute a quorum.

§3360-O. Duties

2
4
6
8

The board shall advise and assist the State in promoting and supporting the statewide creation, growth and sustainability of sexual assault forensic examiner programs. The board shall provide advice and assistance regarding training, technical assistance, standards and resources to the sexual assault forensic examiner programs.

10 **§3360-P. Administration**

12
14
16
18
20

The Department of the Attorney General shall provide general administrative oversight for the board's policies and responsibilities. When appropriate, the Department of the Attorney General may employ personnel necessary to carry out the purposes of the board; lease, rent or acquire adequate equipment and facilities; accept federal funds or grants that are available to carry out or implement the board's objectives; and provide technical assistance and training to sexual assault forensic examiners.

22 **Sec. Z-2. 5 MRSA §12004-J, sub-§13** is enacted to read:

24	<u>13.</u>	<u>Sexual</u>	<u>Expenses</u>	<u>5 MRSA</u>
26	<u>Criminal</u>	<u>Assault</u>	<u>Only</u>	<u>§3360-N</u>
28	<u>Justice</u>	<u>Forensic</u>		
		<u>Examiner</u>		
		<u>Advisory</u>		
		<u>Board</u>		

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

34		2001-02	2002-03
----	--	----------------	----------------

36 **ATTORNEY GENERAL,**
38 **DEPARTMENT OF THE**

40 **Administration - Attorney General**

42	Positions - Legislative Count	(1,000)	(1,000)
	Personal Services	\$19,066	\$56,457
	All Other	12,264	29,283

44
46 Provides for the appropriation of funds effective March 1, 2002 to
48 establish one Research Assistant position and

2 related costs for the sexual
 3 assault forensic examiner
 4 program.

6 **DEPARTMENT OF THE ATTORNEY GENERAL**
TOTAL \$31,330 \$85,740

8
 10 **PUBLIC SAFETY,
 DEPARTMENT OF**

12 **Administration - Public Safety**

14	Positions - Legislative Count	(1,500)	(1,500)
	Personal Services	73,530	98,000
16	All Other	26,470	27,000

18 Appropriates funds for one
 19 Coordinator position and one
 20 half-time Clerk Typist III
 21 position to reflect a delayed
 22 start date of October 1, 2001
 23 for the new violence against
 24 women initiative.

26 **DEPARTMENT OF PUBLIC SAFETY**
TOTAL 100,000 125,000

28 **TOTAL APPROPRIATIONS** \$131,330 \$210,740

30 **PART AA**

32 **Sec. AA-1. 5 MRSA §150, 2nd ¶**, as amended by PL 1995, c. 665,
 34 Pt. P, §1 and affected by PL 1997, c. 643, Pt. E, §5, is further
 amended to read:

36
 38 The Treasurer of State, with the approval of the Governor,
 39 may negotiate a temporary loan or loans in anticipation of taxes
 40 levied for that fiscal year, but not exceeding a total of that
 41 amount of taxes estimated by the Treasurer of State to be
 42 collected in the fiscal year in which the temporary loan or
 43 loans, or renewal of the temporary loan or loans, is made, as
 44 long as the temporary loans or renewals of the temporary loans do
 45 not exceed any limitation set forth in the Constitution of Maine,
 46 Article IX, Section 14. Any such loans may be renewed from time
 47 to time as the Treasurer of State, with the approval of the
 48 Governor, determines, except that each loan or renewal of the
 49 loan must be retired not later than the close of the fiscal year
 50 in which the loan was originally made and for which were levied
 the taxes in anticipation of the collection of which the loan was

2 originally made; and that each loan or renewal of the loan must
3 comply with the provisions of this section and the Constitution
4 of Maine, Article IX, Section 14. The Treasurer of State shall
5 pay the loan or loans in anticipation of taxes during the year
6 and there is appropriated for any year in which the Treasurer of
7 State and the Governor determine it necessary to borrow in
8 anticipation of taxes the sum of \$30,000,000; except that for
9 ~~fiscal year 1991-92, the sum may not exceed \$150,000,000; for~~
10 ~~fiscal year 1992-93, the sum may not exceed \$170,000,000; for~~
11 ~~fiscal year 1993-94, the sum may not exceed \$170,000,000; and for~~
12 ~~fiscal year 1994-95, the sum may not exceed \$175,000,000; and for~~
13 ~~fiscal year 1995-96, the sum may not exceed \$182,000,000; and for~~
14 ~~fiscal year 1996-97, the sum may not exceed \$190,000,000~~ fiscal
year 2001-02, the sum may not exceed \$100,000,000.

16 **Sec. AA-2. Appropriation.** The following funds are
17 appropriated from the General Fund to carry out the purposes of
18 this Part.

20 **2001-02**

22 **TREASURER OF STATE,**
23 **OFFICE OF**

24 **Debt Service - Treasury**

26 All Other \$5,000,000

28 Provides funds to meet the debt service
29 payments related to a \$100,000,000 tax
30 anticipation note for fiscal year 2001-02.
31 This appropriation will be offset by
32 additional General Fund revenue from
33 interest earnings of \$5,000,000 in fiscal
34 year 2001-02.

38 **PART BB**

40 **Sec. BB-1. PL 1999, c. 731, Pt. AAAA, §4** is amended to read:

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

46 **2000-01**

48 **LEGISLATURE**

50 **Legislature**

2	Personal Services	\$1,100
	All Other	1,000
4		
6	Provides funds for the per diem and expenses of legislative members of the Maine Fire Protection Services Commission.	
8		
10	LEGISLATURE	
	TOTAL	<u>2,100</u>
12	MAINE FIRE PROTECTION SERVICES	
14	COMMISSION	
16	Maine Fire Protection Services	
	Commission	
18	Personal Services	2,640
	All Other	17,360
20		
22	TOTAL	<u>20,000</u>
24	Provides initial operating funds for the Maine Fire Protection Services Commission. <u>These funds may not lapse but must be</u> <u>carried forward until June 30, 2002 to be</u> <u>used for this same purpose.</u>	
26		
28		
30	Maine Fire Protection Services	
	Commission	
32	All Other	30,000
34	Provides one-time funds to contract for actuarial and other planning services to create plans for a health insurance bridge for retired career firefighters and for a length-of-service incentive program for volunteer firefighters. <u>These funds may not</u> <u>lapse but must be carried forward until June</u> <u>30, 2002 to be used for these same purposes.</u>	
36		
38		
40		
42		
44	MAINE FIRE PROTECTION SERVICES	
	COMMISSION	
	TOTAL	<u>50,000</u>
46		
48	MAINE TECHNICAL COLLEGE SYSTEM -	
	BOARD OF TRUSTEES OF THE	
50	Maine Technical College System -	

Board of Trustees

2		
	All Other	\$323,900
4		
6	Appropriates additional funds for 3	
8	full-time and 32 part-time positions to be	
10	established by the Maine Fire Training and	
	Education Program to develop and deliver	
	standardized firefighter training in local	
	communities throughout the State.	
12	MAINE TECHNICAL COLLEGE SYSTEM -	
14	BOARD OF TRUSTEES OF THE	
	TOTAL	<hr/> \$323,900
16	SECTION	
18	TOTAL APPROPRIATIONS	<hr/> \$376,000

PART CC

Sec. CC-1. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Part.

2002-03

**ENVIRONMENTAL PROTECTION,
DEPARTMENT OF**

Dam Repair and Reconstruction Fund

32		
	All Other	\$5,000
34		
36	Notwithstanding the	
38	provisions of the Maine	
40	Revised Statutes, Title 38,	
42	section 844, allocates funds	
44	on a one-time basis to fund	
	the costs of a low-flow study	
	to be conducted by the	
	Aroostook Water and Soil	
	Management Board.	

PART DD

Sec. DD-1. 22 MRSA §3769-C, sub-§1, ¶¶A and B are enacted to read:

2 A. Beginning October 1, 2001, the department shall use
 4 unexpended funds in the TANF program to increase the maximum
 6 amount of TANF assistance by an amount equal to 5% of the
 8 maximum payments that were in effect on January 1, 2001, and
 10 shall increase the standard of need to maintain the same
 12 differential between the maximum payment and the standard of
 14 need that was in effect on January 1, 2001. Initial
 16 applicants for assistance may not become eligible for
 18 assistance as a result of any increase in the standard of
 20 need required by this paragraph.

22 B. Beginning with the 2004-2005 fiscal biennium, the
 24 commissioner must continue the 5% benefit increase provided
 26 for in paragraph A in the department's current services
 28 budget request for the TANF block grant.

30 **Sec. DD-2. TANF Reserve.** The Department of Human Services
 32 shall allocate \$1,032,971 in fiscal year 2001-02 and \$1,377,295
 34 in fiscal year 2002-03 from the TANF Reserve to the Temporary
 36 Assistance for Needy Families program to provide a 5% increase in
 38 the maximum level of assistance in the program pursuant to the
 40 Maine Revised Statutes, Title 22, section 3769-C, subsection 1,
 42 paragraph A.

44 **Sec. DD-3. Allocation.** The following funds are allocated from
 46 the Federal Block Grant Fund to carry out the purposes of this
 48 Part.

	2001-02	2002-03
HUMAN SERVICES, DEPARTMENT OF		
Temporary Assistance for Needy Families		
All Other	\$1,032,971	\$1,377,295
Provides funds from the TANF Reserve to support a 5% increase in the maximum level of assistance in the TANF program.		
Temporary Assistance for Needy Families		
All Other	\$750,000	\$1,000,000
Provides funds to support a		

2 section 2 an amount not to exceed \$9,100,572 as determined in
3 section 2 of this Part. At the close of fiscal year 2000-01,
4 transfers authorized pursuant to Title 5, section 1519 may not
5 exceed \$2,000,000 and transfers authorized pursuant to Title 5,
6 section 1517 may not exceed \$1,700,000.

7 **Sec. FF-2. Priority of transfers.** Transfers made in accordance
8 with section 1 of this Part must be expended for the purposes
9 listed in this section in the following amounts and priority
10 order.

11 **1. ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF**

12 **Office of Tourism** \$2,193,844

13 New Initiative: Provides funds to increase tourism promotion in
14 fiscal year 2002-03. These funds may not be expended in fiscal
15 year 2001-02 but must be carried forward until June 30, 2003.

16 **2. MARINE RESOURCES, DEPARTMENT OF**

17 **Bureau of Resource Management** \$139,418

18 New Initiative: Appropriates funds to develop alternative lobster
19 stock assessment models and to develop alternative biological
20 reference points for lobster in the State.

21 **3. DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF**

22 **Disaster Assistance** \$424,396

23 New Initiative: To provide the state share of federal disaster
24 assistance.

25 **4. AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF**

26 **Office of Agricultural, Natural and Rural Resources** \$5,000

27 New Initiative: Appropriates funds in fiscal year 2001-02 for
28 the United States Geological Survey to conduct a low-flow study
29 in Aroostook County.

30 **5. MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE
31 SERVICES, DEPARTMENT OF**

32 **Disproportionate Share - Augusta Mental Health Institute** \$26,490

33 New Initiative: Modernization of management information system.

2 **6. MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE**
SERVICES, DEPARTMENT OF

4 **Disproportionate Share - Augusta Mental Health**
6 **Institute** \$133,894

8 New Initiative: Continues using contract nurses at the Augusta
Mental Health Institute.

10 **7. MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE**
12 **SERVICES, DEPARTMENT OF**

14 **Disproportionate Share - Bangor Mental Health**
16 **Institute** \$132,530

18 New Initiative: Provides funds to contract for nurse coverage
due to difficulty in recruiting state employees.

20 **8. ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

22 **Bureau of General Services Capital Improvement**
24 **Reserve Fund** \$400,000

26 New Initiative: Provides funds to the Bureau of General Services
to complete renovating the HETL building and clinical
laboratories.

28 **9. ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

30 **Bureau of General Services Capital Improvement**
32 **Reserve Fund** \$350,000

34 New Initiative: Provides funding for the development of a
capital investment plan for the Downeast Correctional Facility.

36 **10. ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

38 **Bureau of General Services Capital Improvement**
40 **Reserve Fund** \$125,000

42 New Initiative: Provides funding for repairs to a hangar in
Greenville.

44 **11. ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF**

46 **Bureau of General Services Capital Improvement**
48 **Reserve Fund** \$350,000

50 New Initiative: Provides funding in fiscal year 2002-03 for an
architectural and engineering assessment of the Harlow Building.

2 close of fiscal year 2000-01, the State Controller shall transfer
4 to the Revenue Reserve any balance remaining in General Fund
6 unappropriated surplus after all the transfers authorized
8 pursuant to section 1 and after all other required deductions of
10 appropriations and budgeted financial commitments.

8 PART GG

10 **Sec. GG-1. 12 MRSA §7076, sub-§6**, as repealed and replaced by
12 PL 1999, c. 249, §1, is amended to read:

14 **6. Members of Armed Forces domiciled in Maine.** A member of
16 the Armed Forces of the United States on active duty who is
18 permanently stationed outside of the State ~~and that person's
20 spouse and children may purchase Maine hunting and fishing
22 licenses at reduced rates~~ may be issued a combination fishing and
24 hunting license for an amount equal to the administrative costs
26 associated with issuing the license as determined by the
28 department. Administrative costs do not include agent fees. To
qualify, the member of the Armed Forces must show proof that that
member's home of record, as recorded in that person's service
records, is Maine. That person may purchase all other licenses
or permits at resident fees. The license is valid during the
year of issue. That person's spouse and children may purchase
Maine hunting and fishing licenses at reduced rates. The reduced
fees are as follows:

30 A. Twenty dollars, plus the issuing fee for a combination
32 fishing and hunting license;

34 B. Ten dollars, plus the issuing fee for a hunting license;
and

36 C. Ten dollars, plus the issuing fee for a fishing license.

38 **Sec. GG-2. Effective date.** This Part takes effect July 1, 2002.

40 PART HH

42 **Sec. HH-1. 30-A MRSA §4992-A**, as enacted by PL 1991, c. 858,
44 §1, is amended to read:

46 **§4992-A. Fuel Assistance Reserve Fund**

48 **1. Fuel Assistance Reserve Fund.** If funds are appropriated
pursuant to this section, the authority shall use the funds to

2 establish and capitalize the Fuel Assistance Reserve Fund. The
3 authority shall keep the Fuel Assistance Reserve Fund, referred
4 to in this section as the "fund," separate from all other funds
5 managed by the authority and use the fund only under the
6 conditions set forth in this section. The authority shall use
7 the Fuel Assistance Reserve Fund to ensure that fuel assistance
8 benefits for the State's eligible elderly and low-income
9 residents are available prior to the beginning of the heating
10 season.

11
12 **2. Timely distribution of benefits.** The authority shall
13 make available to local program operators and municipal
14 administrators of the fuel assistance program, ~~by October 1st~~ at
15 the beginning of each state fiscal year, funds sufficient to
16 cover anticipated fuel assistance payments and program
17 administrative costs for at least the months of ~~October, November~~
18 and December July, August and September.

19
20 **3. Conditional use of the fund.** The authority's use of the
21 fund is subject to the following conditions and limitations.

22 A. If the authority reasonably anticipates that federal
23 fuel assistance block grant funds are not available for
24 distribution to the local program operators and municipal
25 administrators by ~~October~~ July 1st of each year, the
26 authority shall withdraw and distribute sufficient money
27 from the fund as is necessary for the purposes set forth in
28 this section. The authority may withdraw funds prior to
29 October 1st, provided that those funds are used only for
30 costs incurred on or after ~~October~~ July 1st.

31
32 Money may not be withdrawn from the fund if sufficient block
33 grant funds are available by ~~October~~ July 1st to pay
34 reasonably anticipated fuel assistance program and
35 administrative costs for the months of ~~October, November and~~
36 December July, August and September.

37 B. Money withdrawn from the fund must be sufficient to
38 cover anticipated fuel assistance payments and fuel
39 assistance program administrative costs for all local
40 program operators and municipal administrators for the
41 months of ~~October, November and December~~ July, August and
42 September.

43 C. The fund may not be used if the authority reasonably
44 anticipates that no federal fuel assistance money will be
45 received.

46
47 D. The authority must receive prior written approval from
48 the Federal Government that confirms that state funds
49

2 withdrawn during a period from July 1st to September 30th
3 may be reimbursed with federal fuel assistance funds
4 received for the federal program year beginning in October
5 of that same year.

6 **4. Recapitalization.** If money is withdrawn from the fund
7 for the purposes of this section, the authority shall ensure that
8 the fund is fully recapitalized before the end of the fiscal year
9 in which the funds were appropriated. Recapitalization does not
10 apply in any state fiscal year in which a working capital advance
11 is provided.

12 **5. Working capital advance.** The State Controller may
13 advance up to \$10,000,000 from the General Fund unappropriated
14 surplus beginning July 1, 2002 to the Fuel Assistance Reserve
15 Fund during any state fiscal year, if requested in writing by the
16 Director of the Maine State Housing Authority, to be used to
17 provide cash necessary to ensure that fuel assistance benefits
18 for the State's eligible elderly and low-income applicant
19 households will be available prior to the beginning of the
20 heating season. These funds must be allotted by financial order
21 upon recommendation of the State Budget Officer and approval of
22 the Governor. Subject to the availability of federal fuel
23 assistance block grant funds, these funds must be returned to the
24 General Fund before the close of the state fiscal year in which
25 the advance was made. The State Controller shall report to the
26 joint standing committee of the Legislature having jurisdiction
27 over appropriations and financial affairs within 30 days of
28 making any working capital advance for this purpose.

29 **Sec. HH-2. Maine State Housing Authority shall study fixed-price**
30 **home heating fuel contracts for fuel assistance recipients.** The Maine
31 State Housing Authority shall consult with the Maine Oil Dealers
32 Association and Maine Community Action programs to determine if
33 oil dealers are making fixed-price home heating fuel contracts
34 available to fuel assistance recipients and if and when it is
35 practical to make such contracts available to fuel assistance
36 recipients. The authority shall submit a report with suggested
37 legislation, if necessary, to the Joint Standing Committee on
38 Business and Economic Development by January 15, 2002. The Joint
39 Standing Committee on Business and Economic Development may
40 report out legislation to the Second Regular Session of the 120th
41 Legislature.

42 **Sec. HH-3. Maine State Housing Authority shall identify funding for**
43 **nonfederal share of weatherization program costs.** Whenever it is
44 required by the Federal Government, the Maine State Housing
45 Authority in consultation with other affected state agencies that
46 receive federal Department of Energy funding shall report to the
47 joint standing committee of the Legislature having
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2 jurisdiction over utilities and energy matters and the joint
standing committee of the Legislature having jurisdiction over
4 appropriations and financial affairs on identifying the most
effective way to provide adequate funding of the 25% nonfederal
share of weatherization program costs.

6
8 The authority shall identify the source or sources of the
match necessary to meet this cost-sharing requirement. The
10 authority shall identify an appropriate long-term funding
solution.

12 **Sec. HH-4. Maine State Housing Authority shall report on feasibility
of establishing Office of Energy Conservation.** The Maine State Housing
14 Authority, with assistance from the State Planning Office, shall
report to the joint standing committee of the Legislature having
16 jurisdiction over business and economic development matters, the
joint standing committee of the Legislature having jurisdiction
18 over utilities and energy matters and the joint standing
committee of the Legislature having jurisdiction over
20 appropriations and financial affairs on the most cost-effective
approaches to the following:

22
24 1. Providing a new comprehensive energy conservation plan
for this State and updating it every 2 years;

26 2. Coordinating all state energy conservation programs;

28 3. Encouraging conservation of energy and development of
30 this State's energy resources to assist citizens in surviving the
winter heating season; and

32 4. Soliciting and incorporating advice and comment from
34 affected stakeholders including representatives of the energy
industry, utilities, energy conservation service providers,
36 low-income households and environmental agencies.

38 This report must be submitted with accompanying legislation
if necessary to the First Regular Session of the 120th
40 Legislature by September 1, 2001.

42 **Sec. HH-5. Maine State Housing Authority shall annually study
percentage of Low-income Home Energy Assistance Program funds used
for weatherization services.** The Maine State Housing Authority shall
44 investigate in April of 2002 and 2003 the possibility of
increasing the percentage of Low-income Home Energy Assistance
46 Program funds from 15% up to as high as 25% for weatherization
services.

48
50 **Sec. HH-6. State Planning Office shall conduct study regarding
reduction of energy consumption.** The State Planning

Office shall conduct a study to determine whether this State can reduce its per capita residential energy consumption by 25% by 2011. Particular attention must be paid to low-income to moderate-income households that lack the financial and technical resources to identify energy conservation opportunities and to acquire the energy conservation goods and services needed to achieve significant savings. The State Planning Office shall report on requiring higher efficiency ratings for heating systems, appliances and energy building standards. The State Planning Office shall also analyze the possibility of requiring higher efficiency ratings for heating systems, appliances and energy building standards. The State Planning Office shall investigate the value of tax incentives for implementing measures identified in energy audits for energy conservation improvements for Maine citizens. The State Planning Office shall report to the joint standing committee of the Legislature having jurisdiction over business and economic development matters, the joint standing committee of the Legislature having jurisdiction over taxation matters, the joint standing committee of the Legislature having jurisdiction over utilities and energy matters and the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs on establishing Maine energy independence programs and financing mechanisms to achieve this goal. The State Planning Office shall submit a report with accompanying legislation to the Second Regular Session of the 120th Legislature by January 15, 2002.

PART II

Sec. II-1. 22 MRSA §254, sub-§1, ¶A, as enacted by PL 1999, c. 401, Pt. KKK, §1 and affected by §10 and c. 531, Pt. F, §2, is amended to read:

A. The basic component of the program must provide drugs and medications for cardiac conditions and high blood pressure, diabetes, arthritis, anticoagulation, hyperlipidemia, osteoporosis, chronic obstructive pulmonary disease and asthma, incontinence, thyroid diseases, glaucoma, parkinson's disease, multiple sclerosis and amyotrophic lateral sclerosis. The basic component must also provide over-the-counter medications that are prescribed by a health care provider and approved as cost-effective by the department.

Sec. II-2. 22 MRSA §254, sub-§2, as amended by PL 1999, c. 401, Pt. KKK, §1 and affected by §10 and c. 531, Pt. F, §2, is repealed.

2
3 **Sec. II-3. 22 MRSA §254, sub-§2-A** is enacted to read:

4 2-A. Income eligibility. Individuals are eligible for this
5 program if the household income, as defined in subsection 9, is
6 not more than the amount set by this subsection. In calculating
7 income eligibility, the cost of drugs provided to a household
8 under this section is considered a cost incurred by the
9 household. The income eligibility limit is determined as follows:

10 A. Calculate the applicable poverty level by reference to
11 185% of the federal nonfarm income official poverty level,
12 as defined by the Office of Management and Budget, that was
13 in effect on January 1, 2001;

14 B. Calculate the income eligibility limit for calendar year
15 2001 by multiplying the poverty level figure from paragraph
16 A by the result of one plus the annualized cost-of-living
17 adjustment used to determine Social Security retirement
18 benefits issued during calendar year 2001;

19 C. For each program year after 2001, calculate the income
20 eligibility limit for the year for which relief is requested
21 by multiplying the income eligibility limit for the previous
22 program year as calculated by paragraph B by one plus the
23 annualized cost-of-living adjustment applicable to Social
24 Security retirement benefits issued during the year for
25 which relief is requested; and

26 D. For individuals in households that spend at least 40% of
27 income on unreimbursed direct medical expenses for
28 prescription medications, the income eligibility limit is
29 increased by 25%.

30 **Sec. II-4. Effective date.** This Part takes effect November 1,
31 2001, except that that portion of this Part that enacts the Maine
32 Revised Statutes, Title 22, section 254, subsection 2-A takes
33 effect January 1, 2002 and applies to calendar year 2002 and
34 succeeding years.

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39 **PART JJ**

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41 **Sec. JJ-1. 36 MRSA §1864** is enacted to read:

42 **§1864. No use tax on donations to exempt organization**

43 A use tax is not imposed on the donation of merchandise by a
44 retailer from inventory to an organization if sales to that
45 organization are exempt from sales tax under section 1760.

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COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2 the Medicaid program for
occupational and physical
4 therapy, speech and language
pathologist and audiologist
6 services to 50% of the usual
and customary charges.

8 **Sec. MM-3. Allocation.** The following funds are allocated
from the Federal Expenditures Fund to carry out the purposes of
10 this Part.

12 2001-02 2002-03

14 **HUMAN SERVICES,
DEPARTMENT OF**

16 **Medical Care - Payments
18 to Providers**

20 All Other \$50,452 \$104,060

22 Allocates federal matching
funds to increase the
24 reimbursement rates under the
Medicaid program for
26 occupational and physical
therapy, speech and language
28 pathologist and audiologist
services to 50% of the usual
30 and customary charges.

32 **PART NN**

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

38 2002-03

40 **EDUCATION, DEPARTMENT OF**

42 **Learning Systems**

44 All Other \$200,000

46 Provides funds to allow the
48 Interdepartmental Committee on Transition to
assist Maine public schools to reach
50 compliance with state and federal transition

2 laws and regulations as they relate to
learning results and postsecondary outcomes
4 for youth with disabilities.

6
8 **PART OO**

10 **Sec. OO-1. Liaison with United States Army Corps of Engineers.**

12 The Department of Conservation, in coordination with other
appropriate state agencies, is the liaison to the United States
14 Army Corps of Engineers in its efforts to modify the federal
coastal engineering structure at Camp Ellis in Saco to ensure
that the interests of the State and municipalities comprising the
16 Saco Bay Planning Committee are adequately represented.

18 **Sec. OO-2. Beach nourishment policy established.** The Department

of Conservation, in coordination with other appropriate state
agencies and local communities, shall develop a beach nourishment
20 policy for the State. This beach nourishment policy must
establish criteria for identifying beaches or portions of beaches
22 suitable for beach nourishment. The Department of Conservation
shall investigate appropriate sources of sand for nourishment
24 purposes, focusing first on sources in Saco Bay.

26
28 **PART PP**

Sec. PP-1. 30-A MRSA §5681, sub-§5, as repealed and replaced
30 by PL 1999, c. 731, Pt. U, §5, is amended to read:

32 **5. Transfers to funds.** On the last day of each month,
~~beginning July 31, 2000,~~ the Treasurer of State shall transfer to
34 the Local Government Fund ~~an amount equal to 5.1% a percentage,~~
as provided in this subsection, of the receipts from the taxes
36 imposed under Title 36, Parts 3 and 8 and credited to the General
Fund without any reduction. Any amounts transferred to the Local
38 Government Fund in excess of the annual growth ceiling must be
transferred to the Disproportionate Tax Burden Fund. The
40 percentage transferred to the Local Government Fund on the last
day of each month is:

42 A. For months beginning before January 1, 2003 and months
44 beginning on or after July 1, 2003, 5.1%; and

46 B. For months beginning on or after January 1, 2003 and
48 before July 1, 2003, 5.2%.

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PART QQ

Sec. QQ-1. 20-A MRSA §13451, sub-§2, as amended by PL 1997, c. 652, §3 and affected by §4, is further amended to read:

2. Eligibility; retired teacher members. Any retired teacher who receives a retirement benefit from the Maine State Retirement System is eligible for group accident and sickness or health insurance, provided that the retired teacher has a minimum of 5 years creditable service and also meets the eligibility requirements for participation imposed by the group plan that governed the teacher last as an active teacher and participated in the plan for one year immediately prior to retirement or October 1, 1987, whichever comes last. Retired teachers may not be required to maintain a dues-paying membership in any organization as a requirement for participation in a group health insurance plan under this subsection.

Sec. QQ-2. 20-A MRSA §13451, sub-§3, as amended by PL 1997, c. 643, Pt. 00, §1 and affected by §3, is further amended to read:

3. Payment by State. The State shall pay 30% of the retired teacher members' share of this insurance. Beginning July 1, 2002, the State shall pay 35% of the retired teacher members' share of this insurance.

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

2002-03

EDUCATION, DEPARTMENT OF

Health Insurance - Retired Teachers

All Other \$1,336,160

Provides funds to increase the State's contribution for health insurance for retired teacher members from 30% to 35% beginning July 1, 2002.

PART RR

Sec. RR-1. 37-B MRSA §505, sub-§1, as amended by PL 1997, c. 455, §25, is repealed.

Sec. RR-2. 37-B MRSA §505, sub-§1-A is enacted to read:

2
4 1-A. Financial assistance. Financial assistance may be granted as follows.

6 A. The bureau may provide a grant of temporary assistance not to exceed \$200 per month and not to exceed \$600 in any
8 12-month period to a veteran in this State who has filed a valid claim for a veteran's pension, pending notification of
10 the award of such a pension, if that veteran is not incarcerated and requests such assistance. For purposes of
12 this paragraph, "claim for a veteran's pension" means a claim filed with the federal Veterans' Administration
14 pursuant to 38 United States Code, Chapter 15.

16 B. The bureau may provide a grant of emergency assistance not to exceed \$500 to a veteran who suffers an emergency,
18 such as the loss of that veteran's home to fire, flood or hurricane, that is not fully compensable by insurance;
20 illness or the illness of an immediate family member; or a similar emergency. No more than \$1,000 in emergency
22 assistance may be provided to a veteran in any 12-month period. For the purposes of this paragraph, "veteran" has
24 the same meaning as "eligible veteran" in section 504, subsection 4, paragraph A-1.

26
28 C. A veteran who requests either temporary assistance under paragraph A or emergency assistance under paragraph B and is
30 denied such assistance may request a reconsideration and review of this decision by the director. The decision of
32 the director is final and may not be appealed to a court.

34 D. The department may adopt rules to implement this subsection. Rules adopted pursuant to this paragraph are
36 major substantive rules as defined in Title 5, chapter 375, subchapter II-A.

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

42 2001-02

44 **DEFENSE, VETERANS AND**
46 **EMERGENCY MANAGEMENT,**
48 **DEPARTMENT OF**

Bureau of Veterans Services

50 Positions

(1.000)

2	Personal Services	\$28,017
	All Other	206,447

4 Provides funds for one Accountant I
 6 position, a computer and general operating
 8 costs to administer this program. This
 10 appropriation also includes \$200,000 in
 12 fiscal year 2001-02 to provide aid to
 14 veterans. These funds may not lapse but
 16 must be carried forward until June 30, 2003
 18 to be used for these purposes.

14 **DEPARTMENT OF DEFENSE, VETERANS
 AND EMERGENCY MANAGEMENT**
 16 **TOTAL** \$234,464

18 **PART SS**

20 **Sec. SS-1. 5 MRSA §13124-D** is enacted to read:

22 **§13124-D. Maine EPSCoR Capacity Fund**

24 The Maine EPSCoR Capacity Fund is established within the
 26 foundation to provide the matching funds that are required by
several federal agencies in their EPSCoR activities. The fund
 28 must be used to match EPSCoR awards.

30 1. Definitions. As used in this section, unless the
context otherwise indicates, the following terms have the
 32 following meanings.

34 A. "Fund" means the Maine EPSCoR Capacity Fund.

36 B. "Match" means the cash commitment required from the
State as defined by the federal funding agency. Match
 38 requirements vary among federal agencies.

40 C. "Research capacity committee" means the EPSCoR steering
committee referred to in section 13124-B.

42 2. Organization. The foundation is the custodian of state
 44 appropriated funds for the fund. The research capacity committee
has fiscal responsibility for the approval and disbursement of
 46 the funds. The Maine EPSCoR director shall work closely with the
research capacity committee and the foundation.

48 3. Authorized activities. The research capacity committee
 50 shall approve disbursement of funds to successful EPSCoR
grantees. Solely upon direction of the research capacity

committee, the foundation shall allocate the resources of the fund to match grants activities at successful academic, industry and nonprofit grantee institutions.

4. Guidelines. The research capacity committee shall establish guidelines for cash and in-kind match requirements based on the activities to be supported with the fund. Match levels must reflect the requirements identified by the federal funding agencies.

5. Liquidation and dissolution. In the event of liquidation or dissolution of the foundation or the fund, any rights or interests in a qualified security or portion of a qualified security purchased with money invested by the State vest in the State. The State is entitled to, in proportion to the amount of investment in the fund by the State, any balance of money remaining in the fund after payment of all debts and obligations upon liquidation or dissolution of the foundation or the fund.

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

2001-02

MAINE SCIENCE AND TECHNOLOGY FOUNDATION

Maine Science and Technology Foundation

All Other \$300,000

Provides matching funds for the Maine Experimental Program to Stimulate Competitive Research. The Maine Science and Technology Foundation must manage these funds on behalf of the research capacity committee of EPSCoR consistent with the provisions of the Maine Revised Statutes, Title 5, sections 13124-B and 13124-D. Funds appropriated do not lapse and may be carried forward to fiscal year 2002-03.

PART TT

2 assistance within the meaning of Title 22, section 9-A. The
3 department retains administrative responsibility for assistance
4 granted under this section.

5 **Sec. VV-3. Appropriation.** The following funds are
6 appropriated from the General Fund to carry out the purposes of
7 this Part.

8 **2002-03**

10 **DEFENSE, VETERANS AND**
11 **EMERGENCY MANAGEMENT,**
12 **DEPARTMENT OF**

13 **Bureau of Veterans' Services**

14
15 Positions (1.000)
16 Personal Services \$40,686

17
18 Provides funds to convert 2 part-time Clerk
19 Typist II positions to full-time positions
20 to be located in the bureau's regional field
21 offices.

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25 **PART WW**

26
27 **Sec. WW-1. 4 MRSA §1352, sub-§1,** as amended by PL 1997, c.
28 643, Pt. M, §12, is further amended to read:

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

36
37 A. 1/50 of the member's average final compensation
38 multiplied by the number of years of membership service,
39 from December 1, 1984 to June 30, 1998 and creditable
40 service allowed under section 1302, subsection 3;

41
42 B. The earned benefit for prior service as a judge as
43 determined by subsection 2; and

44
45 C. Three percent of the member's average final compensation
46 multiplied by the number of years of membership service
47 beginning July 1, 1998.
48
49
50

2 **AGRICULTURE, FOOD AND RURAL RESOURCES,**
4 **DEPARTMENT OF**

6 **Office of the Commissioner**

8 All Other \$20,000

10 Appropriates funds on a
12 one-time basis to be used for
14 dues associated with
membership in the Northeast
States Association for
Agricultural Stewardship.

16 **PART YY**

18 **Sec. YY-1. 5 MRSA §285, first ¶**, as amended by PL 1989, c. 776,
20 §1, is further amended to read:

22 A group health plan is available to state employees and
24 other eligible persons, subject to the following provisions.

26 **Sec. YY-2. 5 MRSA §285, sub-§1, ¶G**, as amended by PL 1997, c.
652, §1 and affected by §4, is further amended to read:

28 G. Subject to subsection 1-A, employees in any of the
30 categories denominated in paragraphs A to F-1 and paragraph
F-3 who:

32 (1) On April 26, 1968, have retired and who were
34 covered under group health plans that by virtue of
Public Law 1967, chapter 543 were terminated;

36 (2) After April 26, 1968, retire and who on the date
38 of their retirement are currently enrolled in this
group health plan as employees;

40 (3) After December 2, 1986, and after reaching normal
42 retirement age, cease to be members of the Legislature
and are recipients of retirement allowances from the
44 Maine State Retirement System based upon creditable
service as teachers, as defined by section 17001,
46 subsection 42. This paragraph also applies to former
members who were members on December 2, 1986;

48 (4) After December 2, 1986, and not yet normal
50 retirement age, cease to be members of the Legislature
and are recipients of retirement allowances from the

2 Maine State Retirement System based upon creditable
3 service as teachers, as defined by section 17001,
4 subsection 42. This paragraph also applies to former
members who were members on December 2, 1986; or

6 (5) After January 1, 1999, terminate employment under
7 which they were eligible for the group health plan but
8 do not retire at that time and who satisfy the
9 requirements of subsection 1-A, paragraph D or
10 paragraph E; and

12 **Sec. YY-3. 5 MRSA §285, sub-§1, ¶H,** as enacted by PL 1997, c.
13 80, §3, is amended to read:

14 H. A blind person operating a vending facility pursuant to
15 Title 26, section 1418-F under the direction of the
16 Department of Labor, Division for the Blind and Visually
17 Impaired; and

20 **Sec. YY-4. 5 MRSA §285, sub-§1, ¶I** is enacted to read:

22 I. Any licensed foster parent caring for a child or
23 children in the foster parent's residence whose care is
24 reimbursed through the Department of Human Services for the
25 period during which the child or children are in that foster
26 parent's care.

28 **Sec. YY-5. 5 MRSA §285, sub-§7,** as repealed and replaced by
29 PL 1997, c. 763, §1 and affected by §7, is amended to read:

30 **7. Payment by State.** Except as otherwise provided in this
31 subsection, the State, through the commission, shall pay 100% of
32 only the employee's share of the individual premium for the
33 standard plan identified and offered by the commission and
34 available to the employee as authorized by the commission, except
35 for Legislators, for whom the State shall pay 50% of the health
36 plan premium for dependent coverage. For any person appointed to
37 a position after November 1, 1981 who is employed less than full
38 time, the State shall pay a share of the employee's share reduced
39 pro rata to reflect the reduced number of work hours. The State
40 may not pay any portion of the health plan premium for a blind
41 person eligible for the group health plan under subsection 1,
42 paragraph H or for a licensed foster parent eligible for the
43 group health plan under subsection 1, paragraph I.

44
45 For persons who were first employed before July 1, 1991, the
46 State shall pay 100% of only the retiree's share of the premiums
47 for the standard plan identified and offered by the commission
48 and available to the retiree, as authorized by the commission for
49 persons who were previously eligible for this health plan

2 pursuant to subsection 1, paragraph A and who have subsequently
become eligible pursuant to subsection 1, paragraph G.

4 For persons who were first employed by the State after July 1,
6 1991, the State shall pay a pro rata share portion of only the
retiree's share of the premiums for the standard plan identified
8 and offered by the commission and available to the retiree, as
authorized by the commission for persons who were previously
10 eligible for this health plan pursuant to subsection 1, paragraph
A and who have subsequently become eligible pursuant to
12 subsection 1, paragraph G based on the total number of years of
participation in the group health plan prior to retirement as
follows:

14 Years of Participation	State Portion
16 10 or more years	100% group 18 health plan premium
20 9 but less than 10 years	90% group health plan 22 premium
24 8 but less than 9 years	80% group health plan premium
26 7 but less than 8 years	70% group health plan 28 premium
30 6 but less than 7 years	60% group health plan premium
32 5 but less than 6 years	50% group health plan 34 premium
36 Less than 5 years	No contribution

38 Pursuant to Title 20-A, section 12722, subsection 5, this
subsection applies to participants in the defined contribution
40 plan offered by the Maine Technical College System Board of
Trustees under Title 20-A, section 12722.

42 **PART ZZ**

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

48 **2001-02 2002-03**

50

EDUCATION, DEPARTMENT OF

2

Jobs for Maine's Graduates

4

All Other \$84,000 \$126,000

6

8

10

12

Provides funds for the Jobs for Maine's Graduates program to fund a portion of the cost of serving 280 additional students at 4 new sites for the biennium.

14

PART AAA

16

18

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

20

2002-03

22

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

26

Mental Health Services - Community

28

All Other \$50,000

30

32

34

Provides funds to be distributed to the High Hopes Clubhouse to allow for the continuation of its Waterville operations.

36

PART BBB

38

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

40

42

2001-02 2002-03

44

HUMAN SERVICES, DEPARTMENT OF

46

Maine Rx Program

48

All Other \$18,000 \$18,000

50

Provides funds for the

2 State's share of the budget
3 to operate the Northeast
4 Legislative Association on
5 Prescription Drug Pricing,
6 including one contracted
7 position to work on the
8 collective purchasing of
9 prescription drugs by a group
10 of 8 northeastern states.

12 **PART CCC**

14 **Sec. CCC-1. 22 MRSA §3192** is enacted to read:

16 **§3192. Community Health Access Program**

18 **1. Definitions.** As used in this section, unless the
19 context otherwise indicates, the following terms have the
20 following meanings.

22 A. "Benefit design" means the health care benefits package
23 provided through the Community Health Access Program.

24 B. "Community board" means the local governing board of a
25 community health plan corporation.

28 C. "Community health plan corporation excess insurance"
29 means insurance that protects a plan offered by a community
30 health plan corporation against higher than expected
31 obligations at retention levels that do not have the effect
32 of making the plan an insured plan. The issuance of
33 community health access program excess insurance does not
34 constitute the business of reinsurance.

36 D. "Complementary health care provider" means a health care
37 professional, including, but not limited to, a massage
38 therapist, naturopath, chiropractor, physical therapist or
39 acupuncturist, who provides care or treatment to a person
40 that complements the care or treatment provided by a primary
41 care physician and is credentialed by a community board.

42 E. "Health quality measures" means statistical data that
43 provides information on the quality of health care outcomes
44 for individuals and groups with similar health problems.

46 F. "Medical data collection system" means the computerized,
47 systematic collection of individual medical data, including
48 the cost of medical care, that when analyzed provides
49 information on the quality and costs of health care outcomes.
50

2 G. "Micro-employer" means an employer that has an average
4 of 4 or fewer employees eligible for health care benefits in
 the 12 months preceding its enrollment in a plan offered by
 a community health plan corporation.

6 H. "Out-of-area medical services" means medical care
8 services provided outside of the geographic region of a
 community health plan corporation.

10 I. "Program" means the Community Health Access Program
12 established in this section.

14 2. Program established. The Community Health Access
 Program is established within the department to provide
16 comprehensive health care services through local nonprofit
 community health plan corporations governed by community boards.
18 The program's primary goal is to provide access to health care
 services to persons without health care insurance or who are
20 underinsured for health care services. The purpose of the
 program is to demonstrate the economic and health care benefits
22 of a locally managed, comprehensive health care delivery model.
 The program's emphasis is on preventive care, healthy lifestyle
24 choices, primary health care and an integrated delivery of health
 care services supported by a medical data collection system.

26 3. Service areas. The department may establish 2 service
28 areas for local plans developed by community health plan
 corporations in different geographic regions of the State. A
30 service area established by the department must be an area that
 serves residents who seek regular primary health care services in
32 conjunction with support from a hospital located in the same
 geographic region.

34 4. Eligible population. This subsection governs
36 eligibility.

38 A. The following persons may enroll in plans developed by
 community health plan corporations:

40 (1) Micro-employers and their employees;

42 (2) Medicaid recipients;

44 (3) Self-insured employers and their employees to the
46 extent allowed under the federal Employee Retirement
 Income Security Act;

48 (4) Self-employed persons; and
50

(5) Individuals without health care insurance.

2
4 B. Individuals eligible for group health care benefits through an individual's employment or spouse's employment may not enroll.

6
8 5. Community boards. A local community health plan corporation established pursuant to this section is governed by a community board composed of community members. The board membership must include representation of primary and complementary health care providers, mental health care providers, micro-employers and individuals enrolled in a plan offered by the community health plan corporation. The community boards shall establish bylaws and operating procedures.

14
16 6. Authorized powers. A local community health plan corporation may:

18
20 A. Develop a comprehensive health care benefit package that may include, but is not limited to, primary and tertiary health care services, mental health services, complementary health care services, preventive health care services, healthy lifestyle services and pharmaceutical services;

24
26 B. Develop medical data collection systems that will provide the program with the information necessary to support medical management strategies and will determine the costs and quality outcomes for the services provided;

30
32 C. Establish a fee structure sufficient to cover the actuarially determined costs of the comprehensive health care benefit package offered;

34
36 D. Develop a sliding fee schedule based on income to ensure that the fees are affordable for individuals covered by a plan offered by the community health plan corporation. The corporations are further authorized to establish mandatory minimum contributions by employers;

40 E. Collect fees from enrolled individuals and employers;

42 F. Solicit and accept funds from private and public sources to subsidize the corporation;

44
46 G. Develop community preventive care education and wellness programs. A corporation may coordinate its community preventive care education and wellness programs with schools, employers and other community institutions;

2 H. Enter into agreements with the department to provide
3 care for individuals covered by the department's Medical
4 Assistance Program in its geographic region and to develop
5 methods to share access to medical information necessary for
6 the program's medical data collection system; and

7 I. Enter into agreements with 3rd parties to provide needed
8 services, including, but not limited to, administration,
9 claims processing, customer services, stop-loss insurance,
10 education, out-of-area medical services and other related
11 services and products.

12 **7. Community health plan corporation excess insurance.** In
13 order to ensure adequate financial resources to pay for medical
14 services allowed in the benefit plans developed by community
15 health plan corporations, a local community health plan
16 corporation is required to enter into agreements with insurers
17 licensed in this State to obtain community health plan
18 corporation excess insurance and to provide coverage for those
19 portions of the health care benefits package that expose the
20 corporations to financial risks beyond the resources of the
21 corporation. The department may develop rules to provide further
22 options for community health plan corporations to maintain
23 financial solvency. Participation in the Medicaid program
24 satisfies the requirement of this subsection. Rules adopted
25 pursuant to this subsection are major substantive rules as
26 defined in Title 5, chapter 375, subchapter II-A and must be
27 reviewed before final approval by the joint standing committee of
28 the Legislature having jurisdiction over health insurance matters.

29 **8. Cost-sharing agreements.** A local community health plan
30 corporation may enter into agreements with private health
31 insurance carriers or the Medicaid program in accordance with the
32 following.

33 A. A local community health plan corporation may enter into
34 agreements with private health care insurers to cover
35 individual medical costs associated with all or a portion of
36 the costs resulting from the benefit plan or benefit plans
37 offered by the community health plan corporation.

38 B. A local community health plan corporation may enter into
39 agreements with the department to access Medicaid coverage
40 for all or a portion of the individual medical costs
41 resulting from the benefit plan or benefit plans offered by
42 the local community health plan corporation.

43 C. The department may seek a waiver from the Federal
44 Government as necessary to permit funding under the Medicaid
45 program to be used for coverage of Medicaid-eligible
46 individuals.

2 individuals enrolled in a plan offered by a community health
3 plan corporation. The department may adopt rules required to
4 implement the waiver in accordance with this paragraph.
5 Rules adopted pursuant to this paragraph are major
6 substantive rules as defined in Title 5, chapter 375,
7 subchapter II-A and must be reviewed before final approval
8 by the joint standing committee of the Legislature having
9 jurisdiction over health insurance matters.

10 9. Medical and cost data. If Medicaid-eligible individuals
11 are enrolled in the program, the department shall provide medical
12 and cost data to each local community health plan corporation at
13 the community health plan corporation's request in a format
14 usable by the community health plan corporation's medical data
15 collection system for the analysis of health care costs and
16 health care outcomes.

17 10. Dissolution or sale. Upon the dissolution, sale or
18 other distribution of assets of a local community health plan
19 corporation, the community board may convey or transfer the
20 assets of the corporation only to one or more domestic
21 corporations engaged in charitable or benevolent activities
22 substantially similar to those of the community health plan
23 corporation.

24 11. Annual reports. A local community health plan
25 corporation established pursuant to this section shall submit a
26 written report to the commissioner on or before January 21st
27 annually. The report must address the financial feasibility, fee
28 structure and benefit design of the plan offered by the community
29 health plan corporation; the health quality measures, health care
30 costs and quality of health care outcomes under the plan; and the
31 number of persons enrolled in the plan. The commissioner may
32 require more frequent reports and additional information.
33 Annually, before March 15th of each year, the department must
34 submit a report summarizing the plan's demonstrated effectiveness
35 to the joint standing committees of the Legislature having
36 jurisdiction over banking and insurance matters and health and
37 human services matters.

38 12. Not subject to Title 24 or Title 24-A. A local
39 community health plan corporation established pursuant to this
40 section is not subject to any provisions of Title 24 or Title
41 24-A.

42 13. Confidentiality. All information in the medical data
43 collection system maintained by a local community health plan
44 corporation established under this section is confidential and
45 may not be disclosed except as permitted by sections 1711-C and
46 1828.

2 to this section are routine technical rules as defined in the
Maine Revised Statutes, Title 5, chapter 375, subchapter II-A.
4 Rules adopted pursuant to this section must be implemented by
January 1, 2002.

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

10 **2001-02** **2002-03**

12 **HUMAN SERVICES, DEPARTMENT OF**

14 **Nursing Facilities**

16 All Other \$53,677 \$118,380

18 Provides funds to amend the
principles of reimbursement
20 to enable nonprofit nursing
facilities to receive 1/4 of
22 the profit rate applicable to
proprietary nursing
24 facilities. This funding is
contingent upon approval of
26 the Medicaid reimbursement
from the Health Care Finance
28 Administration.

30 **Sec. DDD-3. Allocation.** The following funds are allocated
from the Federal Expenditures Fund to carry out the purposes of
32 this Part.

34 **2001-02** **2002-03**

36 **HUMAN SERVICES, DEPARTMENT OF**

38 **Nursing Facilities**

40 All Other \$106,386 \$235,839

42 Provides for the federal
match to amend the principles
44 of reimbursement to enable
nonprofit nursing facilities
46 to receive 1/4 of the profit
rate applicable to
48 proprietary nursing
facilities.

50

2

PART EEE

4

Sec. EEE-1. 4 MRSA §104-A, as amended by PL 1997, c. 643, Pt. M, §6, is further amended to read:

6

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

8

10

Any Active Retired Justice of the Superior Court, who performs judicial service at the direction and assignment of the Chief Justice of the Supreme Judicial Court, is compensated for those services at the rate of ~~\$200~~ \$300 per day or ~~\$125~~ \$175 per 1/2 day, provided that the total per diem compensation and retirement pension received by an Active Retired Justice of the Superior Court in any calendar year does not exceed the annual salary of a Justice of the Superior Court.

12

14

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18

Sec. EEE-2. 4 MRSA §157-D, as amended by PL 1997, c. 643, Pt. M, §10, is further amended to read:

20

§157-D. Active retired judges; compensation

22

24

Any Active Retired Judge of the District Court, who performs judicial service at the direction and assignment of the Chief Judge of the District Court, is compensated for those services at the rate of ~~\$200~~ \$300 per day or ~~\$125~~ \$175 per 1/2 day, provided that the total per diem compensation and retirement pension received by an Active Retired Judge of the District Court in any calendar year does not exceed the annual salary of a Judge of the District Court.

26

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

34

36

2001-02 2002-03

38

JUDICIAL DEPARTMENT

40

Courts - Supreme, Superior and District

42

44

Personal Services \$20,063 \$24,075

46

Provides funds to support the cost of increasing the per diem compensation for Active Retired Superior Court

48

Justices and District Court
Judges.

PART FFF

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

	2001-02	2002-03
SACO RIVER CORRIDOR COMMISSION		
Saco River Corridor Commission		
All Other	\$25,000	\$25,000
Appropriates additional funds to cover the commission's operating costs.		

PART GGG

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

	2002-03
EDUCATION, DEPARTMENT OF	
Support Services	
All Other	\$25,000
Provides funds on a grant basis to the Maine Leadership Consortium for grants to teachers seeking certification by the National Board for Professional Teaching Standards. These funds are appropriated as a state match with federal and University of Maine System funds. This appropriation is intended to provide reimbursement for only those	

2 teachers who become
certified. Individual grants
4 issued by the Maine
Leadership Consortium may not
6 exceed \$2,300 per teacher.

8 **PART HHH**

10 **Sec. HHH-1. Allocation.** The following funds are allocated
12 from Other Special Revenue - Fund for a Healthy Maine to carry
out the purposes of this Part.

14 **2001-02 2002-03**

16 **HUMAN SERVICES, DEPARTMENT OF**

18 **Donated Dental Services**

20 All Other \$1,260 \$2,310

22 Provides funds from the Fund
24 for a Healthy Maine for
contracted services of a
26 part-time referral
coordinator and related costs
28 to administer the Donated
Dental Services program that
30 provides free dental services
to financially challenged
32 individuals.

34 **PART III**

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

40 **2002-03**

42 **MAINE TECHNICAL COLLEGE**
44 **SYSTEM, BOARD OF TRUSTEES**
OF THE

46 **Maine Technical College System,**
Board of Trustees of the

48 All Other \$300,000

50

Contingent upon passage of a bond adequate to develop, renovate and equip the proposed Bath Higher Education Center, provides program and operating funds for the proposed Bath Higher Education Center.

Sec. III-2. Financing to develop, renovate and equip Bath Higher Education Center. The City of Bath shall work in partnership with private sector and public sector entities to finance the developing, renovating and equipping of the Bath Higher Education Center on the site of the former Mid Coast Hospital campus in Bath. In providing the financing necessary to develop, renovate and equip the Bath Higher Education Center, the City of Bath must secure financing, including, but not limited to, funding from private entities, General Fund appropriations and proceeds from bond funds authorized by the State, instrumentalities of the State and any governmental unit as defined in the Maine Revised Statutes, Title 30-A, section 5903, subsection 6. Any unexpended and unobligated funds that were originally appropriated, allocated, donated or otherwise provided to the City of Bath for the developing, renovating and equipping of the Bath Higher Education Center may be used to support the operational budget of the center.

PART JJJ

Sec. JJJ-1. 36 MRSA §1760, sub-§84 is enacted to read:

84. Certain sales by auxiliary organization of American Legion. Sales of meals and related items and services by a nonprofit auxiliary organization of the American Legion in connection with a fund-raising event sponsored by the auxiliary organization if the meals and related items and services are provided in a room that is separate from the lounge facilities, if any, of the American Legion and patrons are prohibited from taking alcoholic beverages from the lounge facilities to the separate room where the meals and related items and services are provided.

Sec. JJJ-2. Effective date. This Part takes effect October 1, 2001.

PART KKK

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

2001-02

2002-03

2

LABOR, DEPARTMENT OF

4

**Division for the Blind
and Visually Impaired**

6

8

All Other

\$100,000

\$100,000

10

Provides funds for Catholic Charities Maine - Education Services for Blind and Visually Impaired Children to support a portion of the cost of 2 additional Teacher of Blind and Visually Impaired Children positions and related costs.

12

14

16

18

20

PART LLL

22

Sec. LLL-1. 34-B MRSA §15003, sub-§10 is enacted to read:

24

10. Reporting on children's crisis services. Beginning October 31, 2001, the department shall report by the last day of each month on the status of children's crisis services provided or requested under this chapter. The report must cover the number of children in crisis situations for the preceding month and the time it took to resolve the crisis situations and secure appropriate hospital or residential placements or crisis beds or in-home crisis supports for the children. The report must include all children in crisis situations, regardless of the source of payment for hospitalization, residential placement, crisis beds or in-home crisis supports. The report must protect the confidentiality of all persons involved in the situation as required by state or federal law, rule or regulation.

38

A. In preparing the report, the department shall make a reasonable effort to obtain information from general hospitals, psychiatric hospitals and children's residential programs. The department shall develop a standardized format for the reporting of data on a monthly basis and shall distribute the form to crisis service providers and children's residential programs electronically on the first working day of each month.

40

42

44

46

48

B. Crisis service providers and children's residential programs funded by the department shall report the

2 information requested on the electronic forms under
paragraph A to the department by the 15th of each month.

4 C. If the department determines that there is a substantial
need for residential placement, increased hospital resources
6 or community-based crisis services or that action may be
8 required by the Legislature, the department shall highlight
those issues in the report.

10 D. The department shall provide the report, which is public
information, to the Children's Mental Health Oversight
12 Committee established in section 15004 and the joint
14 standing committee of the Legislature having jurisdiction
over health and human services matters.

16 E. The provisions of this section must be accomplished
18 within the department's existing resources.

20 **PART MMM**

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

26 **2001-02** **2002-03**
28 **LABOR, DEPARTMENT OF**

30 **Division for the Blind**
and Visually Impaired

32 All Other **\$67,000** **\$67,000**

34 Provides funds to support a
36 portion of the cost of one
new Computer Access
38 Specialist position to
provide computer access
40 services through the Iris
42 Network to blind consumers
regardless of age or location
44 in the State.

46 **PART NNN**

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

2002-03

2

4

LABOR, DEPARTMENT OF

6

**Maine Centers for Women, Work
and Community**

8

All Other

\$100,000

10

12

14

16

18

20

22

24

26

Provides funds to increase statewide education, training and employment and self-employment services for displaced homemakers that lead to economic self-sufficiency and continue to build program capacity to coordinate and deliver these services and to measure outcomes. The appropriation will provide for increased staff to provide service delivery in Washington County and Waldo County beginning in fiscal year 2002-03.

28

PART 000

30

Sec. 000-1. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

32

34

2002-03

36

FINANCE AUTHORITY OF MAINE

38

Finance Authority of Maine

40

All Other

\$25,000

42

44

46

48

50

Appropriates one-time funds to allow the Finance Authority of Maine to conduct a study to determine the feasibility of establishing an accredited dental residency program.

PART PPP

Sec. PPP-1. 17-A MRSA §15, sub-§1, ¶A, as amended by PL 2001, c. 389, §1, is further amended to read:

A. Any person who the officer has probable cause to believe has committed or is committing:

(1) Murder;

(2) Any Class A, Class B or Class C crime;

(3) Assault while hunting;

(4) Any offense defined in chapter 45;

(5) Assault, criminal threatening, terrorizing or stalking, if the officer reasonably believes that the person may cause injury to others unless immediately arrested;

(5-A) Assault, criminal threatening, terrorizing, stalking, criminal mischief, obstructing the report of a crime or injury or reckless conduct if the officer reasonably believes that the person and the victim are family or household members, as defined in Title 15, section 321;

(6) Theft as defined in section 357, when the value of the services is \$1,000 or less if the officer reasonably believes that the person will not be apprehended unless immediately arrested;

(7) Forgery, if the officer reasonably believes that the person will not be apprehended unless immediately arrested;

(8) Negotiating a worthless instrument if the officer reasonably believes that the person will not be apprehended unless immediately arrested;

(9) A violation of a condition of probation when requested by a probation officer or juvenile caseworker;

(10) Violation of a condition of release in violation of Title 15, section 1026, subsection 3; Title 15, section 1027, subsection 3; Title 15, section 1051, subsection 2; and Title 15, section 1092;

2 (11) Theft involving a detention under Title 17,
section 3521;

4 (12) Harassment, as set forth in section 506-A;

6 (13) Violation of a protection order, as specified in
8 Title 5, section 4659, subsection 2; Title 15, section
321, subsection 6; former Title 19, section 769,
10 subsection 2; former Title 19, section 770, subsection
5; Title 19-A, section 4011, subsection 3; and Title
12 19-A, section 4012, subsection 5; or

14 (14) A violation of a sex offender registration
16 provision under Title 34-A, chapter ~~11-01-13~~ 15; and

18 **Sec. PPP-2. 17-A MRSA §1152, sub-§2-C**, as enacted by PL 1995,
c. 680, §4, is amended to read:

20 **2-C.** As part of a sentence, the court shall order every
22 natural person who is a convicted sex offender or sexually
24 violent predator, as defined under Title 34-A, section ~~11103~~
11203 to satisfy all requirements set forth in the Sex Offender
Registration and Notification Act of 1999.

26 **Sec. PPP-3. 17-A MRSA §1204, sub-§1-C**, as amended by PL 1999,
c. 437, §1, is further amended to read:

28 **1-C.** The court shall attach as a condition of probation
30 that the convicted sex offender, as defined under Title 34-A,
32 section ~~11103, satisfy all responsibilities set forth in Title~~
~~34-A, chapter 13, the Sex Offender Registration and Notification~~
~~Act and that the convicted sex offender, as defined under Title~~
34 34-A, section 11203, subsection 5, or the convicted sexually
36 violent predator, as defined under Title 34-A, section 11203,
38 subsection 8, satisfy all responsibilities set forth in Title
34-A, chapter 15, the Sex Offender Registration and Notification
Act of 1999.

40 **Sec. PPP-4. 17-A MRSA §1252, sub-§4-A**, as enacted by PL 1997,
c. 460, §5, is amended to read:

42 **4-A.** If the State pleads and proves that, at the time any
44 crime, excluding murder, under chapter 9, 11, 13 or 27 was
46 committed, the defendant had been convicted of 2 or more crimes
48 violating chapter 9, 11, 13 or 27 or essentially similar crimes
50 in other jurisdictions, the sentencing class for the crime is one
class higher than it would otherwise be. In the case of a Class
A crime, the sentencing class is not increased, but the prior
record must be given serious consideration by the court when
imposing a sentence. For purposes of this subsection, for

2 violations under chapter 11, the dates of the prior convictions
3 may have occurred at any time. For purposes of this subsection,
4 for violations under chapter 9, 13 or 27, the dates of the prior
5 convictions must precede the commission of the offense being
6 enhanced by no more than 10 years, although both prior
7 convictions may have occurred on the same date. This subsection
8 does not apply if the 2 prior offenses were committed within a
9 3-day period. The date of a conviction is deemed to be the date
10 that sentence is imposed, even though an appeal was taken. The
11 date an offense was committed is presumed to be the date stated
12 in the complaint, information or indictment, notwithstanding the
13 use of the words "on or about" or the equivalent.

14 **Sec. PPP-5. 34-A MRSA cc. 11 and 13,** as amended, are repealed.

16 **Sec. PPP-6. 34-A MRSA §11201,** as enacted by PL 1999, c. 437,
17 §2, is amended to read:

18 **§11201. Short title**

20 This chapter may be known and cited as the "Sex Offender
21 Registration and Notification Act of 1999." The purpose of this
22 chapter is to protect the public from potentially dangerous sex
23 offenders and sexually violent predators by enhancing access to
24 information concerning sex offenders and sexually violent
25 predators.

28 **Sec. PPP-7. 34-A MRSA §11202,** as enacted by PL 1999, c. 437,
29 §2, is amended to read:

30 **§11202. Application**

32 This chapter applies to a person sentenced as a sex offender
33 or a sexually violent predator on or after ~~the effective date of~~
34 ~~this chapter~~ June 30, 1992.

36 **Sec. PPP-8. 34-A MRSA §11203, sub-§§1-A, 1-B and 4-A** are
37 enacted to read:

40 **1-A. Conditional release.** "Conditional release" means
41 supervised release of a sex offender or sexually violent predator
42 from institutional confinement for placement on probation,
43 parole, intensive supervision, supervised community confinement,
44 home release monitoring or release under Title 15, section 104-A
45 or Title 17-A, chapter 50.

46 **1-B. Discharge.** "Discharge" means unconditional release
47 and discharge of a sex offender or sexually violent predator from

2 institutional confinement upon the expiration of a sentence or
3 upon discharge under Title 15, section 104-A.

4 **4-A. Risk assessment instrument.** "Risk assessment
5 instrument" means an instrument created and modified as necessary
6 by reviewing and analyzing precursors to a sex offense, victim
7 populations of a sex offender or sexually violent predator,
8 living conditions and environment of a sex offender or sexually
9 violent predator and other factors predisposing a person to
10 become a sex offender, repeat sex offender or sexually violent
11 predator, for the ongoing purpose of identifying risk factors
12 used to provide notification of a sex offender's or sexually
13 violent predator's conditional release or discharge from a state
14 correctional facility to law enforcement agencies and to the
15 public.

16
17 **Sec. PPP-9. 34-A MRSA §11203, sub-§6, ¶B,** as enacted by PL
18 1999, c. 437, §2, is amended to read:

19
20 B. A violation under Title 17-A, section 253, subsection 2,
21 paragraph E, F, G, H, I or J; Title 17-A, section 254; Title
22 17-A, section 255, subsection 1, paragraph A, E, F, G, I or
23 J; Title 17-A, section 256; Title 17-A, section 258; Title
24 17-A, section 259; Title 17-A, section 301, unless the actor
25 is a parent of the victim; Title 17-A, section 302; Title
26 17-A, section 511, subsection 1, paragraph D; Title 17-A,
27 section 556; Title 17-A, section 852, subsection 1,
28 paragraph B; or Title 17-A, section 855; or

29
30 **Sec. PPP-10. 34-A MRSA §11203, sub-§8, ¶B,** as enacted by PL
31 1999, c. 437, §2, is amended to read:

32
33 B. Sex offense when the person has a prior conviction for
34 which registration is required by this chapter or an attempt
35 to commit an offense that includes the essential elements of
36 a sex offense or sexually violent offense.

37
38 **Sec. PPP-11. 34-A MRSA §11222, sub-§2-A** is enacted to read:

39
40 **2-A. Sex offenders or sexually violent predators convicted**
41 **from June 30, 1992 to September 17, 1999. Sex offenders or**
42 **sexually violent predators convicted from June 30, 1992 to**
43 **September 17, 1999 shall register with the bureau by September 1,**
44 **2002, unless sooner notified of a duty to register by the bureau,**
45 **the Department of Corrections or a law enforcement officer, in**
46 **which case the sex offender or sexually violent predator shall**
47 **register with the bureau within 10 days of notice.**

48
49 **Sec. PPP-12. 34-A MRSA §11225, sub-§1,** as enacted by PL 1999,
50 c. 437, §2, is amended to read:

2 **1. Sex offender.** A sex offender shall register for a
4 period of 10 years from the initial date of registration pursuant
6 to this chapter, except that a sex offender required to register
8 because the sex offender established a domicile in this State
10 subsequent to being declared a sex offender in another state or
12 under another jurisdiction shall register for a maximum of 10
14 years from the date when the sex offender was first required to
16 register in the other state or under another jurisdiction. A sex
offender or sexually violent predator convicted from June 30,
1992 to September 17, 1999 shall register for 10 years from the
date of conviction if the sex offender or sexually violent
predator was not sentenced to a period of institutional
confinement, or for 10 years from the date of discharge or
conditional release if the sex offender or sexually violent
predator was sentenced to a period of institutional confinement.

18 **Sec. PPP-13. 34-A MRSA §11227**, as enacted by PL 1999, c.
20 437, §2, is amended to read:

22 **§11227. Violation**

24 A sex offender or sexually violent predator who fails to
26 register or update the information required under this chapter
28 commits a Class D crime, except that a violation of this section
30 when the sex offender or sexually violent predator has 2 or more
32 prior convictions in this State for violation of this chapter is
34 a Class C crime. For purposes of this section, the dates of both
36 of the prior convictions must precede the commission of the
38 offense being enhanced by no more than 10 years, although both
40 prior convictions may have occurred on the same day. The date of
42 the conviction is deemed to be the date that sentence is imposed,
even though an appeal was taken. The date of a commission of a
prior offense is deemed to be that stated in the complaint,
information or indictment, notwithstanding the use of the words
"on or about" or the equivalent. It is an affirmative defense
that the failure to register or update information resulted from
just cause, except that sex offenders and sexually violent
predators convicted from June 30, 1992 to September 17, 1999 may
not raise a defense under just cause that they were not aware of
the registration requirement.

44 **Sec. PPP-14. 34-A MRSA §11251**, as enacted by PL 1999, c.
46 437, §2, is repealed.

48 **Sec. PPP-15. 34-A MRSA §§11253 to 11256** are enacted to read:

§11253. Risk assessment

2 The department shall establish and apply a risk assessment
3 instrument to each sex offender and sexually violent predator
4 under its jurisdiction for the purpose of notification to law
5 enforcement agencies and to the public.

6 **§11254. Mandatory notification of conditional release or**
7 **discharge of sex offenders**

8
9 The department and the Department of Public Safety, State
10 Bureau of Identification are governed by the following notice
11 provisions when a sex offender or sexually violent predator is
12 conditionally released or discharged.

13 **1. Duties of the department.** The department shall give the
14 Department of Public Safety, State Bureau of Identification
15 notice of the following:

16
17 **A. The address where the sex offender or sexually violent**
18 **predator will reside;**

19
20 **B. The address where the sex offender or sexually violent**
21 **predator will work, if applicable;**

22
23 **C. The geographic area to which a sex offender's or**
24 **sexually violent predator's conditional release is limited,**
25 **if any; and**

26
27 **D. The status of the sex offender or sexually violent**
28 **predator when released as determined by the risk assessment**
29 **instrument, the offender's or predator's risk assessment**
30 **score, a copy of the risk assessment instrument and**
31 **applicable contact standards for the offender or predator.**

32
33 **2. Duties of the Department of Public Safety, State Bureau**
34 **of Identification.** Upon receipt of the information concerning
35 the conditional release or discharge of a sex offender or
36 sexually violent predator pursuant to subsection 1, the
37 Department of Public Safety, State Bureau of Identification shall
38 forward the information in subsection 1 to all law enforcement
39 agencies that have jurisdiction in those areas where the sex
40 offender or sexually violent predator may reside or work.

41 **§11255. Public notification**

42
43 **1. Department.** Upon the conditional release or discharge
44 of a sex offender or sexually violent predator from a state
45 correctional institution, the department shall give notice of the
46 information under section 11254, subsection 1 to members of the
47 public the department determines appropriate to ensure public
48 safety.
49
50

2001-02

2002-03

2

PUBLIC SAFETY, DEPARTMENT OF

4

State Police

6

Positions - Legislative Count	(1.000)	(2.000)
Personal Services	\$14,063	\$43,202

8

10

Allocates funds for the Highway Fund share of the costs of one additional Data Entry Specialist position starting on October 1, 2001 and one additional Data Entry Specialist position starting on July 1, 2002. These positions are necessary to process an expanded sex offender registration program.

12

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PART QQQ

24

Sec. QQQ-1. 36 MRSA §1760, sub-§42, as enacted by PL 1983, c. 560, §3, is amended to read:

26

28

42. Historical societies, museums and certain memorial foundations. Sales to incorporated nonprofit memorial foundations that primarily provide cultural programs free to the public, historical societies and museums.

30

32

Sec. QQQ-2. Effective date. This Part takes effect July 1, 2002.

34

36

PART RRR

38

Sec. RRR-1. Establish program. The Department of Human Services is authorized to establish a prescription drug reimportation program whereby the State, through the department, acquires prescription drugs from foreign jurisdictions. In operating the reimportation program, the State may not act as a distributor of prescription drugs. This authorization is contingent upon the department obtaining approval from the federal Department of Health and Human Services for the State to establish a prescription drug reimportation program and is further contingent upon cost savings to be realized by the citizens of the State as a result of the operation of the reimportation program.

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PART SSS

4

Sec. SSS-1. Rulemaking. By November 1, 2001, the Department of Human Services, Bureau of Medical Services shall adopt rules amending the principles of reimbursement under the Medicaid program to reimburse optometrists beginning July 1, 2002 for services provided to persons whose care is paid in part by the Medicare program and in part by the Medicaid program without any decrease due to the application of crossover claims rules. Rules adopted pursuant to this section are routine technical rules pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A.

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

20 **2002-03**

22 HUMAN SERVICES, DEPARTMENT OF

24 Medical Care - Payments to Providers

26 All Other \$24,774

28 Provides funds to reimburse optometrists for
30 services provided to persons whose care is
32 paid for in part by the Medicaid program and
in part by the Medicare program without any
decrease due to the application of crossover
claims rules.

Sec. SSS-3. Allocation. The following funds are allocated from the Federal Expenditure Fund to carry out the purposes of this Part.

38 **2002-03**

40 HUMAN SERVICES, DEPARTMENT OF

42 Medical Care - Payments to Providers

44 All Other \$49,355

46 Provides funds for the
48 federal match to reimburse
optometrists for services
50 provided to persons whose

2 care is paid for in part by
the Medicaid program and in
4 part by the Medicare program
without any decrease due to
6 the application of crossover
claims rules.

8
10 **PART TTT**

12 **Sec. TTT-1. Committee created; charged.** The Education Funding
14 Reform Committee, referred to in this Part as the "committee," is
16 established to develop a comprehensive package of tax reform
18 legislation to update and equalize the method of raising money
20 for education including finding ways to reduce the State's
reliance on property taxes for elementary and secondary schools.
The committee shall investigate sources of revenue to fund
elementary and secondary school education and may not investigate
the existing distribution formula or the development of the
essential programs and services funding model.

22 **Sec. TTT-2. Commission membership; chairs.** The committee
24 consists of 14 Legislators appointed as follows:

26 1. Four members of the Senate, 2 of whom serve on the Joint
28 Standing Committee on Taxation, one of whom serves on the Joint
Standing Committee on Appropriations and Financial Affairs and
30 one of whom serves on the Joint Standing Committee on Education
and Cultural Affairs, appointed by the President of the Senate.
32 In making the appointments, the President of the Senate shall
provide representation from geographically diverse regions of the
34 State and shall appoint not more than 2 members from the same
political party. The first named Senator is the Senate chair of
the committee; and

36 2. Ten members of the House of Representatives, 6 of whom
38 serve on the Joint Standing Committee on Taxation, 2 of whom
serve on the Joint Standing Committee on Appropriations and
40 Financial Affairs and 2 of whom serve on the Joint Standing
Committee on Education and Cultural Affairs, appointed by the
42 Speaker of the House of Representatives. In making the
appointments the Speaker of the House of Representatives shall
44 provide representation from geographically diverse regions of the
State and shall appoint not more than 5 members from the same
46 political party. The first named member of the House is the
House chair of the committee.

48 All appointments must be made not later than 30 days
50 following the effective date of this Act. The appointing
authorities shall notify the Executive Director of the

Legislative Council once all appointments have been made. When
2 appointment of all members is completed, the chairs shall call
and convene the first meeting of the committee, which must be
4 held not later than 15 days after all members have been appointed.

6 **Sec. TTT-3. Duties.** In developing its recommendations the
committee shall study alternate sources of revenue for elementary
8 and secondary education that meet the following criteria:

10 1. Provide more state money for education and consequently
ensure equal educational opportunities for all students of the
12 State;

14 2. Provide property tax relief for home owners, farmers and
businesses to encourage new businesses to locate to the State and
16 new businesses to expand and to entice more people to live in the
State; and

18 3. Balance the primary methods of raising taxes between the
20 property tax, sales tax and personal income tax.

22 **Sec. TTT-4. Committee report; extension.** The committee shall
present its report and any necessary implementing legislation to
24 the Second Regular Session of the 120th Legislature by December
31, 2001. The Legislature may adopt or reject the committee's
26 recommendations or submit the committee's recommendations to the
voters at a public referendum at the time of the general election
28 in November 2002. If the committee requires a limited extension
of time to conclude its work, it may apply to the Legislative
30 Council, which may grant the extension.

32 **Sec. TTT-5. Staff assistance.** The Legislative Council shall
provide necessary staffing services to the committee. In
34 addition, the Department of Administrative and Financial
Services, Bureau of Revenue Services and the Department of
36 Education shall provide such information and assistance to the
committee as requested by the chairs.

38 **Sec. TTT-6. Compensation.** Legislative members of the
40 committee are entitled to receive the legislative per diem, as
defined in the Maine Revised Statutes, Title 3, section 2, for
42 each day of attendance at committee meetings and reimbursement
for expenses upon application to the Executive Director of the
44 Legislative Council.

46 **Sec. TTT-7. Budget.** The committee chairs, with assistance
from the committee staff, shall administer the committee budget.
48 Within 10 days after its first meeting, the committee shall
present a work plan to the Legislative Council for approval. The

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

committee may not incur expenses that would result in the committee's exceeding its approved budget.

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

8 **2001-02**

10 **LEGISLATURE**

12 **Education Funding Reform Committee**

14	Personal Services	\$7,700
	All Other	14,300

16
18 Provides funds for the per diem and expenses
of members of the Education Funding Reform
20 Committee, to conduct public hearings, for
technical assistance and for printing and
22 other miscellaneous costs.

24 **LEGISLATURE**

TOTAL \$22,000

26

PART UUU

28

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

32

2001-02 **2002-03**

34

EDUCATION, DEPARTMENT OF

36

Educational Restructuring and Improvements

38

All Other	\$142,500	\$152,737
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40

42 Provides additional funding
for the Reading Recovery
Program.

44

46

PART VVV

48

Sec. VVV-1. PL 1999, c. 401, Pt. KK is amended to read:

50

PART KK

2 **Sec. KK-1. School breakfast incentive grants.** Any school in
4 which at least ~~30%~~ 20% of the students enrolled on October ~~1,~~
6 1998 1st of the most recent school year were eligible for free or
8 reduced-price meals qualifies for a one-time support grant of up
 to \$3,000 toward the cost of establishing a school breakfast
 program.

10 1. A school qualifying for a grant that chooses not to
 establish a school breakfast program shall file a report with the
12 Department of Education explaining why it chose not to offer a
 school breakfast program.

14 2. Nothing in this section prevents a school not qualifying
16 for a grant from implementing a school breakfast program at any
 time.

18 3. The Department of Education shall administer this
20 section and manage the grant process. The department shall
22 notify schools of their eligibility for a grant under this
24 section. The department may adopt rules necessary for
26 implementation of this section and for compliance with federal
 guidelines for the National School Breakfast Program. Rules
 adopted under this section are routine technical rules as defined
 in Title 5, chapter 375, subchapter II-A.

28 **Sec. KK-2. Application.** The grants provided under this Part
30 are available ~~during the 1999-2000 school year~~ for eligible
 schools that did not offer a school breakfast program ~~during the~~
 1998-1999 in the previous school year.

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

36 **1999-00**

38 **EDUCATION, DEPARTMENT OF**

40 **School Breakfast Program**

42 All Other \$240,000

44 Provides funds on a one-time basis for
46 grants to eligible public schools to
48 establish school breakfast programs. Funds
50 appropriated under this section do not lapse
 but are carried forward and used for school
 breakfast incentive grants.

Facility. The Department of Corrections shall submit this plan no later than January 15, 2002.

PART YYY

Sec. YYY-1. 12 MRSA §8705 is enacted to read:

§8705. Community Forestry Fund

1. Establishment of fund. The Community Forestry Fund, referred to in this section as the "fund," is established as a nonlapsing fund under the jurisdiction of the bureau to promote the community forestry activities in the municipalities of the State. The bureau may apply for and accept any appropriation, grant, gift or service made available from any public or private sources consistent with the purpose of this section and shall deposit any such money into the fund.

2. Use of the fund. The bureau shall develop a process for municipalities to submit proposals and establish criteria for reviewing proposals and awarding grants from the fund for the purpose of developing and maintaining community forestry activities.

Sec. YYY-2. 36 MRSA §4641-B, last ¶, as amended by PL 1997, c. 759, §1 and affected by §2, is further amended to read:

The State Tax Assessor shall pay all net receipts to the Treasurer of State, who shall ~~credit 1/2 of the revenue to the General Fund and who shall~~ monthly pay the ~~remaining~~ 1/2 of the revenue to the Maine State Housing Authority, which shall deposit the funds in the Housing Opportunities for Maine Fund created in Title 30-A, section 4853. From the remaining revenue, the Treasurer of State shall pay 2.5%, reduced by any federal funds received for community forestry, but not exceeding \$200,000 annually, to the Community Forestry Fund created in Title 12, section 8705 and deposit the remainder of the revenue in the General Fund.

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

2001-02

**CONSERVATION,
DEPARTMENT OF**

Administration - Forestry

2 All Other \$100,000

4 Provides a one-time appropriation of funds
 6 for the newly established Community Forestry
 8 Fund. Within 30 days after the effective
 10 date of this Part, the State Controller
 shall transfer these funds to the Community
 Forestry Fund as established by the Maine
 Revised Statutes, Title 12, section 8705.

12 **Sec. YYY-4. Allocation.** The following funds are allocated
 14 from Other Special Revenue funds to carry out the purposes of
 this Part.

16 2001-02 2002-03

18 **CONSERVATION,
 20 DEPARTMENT OF**

22 **Administration - Forestry**

24 All Other \$100,000 \$500

26 Allocates funds for the newly
 28 established Community
 30 Forestry Fund. These funds
 must be expended in
 consultation with the
 Community Forestry Advisory
 Board.

34 **PART ZZZ**

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

40 2001-02 2002-03

42 **AGRICULTURE, FOOD AND RURAL
 44 RESOURCES, DEPARTMENT OF**

46 **Division of Quality
 Assurance and Regulation**

48 Positions - Legislative Count (0.500) (2.500)
 Personal Services \$31,000 \$156,153
 50 All Other 7,000 34,908

2 Establishes an additional
3 1/2-time State Veterinarian
4 position in fiscal year
5 2001-02 and 2 additional
6 Consumer Protection Inspector
7 positions in fiscal year
8 2002-03 to continue the state
9 meat inspection program
10 authorized by Public Law
11 1999, chapter 777.

12
13 **DEPARTMENT OF AGRICULTURE,**
14 **FOOD AND RURAL RESOURCES**
15 **TOTAL**

_____ _____
\$38,000 \$191,061

16
17
18 **PART AAAA**

19
20 **Sec. AAAA-1. Health Care System and Health Security Board.**

21 **1. Board established.** The Health Care System and Health
22 Security Board, referred to in this section as the "board,"
23 consists of 19 members as follows:

24
25 A. The Commissioner of Human Services or the commissioner's
26 designee;

27
28 B. The Executive Director of the State Employee Health
29 Commission or the director's designee;

30
31 C. The State Tax Assessor or the assessor's designee;

32
33 D. Two members of the House of Representatives appointed by
34 the Speaker of the House of Representatives with preference
35 to members of the joint standing committee of the
36 Legislature having jurisdiction over health and human
37 services matters, the joint standing committee of the
38 Legislature having jurisdiction over appropriations and
39 financial affairs and the joint standing committee of the
40 Legislature having jurisdiction over banking and insurance
41 matters;

42
43 E. Two members of the Senate appointed by the President of
44 the Senate with preference to members of the joint standing
45 committee of the Legislature having jurisdiction over health
46 and human services matters, the joint standing committee of
47 the Legislature having jurisdiction over appropriations and
48 financial affairs and the joint standing committee of the

2 Legislature having jurisdiction over banking and insurance
matters;

4 F. A representative of each of the following, appointed by
the President of the Senate:

6 (1) A statewide organization that advocates universal
8 health care;

10 (2) A statewide organization that defends the rights
of children;

12 (3) A statewide organization representing health
14 insurers and health maintenance organizations;

16 (4) Health care economists;

18 (5) A statewide organization of physicians; and

20 (6) Small hospitals in the State; and

22 G. A representative of each of the following, appointed by
the Speaker of the House:

24 (1) A statewide organization that represents Maine
26 senior citizens;

28 (2) A statewide labor organization;

30 (3) A statewide organization of nurses;

32 (4) Large hospitals in the State;

34 (5) The business community; and

36 (6) An organization representing the self-employed.

38 **2. Chairs.** The first-named Senate member is the Senate
chair and the first-named House member is the House chair of the
40 board.

42 **3. Appointments; convening board.** All appointments must be
made no later than 30 days following the effective date of this
44 Part. The chairs shall call and convene the first meeting of the
board within 30 days of completion of all appointments.
46

48 **4. Purpose.** The purpose of the board is to develop
recommendations to provide health care coverage to all citizens
of this State through a plan or plans that emphasize 24-hour

2 coverage, quality, cost containment, choice of provider and
access to comprehensive, preventive and long-term care.

4 **5. Duties of board.** The board has the following duties.

6 A. As its first priority, the board shall undertake a
review to:

8 (1) Determine what percentage of health care benefits
10 are paid from automobile insurance, general liability
insurance and workers' compensation insurance;

12 (2) Assess what, if any, savings are associated with a
14 simplified billing system;

16 (3) Assess what, if any, savings would be realized by
schools and correctional facilities with a single-payor
18 system based on their current expenses for services
related to health care such as occupational therapy,
20 physical therapy and speech therapy; and

22 (4) Assess what, if any, savings are associated with a
single-payor system by comparing hospitals of similar
24 size in the State and other states; and

26 (5) In its assessment, the board shall examine prior
studies conducted in Maine and other states.

28 B. In developing proposals to implement a single-payor plan
30 to provide health care coverage to all citizens of this
State, the board shall make recommendations related to
32 standards for:

34 (1) Eligibility for coverage under the plan for
residents of the State, including a requirement that
36 residents must apply for an identification card to
enroll in the plan, responsibility for collection from
38 individuals and insurance companies and reimbursement
for providers in the State;

40 (2) The types of health care services covered under
42 the plan. The plan must provide coverage for health
care services from a provider within this State if
44 those services are determined medically necessary by
the provider for the patient, except that the plan may
46 not provide cosmetic services. Copayments may be
charged only as charged under current Medicaid
48 coverage. Deductibles may not be charged to plan
enrollees. The plan must be at least as inclusive as
50 Medicaid coverage. This subsection does not preclude

2 supplementary benefit insurance for services that are
not medically necessary. Covered health care must
4 include all services and providers for which coverage
is mandated under the Maine Revised Statutes, Title
6 24-A and must include all coverage offered by the
Medicaid program;

8 (3) A system for the delivery of health care services
throughout the State. Covered health care services must
10 be provided to plan enrollees by participating
providers who are located within the State and who are
12 chosen by the plan enrollees. The plan must pay for
health care services provided to a plan enrollee while
14 the enrollee is temporarily outside the State. The
maximum period of time a plan enrollee may be covered
16 while out of state is 90 days per year. A plan
enrollee may qualify to begin services out of state
18 but, in order to receive continued treatment, may be
required to receive treatment within the State.
20 Reimbursement for services rendered out of state must
be at rates set by the board. A participating
22 provider may not charge plan enrollees or 3rd parties
for covered health care services in excess of the
24 amount reimbursed to that provider by the plan. A
participating provider may not refuse to provide
26 services to a plan enrollee on the basis of health
status, medical condition, previous insurance status,
28 race, color, creed, age, national origin, citizenship
status, gender, sexual orientation, disability or
30 marital status; and

32 (4) The role of other health care programs including,
but not limited to, the following programs: the
34 Medicare program of the federal Social Security Act,
Title XVIII; the Medicaid program of the federal Social
36 Security Act, Title XIX; the civilian health and
medical program as referred to in 10 United States
38 Code, Sections 1071 to 1106; the federal Indian Health
Care Improvement Act, 25 United States Code, Sections
40 1601 to 1682; other 3rd-party payors who may be
billable for health care services; and any state and
42 local health programs, including, but not limited to,
workers' compensation and employers' liability
44 insurance pursuant to the Maine Revised Statutes former
Title 39 and Title 39-A.

46 The board shall also examine issues related to the
48 implementation of a single-payor plan for universal
coverage and access such as: promoting the purposes of
50 the plan; setting reimbursement rates for participating

2 providers; rules necessary to implement the plan;
3 systems for enrollment, registration of providers for
4 participation, rate setting and contracts with
5 providers of services and pharmaceuticals; developing
6 budgets with hospitals and institutional providers;
7 administration of revenues of the plan; employment of
8 staff as necessary to implement the plan; development
9 of plans and funding for training and assistance for
10 workers in the health care sector displaced by moving
11 to a single-payor health care system; addressing the
12 unique issues related to the delivery of a single-payor
13 health care system among the State's border communities
14 and the impact on health care practitioners, providers
15 and residents of those communities; and conducting
16 public hearings annually or more frequently regarding
resource allocation, revenues and services.

18 C. The board shall examine funding for the single-payor plan
19 from a combination of sources, including payments from
20 government sources, including federal, state and other
21 governmental health care and aid programs; payments from
22 workers' compensation, pension and health insurance employee
23 benefit plans; payments from state, county and municipal
24 governmental units for coverage; payments from tobacco
25 settlement funds; and payments from any taxes or fees based
26 on the results of the feasibility study required under
27 paragraph D.

28 D. The board shall conduct a feasibility study of the
29 economic impacts on individuals and businesses of a
30 single-payor plan that guarantees a minimum 5% savings over
31 existing health care costs and the impact on individuals and
32 businesses of payment options and benefits should those
33 options be necessary, including but not limited to
34 increasing corporate and individual income tax rates;
35 increasing sales tax rates; eliminating sales tax exemptions
36 and exclusions; and establishing a payroll or other tax
37 dedicated to funding the plan. The board shall also address
38 the potential positive or negative impact of the plan on the
39 State's economy.

42 E. The board shall stress prevention of disease and
43 maintenance of health in developing proposals to implement
44 the single-payor plan and shall attempt to retain and
45 strengthen existing health facilities whenever possible in
46 developing those proposals.

48 F. The board may examine any other issues or gather
49 information necessary to fulfill its purpose and duties.
50

2 The board may choose to organize subcommittees of its members to
3 carry out the duties described in this subsection, except that a
4 subcommittee may not take any action without a final decision by
5 the entire board. Any action or decision of the board must be
6 made by majority vote.

7 **6. Staff assistance.** The board may contract with and
8 retain staffing and technical assistance from a health policy
9 organization.

10 **7. Funding.** The board may seek and accept outside funding
11 through the public or private sector to advance its work.

12 **8. Compensation.** Those members of the board who are
13 Legislators are entitled to receive the legislative per diem as
14 defined in the Maine Revised Statutes, Title 3, section 2 and
15 reimbursement for travel and other necessary expenses related to
16 their attendance at meetings of the board.

17 **9. Report.** Based on its review, the board shall develop
18 recommendations regarding the implementation of a single-payor
19 plan to provide health care coverage to all citizens of this
20 State and shall submit its report, together with any necessary
21 implementing legislation, to the Second Regular Session of the
22 120th Legislature by March 1, 2002. If the board requires an
23 extension of time to make its report, it may apply to the
24 Legislative Council, which may grant the extension. Upon
25 submission of the report, the board may not take further action
26 unless further action is authorized by law.

27 **Sec. AAAA-2. Appropriation.** The following funds are
28 appropriated from the General Fund to carry out the purposes of
29 this Part.

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2001-02

LEGISLATURE

Health Care System and Health Security Board

Personal Services	\$660
All Other	10,000

Provides funds for the per diem and expenses of legislative members of the Health Care System and Health Security Board, to conduct public hearings, to contract for staffing and technical assistance and to print the required report.

2

**LEGISLATURE
TOTAL**

\$10,660

4

Sec. AAAA-3. Allocation. The following funds are allocated from Other Special Revenue to carry out the purposes of this Part.

6

8

2001-02

10

LEGISLATURE

12

Health Care System and Health Security Board

14

All Other

\$500

16

Provides funds as a base allocation in the event that outside sources of revenue are received by the Health Care System and Health Security Board.

18

20

22

PART BBBB

24

Sec. BBBB-1. 5 MRSA §13122-L is enacted to read:

26

§13122-L. Maine Research and Development Evaluation Fund

28

1. Fund established. The Maine Research and Development Evaluation Fund, referred to in this section as the "fund," is established as a nonlapsing Other Special Revenue fund administered by the foundation for the purposes of funding the comprehensive research and development evaluation required pursuant to section 13122-J. Money deposited with the Treasurer of State to the credit of the fund may be invested as provided by law. Income from those investments must be credited to the fund.

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38

2. Definition. For the purposes of this section, "research and development" means activities that directly or through capital investment support basic and applied scientific research and related commercial development funded by state appropriations.

40

42

3. Fund sources. The fund receives money deposited by the Treasurer of State pursuant to this section and any other gift, grant or other source of revenue deposited for that use.

44

46

4. Transfers to fund. Notwithstanding section 1585 or any other provision of law, the State Budget Officer upon the recommendation of the president is authorized to transfer General Fund appropriations for research and development efforts to the

48

50

2 fund. The transfer and allotment of available funds may not
3 exceed 0.8% of the total research and development
4 appropriations. Only those programs that receive \$500,000 or
5 more in research and development appropriations, as identified
6 and certified by the State Budget Officer and the Office of
7 Fiscal and Program Review, may be assessed upon concurrence of
8 the affected agencies, institutions and departments. The
9 transfer must be implemented by financial order contingent upon
10 the recommendation of the State Budget Officer and approval of
11 the Governor and upon review by the joint standing committee of
12 the Legislature having jurisdiction over appropriations and
13 financial affairs. The financial order must include a plan
14 outlining how these funds will be expended. The financial order
15 takes effect upon approval by the Governor. Total transfers made
16 pursuant to this section may not exceed \$120,000 in any fiscal
17 year.

18 5. Repeal; lapse of funds. This section is repealed June
19 30, 2006. Unexpended funds in the fund lapse to the
20 unappropriated surplus of the General Fund.

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

	2001-02	2002-03
28 MAINE SCIENCE AND		
29 TECHNOLOGY FOUNDATION		
30 Maine Research and Development		
31 Evaluation Fund		
34 All Other	\$500	\$500
36 Provides a base allocation to		
37 establish the Maine Research		
38 and Development Evaluation		
39 Fund.		

42 **PART CCCC**

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

48 **2001-02**

50 **HUMAN SERVICES, DEPARTMENT OF**

2 **Purchased Social Services**

4 All Other \$100,000

6 Provides funds for a
8 low-barrier homeless teen
10 shelter located in Rockland
12 to serve youth in Knox,
14 Lincoln and Waldo counties of
16 region 2.

14 **PART DDDD**

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

20 2001-02 2002-03

22 **EDUCATION,
24 DEPARTMENT OF**

24 **General Purpose Aid
26 for Local Schools**

28 All Other \$75,000 \$100,000

30 Provides additional funding
32 for the geographic isolation
34 adjustment.

34 **PART EEEE**

36 **Sec. EEEE-1. 27 MRSA §555, sub-§6,** as enacted by PL 1999, c.
38 573, §5, is amended to read:

40 **6. New Century Community Program Fund.** To administer the
42 New Century Community Program Fund. The New Century Community
44 Program Fund is established as a nonlapsing account to assist in
46 carrying out the purposes of section 558. The Maine State
Cultural Affairs Council may accept and expend money on behalf of
the fund from public and private sources.

48 **Sec. EEEE-2. 27 MRSA §558, sub-§1, ¶C,** as enacted by PL 1999,
c. 401, Pt. LL, §1, is amended to read:

2 C. "Program" means the ~~Maine-Communities-in-the~~ New Century
 2 Community Program established in subsection 2.

4 **Sec. EEEE-3. 27 MRSA §558, sub-§2,** as enacted by PL 1999, c.
 4 401, Pt. LL, §1, is amended to read:

6
 8 **2. Program established; objectives.** The ~~Maine-Communities~~
 8 ~~in--the~~ New Century Community Program is established under the
 10 auspices of the council to further the following objectives:

12 A. Preservation of the State's historic resources,
 12 properties, artifacts and documents;

14 B. Expanded access to improved educational resources; and

16 C. Community and economic development through strengthened
 16 local cultural resources, including through increased
 18 community access to the State's leading cultural
 20 institutions.

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

	2001-02	2002-03
26 MAINE ARTS COMMISSION		
28 Arts - Administration		
30 All Other	\$71,875	\$76,190
32 Provides ongoing funding for		
34 the New Century Community		
36 Program.		
38 MAINE ARTS COMMISSION		
TOTAL	\$71,875	\$76,190
40 MAINE HUMANITIES COUNCIL		
42 Humanities Council		
44 All Other	\$75,625	\$80,160
46 Provides ongoing funding for		
48 the New Century Community		
Program.		
50 MAINE HUMANITIES COUNCIL		

2	TOTAL	\$75,625	\$80,160
4	MAINE HISTORIC PRESERVATION COMMISSION		
6	Historic Preservation Commission		
8	All Other	\$79,065	\$83,810
10	Provides ongoing funding for		
12	the New Century Community		
14	Program.		
16	MAINE HISTORIC PRESERVATION COMMISSION TOTAL	<u>\$79,065</u>	<u>\$83,810</u>
18	MAINE STATE LIBRARY		
20	Library - Administration		
22	All Other	\$201,935	\$214,050
24	Provides ongoing funding for		
26	the New Century Community		
28	Program.		
30	MAINE STATE LIBRARY TOTAL	<u>\$201,935</u>	<u>\$214,050</u>
32	MAINE STATE MUSEUM		
34	Museum - Administration		
36	All Other	\$23,375	\$24,780
38	Provides ongoing funding for		
40	the New Century Community		
42	Program.		
44	MAINE STATE MUSEUM TOTAL	<u>\$23,375</u>	<u>\$24,780</u>
46	MAINE HISTORICAL SOCIETY		
48	Historical Society		
50	All Other	\$34,375	\$36,440

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2	Provides ongoing funding for the New Century Community Program.		
4			
6	MAINE HISTORICAL SOCIETY TOTAL	<u>\$34,375</u>	<u>\$36,440</u>
8	SECRETARY OF STATE, DEPARTMENT OF THE		
10	Archives - Administration		
12			
14	All Other	\$13,750	\$14,570
16	Provides ongoing funding for the New Century Community Program.		
18			
20	DEPARTMENT OF THE SECRETARY OF STATE TOTAL	<u>\$13,750</u>	<u>\$14,570</u>
22			
24	TOTAL APPROPRIATIONS	<u>\$500,000</u>	<u>\$530,000</u>

PART FFFF

28 **Sec. FFFF-1. 3 MRSA §959, sub-§1, ¶D**, as enacted by PL 1995,
30 c. 488, §2, is amended to read:

32 D. The joint standing committee of the Legislature having
34 jurisdiction over criminal justice matters shall use the
following list as a guideline for scheduling reviews:

36 (1) Department of Public Safety, except for the Bureau
38 of Liquor Enforcement and the Emergency Services
Communication Bureau, in 2001; and

40 (2) Department of Corrections in 2003.

42 **Sec. FFFF-2. 3 MRSA §959, sub-§1, ¶P**, as enacted by PL 1995,
44 c. 488, §2, is amended to read:

46 P. The joint standing committee of the Legislature having
48 jurisdiction over utilities and energy matters shall use the
following list as a guideline for scheduling reviews:

50 (1) Public Advocate in 1997;

2 (2) Board of Directors, Maine Municipal and Rural
Electrification Cooperative Agency in 1999; and

4 (3) Public Utilities Commission in 1999; and

6 (4) The Emergency Services Communication Bureau within
the Department of Public Safety in 2001.

8
10 **Sec. FFFF-3. 25 MRSA §2926, sub-§2, ¶¶B, F, H and I,** as enacted
by PL 1993, c. 566, §9, are amended to read:

12 B. Development of minimum public safety answering point
14 requirements including 24-hour operation; emergency backup
16 power; secured communication areas; separate administrative
18 phone lines for nonemergency calls; call recording and
20 playback equipment; TDD equipment, as defined in Title 35-A,
section 8702, subsection 6; maximum call handling times; and
minimum mandatory staff training requirements for E-9-1-1
call answering and dispatching;

22 F. Procedures for cooperation and coordination with
24 telephone utilities and municipalities for implementation
and maintenance;

26 H. Estimates of the cost of establishing an operational
E-9-1-1 system; and

28 I. Procedures for collecting and administering the
30 necessary funds for E-9-1-1; and

32 **Sec. FFFF-4. 25 MRSA §2926, sub-§2, ¶J** is enacted to read:

34 J. Standards and procedures for developing and maintaining
the system databases and for ensuring the confidentiality of
those databases pursuant to section 2929.

36 **Sec. FFFF-5. 25 MRSA §2926, sub-§§5 and 6** are enacted to read:

38 **5. Call answering coverage.** The bureau is not required to
40 provide call answering coverage in counties or municipalities
that choose not to participate in the E-9-1-1 system.

42 **6. System databases.** The system databases, wherever
44 located or stored, are the property of the bureau and their
confidentiality is governed by section 2929.

46 **Sec. FFFF-6. 25 MRSA §2927, sub-§1-B,** as enacted by PL 1999,
48 c. 651, §1 and affected by §4, is amended to read:

2 **1-B. Statewide E-9-1-1 surcharge.** The activities
3 authorized under this chapter are funded through a special
4 statewide E-9-1-1 surcharge levied on each residential and
5 business telephone exchange line, including private branch
6 exchange lines and Centrex lines, cellular or wireless
7 telecommunications service subscribers and semipublic coin and
8 public access lines. The statewide E-9-1-1 surcharge may not be
9 imposed on more than 25 lines or numbers per customer billing
10 account. The statewide E-9-1-1 surcharge is 32¢ 50¢ per month
11 per line or number until 90 days after adjournment of the First
12 Regular Session of the 121st Legislature, after which time the
13 statewide E-9-1-1 surcharge is 32¢ per month per line or number.
14 The statewide E-9-1-1 surcharge must be billed on a monthly basis
15 by each local exchange telephone utility or cellular or wireless
16 telecommunications service provider and be shown separately as a
17 statewide E-9-1-1 surcharge on the customer's bill.

18 **Sec. FFFF-7. 25 MRSA §2927, sub-§2-B,** as enacted by PL 1999,
19 c. 651, §1, is amended to read:

20 **2-B. Surcharge remittance.** Each local exchange telephone
21 utility and cellular or wireless telecommunications service
22 provider shall remit the statewide E-9-1-1 surcharge revenues
23 collected from its customers pursuant to this section on a
24 monthly basis and within one month of the month collected to the
25 Treasurer of State for deposit in a separate account known as the
26 E-9-1-1 fund. Service providers shall provide, on a form
27 approved by the bureau, supporting data, including but not
28 limited to the following:

29 A. The calculation used to arrive at the surcharge
30 remittance amount;

31 B. The calculation used to arrive at the uncollectible
32 amount of surcharge;

33 C. The total surcharge;

34 D. The month and year for which surcharge is remitted;

35 E. The legal name of company and telephone number and, if
36 applicable, the parent company name, address and telephone
37 number; and

38 F. The preparer's name and telephone number.

39 **Sec. FFFF-8. Allocation.** The following funds are allocated
40 from Other Special Revenue funds to carry out the purposes of
41 this Part.
42
43
44
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2001-02

2002-03

2

PUBLIC SAFETY, DEPARTMENT OF

4

Emergency Services Communication Bureau

6

All Other	\$1,744,740	\$2,326,320
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8

Allocates additional funds for the costs of implementing the Enhanced 9-1-1 Emergency System.

10

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Sec. FFFF-9. Construction. This Part may not be interpreted to prohibit the State Police from providing facilities or other assistance for the operation of public safety answering points.

16

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PART GGGG

20

22

Sec. GGGG-1. Reimbursement for podiatrists. The Department of Human Services shall adopt rules to include podiatrists in the group of health care providers who are exempt from reimbursement reductions imposed by the department with respect to its liability for Medicare Part B deductible and coinsurance charges. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A.

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

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2001-02

2002-03

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HUMAN SERVICES, DEPARTMENT OF

38

Medical Care - Payments to Providers

40

All Other	\$41,154	\$44,294
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42

Provides funds to include podiatrists in the group of health care providers who are exempt from reimbursement reductions with respect to its liability for Medicare

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2 Part B deductible and
coinsurance charges.

4 **Sec. GGGG-3. Allocation.** The following funds are allocated
6 from the Federal Expenditures Fund to carry out the purposes of
this Part.

8 2001-02 2002-03

10 **HUMAN SERVICES, DEPARTMENT OF**

12 **Medical Care - Payments to Providers**

14 All Other \$81,566 \$88,243

16 Provides funds for the
18 federal match to include
podiatrists in the group of
20 health care providers who are
exempt from reimbursement
22 reductions with respect to
its liability for Medicare
24 Part B deductible and
coinsurance charges.

26

PART HHHH

28

30 **Sec. HHHH-1. 5 MRSA §17709, sub-§2,** as repealed and replaced
by PL 1995, c. 466, Pt. A, §1, is amended to read:

32 **2. After August 31, 1984.** A law enforcement officer in the
Department of Inland Fisheries and Wildlife who was first
34 employed in that capacity after August 31, 1984 ~~and who elects~~
~~the retirement option provided in section 17851, subsection 5-A~~
36 shall contribute to the retirement system or have pick-up
contributions made by the employer ~~as provided in section 17852,~~
38 subsection 5-A at a rate of 7.5% of earnable compensation until
the law enforcement officer has completed 25 years of creditable
40 service and at a rate of 6.5% thereafter.

42 **Sec. HHHH-2. 5 MRSA §17710, sub-§1-A,** as enacted by PL 1995,
44 c. 466, Pt. B, §2, is amended to read:

46 **1-A. After August 31, 1984.** A law enforcement officer in
the Department of Marine Resources who was first employed in that
48 capacity after August 31, 1984 ~~and who elects the retirement~~
~~option provided in section 17851, subsection 6-A~~ shall contribute
to the retirement system or have pick-up contributions made by
50 the employer ~~as provided in section 17852, subsection 6-A~~ at a

2 rate of 7.5% of earnable compensation until the law enforcement
3 officer has completed 25 years of creditable service and at a
4 rate of 6.5% thereafter.

5 **Sec. HHHH-3. 5 MRSA §17851, sub-§5-A**, as amended by PL 1997,
6 c. 769, §4, is further amended to read:

7 **5-A. Inland Fisheries and Wildlife officers after August**
8 **31, 1984.** ~~Except as provided in section 17851-A, a~~ A law enforcement
9 officer in the Department of Inland Fisheries and
10 Wildlife who was first employed in that capacity after August 31,
11 1984 or who, if employed in that capacity before August 31, 1984,
12 ceased to be employed in that capacity on or before that date and
13 who subsequently became reemployed in that capacity after that
14 date qualifies for a service retirement benefit ~~upon reaching 55~~
15 ~~years of age~~ after completing at least 25 years of creditable
16 service in that capacity ~~if notice of election of the option and~~
17 ~~payment of employee contributions and actuarial costs are made as~~
18 ~~provided in section 17852, subsection 5-A.~~

19 **Sec. HHHH-4. 5 MRSA §17851, sub-§6-A**, as amended by PL 1997,
20 c. 769, §6, is further amended to read:

21 **6-A. Marine resources officers after August 31, 1984.**
22 ~~Except as provided in section 17851-A, a~~ A law enforcement
23 officer in the Department of Marine Resources who was first
24 employed in that capacity after August 31, 1984 or who, if
25 employed in that capacity before August 31, 1984, ceased to be
26 employed in that capacity on or before that date and who
27 subsequently became reemployed in that capacity after that date
28 qualifies for a service retirement benefit ~~upon reaching 55 years~~
29 ~~of age~~ after completing at least 25 years of creditable service
30 in that capacity ~~if notice of election of the option and payment~~
31 ~~of employee contributions and actuarial costs are made as~~
32 ~~provided in section 17852, subsection 6-A.~~

33 **Sec. HHHH-5. 5 MRSA §17851-A, sub-§1, ¶¶A and B**, as enacted
34 by PL 1997, c. 769, §11, are repealed.

35 **Sec. HHHH-6. 5 MRSA §17851-A, sub-§2**, as amended by PL 2001,
36 c. 409, §3, is further amended to read:

37 **2. Qualification for benefits.** A member employed in any
38 one or a combination of the capacities specified in subsection 1
39 after June 30, 1998 for employees identified in subsection 1,
40 paragraphs ~~A~~ C to H, after December 31, 1999 for employees
41 identified in subsection 1, paragraphs I to K, and any employee
42 identified in subsection 1, paragraph L, qualifies for a service
43 retirement benefit if that member either:
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COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2 A. Is at least 55 years of age and has completed at least
10 years of creditable service under the 1998 Special Plan
in any one or a combination of the capacities; or

4
6 B. Has completed at least 25 years of creditable service in
any one or a combination of the capacities specified in
subsection 1, whether or not the creditable service included
8 in determining that the 25-year requirement has been met was
earned under the 1998 Special Plan or prior to its
10 establishment.

12 **Sec. HHHH-7. 5 MRSA §17851-A, sub-§3, ¶A,** as amended by PL
2001, c. 409, §4, is further amended to read:

14
16 A. For the purpose of meeting the qualification requirement
of subsection 2, paragraph A:

18 (1) Service credit purchased by repayment of an
earlier refund of accumulated contributions following
20 termination of service is included only to the extent
that time to which the refund relates was served after
22 June 30, 1998 for employees identified in subsection 1,
paragraphs -A- C to H and after December 31, 1999 for
24 employees identified in subsection 1, paragraphs I to
K, in any one or a combination of the capacities
26 specified in subsection 1. Service credit may be
purchased for service by an employee identified in
28 subsection 1, paragraph L regardless of when performed;
and

30
32 (2) Service credit purchased other than as provided
under subparagraph (1), including but not limited to
service credit for military service, is not included.

34
36 **Sec. HHHH-8. 5 MRSA §17851-A, sub-§4, ¶A,** as repealed and
replaced by PL 1999, c. 489, §14 and amended by PL 1999, c. 493,
38 §9, is repealed and the following enacted in its place:

40 A. If all of the member's creditable service in any one or
a combination of the capacities specified in subsection 1
was earned after June 30, 1998 for employees identified in
42 subsection 1, paragraphs C to H and after December 31, 1999
for employees identified in subsection 1, paragraphs I to K
44 or if service credit was purchased by repayment of an
earlier refund of accumulated contributions for service
46 after June 30, 1998 for employees identified in subsection
1, paragraphs C to H and after December 31, 1999 for
48 employees identified in subsection 1, paragraphs I to K, in
any one or a combination of the capacities specified in
50 subsection 1, or if service credit was purchased by other

2 than the repayment of an earlier refund and eligibility to
3 make the purchase of the service credit, including but not
4 limited to service credit for military service, was achieved
5 after June 30, 1998 for employees identified in subsection
6 1, paragraphs C to H and after December 31, 1999 for
7 employees identified in subsection 1, paragraphs I to K, the
8 benefit must be computed as provided in section 17852,
9 subsection 1. If the member had 10 years of creditable
10 service on July 1, 1993, the benefit must be reduced as
11 provided in section 17852, subsection 3, paragraphs A and B,
12 and if the member had fewer than 10 years of creditable
13 service on July 1, 1993, the benefit must be reduced by 6%
14 for each year that the member's age precedes age 55.

15 **Sec. HHHH-9. 5 MRSA §17851-A, sub-§4, ¶B,** as repealed and
16 replaced by PL 1999, c. 731, Pt. CC, §5, is amended to read:

17 B. Except as provided in paragraph D, if some part of the
18 member's creditable service in any one or a combination of
19 the capacities specified in subsection 1 was earned before
20 July 1, 1998 for employees identified in subsection 1,
21 paragraphs --A- C to H and before January 1, 2000 for
22 employees identified in subsection 1, paragraphs I to K and
23 some part of the member's creditable service in any one or a
24 combination of the capacities specified in subsection 1 was
25 earned after June 30, 1998 for employees identified in
26 subsection 1, paragraphs -A- C to H and after December 31,
27 1999 for employees identified in subsection 1, paragraphs I
28 to K, then the member's service retirement benefit must be
29 computed in segments and the amount of the member's service
30 retirement benefit is the sum of the segments. The segments
31 must be computed as follows:

32 (1) The segment or, if the member served in more than
33 one of the capacities specified in subsection 1 and the
34 benefits related to the capacities are not
35 interchangeable under section 17856, segments that
36 reflect creditable service earned before July 1, 1998
37 for employees identified in subsection 1,
38 paragraphs -A- C to H and before January 1, 2000 for
39 employees identified in subsection 1, paragraphs I to K
40 or purchased by repayment of an earlier refund of
41 accumulated contributions for service before July 1,
42 1998 for employees identified in subsection 1,
43 paragraphs -A- C to H and before January 1, 2000 for
44 employees identified in subsection 1, paragraphs I to K
45 in a capacity or capacities specified in subsection 1,
46 or purchased by other than the repayment of a refund
47 and eligibility to make the purchase of the service
48 credit, including, but not limited to, service credit
49
50

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2 for military service, was achieved before July 1, 1998
3 for employees identified in subsection 1,
4 paragraphs -A- C to H and before January 1, 2000 for
5 employees identified in subsection 1, paragraphs I to
6 K, must be computed under section 17852, subsection 1,
7 paragraph A. If the member is qualified under
8 subsection 2, paragraph B and:

9
10 (a) Had 10 years of creditable service on July 1,
11 1993, the amount of the segment or segments must
12 be reduced as provided in section 17852,
13 subsection 3, paragraphs A and B; or

14 (b) Had fewer than 10 years of creditable service
15 on July 1, 1993, the amount of the segment or
16 segments must be reduced as provided in section
17 17852, subsection 3-A; and

18
19 (2) The segment that reflects creditable service
20 earned after June 30, 1998 for employees identified in
21 subsection 1, paragraphs -A- C to H and after December
22 31, 1999 for employees identified in subsection 1,
23 paragraphs I to K or purchased by repayment of an
24 earlier refund of accumulated contributions for service
25 after June 30, 1998 for employees identified in
26 subsection 1, paragraphs -A- C to H and after December
27 31, 1999 for employees identified in subsection 1,
28 paragraphs I to K in any one or a combination of the
29 capacities specified in subsection 1, or purchased by
30 other than the repayment of a refund and eligibility to
31 make the purchase of the service credit, including, but
32 not limited to, service credit for military service,
33 was achieved after June 30, 1998 for employees
34 identified in subsection 1, paragraphs -A- C to H and
35 after December 31, 1999 for employees identified in
36 subsection 1, paragraphs I to K, must be computed under
37 section 17852, subsection 1, paragraph A. If the
38 member is qualified under subsection 2, paragraph B and:

39
40 (a) Had 10 years of creditable service on July 1,
41 1993, the segment amount must be reduced in the
42 manner provided in section 17852, subsection 3,
43 paragraphs A and B for each year that the member's
44 age precedes 55 years of age; or

45 (b) Had fewer than 10 years of creditable service
46 on July 1, 1993, the segment amount must be
47 reduced by 6% for each year that the member's age
48 precedes 55 years of age.
49
50

2 **Sec. HHHH-10. 5 MRSA §17851-A, sub-§5,** as amended by PL
2001, c. 409, §6, is further amended to read:

4 **5. Contributions.** Notwithstanding any other provision of
subchapter III, after June 30, 1998 for employees identified in
6 subsection 1, paragraphs -A- C to H, after December 31, 1999 for
employees identified in subsection 1, paragraphs I to K and after
8 December 31, 2001 for employees identified in subsection 1,
paragraph L, a member in the capacities specified in subsection 1
10 must contribute to the retirement system or have pick-up
contributions made at the rate of 8.65% of earnable compensation
12 until the member has completed 25 years of creditable service as
provided in this section and at the rate of 7.65% thereafter.

14 **Sec. HHHH-11. 5 MRSA §17851-A, sub-§6,** as enacted by PL
16 1997, c. 769, §11, is amended to read:

18 **6. Consequences of participation in retirement plan under**
section 17851, subsection 8-A. Notwithstanding any other
20 provision of law, a member in the capacities specified in
subsection 1 who, prior to July 1, 1998, elected the retirement
22 option provided in section 17851, subsection 5-A,~~6-A~~ or 8-A is
treated as follows under the 1998 Special Plan.

24 A. A member who made the election at the time of first
26 employment in a position covered under section 17851,
subsection 5-A,~~6-A~~ and 8-A is considered to be a member
28 under the 1998 Special Plan as of the date of hire.
Beginning July 1, 1998, a member covered by this paragraph
30 shall contribute to the retirement system or have pick-up
contributions made at a rate of 8.65% of earnable
32 compensation until completion of 25 years of creditable
service and shall contribute at a rate of 7.65% thereafter.

34 B. A member who was serving in a position covered under
36 section 17851, subsection 5-A,~~6-A~~ or 8-A at the time of the
election and who elected to participate in the retirement
38 option prospectively from the time of election is considered
to be a member under the 1998 Special Plan as of the
40 effective date of the election. Beginning July 1, 1998, a
member covered by this paragraph shall contribute to the
42 retirement system or have pick-up contributions made at a
rate of 8.65% of earnable compensation until completion of
44 25 years of creditable service and shall contribute at a
rate of 7.65% thereafter.

46 C. A member who was serving in a position covered under
48 section 17851, subsection 5-A,~~6-A~~ or 8-A at the time of the
election and who elected to participate in the retirement
50 option prospectively from the time of election and also

2 elected to purchase credit for service earned while serving
in the same capacity before exercising the election is
4 considered to be a member under the 1998 Special Plan as of
the beginning date of the service for which credit is
6 purchased, provided that all of the payments required under
section 17852, subsection 5-A, 6-A or 7-A are made before
8 retirement. If all the required payments are not made
under the 1998 Special Plan as of the effective date of the
10 election. Beginning July 1, 1998, a member covered by this
paragraph shall contribute to the retirement system or have
12 pick-up contributions made at a rate of 8.65% of earnable
compensation until completion of 25 years of creditable
14 service and shall contribute at a rate of 7.65% thereafter.

16 Employee contributions and actuarial and administrative costs
paid to the retirement system by a member covered by this
18 subsection may not be returned to that member, except that these
employee contributions may be refunded to a member who terminates
20 service and requests a refund under section 17705.

22 **Sec. HHHH-12. 5 MRSA §17852, sub-§5-A,** as amended by PL
1997, c. 769, §12, is further amended to read:

24 **5-A. Inland Fisheries and Wildlife officers after August**
26 **31, 1984.** ~~Except as provided in section 17851-A, the~~ The
retirement benefit of a person who qualifies under section 17851,
28 subsection 5-A and who retires upon or after ~~reaching 55 years of~~
age completing 25 years of creditable service is computed in
30 accordance with subsection 1 ~~if,~~

32 ~~A. The person was first employed as a law enforcement~~
~~officer in the Department of Inland Fisheries and Wildlife~~
34 ~~on or after November 1, 1995, elects the option provided in~~
~~section 17851, subsection 5-A and pays to the retirement~~
36 ~~system an increased employee payroll contribution in an~~
~~amount that equals the full actuarial cost of electing that~~
38 ~~option; or~~

40 ~~B. The person was first employed as a law enforcement~~
~~officer in the Department of Inland Fisheries and Wildlife~~
42 ~~before November 1, 1995, elects the option provided in~~
~~section 17851, subsection 5-A and pays to the retirement~~
44 ~~system single or periodic payment of a lump sum or by a~~
~~combination of single and periodic payments of the amount~~
46 ~~that equals the full actuarial cost of electing that option~~
~~for service before that date. A person who requests~~
48 ~~calculation of the full actuarial cost, regardless of~~
~~whether the person elects the option, must pay to the~~
50 ~~retirement system by single lump sum payment the reasonable~~

2 administrative--costs--of--determining--the--full--actuarial
eests,---Payment--of--the--full--actuarial--cost--related--to
4 service--on--or--after--November--1,--1995--is--made--as--part--of--the
employee--payroll--contribution.

6 For--the--purposes--of--this--subsection,--"full--actuarial--cost"--means
that--the--person's--payment--or--payments--must--fully--offset--any
8 unfunded--liability--that--would--or--does--result--from--retirement
under--the--option--provided--in--section--17851,--subsection--5--A--and
10 must--fully--fund--the--cost--of--the--person's--retirement--prior--to
normal--retirement--age--so--that--an--additional--employer--contribution
12 is--not--required.

14 A--person--who--makes--the--election--provided--in--section--17851,
subsection--5--A--at--any--time--after--the--date--on--which--the--person--is
16 first--employed--as--a--law--enforcement--officer--in--the--Department--of
Inland--Fisheries--and--Wildlife--must--include--interest--at--a--rate--to
18 be--set--by--the--board--not--to--exceed--regular--interest--by--5--or--more
percentage--points,--applied--as--of--the--date--on--which--the--person--was
20 first--employed--in--that--capacity--to--the--contributions--the--person
would--have--paid--or--had--picked--up--by--the--employer--had--the--person
22 elected--that--option--at--the--date--of--first--employment.

24 This--subsection--is--effective--November--1,--1995,---Election--to
retire--under--this--subsection--is--a--one--time--irrevocable--election.
26 A--person--who--was--first--employed--as--a--law--enforcement--officer--in
the--Department--of--Inland--Fisheries--and--Wildlife--on--or--after
28 November--1,--1995--must--make--the--election--no--later--than--90--days
after--the--date--of--first--employment,---A--person--who--was--first
30 employed--in--that--capacity--before--November--1,--1995--must--make--the
election--no--later--than--January--1,--1997.

32
34 **Sec. HHHH-13. 5 MRSA §17852, sub-§5-B,** as amended by PL
1997, c. 769, §13, is repealed.

36 **Sec. HHHH-14. 5 MRSA §17852, sub-§6-A,** as amended by PL
1997, c. 769, §14, is further amended to read:

38 **6-A. Marine resources officers after August 31, 1984.**
40 Except--as--provided--in--section--17851--A,--the--The retirement benefit
of a person qualifying under section 17851, subsection 6-A who
42 retires upon or after reaching--55--years--of--age completing 25
years of service is computed in accordance with subsection 1 if+.

44
46 A,---The--person--was--first--employed--as--a--law--enforcement
officer--in--the--Department--of--Marine--Resources--on--or--after
48 November--1,--1995,--elects--the--option--provided--in--section
17851,--subsection--6--of--this--Part--A--and--pays--to--the
retirement--system--an--increased--employee--payroll--contribution

2 ~~in an amount that equals the full actuarial cost of electing
that option; or~~

4 ~~B. The person was first employed in that capacity before
November 1, 1995, elects the option provided in section
6 17851, subsection 6 of this Part A and pays to the
retirement system by single or periodic payment of a lump
8 sum or by a combination of single and periodic payments the
amount that equals the full actuarial cost of electing that
10 option for service before that date. A person who requests
calculation of the full actuarial cost, regardless of
12 whether the person elects the option, must pay to the
retirement system by single lump sum payment the reasonable
14 administrative costs of determining the full actuarial
costs. Payment of the full actuarial cost related to
16 service on or after November 1, 1995 is made as part of the
employee payroll contribution.~~

18 ~~For the purpose of this subsection, "full actuarial cost" means
20 that the person's payment or payments must fully offset any
unfunded liability that would or does result from retirement
22 under the option provided in section 17851, subsection 6 of this
Part A and must fully fund the cost of the person's retirement
24 prior to normal retirement age so that an additional employer
contribution is not required.~~

26 ~~A person who makes the election provided in section 17851,
28 subsection 6 of this Part A at any time after the date on which
the person is first employed as a law enforcement officer in the
30 Department of Marine Resources must include interest at a rate to
be set by the board not to exceed regular interest by 5 or more
32 percentage points, applied as of the date on which the person was
first employed in that capacity to the contributions the person
34 would have paid or had picked up by the employer had the person
elected that option at the date of first employment.~~

36 ~~This subsection is effective November 1, 1995. Election to
38 retire under this subsection is a one-time irrevocable election.
A person who was first employed as a law enforcement officer in
40 the Department of Marine Resources on or after November 1, 1995
must make the election no later than 90 days after the date of
42 first employment. A person who was first employed in that
capacity before November 1, 1995 must make the election no later
44 than January 1, 1997.~~

46 ~~Sec. HHHH-15. 5 MRSA §17852, sub-§6-B, as amended by PL
1997, c. 769, §15, is repealed.~~

48 ~~Sec. HHHH-16. Effect on game wardens and marine patrol officers
50 who previously elected to self-fund an early retirement~~

2 **option.** The Maine State Retirement System shall refund the
3 additional amount paid above the normal employee contribution
4 rate plus interest on that amount from the date of payment to a
5 person who is employed as a game warden or marine patrol officer
6 on the effective date of this Act and who elected to exercise the
7 option of retirement at 55 years of age or after 55 years of age
8 and before 60 years of age under the Maine Revised Statutes,
9 Title 5, section 17852, subsection 5-A or 6-A before it was
10 amended by this Act or elected to exercise the option of
11 retirement before 55 years of age under Title 5, section 17852,
12 subsection 5-B or 6-B before it was repealed by this Act by
13 paying the full actuarial cost of either of those options through
14 an increased employee contribution to the Maine State Retirement
15 System. The employee contribution rate from the effective date
16 of this Act for a member who previously made one of the elections
17 specified in this section is as provided in Title 5, section
18 17709-B for game wardens and section 17710-B for marine patrol
19 officers.

20 **Sec. HHHH-17. Funding of retirement benefits under this Part.**
21 Notwithstanding the provisions of the Maine Revised Statutes,
22 Title 5, section 1517, the following provisions control the
23 transfer of funds that would otherwise qualify for transfer to
24 the Retirement Allowance Fund from the unappropriated surplus of
25 the General Fund. At the close of fiscal year 2000-01 and, if
26 necessary, fiscal year 2001-02, the State Controller shall
27 transfer from the unappropriated surplus of the General Fund
28 money to the Service Retirement Benefit Reserve established by
29 Public Law 1997, chapter 740, section 4 an amount certified by
30 the Maine State Retirement System as the full actuarial cost,
31 including the increase in the unfunded liability of the Maine
32 State Retirement System and the increase in the normal cost
33 component of the employer rate for the fiscal year 2002-2003
34 biennium, of implementing sections 1 to 14 of this Part. Any
35 remaining funds not needed to meet the requirements described in
36 this section must be transferred to the Retirement Allowance Fund
37 for the purposes described in Title 5, section 1517.

38 **Sec. HHHH-18. Contingent effective date; actuarial cost.** The
39 provisions of sections 1 to 14 of this Part do not take effect
40 until the Legislature takes additional action to direct payment
41 of the full actuarial costs of those provisions as provided in
42 section 15 to the Maine State Retirement System. The full
43 actuarial costs of those provisions are currently estimated to be
44 \$3,613,050, if paid by July 1, 2001, but may be adjusted upward
45 if paid after that date. Sections 1 to 14 may not be construed
46 to create any contractual claim or any other claim for any state
47 employee.

50

PART III

Sec. III-1. 20-A MRSA c. 432-A is enacted to read:

CHAPTER 432-A

HEALTH CARE TRAINING

§12741. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. **President of the system.** "President of the system" means the President of the Maine Technical College System.

2. **System.** "System" means the Maine Technical College System.

§12742. Health Workforce Retraining Program

The president of the system shall establish the Health Workforce Retraining Program for the purpose of making these education and training programs available to eligible businesses and organizations, including, but not limited to, hospitals, long-term care facilities and other health care facilities, to support the training and retraining of health care employees to address changes in the health care workforce. The education and training programs must be established on the basis of need for workers in a particular area of health care.

1. **Rules established.** The president of the system shall adopt rules to establish:

A. **Criteria for eligible health care businesses and organizations;**

B. **Guidelines for the establishment of education and training programs through a request-for-proposal procedure; and**

C. **Procedures for establishing a matching grant program allowing state funds to match contributions from the private sector.**

2. **Program lapses.** The Health Workforce Retraining Program under subsection 1 is based on a 50-50 partnership between the State and the private sector. If, by June 30, 2003, there are no funds from the private sector to be matched by state funds, the program expires and all state funds lapse to the General Fund.

2 **§12743. Health Care Training Fund**

4 1. Establishment. The Health Care Training Fund, referred
6 to in this section as the "program fund," is established as a
8 dedicated fund to be directed and administered by the president
10 of the system and held by the Treasurer of State. The Treasurer
12 of State shall keep the program fund segregated from all other
14 funds held by the Treasurer of State and shall invest and
16 reinvest the program fund for the benefit of the Health Workforce
18 Retraining Program.

20 2. Sources of money. The following sources of money must
22 be paid into the program fund:

24 A. All money appropriated for inclusion in the program fund;

26 B. All interest, dividends or other pecuniary gains from
28 investment of money in the program fund;

30 C. All money received pursuant to participation agreements;
32 and

34 D. Any grants, gifts and other money from the State and
36 from any unit of federal, state or local government or from
38 any person, firm, partnership or corporation for deposit to
40 the program fund.

42 3. Application of program fund. Money in the program fund
44 must be continuously applied by the president of the system to
46 carry out this section and may not be used for any other purpose.

48 **§12744. Rulemaking**

50 The president of the system shall adopt rules to implement
52 this chapter. Rules adopted pursuant to this chapter are routine
54 technical rules as defined in Title 5, chapter 375, subchapter
56 II-A.

58 **Sec. III-2. Appropriation.** The following funds are
60 appropriated from the General Fund to carry out the purposes of
62 this Part.

2001-02

64 **MAINE TECHNICAL COLLEGE SYSTEM,**
66 **BOARD OF TRUSTEES OF THE**
68 **Health Care Training Fund**

70 All Other \$80,000

2 Provides a one-time appropriation for the
4 establishment of the Health Workforce
Retraining Program.

6

PART JJJJ

8

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

12

2001-02

2002-03

14

MAINE STATE LIBRARY

16

**Statewide Library Information
18 System**

20

All Other

\$200,000

\$200,000

22

24

26

28

30

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40

Provides funds to negotiate
and purchase licenses for the
publication of copyrighted
materials and periodicals to
create a statewide database
for use by state, school,
public and academic libraries
in the State. The licensing
agreement must include,
subject to the availability
of funds, a full text
reference collection, full
text newspapers, full text
consumer health information
and full text periodical
databases for both general
research and business
research.

42

PART KKKK

44

46

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

48

2001-02

2002-03

50

MAINE TECHNICAL COLLEGE SYSTEM -

BOARD OF TRUSTEES OF THE

2

**Maine Technical College System -
Board of Trustees**

4

6

All Other	\$50,000	\$110,000
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8

Provides ongoing funds of \$50,000 each in fiscal years 2001-02 and 2002-03 for operating costs at the Katahdin Area K-Tech Center and ongoing funds in fiscal year 2002-03 of \$60,000 for Western Maine University and Technical College Center operations.

10

12

14

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18

**BOARD OF TRUSTEES OF THE
MAINE TECHNICAL COLLEGE SYSTEM
TOTAL**

20

	<u>\$50,000</u>	<u>\$110,000</u>
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22

**UNIVERSITY OF MAINE SYSTEM,
BOARD OF TRUSTEES OF THE**

24

**Educational and General Activities -
UMS**

26

28

All Other	\$120,000	\$90,000
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30

Provides one-time funds in fiscal year 2001-02 of \$120,000 for architectural work and ongoing funds in fiscal year 2002-03 of \$90,000 for operations for the Western Maine University and Technical College Center.

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**BOARD OF TRUSTEES OF THE
UNIVERSITY OF MAINE SYSTEM
TOTAL**

40

42

	<u>\$120,000</u>	<u>\$90,000</u>
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TOTAL APPROPRIATION

44

	<u>\$170,000</u>	<u>\$200,000</u>
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46

PART LLLL

48

Sec. LLLL-1. 12 MRSA c. 801-A is enacted to read:

50

CHAPTER 801-A

CERTIFIED FOREST RESOURCE MANAGER GRANT FUND

§8011. Grant fund established; purpose

There is established a certified forest resource manager grant fund, referred to in this chapter as the "grant fund," from which the bureau may award grants. A grant may be awarded to a licensed professional forester to assist that forester in obtaining initial independent 3rd-party certification as a forest resource manager. Forest land managed by a certified forest resource manager may achieve certification as a well-managed forest through clear review and acceptance procedures.

The bureau may accept donations and grants from public and private sources for deposit in the grant fund. All money received from appropriations, donations and grants to the grant fund must be deposited in a nonlapsing, dedicated account.

§8012. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Bureau. "Bureau" means the Bureau of Forestry within the Department of Conservation.

2. Forest land. "Forest land" means land used primarily to grow trees to be harvested for commercial use but where management objectives may include other values.

3. Independent 3rd-party certification. "Independent 3rd-party certification" means a system that verifies sustainable forest management through an independent 3rd-party audit of a licensed professional forester's management of a client's forest lands.

4. Licensed professional forester. "Licensed professional forester" means a person licensed pursuant to Title 32, chapter 75.

§8013. Administration of grant fund; procedure

The bureau shall administer the grant fund pursuant to this section.

1. Eligibility. The bureau may award grants to a licensed professional forester seeking initial independent 3rd-party certification as a forest resource manager in order that the

forester's client landowners may obtain the benefits accruing from such certification.

2. Amount of grant. The bureau may provide a grant to a licensed professional forester in an amount equal to 50% of the cost of obtaining independent 3rd-party certification as a forest resource manager or \$1,000, whichever is less.

3. Repayment. A licensed professional forester who accepts a grant but who fails to qualify as a certified forest resource manager within one year of receiving the grant or who fails to retain certification for the full certification period shall repay the amount of the grant to the bureau. The bureau may impose a reasonable interest rate on the amount of the grant.

4. Forms; rulemaking. The bureau shall provide application forms for licensed professional foresters seeking grants pursuant to this chapter. The bureau shall adopt rules to implement the purposes of this chapter. Rules adopted pursuant to this chapter are routine technical rules as defined in Title 5, chapter 375, subchapter II-A.

5. Report. By January 2, 2007, the director of the bureau shall submit a report to the joint standing committee of the Legislature having jurisdiction over forestry matters outlining the costs and benefits of the certified forest resource manager grant fund.

This subsection is repealed January 31, 2007.

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

2001-02

CONSERVATION, DEPARTMENT OF

**Forest Policy and Management -
Division of**

All Other \$5,000

Appropriates funds to provide initial funding for a grant program to be administered through the certified forest resource manager grant fund. Within 30 days of the effective date of this Act,

2 the State Controller shall
transfer these funds to the
4 certified forest resource
manager grant fund.

6 **Sec. LLLL-3. Allocation.** The following funds are allocated
from Other Special Revenue funds to carry out the purposes of
8 this Part.

10 2001-02 2002-03

12 **CONSERVATION, DEPARTMENT OF**

14 **Forest Policy and Management -**
16 **Division of**

18 All Other \$5,000 \$5,000

20 Allocates funds to provide
grants to assist foresters
with the costs of obtaining
22 certain certifications.

24 **PART MMMM**

26 **Sec. MMMM-1. 23 MRSA §4429** is enacted to read:

28 **§4429. Marketing program**

30 The Maine Port Terminal Facilities Marketing Program is
32 established to encourage and promote business opportunities for
34 Eastport's port terminal facility. The Maine Port Authority
36 shall develop and implement the marketing program. The authority
38 may enter into agreements or cooperative arrangements with any
40 person or entity for the purpose of increasing the use of
Eastport's port terminal facility. The authority may receive,
administer and disburse funds, either independently or in
conjunction with state funds allocated for the purpose, provided
that funds so contributed must be used only for the purpose of
marketing and economic development programs.

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

46 2001-02 2002-03

48 **MAINE PORT AUTHORITY**

50

Maine Port Authority

2
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All Other	\$25,000	\$25,000
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Appropriates funds for a marketing program to market the Eastport port terminal facility.

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PART NNNN

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Sec. NNNN-1. Payment of debt service factor to School Administrative District No. 58 for tuition students residing in unorganized territory. In addition to the legal tuition rate for students residing in the unorganized territory who attend schools in a school administrative unit provided in the Maine Revised Statutes, Title 20-A, section 3252, subsection 4 and section 3253-A, subsection 3, the Commissioner of Education shall pay a debt service factor to School Administrative District No. 58 pursuant to Title 20-A, section 5804, subsection 3 and section 5805, subsection 4. That debt service factor payment must equal 10% of the district's legal tuition rate for each student residing in the unorganized territory who attends school in School Administrative District No. 58. The commissioner shall commence payment of the debt service factor under this Act in the year in which the district first incurs capital outlay and debt service costs associated with the school addition project for Kingfield Elementary School in the Town of Kingfield. The commissioner shall continue to pay the debt service factor provided in this Act annually for 10 years or until the year in which the debt of the district attributable to the addition is retired, whichever occurs first.

34

36

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

38

	2001-02	2002-03
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40

EDUCATION, DEPARTMENT OF

42

Education in Unorganized Territory

44

All Other	\$66,355	\$66,355
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46

Provides funds for the first 2 of 10 years of the debt service in School

48

Administrative District No.
58.

PART 0000

Sec. 0000-1. 5 MRSA c. 155, sub-c. I-B is enacted to read:

SUBCHAPTER I-B

**STATE PURCHASING CODE OF CONDUCT FOR
SUPPLIERS OF APPAREL, FOOTWEAR OR TEXTILES**

**§1825-K. Application of state purchasing code of conduct to
certain bidders seeking contracts as part of
competitive bid process; affidavit required**

This subchapter applies to competitive bids for sale of
apparel, footwear or textiles pursuant to subchapter I-A. The
State Purchasing Agent may not accept a bid for the sale of goods
covered by this subchapter unless the bidder has filed with the
agent a signed affidavit stating that the bidder will comply with
the state purchasing code of conduct established under section
1825-L and that, to the best of the bidder's knowledge, the
supplier at the point of assembly of the goods subject to the bid
process is in compliance with the state purchasing code of
conduct. The State Purchasing Agent shall make a copy of the
state purchasing code of conduct available to all bidders.

§1825-L. State purchasing code of conduct

1. Statement of belief; protection of local interests. The
affidavit provided by the State Purchasing Agent to bidders for
contracts to provide goods covered by this subchapter must
include a copy of the following statement:

"Maine is a state that believes employers should fairly
compensate hard work, that the health and safety of working
people should be protected and that no form of unlawful
discrimination or abuse should be tolerated. Maine citizens
are aware that laws and regulations designed to safeguard
basic tenets of ethical business practice are disregarded in
many workplaces, commonly referred to as "sweatshops."
State Government purchase of goods made under abusive
conditions on behalf of its citizens offends Maine citizens'
sense of justice and decency. Moreover, when the State of
Maine contracts with vendors whose suppliers profit by
providing substandard wages and working conditions, Maine's
businesses are put at a competitive disadvantage.
Therefore, the State of Maine believes in doing business

2 with vendors who make a good faith effort to ensure that
3 they and their suppliers at the point of assembly adhere to
4 the principles of the State of Maine's purchasing code of
5 conduct.

6 "In its role as a market participant that procures goods
7 covered by this code, the State of Maine seeks to protect
8 the interests of Maine citizens and businesses by exercising
9 its state sovereignty to spend Maine citizens' tax dollars
10 in a manner consistent with their expressed wishes that the
11 State deal with responsible bidders who seek contracts to
12 supply goods to the State of Maine, and protect legally
13 compliant Maine businesses and workers from unfair
14 competition created by downward pressure on prices and
15 conditions attributable to businesses that violate
16 applicable workplace laws.

17 "Seeking to protect these local interests through the least
18 discriminatory means available, the State of Maine requires
19 that all bidders seeking contracts to supply the State of
20 Maine with goods covered by this code sign an affidavit
21 stating that they and, to the best of their knowledge, their
22 suppliers at the point of assembly comply with workplace
23 laws of the vendor's or supplier's site of assembly and with
24 treaty obligations that are shared by the United States and
25 the country in which the goods are assembled."
26

27 2. **Employment and business conduct; requirements.** With
28 respect to goods covered by this subchapter, a company
29 contracting with the State to supply those goods shall adopt and
30 adhere to employment and business practices in accordance with
31 this subsection. A company shall:
32

33 A. Comply with all applicable wage, health, labor,
34 environmental and safety laws, legal guarantees of freedom
35 of association, building and fire codes and laws relating to
36 discrimination in hiring, promotion or compensation on the
37 basis of race, disability, national origin, gender, sexual
38 orientation or affiliation with any political,
39 nongovernmental or civic group except when federal law
40 precludes the State from attaching the procurement
41 conditions provided in this subchapter.
42

43 B. Comply with all human and labor rights treaty
44 obligations that are shared by the United States and the
45 country in which the goods are assembled. These may include
46 obligations with regard to forced labor, indentured labor,
47 slave labor, child labor, involuntary prison labor, physical
48 and sexual abuse and freedom of association.
49

50

2 3. Consequences of noncompliance with purchasing code of
3 conduct. Upon determination of a violation of the state
4 purchasing code of conduct by a vendor or vendor's supplier at
5 the point of assembly of a good covered by this subchapter, the
6 State, through the State Purchasing Agent, shall inform the
7 vendor and engage in discussions with the vendor about the
8 violation. The purpose of the discussions is to work in
9 partnership with the vendor to influence the vendor to change its
10 practices or to use its bargaining position with the offending
11 supplier to change its practices, rather than to cease doing
12 business with the vendor or supplier. The State Purchasing Agent
13 shall prescribe appropriate measures for the vendor to take in
14 order to comply with the code of conduct. These steps may
15 include, but are not limited to:

16 A. Requesting disclosure of names and addresses of
17 suppliers at the point of assembly and suppliers' working
18 conditions;

19 B. Requesting that suppliers at the point of assembly
20 provide access to independent human rights monitors; and

21 C. Requesting that suppliers at the point of assembly offer
22 their workers the training and guidelines necessary to bring
23 the workplace into compliance with the state purchasing code
24 of conduct.

25 In making a determination of a violation of the purchasing code
26 of conduct, the State Purchasing Agent shall take into account
27 all relevant, reliable information available, including but not
28 limited to information provided by the vendor or the supplier at
29 the point of assembly, reports from reputable national and
30 international organizations, documented media reports and
31 credible information provided from local groups or
32 organizations.

33 **§1825-M. Exception**

34 The State Purchasing Agent may accept and award a bid to a
35 supplier who has not met the requirements provided in section
36 1825-K if, after reasonable investigation by the State Purchasing
37 Agent, it appears that the required unit or item of supply or
38 brand of that unit or item, is procurable by the State from only
39 that supplier.

40 **§1825-N. Support to suppliers of goods and services**

41 The State Purchasing Agent shall provide to bidders and
42 those who have been awarded contracts resources to assist with
43 compliance with the state purchasing code of conduct established
44 by this subchapter.

in this subchapter. These resources must include a list, easily accessed by the public, of bidders and vendors who have adopted the state purchasing code of conduct.

§1825-O. Rulemaking

The State Purchasing Agent shall adopt rules under this subchapter governing the award of bids. Those rules must include specific guidelines for vendors to follow in order to comply with the state purchasing code of conduct and criteria for seeking disclosure of names and addresses of vendors' suppliers and suppliers' working conditions.

Rules adopted under this section are major substantive rules as defined in chapter 375, subchapter II-A.

§1825-P. Report

By January 15th of each year, the State Purchasing Agent shall submit a report to the joint standing committee having jurisdiction over state and local government matters concerning the administrative and fiscal impact of the requirement that vendors comply with the state purchasing code of conduct; the degree of voluntary compliance with the state purchasing code of conduct; the number of vendors who agreed to and the number that declined to comply with the provisions of this subchapter; and any other information relevant to the state purchasing code of conduct.

Sec. 0000-2. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

	2001-02	2002-03
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF		
Division of Purchases		
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	\$18,210	\$25,850
All Other	41,370	15,900
Provides funds for the salary, fringe benefits, overhead and one-time start-up costs of a 30-hour per week Procurement and Contracting Specialist		

2 position and for consulting
 3 services to evaluate major
 4 contracts and provide state
 5 and vendor training,
 6 development of a publicly
 7 accessible site on the
 8 Internet, and required
 9 upgrades to the current
 10 purchasing system.

11 **DEPARTMENT OF ADMINISTRATIVE
 12 AND FINANCIAL SERVICES**

13 **TOTAL** \$59,580 \$41,750

14
 15 **PART PPPP**

16
 17 **Sec. PPPP-1. 20-A MRSA §15905, sub-§1, ¶A,** as amended by PL
 18 1999, c. 731, Pt. YY, §3, is further amended to read:

19
 20 A. The state board may approve projects as long as no
 21 project approval will cause debt service costs, as defined
 22 in section 15603, subsection 8, paragraph A, to exceed the
 23 maximum limits specified in Table 1 in subsequent fiscal
 24 years.

25
 26
 27 Table 1

Fiscal year	Maximum Debt Service Limit
1990	\$ 48,000,000
1991	\$ 57,000,000
1992	\$ 65,000,000
1993	\$ 67,000,000
1994	\$ 67,000,000
1995	\$ 67,000,000
1996	\$ 67,000,000
1997	\$ 67,000,000
1998	\$ 67,000,000
1999	\$ 69,000,000
2000	\$ 72,000,000
2001	\$ 74,000,000
2002	\$ 74,000,000
2003	\$ 80,000,000
2004	\$ 80,000,000
2005	\$ 84,000,000
<u>2006</u>	<u>\$ 90,000,000</u>
<u>2007</u>	<u>\$ 96,000,000</u>

2 **Sec. PPPP-2. 30-A MRSA §6006-F, sub-§3, ¶A**, as enacted by PL
1997, c. 787, §13, is amended to read:

4 A. To make loans to school administrative units for school
repair and renovation.

6 (1) The following repair and renovation needs receive
8 first priority status:

10 (a) Repair or replacement of a roof on a school
building;

12 (b) Bringing a school building into compliance
14 with the federal Americans with Disabilities Act,
42 United States Code, Section 12101 et seq.;

16 (c) Improving air quality in a school building;

18 (d) Removing asbestos from or abating asbestos in
20 a school building; and

22 ~~(e) -- Removing underground oil storage tanks on the
24 grounds of a school building; -- and~~

26 (f) Undertaking other health, safety and
compliance repairs.

28 (2) Repairs and improvements not related to health,
safety and compliance repairs receive 2nd priority
30 status. Those repairs and improvements are limited to
a school building structure, windows and doors and to a
32 school building water or septic system.

34 (3) Upgrade of learning spaces in school buildings and
small-scale capital improvements receive 3rd priority
36 status.

38 (4) The Commissioner of Education may approve other
necessary repairs; and

40 (5) After the total amount appropriated, allocated and
42 repaid to the fund exceeds \$75,000,000, loans may be
44 provided for 2nd priority status, 3rd priority status
46 or other necessary repairs, improvements and upgrades,
48 with approval of the Commissioner of Education, based
50 on rules adopted under this section, as long as the
Commissioner of Education determines that substantial
progress has been made in addressing repairs and
renovations with first priority status;

Sec. PPPP-3. Amend rules governing school construction projects.

2 The Department of Education and the State Board of Education
3 shall amend the rules governing school construction projects to
4 provide that the rating points assigned to a project application
5 for the 2001-2002 rating cycle may not be adjusted, reduced or
6 affected by improvements made to existing buildings that relate
7 directly to protecting the health or safety of staff or students,
8 as long as the project application involved received a rating on
9 the school facilities priority list for the 1999-2000 rating
10 cycle and the improvements were made subsequent to the submission
11 of the 1999-2000 application. Rules adopted pursuant to this
12 section are routine technical rules as defined in the Maine
13 Revised Statutes, Title 5, chapter 375, subchapter II-A.
14 Following the completion of the 2001-2002 rating cycle, the
15 Department of Education and the State Board of Education shall
16 review the impact of this section, also known as a "hold
17 harmless" provision, and shall report back their findings,
18 together with recommendations related to the establishment of an
19 ongoing hold harmless provision in the rules governing school
20 construction projects, to the joint standing committee of the
21 Legislature having jurisdiction over education and cultural
22 affairs by January 15, 2003. The joint standing committee of the
23 Legislature having jurisdiction over education and cultural
24 affairs may report out legislation on the subject matter of this
25 report to the First Regular Session of the 121st Legislature.

Sec. PPPP-4. Amend rules governing School Revolving Renovation

26
27 **Fund.** The Department of Education and the Maine Municipal Bond
28 Bank shall amend the rules governing the School Revolving
29 Renovation Fund established in the Maine Revised Statutes, Title
30 30-A, section 6006-F to define the appropriate circumstances in
31 which the maximum loan amount for a school building may be set at
32 an amount not greater than \$3,000,000, in order to maximize the
33 flexibility and efficiency of the fund in addressing needs for
34 repairs and improvements that are substantial in nature or that
35 encompass multiple categories of eligible need. Rules adopted
36 pursuant to this section are routine technical rules as defined
37 in Title 5, chapter 375, subchapter II-A.

38
39
40 **PART QQQQ**

41
42 **Sec. QQQQ-1. 3 MRSA §168-A is enacted to read:**

43 **§168-A. Legislative Youth Advisory Council**

44
45 There is established the Legislative Youth Advisory Council,
46 referred to in this section as the "council."

47
48 1. Duties. The council shall perform the following duties:

2 A. Advise the Legislature, the President of the Senate and
4 the Speaker of the House of Representatives on proposed and
 pending legislation, state budget expenditures and policy
 matters related to youth;

6 B. Advise the joint standing committees of the Legislature
8 and study commissions, committees and task forces regarding
 issues related to youth;

10 C. Conduct an annual seminar each August for its members
12 regarding leadership, government and the Legislature, to
 which Legislators must be invited;

14 D. Meet at least 6 times per year and conduct 2 public
16 hearings per year on issues of importance to youth; and

18 E. Publish an annual report of its activities and present
20 the report to the Legislature by February 15th of each
 year. The council may submit legislation to the Legislature.

22 2. Jurisdiction. The council shall examine issues of
 importance to youth, including, but not limited to, education,
24 employment, strategies to increase youth participation in
 municipal government and State Government, safe environments for
26 youth, substance abuse, emotional and physical health, foster
 care, poverty, homelessness and youth access to services on
28 municipal and statewide bases.

30 3. Membership. The council consists of 21 voting members
 and 5 nonvoting members who are Maine residents in accordance
32 with this subsection. In appointing members, the appointing
 authorities shall consider geographic distribution and shall
34 appoint at least one member from each of the 3 service regions of
 the Department of Human Services. Members shall serve for terms
36 of 2 years and, if eligible, may be reappointed for subsequent
 2-year terms, except that the appointing authorities shall
38 appoint 1/2 of the members first appointed to the council to
 terms of one year.

40 A. The President of the Senate shall appoint 10 members as
42 follows:

44 (1) Six youths who are students in secondary schools
 or who are enrolled in programs that lead to a
46 secondary school diploma or certificate of attendance
 or a general equivalency diploma;
48

2 (2) One youth who is enrolled in an equivalent
4 instruction program under Title 20-A, chapter 211,
 subchapter I-A;

6 (3) Two students at postsecondary educational
 institutions located in the State; and

8 (4) One member of the Senate whose term coincides with
10 the term of office in the Senate.

12 B. The Speaker of the House shall appoint 11 members as
 follows:

14 (1) Six youths who are students in secondary schools
16 or who are enrolled in programs that lead to a
 secondary school diploma or certificate of attendance
18 or a general equivalency diploma;

20 (2) One youth who is enrolled in an equivalent
 instruction program under Title 20-A, chapter 211,
22 subchapter I-A;

24 (3) Two students at postsecondary educational
 institutions located within the State; and

26 (4) Two members of the House of Representatives whose
28 terms coincide with their terms of office in the House
 of Representatives.

30 C. The members of the Children's Cabinet, established
32 pursuant to Title 5, section 19131, serve ex officio and may
 not vote.

34 4. Chairs. At the first meeting of each calendar year, the
 members shall elect one of their youth members to serve as
36 cochair for a term of one year. The member of the House of
 Representatives who is the first appointed by the Speaker shall
38 serve as cochair.

40 5. Cooperation with Department of Education. The council
 shall work cooperatively with the Department of Education on the
42 integration of council experience into the learning results
 standards in student service and career preparation.
44

46 6. Priorities. The council shall set priorities and shall
 determine the function of subcommittees, standards of conduct,
48 process, procedures and the use of technology to convene
 meetings. Council members shall review and consider the
50 procedures and rules used by the Legislature as they may be
 appropriate for use as models for the council.

2 7. Communication. The council may provide testimony on
4 legislation pending before the Legislature.

6 8. Compensation. Members of the council who are
8 Legislators are entitled to the legislative per diem and to
10 reimbursement of reasonable expenses incurred in order to serve
12 on the council as provided in Title 5, section 12004-I,
14 subsection 54-C. All other members who are not otherwise
16 reimbursed for their service on the council are entitled to
18 compensation for reasonable expenses incurred in order to serve
20 on the council as provided in Title 5, section 12004-I,
22 subsection 54-C.

24 9. Freedom of access. Meetings of the council are public
26 meetings and all records of the council are public records as
28 defined by Title 1, section 402, subsection 3.

30 10. Staff. The Office of Policy and Legal Analysis and the
32 Edmund S. Muskie School of Public Service shall provide staff
34 assistance to the council.

36 **Sec. QQQQ-2. 5 MRSA §12004-I, sub-§54-C is enacted to read:**

38	<u>54-C.</u>	<u>Legislative</u>	<u>Legislative</u>	<u>3 MRSA</u>
40	<u>Legislature</u>	<u>Youth</u>	<u>Per Diem</u>	<u>§168-A</u>
42		<u>Advisory</u>	<u>and Expenses</u>	
44		<u>Council</u>	<u>for Legis-</u>	
46			<u>lators and</u>	
48			<u>Expenses Only</u>	
50			<u>for Certain</u>	
			<u>Members</u>	

52 **Sec. QQQQ-3. Appropriation.** The following funds are
54 appropriated from the General Fund to carry out the purposes of
56 this Part.

58 2002-03

60 **LEGISLATURE**

62 **Legislature**

64	Personal Services	\$11,660
66	All Other	36,200

68 Provides funds for the per
70 diem and expenses of
72 legislative members and other
74 eligible members of the

2 Legislative Youth Advisory
3 Council, to hold public
4 hearings, to hold an annual
5 seminar and for printing and
6 miscellaneous costs.

7 **LEGISLATURE**

8 **TOTAL**

\$47,860

10 **Sec. QQQQ-4. Effective date.** This Part takes effect July 1,
11 2002.

14 **PART RRRR**

16 **Sec. RRRR-1. 25 MRSA c. 192** is enacted to read:

18 **CHAPTER 192**

20 **MAINE COMPUTER CRIMES TASK FORCE**

22 **§1521. Maine Computer Crimes Task Force**

24 **1. Maine Computer Crimes Task Force.** The Maine Computer
25 Crimes Task Force, referred to in this chapter as the "task
26 force," is established under the auspices of the Department of
27 Public Safety as a collaborative partnership among the
28 department, the Bureau of State Police within the department, the
29 Department of the Attorney General and local law enforcement
30 agencies. The purpose of the task force is to investigate and
31 assist those law enforcement agencies in the State that
32 investigate crimes involving computers.

34 **2. Report.** Beginning July 1, 2002, the task force shall
35 make an annual report regarding development, implementation and
36 effectiveness of programs and initiatives to the joint standing
37 committee of the Legislature having jurisdiction over criminal
38 justice matters.

40 **3. Repeal.** This chapter is repealed January 1, 2004.

42 **Sec. RRRR-2. Appropriation.** The following funds are
43 appropriated from the General Fund to carry out the purposes of
44 this Part.

46 **2001-02**

2002-03

48 **PUBLIC SAFETY, DEPARTMENT OF**

50 **Computer Crimes**

2	Positions	(1,000)	(1,000)
	Personal Services	\$61,296	\$81,728
4	All Other	88,704	68,272
6	Appropriates funds for one		
	State Police Sergeant		
8	position and operating costs		
	necessary for the		
10	administration of the Maine		
	Computer Crimes Task Force.		
12	DEPARTMENT OF PUBLIC SAFETY		
14	TOTAL	<u>\$150,000</u>	<u>\$150,000</u>

PART SSSS

Sec. SSSS-1. Department authorized to accept land. The Department of Defense, Veterans and Emergency Management is authorized to accept land in southern Maine for the purpose of establishing a veterans' cemetery on that land. Land accepted by the department must meet all the requirements provided in state laws and rules.

PART TTTT

Sec. TTTT-1. 1 MRSA §1002, sub-§1, ¶A, as repealed and replaced by IB 1995, c. 1, §1, is amended to read:

A. By March 31, 1997, and as needed after that date, the Governor, the President of the Senate, the Senate Minority Leader, the Speaker of the House and the House Minority Leader shall jointly establish and publish a nomination period during which members of the public, groups and organizations may nominate qualified individuals to the Governor for appointment to the commission. ~~The initial nomination period must close by May 1, 1997.~~ The names of all nominees must be made public upon nomination.

Sec. TTTT-2. 1 MRSA §1002, sub-§5, as enacted by PL 1975, c. 621, §1, is amended to read:

5. Employees. The commission may shall employ an administrative director and such other assistance as may be necessary to carry out its duties. The commission also shall retain a general counsel as an employee of the commission. The general counsel may not hold any other state office or otherwise be employed by the State. Compensation paid to the commission's

2 general counsel must be paid using funds from the Maine Clean
3 Election Fund established by Title 21-A, section 1124. The
4 commission shall select the administrative director and general
5 counsel by an affirmative vote of at least 4 commission members.

6 **Sec. TTTT-3. 21-A MRSA §1002**, as enacted by PL 1985, c.
7 161, §6, is amended to read:

8
9 **§1002. Meetings of commission**

10
11 The commission shall meet in Augusta for the purposes of
12 this chapter at least ~~4 times during~~ once per month in any year
13 in which primary and general elections are held and every 2 weeks
14 in the 60 days preceding an election. In the 28 days preceding an
15 election, the commission shall meet in Augusta within one
16 calendar day of the filing of any complaint or question with the
17 commission. Agenda items in the 28 days preceding an election
18 must be decided within 24 hours of the filing unless all parties
19 involved agree otherwise. Meetings may be held over the
20 telephone if necessary, as long as the commission office remains
21 open for attendance by complainants, witnesses and other members
22 of the public. Notwithstanding Title 1, chapter 13, telephone
23 meetings of the commission are permitted only during the 28 days
24 prior to an election when the commission is required to meet
25 within 24 hours of the filing of any complaint or question with
26 the commission. The commission office must be open with adequate
27 staff resources available to respond to inquiries and receive
28 complaints from 8 a.m. until at least 5:30 p.m. on the Saturday,
29 Sunday and Monday immediately preceding an election and from 8
30 a.m. until at least 8 p.m. on election day. The commission shall
31 meet at other times on the call of the Secretary of State, the
32 Speaker of the House, the President of the Senate, the chairman
33 chair or a majority of the members of the commission, provided
34 that as long as all members are notified of the time, place and
35 purpose of the meeting at least 24 hours in advance.

36
37 **Sec. TTTT-4. 21-A MRSA §1003, sub-§4**, as enacted by PL 1985,
38 c. 161, §6, is amended to read:

39
40 **4. Attorney General.** The Upon the request of the
41 commission, the Attorney General is--the--counsel--for--the
42 commission--and--may shall aid in any investigation, provide
43 advice, examine any witnesses before the commission or otherwise
44 assist the commission in the performance of its duties. The
45 commission shall refer any apparent violations of this chapter to
46 the Attorney General for prosecution.

47
48 **Sec. TTTT-5. 21-A MRSA §1017, sub-§3-B**, as enacted by IB
49 1995, c. 1, §12, is repealed and the following enacted in its
50 place:

2 3-B. Accelerated reporting schedule. Additional reports
are required from nonparticipating Maine Clean Election Act
4 candidates pursuant to this subsection.

6 A. In addition to other reports required by law, any
candidate for Governor, State Senate or State House of
8 Representatives who is not certified as a Maine Clean
Election Act candidate under chapter 14 and who receives,
10 spends or obligates more than 1% in excess of the primary or
general election distribution amounts for a Maine Clean
12 Election Act candidate in the same race shall file by any
means acceptable to the commission, within 48 hours of that
14 event, a report with the commission detailing the
candidate's total campaign contributions, obligations and
16 expenditures to date.

18 B. A nonparticipating candidate with a Maine Clean Election
Act opponent shall file the following additional reports
20 detailing the candidate's total campaign contributions,
obligations and expenditures to date, unless that candidate
22 signs an affidavit by the date the report is due, attesting
that the candidate has not received, spent or obligated an
24 amount sufficient to require a report under paragraph A:

26 (1) A report filed not later than 5 p.m. on the 42nd
day before the date on which an election is held and
28 complete as of the 49th day before that date;

30 (2) A report filed no later than 5 p.m. on the 21st
day before the date on which an election is held and
32 complete as of the 28th day before that date; and

34 (3) A report filed no later than 5 p.m. on the 12th
day before the date on which an election is held and
36 complete as of the 19th day before that date.

38 The commission shall provide forms to facilitate compliance
with this subsection. The commission shall notify a
40 candidate within 48 hours if an amount reported on any
report under paragraph B exceeds 1% in excess of the primary
42 or general election distribution amounts for a Maine Clean
Election Act candidate in the same race and no report has
44 been received under paragraph A.

46 **Sec. TTTT-6. 21-A MRSA §1020-A, sub-§4,** as amended by IB
1995, c. 1, §15, is further amended to read:

48 **4. Basis for penalties.** The penalty for late filing of a
50 report required under this subchapter, except for accelerated

2 campaign finance reports required pursuant to section 1017,
3 subsection 3-B, is a percentage of the total contributions or
4 expenditures for the filing period, whichever is greater,
multiplied by the number of calendar days late, as follows:

- 6 A. For the first violation, 1%;
- 8 B. For the 2nd violation, 3%; and
- 10 C. For the 3rd and subsequent violations, 5%.

12 Any penalty of less than \$5 is waived.

14 Violations accumulate on reports with filing deadlines in a
15 2-year period that begins on January 1st of each even-numbered
16 year. Waiver of a penalty does not nullify the finding of a
violation.

18 A report required to be filed under this subchapter that is sent
19 by certified or registered United States mail and postmarked at
20 least 2 days before the deadline is not subject to penalty.

22 A registration or report may be provisionally filed by
23 transmission of a facsimile copy of the duly executed report to
24 the commission, as long as an original of the same report is
25 received by the commission within 5 calendar days thereafter.

28 ~~Notwithstanding any other provisions of this section, a candidate~~
29 ~~who fails to file~~ The penalty for late filing of an accelerated
30 campaign finance report as required in section 1017, subsection
31 3-B must be assessed a penalty at least is equivalent to but no
32 more than 3 times the amount by which the contributions received
33 or expenditures obligated or made by the candidate, whichever is
34 greater, exceed the applicable Maine Clean Election Fund
35 disbursement amount, per day of violation. The commission shall
36 make a finding of fact establishing when the report was due prior
37 to imposing a penalty under this subsection. A penalty for
38 failure to file an accelerated campaign finance report must be
39 made payable to the Maine Clean Election Fund. In assessing a
40 penalty for failure to file an accelerated campaign finance
41 report, the commission shall consider the existence of mitigating
42 circumstances. For the purposes of this subsection, "mitigating
43 circumstances" has the same meaning as in subsection 2.

44 This subsection is repealed August 1, 2002.

46 **Sec. TTTT-7. 21-A MRSA §1020-A, sub-§5,** as enacted by PL
48 1995, c. 483, §15, is amended to read:

2 **5. Maximum penalties.** Penalties assessed under this subchapter may not exceed:

4 A. Five thousand dollars for reports required under section 1017, subsection 2, paragraphs B, C, D, E or H; section 6 1017, subsection 3-A, paragraphs B, C, D or F; section 1017, subsection 4; and section 1019;

8 B. Five thousand dollars for state party committee reports required under section 1017-A, subsection 4, paragraphs A and C and section 1018, subsection 2;

10 C. One thousand dollars for reports required under section 1017, subsection 2, paragraphs A and F; section 1017, subsection 3-A, paragraphs A and E; and state party committee reports required to be filed under section 1017-A, subsection 4, paragraph B; or

12 D. Five hundred dollars for municipal, district and county committees for reports required under section 1017-A, subsection 4, paragraphs A, B and C and section 1018, subsection 2; or

14 E. Three times the unreported amount for reports required under section 1017, subsection 3-B, if the unreported amount is less than \$5,000 and the commission finds that the candidate in violation has established, by a preponderance of the evidence, that a bona fide effort was made to file an accurate and timely report.

16 This subsection is repealed August 1, 2002.

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

	2001-02	2002-03
ETHICS AND ELECTION PRACTICES,		
COMMISSION ON GOVERNMENTAL		

Commission on Governmental Ethics and Election Practices

All Other	\$20,900	\$20,900
-----------	----------	----------

Provides funds for the per diem and other expenses associated with increasing the number of meetings of the

2 commission and for increased
overtime costs associated
4 with extending the office
hours of the commission prior
6 to elections.

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

	2001-02	2002-03
ETHICS AND ELECTION PRACTICES, COMMISSION ON GOVERNMENTAL		
Commission on Governmental Ethics and Election Practices		
Positions	(1,000)	(1,000)
Personal Services	\$39,560	\$55,576
All Other	(\$39,560)	(\$55,576)

22 Allocates funds for one
24 General Counsel position and
deallocates funds from the
26 Maine Clean Election Fund to
fund the position.

COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES TOTAL	\$0	\$0
---	-----	-----

32 **Sec. TTTT-10. Retroactivity.** That section of this Part that
34 amends the Maine Revised Statutes, Title 21-A, section 1020-A,
subsections 4 and 5 applies retroactively to January 1, 2000.

38 **PART UUUU**

40 **Sec. UUUU-1. 36 MRSA §4365,** as amended by PL 2001, c. 396,
§31, is further amended to read:

42 **§4365. Rate of tax**

44
46 A tax is imposed on all cigarettes imported into this State
or held in this State by any person for sale at the rate of ~~37~~ 47
48 mills for each cigarette. Payment of the tax is evidenced by the
affixing of stamps to the packages containing the cigarettes. If
an individual purchases in any one month unstamped packages

2 containing cigarettes in a quantity greater than 2 cartons from a
3 person other than a licensed distributor or dealer, the tax may
4 be assessed directly against the purchaser by the State Tax
Assessor within 3 years from the date of the purchase.

6 **Sec. UUUU-2. 36 MRSA §4365-E** is enacted to read:

8 **§4365-E. Application of cigarette tax rate increase**
9 **effective September 1, 2001**

10 The following provisions apply to cigarettes held for resale
12 on September 1, 2001.

14 1. **Stamped rate.** Cigarettes stamped at the rate of 37
16 mills per cigarette and held for resale after August 31, 2001 are
subject to tax at the rate of 47 mills per cigarette.

18 2. **Liability.** A person possessing cigarettes for resale is
20 liable for the difference between the tax rate of 47 mills per
22 cigarette and the tax rate of 37 mills per cigarette in effect
24 before September 1, 2001. Stamps indicating payment of the tax
imposed by this section must be affixed to all packages of
cigarettes held for resale as of September 1, 2001, except that
cigarettes held in vending machines as of that date do not
require that stamp.

26 3. **Vending machines.** Notwithstanding any other provision
28 of this chapter, it is presumed that all cigarette vending
30 machines are filled to capacity on September 1, 2001 and that the
32 tax imposed by this section must be reported on that basis. A
credit against this inventory tax must be allowed for cigarettes
stamped at the rate of 47 mills per cigarette placed in vending
machines before September 1, 2001.

34 4. **Payment.** Payment of the tax imposed by this section
36 must be made to the State Tax Assessor by January 1, 2002,
accompanied by forms prescribed by the assessor.

38 **Sec. UUUU-3. 36 MRSA §4366-A, sub-§2**, as enacted by PL 1997,
40 c. 458, §10, is repealed and the following enacted in its place:

42 2. **Provided to sellers.** The State Tax Assessor shall
44 provide stamps suitable to be affixed to packages of cigarettes
as evidence of the payment of the tax imposed by this chapter.
46 The assessor may permit a licensed distributor to pay for the
stamps within 30 days after the date of purchase, if a bond
48 satisfactory to the assessor in an amount not less than the sale
price of the stamps has been filed with the assessor conditioned
upon payment for the stamps. The assessor shall sell cigarette

stamps to licensed distributors at the following discounts from their face value:

A. For stamps at the face value of 37 mills sold through August 31, 2001, 2.5%;

B. For stamps at the face value of 47 mills sold prior to July 1, 2002, 2.16%; and

C. For stamps at the face value of 47 mills sold on or after July 1, 2002, 2.03%.

Sec. UUUU-4. Effective date. That section of this Part that amends the Maine Revised Statutes, Title 36, section 4365 takes effect September 1, 2001.

PART VVVV

Sec. VVVV-1. 36 MRSA §1752, sub-§8-A, as enacted by PL 1991, c. 591, Pt. WW, §2 and affected by §4, is repealed and the following enacted in its place:

8-A. Prepared food. "Prepared food" means:

A. Meals served on or off the premises of the retailer;

B. Food and drinks that are prepared by the retailer and ready for consumption without further preparation; and

C. All food and drinks sold from an establishment whose sales of food and drinks that are prepared by the retailer account for more than 75% of the establishment's gross receipts.

"Prepared food" does not include bulk sales of grocery staples.

Sec. VVVV-2. 36 MRSA §1811, first ¶, as amended by PL 1999, c. 401, Pt. X, §1 and affected by §5, is further amended to read:

A tax is imposed on the value of all tangible personal property and taxable services sold at retail in this State. The rate of tax is 7% on the value of liquor sold in licensed establishments as defined in Title 28-A, section 2, subsection 15, in accordance with Title 28-A, chapter 43; 7% on the value of rental of living quarters in any hotel, rooming house, or tourist or trailer camp; 10% on the value of rental for a period of less than one year of an automobile; 7% on the value of prepared food sold--in--establishments--that--are--licensed--for--on-premises consumption-of-liquor-pursuant-to-Title-28-A,-chapter-43; and 5%

on the value of all other tangible personal property and taxable services. Value is measured by the sale price, except as otherwise provided.

Sec. VVVV-3. Application. Those sections of this Part that repeal and replace the Maine Revised Statutes, Title 36, section 1752, subsection 8-A and amend Title 36, section 1811 apply to sales occurring on or after August 1, 2001.

PART WWWW

Sec. WWWW-1. 5 MRSA §13090-K is enacted to read:

§13090-K. Tourism Marketing Promotion Fund

1. Fund established. The Tourism Marketing Promotion Fund is established in the Department of Economic and Community Development, Office of Tourism as a nonlapsing dedicated account.

2. Source of fund. Beginning July 1, 2003 and every July 1st thereafter, the State Controller shall transfer to the Tourism Marketing Promotion Fund an amount, as certified by the State Tax Assessor, that is equivalent to 5% of the 7% tax imposed on tangible personal property and taxable services pursuant to Title 36, section 1811, for the first 6 months of the prior fiscal year after the reduction for the transfer to the Local Government Fund as described by Title 30-A, section 5681, subsection 5. Beginning on October 1, 2003 and every October 1st thereafter, the State Controller shall transfer to the Tourism Marketing Promotion Fund an amount, as certified by the State Tax Assessor, that is equivalent to 5% of the 7% tax imposed on tangible personal property and taxable services pursuant to Title 36, section 1811, for the last 6 months of the prior fiscal year after the reduction for the transfer to the Local Government Fund. The tax amount must be based on actual sales for that fiscal year and may not consider any accruals that may be required by law. The amount transferred from General Fund sales and use tax revenues does not affect the calculation for the transfer to the Local Government Fund.

3. Restrictions. A minimum of 10% of the funds received by the Tourism Marketing Promotion Fund in accordance with subsection 2 must be used for regional marketing promotion and regional special events promotion.

PART XXXX

2 adequate compensation for
staff.

4	DEPARTMENT OF HUMAN SERVICES		
	TOTAL	\$1,200,000	\$3,000,000

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PART YYYY

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Sec. YYYY-1. 22 MRSa §258, sub-§8 is enacted to read:

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8. Transition. When benefits are not available under this section, the commissioner may provide benefits under pharmaceutical benefits programs that were in effect on May 26, 2001.

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Sec. YYYY-2. Transfer of General Fund and Fund for a Healthy Maine funding. Notwithstanding any other provision of law, the Commissioner of Human Services is authorized to transfer appropriations from the General Fund and Other Special Revenue allocations from the Fund for a Healthy Maine legislatively authorized to the Department of Human Services for operation of the elderly low-cost drug program pursuant to the Maine Revised Statutes, Title 22, section 254. Transfers under this section are limited to transfers from the Medical Care - Payments to Providers program to the Elderly Low-cost Drug program as a separate program for budget purposes. Transfers under this section may be accomplished by financial order upon the recommendation of the State Budget Officer and approval of the Governor.

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Sec. YYYY-3. Transfer of Other Special Revenue Funding. Notwithstanding any other provision of law, the Commissioner of Human Services is authorized to transfer Other Special Revenue allocations legislatively authorized to the Department of Human Services for purposes of providing prescription drug benefits under the Healthy Maine Prescription Program under the Maine Revised Statutes, Title 22, section 258. Transfers under this section are limited to transfers from the Medical Care - Payments to Providers program to the Maine Rx Program under the Maine Revised Statutes, Title 22, section 2681. Transfers under this section may be accomplished by financial order upon the recommendation of the State Budget Officer and approval of the Governor.

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Sec. YYYY-4. Retroactivity. Section 1 of this Part applies retroactively to May 26, 2001.

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PART ZZZZ

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2	All Other	(\$68,974)	
4	Deappropriates funds to		
6	adjust for an estimated		
	balance carried forward from		
	fiscal year 2000-01.		
8	DEPARTMENT OF ADMINISTRATIVE		
	AND FINANCIAL SERVICES		
10	TOTAL	<u>(\$311,806)</u>	
12	ATTORNEY GENERAL, DEPARTMENT		
14	OF THE		
	Civil Rights		
16	All Other	\$50,000	\$50,000
18	Provides additional funds for		
20	the civil rights team project.		
22	DEPARTMENT OF THE ATTORNEY		
24	GENERAL		
	TOTAL	<u>\$50,000</u>	<u>\$50,000</u>
26	ECONOMIC AND COMMUNITY		
28	DEVELOPMENT, DEPARTMENT OF		
30	Administration - Economic and		
	Community Development		
32	All Other	(\$171,609)	(\$175,725)
34	Deappropriates funds to		
36	reflect a change in rental		
	payment requirements.		
38	Maine Biomedical Research Fund		
40	All Other	\$2,150,000	
42	Provides funds to the Maine		
44	Biomedical Research Fund to		
	support biomedical research		
	in Maine.		
46	DEPARTMENT OF ECONOMIC		
48	AND COMMUNITY DEVELOPMENT		
	TOTAL	<u>\$1,978,391</u>	<u>(\$175,725)</u>
50			

2 **HUMAN SERVICES,
DEPARTMENT OF**

4 **Child Care Services**

6 All Other (\$517,000) (\$517,000)

8 Deappropriates funds on a
10 one-time basis due to the
12 availability of funds from
14 the TANF reserve fund in
fiscal year 2001-02 and
fiscal year 2002-03 only.

14 **General Assistance**

16 All Other (\$500,000)

18 Deappropriates funds based on
20 a projected surplus in this
22 program.

24 **DEPARTMENT OF HUMAN SERVICES**
TOTAL (\$1,017,000) (\$517,000)

26 **LEGISLATURE**

28 **Legislature**

30 All Other \$286,742

32 Provides funds for State
34 House renovations.

36 **Study Commissions - Funding**

38 All Other \$68,000

40 Provides funds for various
42 studies approved by the
Legislative Council.

44 **LEGISLATURE**
TOTAL \$354,742

46 **TOTAL APPROPRIATIONS** \$1,054,327 (\$642,725)

48

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

	PART WW, Section WW-4	0	0
2	PART XX, Section XX-1	20,000	
	PART ZZ, Section ZZ-1	84,000	126,000
4	PART AAA, Section AAA-1		50,000
	PART BBB, Section BBB-1	18,000	18,000
6	PART CCC, Section CCC-2		82,000
	PART DDD, Section DDD-2	53,677	118,380
8	PART EEE, Section EEE-3	20,063	24,075
	PART FFF, Section FFF-1	25,000	25,000
10	PART GGG, Section GGG-1		25,000
	PART III, Section III-1		300,000
12	PART KKK, Section KKK-1	100,000	100,000
	PART MMM, Section MMM-1	67,000	67,000
14	PART NNN, Section NNN-1		100,000
	PART OOO, Section OOO-1		25,000
16	PART PPP, Section PPP-17	9,376	28,801
	PART SSS, Section SSS-2		24,774
18	PART TTT, Section TTT-8	22,000	
	PART UUU, Section UUU-1	142,500	152,737
20	PART WWW, Section WWW-1	125,995	
	PART XXX, Section XXX-1		100,000
22	PART YYY, Section YYY-3	100,000	
	PART ZZZ, Section ZZZ-1	38,000	191,061
24	PART AAAA, Section AAAA-2	10,660	
	PART CCCC, Section CCCC-1	100,000	
26	PART DDDD, Section DDDD-1	75,000	100,000
	PART EEEE, Section EEEE-1	500,000	530,000
28	PART GGGG, Section GGGG-2	41,154	44,294
	PART IIII, Section IIII-2	80,000	
30	PART JJJJ, Section JJJJ-1	200,000	200,000
	PART KKKK, Section KKKK-1	170,000	200,000
32	PART LLLL, Section LLLL-2	5,000	
	PART MMMM, Section MMMM-2	25,000	25,000
34	PART NNNN, Section NNNN-2	66,355	66,355
	PART OOOO, Section OOOO-2	59,580	41,750
36	PART QQQQ, Section QQQQ-3		47,860
	PART RRRR, Section RRRR-2	150,000	150,000
38	PART TTTT, Section TTTT-8	20,900	20,900
	PART XXXX, Section XXXX-1	1,200,000	3,000,000
40	PART ZZZZ, Section ZZZZ-5	1,054,327	(642,725)
42	GENERAL FUND, TOTAL	<u>23,480,154</u>	<u>47,129,794</u>
44	Highway Fund		
46	PART PPPP, Section PPPP-18	14,063	43,202
48	HIGHWAY FUND, TOTAL	<u>14,063</u>	<u>43,202</u>
50	Federal Expenditures Fund		

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2	PART A, Section A-1	18,297,181	17,874,945
	PART B, Section B-2	163,197	120,757
4	PART X, Section X-8	37,500	
	PART Y, Section Y-2	12,942,080	13,087,391
6	PART MM, Section MM-3	50,452	104,060
	PART UU, Section UU-3	444,431	529,393
8	PART DDD, Section DDD-3	106,386	235,839
	PART SSS, Section SSS-3		49,355
10	PART GGGG, Section GGGG-3	81,566	88,243
		<hr/>	<hr/>
12	FEDERAL EXPENDITURES FUND,		
	TOTAL	32,122,793	32,089,983
14			
16	Other Special Revenue funds		
	(excluding Fund for a Healthy Maine)		
18	PART A, Section A-1	15,609,585	4,718,978
	PART B, Section B-3	215,306	177,703
20	PART R, Section R-1	25,000	
	PART T, Section T-10	1,143,610	291,567
22	PART X, Section X-9	713,688	875,198
	PART Y, Section Y-3	378,000	1,650,000
24	PART CC, Section CC-1		5,000
	PART EE, Section EE-1	(181,569)	(181,551)
26	PART YYY, Section YYY-4	100,000	500
	PART AAAA, Section AAAA-3	500	
28	PART BBBB, Section BBBB-2	500	500
	PART FFFF, Section FFFF-8	1,744,740	2,326,320
30	PART LLLL, Section LLLL-3	5,000	5,000
	PART TTTT, Section TTTT-9	0	0
32		<hr/>	<hr/>
34	OTHER SPECIAL REVENUE FUNDS,		
	TOTAL	19,754,360	9,869,215
36	Fund for a Healthy Maine		
38	PART A, Section A-1	15,139	15,576
	PART HHH, Section HHH-1	1,260	2,310
40		<hr/>	<hr/>
42	FUND FOR A HEALTHY MAINE,		
	TOTAL	16,399	17,886
44	Federal Block Grant Fund		
46	PART A, Section A-1	3,881,214	3,537,657
	PART B, Section B-4	7,000	7,000
48	PART X, Section X-12	4,043,531	
	PART DD, Section DD-3	1,032,971	1,377,295
50	PART ZZZZ, Section ZZZZ-6	517,000	517,000

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2	FEDERAL BLOCK GRANT FUND, TOTAL	9,481,716	5,438,952
4	Postal, Printing & Supply Fund		
6	PART A, Section A-1	(78,394)	(82,314)
8	POSTAL, PRINTING & SUPPLY FUND, TOTAL	(78,394)	(82,314)
10	Office of Information Services Fund		
12	PART A, Section A-1	719,889	733,900
14	OFFICE OF INFORMATION SERVICES FUND, TOTAL	719,889	733,900
16	Central Motor Pool Fund		
18	PART A, Section A-1	71,124	73,349
20	CENTRAL MOTOR POOL FUND, TOTAL	71,124	73,349
22	Real Property Lease Internal Service Fund		
24	PART A, Section A-1	78,394	82,314
26	REAL PROPERTY LEASE INTERNAL SERVICE FUND, TOTAL	78,394	82,314
28	Prison Industries Fund		
30	PART A, Section A-1	11,001	11,074
32	PRISON INDUSTRIES FUND, TOTAL	11,001	11,074
34	Statewide Radio and Network System Reserve Fund		
36	PART U, Section U-4	500,000	268,000
38	STATEWIDE RADIO AND NETWORK SYSTEM RESERVE FUND, TOTAL	500,000	268,000
40	GENERAL FUND UNDEDICATED REVENUE		
42		2001-02	2002-03
44	PART A		
46	Agriculture	256,530	256,530
48	Attorney General	275,000	275,000
50			

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

	Conservation	203,000	203,000
2	MHMRSAS	1,552,869	1,347,043
4	PART L, Section L-9	1,000,000	1,000,000
	PART X, Section X-7	690,058	956,886
6	PART AA, Section AA-1	5,000,000	
	PART GG, Section GG-1		(2,800)
8	PART HH, Section HH-1		(150,000)
	PART JJ, Section JJ-1		(88,363)
10	PART PP, Section PP-1		(1,781,768)
	PART JJJ, Section JJJ-1	(61,623)	(85,838)
12	PART PPP	20,000	30,000
	PART QQQ		(1,424)
14	PART ZZZ		95,531
	PART NNNN	66,355	66,355
16	PART UUUU	12,191,974	17,823,258
	PART VVVV	12,142,364	14,918,280
18			
	GENERAL FUND UNDEDICATED		
20	REVENUE, TOTAL	33,336,527	34,861,690

ADJUSTMENTS TO GENERAL FUND BALANCE

		2001-02	2002-03
24			
26	PART A		
	Public Safety	39,706	41,258
28			
	PART H, Section H-5	239,054	
30	PART I, Section I-2	104,916	110,613
	PART W, Section W-1	150,000	
32	PART W, Section W-2	2,550,000	
34			
	ADJUSTMENTS TO GENERAL FUND		
	BALANCE, TOTAL	3,083,676	151,871

HIGHWAY FUND UNDEDICATED REVENUE

		2001-02	2002-03
38			
40			
	PART PPP	30,000	45,000
42			

SUMMARY

46 Part A makes supplemental appropriations and allocations.

48 Part B makes supplemental appropriations and allocations
 50 from various governmental funds for approved reclassifications
 and range changes.

2 Part C does the following:

4 1. Amends the Retiree Health Insurance Internal Service
6 Fund law to clarify investment, audit and use of the fund; and

8 2. Authorizes the State Budget Officer to distribute
10 retiree health insurance costs to affected accounts as
12 appropriation and allocation adjustments.

14 Part D does the following:

16 1. Amends the law as it relates to the definition of
18 "corporation" to ensure that all health maintenance
20 organizations are equitably subjected to the corporate income
22 tax; and

24 2. Amends the law as it relates to the definition of
26 "compensation" for payroll tax calculation on leased or
28 temporary employees.

30 Part E does the following:

32 1. Amends the law concerning positions to support the
34 design and implementation of the new Budget Management System
36 within the Department of Administrative and Financial Services.

38 Part F does the following:

40 1. Authorizes the Department of Administrative and
42 Financial Services to enter into lease-purchase agreements to
44 purchase motor vehicles for the Central Motor Pool;

46 2. Authorizes the Department of Administrative and
48 Financial Services to enter into lease-purchase agreements to
50 purchase hardware, software and systems in support of the
operations of State Government; and

3. Authorizes the issuance of securities by the Maine
Governmental Facilities Authority.

42 Part G establishes the Office of Victim Services within the
44 Department of Corrections and authorizes the transfer of funds
46 by financial order to pay overtime and labor market adjustments
48 for teachers at the Northern Maine Juvenile Facility. Part G
50 also authorizes the Department of Corrections to establish
intermittent positions to avoid unbudgeted overtime. This Part
renames the Southern Maine Juvenile Facility the "Long Creek
Youth Development Center" and the Northern Maine Juvenile
Facility the "Mountain View Youth Development Center." This

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2 Part also authorizes the Department of Corrections to carry
forward funds for overtime.

4 Part H removes the Federal and State Education Program
6 Coordinator from the list of appointments by the Commissioner of
Education. It also authorizes funds to be lapsed from the
8 general purpose aid for local schools account to the General
Fund.

10 Part I establishes the Land Management Fund within the
Department of Inland Fisheries and Wildlife. This Part also
12 authorizes certain carrying balances within the Inland Fisheries
and Wildlife program to lapse to the General Fund.

14 Part J amends the law to create a Deputy Commissioner
16 position within the Department of Mental Health, Mental
Retardation and Substance Abuse Services.

18 Part K authorizes the Governor Baxter School for the Deaf
20 to transfer available balances of appropriations and allocations
between line categories by financial order and authorizes the
22 extension of a limited-period position to June 30, 2002.

24 Part L changes the presumptive abandonment period for
property related to the demutualization or related
26 reorganization of an insurance company to 2 years. It also
allows the Department of Administrative and Financial Services,
28 Bureau of Revenue Services to share certain information with the
Treasurer of State. It also transfers additional amounts from
30 the Abandoned Property Fund in fiscal year 2001-02 and fiscal
year 2002-03.

32 Part M authorizes the change of bargaining unit from
34 Professional Technical to Supervisory Services for the Senior
DNA Forensic Analyst position within the Department of Public
36 Safety, Bureau of State Police. This Part also authorizes the
Department of Human Services to fund position upgrades in the
38 Drinking Water program and the Eating and Lodging program and
the previously approved upgrade of one Planning and Research
40 Associate position within existing budgeted resources.

42 Part N authorizes the Maine Governmental Facilities
Authority to issue securities up to \$5,500,000 for certain
44 courthouse projects.

46 Part O eliminates the Office of State Historian program,
deappropriates its current funding and provides funding for the
48 Office of State Historian program within the Historic
Preservation Commission program. It also eliminates the
50 nonlapsing funds language.

2 Part P funds the Lewiston-Auburn College teachers for
3 elementary and middle schools project through a delay in the
4 Maine Patent Program and provides 2.5% increases in the base
5 budgets for the University of Maine System, the Maine Technical
6 College System and Maine Maritime Academy.

8 Part P also authorizes transfers from the General Fund
9 Salary Plan to the Maine Technical College System for collective
10 bargaining costs in fiscal year 2001-02 and fiscal year 2002-03.

12 Part Q continues an adjustment of headcount that was
13 authorized in Public Law 2001, chapter 1; reflects the number of
14 positions authorized by the Legislative Council to support the
15 activities of the Legislature and the organization of the 120th
16 Legislature; provides sufficient funds in the personal services
17 line category to meet the needs of the current organizational
18 structure of the Legislature; and provides for a line category
19 transfer of funds to establish a position to replace desktop
20 support currently provided by contract.

22 Part R funds a celebration of the State House renovations.

24 Part S provides additional guidance regarding the 2.5%
25 increase of wages and benefits included in the reimbursement to
26 agencies for mental health and mental retardation services.

28 Part T does the following:

30 1. It contains recommendations of the Committee to Develop
31 a Compensation Program for Victims of Abuse at the Governor
32 Baxter School for the Deaf, created by Resolve 1999, chapter 127,
33 Part B. This Part takes the place of L.D. 271 and L.D. 293.

34 2. It creates the Baxter Compensation Authority, which
35 establishes the Baxter Compensation Program to pay compensation
36 to the former students who were sexually or physically abused
37 while attending the Governor Baxter School for the Deaf or its
38 predecessor, the Maine School for the Deaf. Claims for
39 compensation must be filed by March 31, 2006. All compensation
40 must be paid out by July 1, 2007, when the program ceases to
41 exist.

44 The compensation and costs of the program will be paid from
45 the Baxter Compensation Authority Other Special Revenue Fund
46 account. The amount of \$1,000,000 is transferred from the
47 Governor Baxter School for the Deaf Student Trust Fund into the
48 account on July 1, 2001. The amount of \$2,000,000 is transferred
49 from the Maine Rainy Day Fund into the account in fiscal year
50 2001-02. The amount of \$3,000,000 is set aside in the Governor

2 Baxter School for the Deaf Compensation Fund within the Maine
Rainy Day Fund to be made available by financial order to pay
4 compensation to the victims and to pay administrative costs of
the program.

6 Part U establishes a Statewide Radio and Network System
Reserve Fund as an internal service fund within the Department of
8 Administrative and Financial Services for the purpose of
replacing the current radio and network system. This Part
10 requires the Chief Information Officer of the Department of
Administrative and Financial Services to prepare a report to
12 specified committees of the Legislature on all activities of the
radio and network system. This Part also provides lease-purchase
14 authorization for the acquisition of hardware and software for
the radio and network system and provides funding for the
16 financing costs.

18 Part V clarifies the licensing responsibilities for new
agency liquor stores and authorizes the Department of Public
20 Safety, Bureau of Liquor Enforcement to waive the spacing
requirement for agency liquor stores in order to license a
22 sufficient number of agency stores in municipalities to implement
this Part.

24 Part W transfers \$150,000 to the General Fund in fiscal year
26 2001-02 from available balances in an account within the
Department of the Attorney General designated for the legal
28 expenses involved with the defense of the boundary dispute with
New Hampshire. Part W also transfers \$2,550,000 from the
30 Department of Professional and Financial Regulation, Securities
Division to the General Fund in fiscal year 2001-02.

32 Part X does the following.

34 1. It repeals the child welfare services ombudsman, a
36 position in the Executive Department that has not been funded in
years.

38 2. It establishes an ombudsman program within the Executive
40 Department through contract with an independent nonprofit
organization. Ombudsman services will be provided by one
42 ombudsman and one support staff.

44 3. It provides that the duties of the ombudsman include
serving the children and families with regard to child welfare
46 services provided by the Department of Human Services.

48 4. It provides for penalties for persons who intentionally
interfere with the performance of the ombudsman's duties and for
50 persons who penalize or impose restrictions on a person who makes

a complaint or inquiry to the ombudsman.

2

5. It requires a report in January 2003 regarding combining other advocacy and ombudsman functions within the Department of Education, the Department of Human Services, the Department of Mental Health, Mental Retardation and Substance Abuse Services, the Department of Corrections and the Disability Rights Center.

8

6. It provides funding for 18 new caseworkers, 3 supervisors, one Division Director and 2 Program Administrator - Child Protective positions in child welfare services in the Department of Human Services, increases funding for travel and cellular phone time and provides funding for laptop computers.

14

7. It transfers \$4,043,531 from the Department of Human Services, Child Support Collections, Other Special Revenue account representing a portion of the State's share of child support collections earned but not transferred to the temporary Assistance for Needy Families, Other Special Revenue account and provides for a corresponding General Fund deappropriation due to the availability of one-time funds from child support collections.

22

Part Y provides funds for the Department of Human Services for the completion of Phase I and for Phase II and Phase III of the Claims Management System.

26

Part Z establishes the Sexual Assault Forensic Examiner Advisory Board within the Department of the Attorney General. It also appropriates funds for the sexual assault forensic examiner program and for the new violence against women initiative in the Department of Public Safety.

32

Part AA authorizes a tax anticipation note of up to \$100,000,000 for fiscal year 2001-02 and provides a General Fund appropriation to cover the debt service costs associated with that note.

36

Part BB amends Public Law 1999, chapter 731 to provide that funds of the Maine Fire Protection Services Commission do not lapse but must be carried forward until June 30, 2002.

40

Part CC allocates funds on a one-time basis from the Dam Repair and Reconstruction Fund for a low-flow study to be conducted by the Aroostook Water and Soil Management Board.

42

Part DD provides a 5% increase in the maximum level of assistance in the Temporary Assistance for Needy Families program effective October 1, 2001.

46

Part DD also includes offsetting allocations and

50

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2 deallocations of \$750,000 in fiscal year 2001-02 and \$1,000,000
in fiscal year 2002-03 to reflect the requirement that the
4 Department of Human Services use unexpended TANF block grant
funds to support a portion of the 5% increase in the maximum
6 level of assistance.

8 Part EE deallocates funds to the Public Advocate within the
Executive Department in order to limit growth within the Office
of the Public Advocate.

10 Part FF sets up a priority of transfers from unappropriated
12 surplus at the close of fiscal year 2000-01.

14 Part GG authorizes the issuance of complimentary hunting and
fishing licenses to resident active military personnel.

16 Part HH does the following.

18 1. It establishes a summer "fill" program to provide
20 low-income households that are eligible for fuel assistance
through the Low-income Home Energy Assistance program, LIHEAP,
22 with an initial supply of fuel and authorizes a \$10,000,000
working capital advance from the General Fund beginning in fiscal
24 year 2002-03.

26 2. It requires the Maine State Housing Authority to study
fixed-price home heating fuel contracts for fuel assistance
28 recipients.

30 3. It requires the Maine State Housing Authority to
identify the most effective way to provide adequate funding of
32 the anticipated 25% nonfederal share of the weatherization
program.

34 4. It requires the Maine State Housing Authority to
36 investigate the possibility of establishing a separate Office of
Energy Conservation within the Maine State Housing Authority.

38 5. It requires the Maine State Housing Authority to
40 annually investigate the possibility of increasing the percentage
of LIHEAP funds for weatherization services.

42 6. It requires the State Planning Office to conduct a study
44 to determine whether the State can reduce its per capita
residential energy consumption by 25% by 2011.

46 Part II expands the eligibility for the elderly low-cost
48 drug program by adding over-the-counter medications that are
prescribed by a health care provider and approved as
50 cost-effective by the Department of Human Services as a basic

2 component of the elderly low-cost drug program. This Part also
establishes income eligibility for the elderly low-cost drug
4 program at 185% of the federal nonfarm income poverty line as
adjusted to match the annual cost-of-living increases in social
6 security retirement benefits.

8 Part JJ exempts from use tax merchandise that is donated to
an exempt organization.

10 Part KK appropriates funds to support outreach activities at
the Beals Island Regional Shellfish Hatchery.

12 Part LL provides an income tax deduction for compensation
14 paid to victims of the Holocaust and their survivors.

16 Part MM requires the Department of Human Services to adopt
rules that take effect on January 1, 2002 to increase the amount
18 of reimbursement under the Medicaid program for occupational and
physical therapy, speech and language pathologist and audiologist
20 services to 50% of the usual and customary charge.

22 Part NN provides a General Fund appropriation to the
Department of Education for the Interdepartmental Committee on
24 Transition, the department's training and technical assistance
arm on mandated transition issues. The funds will be used to
26 ensure that all youth, parents, school districts and agencies
dealing with transition in this State have access to the
28 Interdepartmental Committee on Transition's services including
information disseminating, training, capacity building for
30 systems change, youth leadership and advocacy.

32 Part OO directs the Department of Conservation to work with
the United States Army Corps of Engineers to modify the federal
34 coastal engineering structure at Camp Ellis in Saco. It also
directs the department to develop a beach nourishment policy for
36 the State.

38 Part PP increases the percentage transferred to the Local
Government Fund from 5.1% to 5.2% for 6 months beginning January
40 1, 2003.

42 Part QQ increases the contribution for health insurance for
retired teacher members from 30% to 35% beginning July 1, 2002.
44 In addition, the amendment indicates that eligible retired
teachers must have 5 years of creditable service to be eligible
46 for the state contribution to the health insurance benefit.

48 Part RR reinstates emergency assistance for veterans.

50 Part SS provides a General Fund appropriation of \$300,000 to

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2 the Maine Science and Technology Foundation to be used as the
3 state match requirement for the Maine Experimental Program to
4 Stimulate Competitive Research, a federal and state partnership
5 that builds research infrastructure in states. This amendment
6 also establishes the Maine EPSCoR Capacity Fund to be used to
7 match successful EPSCoR awards.

8 Part TT provides one-time funds to encourage private
9 donations to the Maine Maritime Academy's Small Vessel Endowment
10 Fund for which the academy is required to raise private
11 contributions on a 2-for-1 basis to supplement the appropriation.

12 Part UU directs the Department of Human Services to grant
13 Medicaid eligibility to women who have been diagnosed with breast
14 or cervical cancer under the State's early detection program.

16 Part VV designates as public assistance aid provided to
17 veterans and their dependents pursuant to the Maine Revised
18 Statutes, Title 37-B and requires that the Department of Defense,
19 Veterans and Emergency Management retain administrative
20 responsibility for this aid.

22 Part VV also provides funding for support staff positions in
23 the Department of Defense, Veterans and Emergency Management,
24 Bureau of Veterans' Services regional field offices.

26 Part WW implements certain recommendations of the Judicial
27 Compensation Commission established by the Maine Revised
28 Statutes, Title 4, chapter 35. The purpose of implementing this
29 Part is to attract the most highly qualified candidates to the
30 bench by improving the retirement benefits provided to the
31 State's judiciary. Implementation of this Part will increase the
32 maximum benefit from 60% to 70% of average final compensation for
33 judges appointed on or after December 1, 1984.

36 Part XX provides funds to allow Maine to continue its
37 membership in the Northeast States Association for Agricultural
38 Stewardship.

40 Part YY permits foster parents to purchase group health
41 insurance through the state employee health insurance plan.

42 Part ZZ appropriates ongoing funds to establish 4 new Jobs
43 for Maine's Graduates' sites for the biennium.

46 Part AAA provides funds for the High Hopes Clubhouse to
47 allow for the continuation of its Waterville operations.

48 Part BBB provides funds for the State's share of the budget
49 to operate the Northeast Legislative Association on Prescription

Drug Pricing.

2

4 Part CCC establishes the Community Health Access Program
6 within the Department of Human Services and provides for one
Social Services Program Manager position to administer the
program, effective July 1, 2002.

8

10 Part DDD specifies the manner of calculation of rate of
return for nonprofit nursing facilities beginning February 1,
2002, contingent on approval of Medicaid funding at the federal
level.

12

14 Part EEE implements the recommendations of the Judicial
Compensation Commission regarding per diem compensation.

16

Part FFF provides funds to improve the services of the Saco
River Corridor Commission.

18

20 Part GGG provides a General Fund appropriation of \$25,000 in
fiscal year 2002-03 to the Department of Education to grant funds
to certain teachers seeking certification from the National Board
22 for Professional Teaching Standards. These funds are
appropriated as a state match with federal and University of
24 Maine System funds. This appropriation is intended to provide
reimbursement for only those teachers that become certified.
26 Individual grants issued by the Maine Leadership Consortium may
not exceed \$2,300 per teacher.

28

30 Part HHH provides funds from the Fund for a Health Maine to
continue the Donated Dental Services program.

32

Part III appropriates funds to the Maine Technical College
System for the programs and operation of the Bath Higher
34 Education Center.

36

Part JJJ exempts certain organizations from the meals and
lodging tax.

38

40 Part KKK provides a General Fund appropriation to the
Department of Labor for Catholic Charities Maine to support a
portion of the cost of 2 additional Teacher of Blind and Visually
42 Impaired Children positions and related costs.

44

Part LLL clarifies the duties of the Department of Mental
Health, Mental Retardation and Substance Abuse Services regarding
46 reporting the need for children's crisis services and allocates
those duties to the Maine Revised Statutes.

48

50 Part MMM provides a General Fund appropriation of \$67,000
annually in fiscal years 2001-02 and 2002-03 for the Department

COMMITTEE AMENDMENT "A" to H.P. 655, L.D. 855

2 of Labor to support a portion of the cost of one new Computer
Access Specialist position to provide computer access services
4 through the Iris Network to blind consumers regardless of age or
location in the State.

6 Part NNN provides a General Fund appropriation of \$100,000
in fiscal year 2002-03 for the Department of Labor to increase
8 statewide education, training and employment and self-employment
services for displaced homemakers. The appropriation will
10 provide for increased staff to provide service delivery in
Washington and Waldo counties beginning in fiscal year 2002-03.

12 Part OOO provides funds for the Finance Authority of Maine
14 to undertake a study of methods of relieving the shortage of
dentists in Maine, including the feasibility of establishing an
16 accredited dental residency program.

18 Part PPP amends the Sex Offender Registration and
Notification Act of 1999 and sentencing provisions for sex
20 offenders.

22 Part QQQ establishes a sales tax exemption for certain
incorporated, nonprofit memorial foundations.

24 Part RRR authorizes the Department of Human Services to
26 establish a prescription drug reimportation program contingent
upon approval from the federal Department of Health and Human
28 Services and upon cost savings to be realized by Maine citizens
as a result of the operation of this program.

30 Part SSS provides for the reimbursement to optometrists for
32 services provided to persons whose care is paid for in part by
the Medicaid program and in part by the Medicare program.

34 Part TTT establishes the Education Funding Reform Committee
36 to make recommendations to the Legislature that reduce the
State's reliance on the property tax as the primary source of
38 funding for elementary and secondary education and to identify
other funding sources that ensure equal educational opportunity,
40 provide a more equitable balance among funding sources and
provide property tax relief to encourage businesses to expand and
42 locate to the State and to entice more people to live in the
State. The committee is required to make recommendations to the
44 Legislature by December 31, 2001. The Legislature may accept or
reject the committee's recommendations or submit the committee's
46 recommendations to the voters at a public referendum at the time
of the general election in November 2002. It also provides a
48 General Fund appropriation for the Legislature to support the
costs of the commission.

50

2 Part UUU provides additional funds for the Reading Recovery Program.

4 Part VVV retroactively amends an appropriation for a school
6 breakfast incentive grant program included in a 1999 supplemental
8 budget to allow unexpended balances in that account to carry
10 forward from year to year to be used for school breakfast
12 incentive grants. Without this retroactive amendment, those
unexpended balances would lapse to the General Fund. This part
also changes the standard determining which schools are eligible
to participate in the program to that standard originally
proposed.

14 Part WWW appropriates funds for the Capital Riverfront
Improvement District.

16 Part XXX provides a General Fund appropriation for the
18 Department of Corrections to support the Building Alternatives
20 Program at the Maine Youth Center in fiscal year 2002-03. It
22 also requires the Department of Corrections to report on a plan
to establish a building alternatives program at the Northern
Maine Juvenile Facility.

24 Part YYY establishes the Community Forestry Fund, provides a
26 one-time appropriation to the fund in fiscal year 2001-02 and
28 necessary allocations and ensures continuing revenues for the
30 fund by dedicating to the fund 2.5% of the General Fund portion
of real estate transfer tax revenue up to \$200,000 annually. The
portion of real estate transfer tax revenue dedicated to the fund
is reduced by the amount of federal funds received for community
forestry. In fiscal year 2001-02 and fiscal year 2002-03, it is
32 estimated that federal funds will exceed \$200,000 annually, so
that no real estate transfer tax funds will be required.

34 Part ZZZ appropriates funds for the continuance of the state
36 meat inspection program.

38 Part AAAA establishes the Health Care System and Health
40 Security Board. The board is composed of 19 members. The board is
42 charged with developing a plan to provide health care coverage to
all citizens of this State in a manner that emphasizes 24 hour
coverage, quality, cost containment, choice of provider and
access to comprehensive and long-term care. The board is required
44 to conduct a feasibility study of economic impacts of the plan on
individuals and businesses of payment options and to develop
46 proposals for implementation of a plan for universal coverage and
access. The board is authorized to contract with a health policy
48 organization for staffing assistance and to accept public and
private funding. The board is authorized to introduce
50 legislation to the Second Regular Session of the 120th
Legislature.

2 Part BBBB establishes the Maine Research and Development
Evaluation Fund to support the research and development efforts
4 of the Maine Science and Technology Foundation.

6 Part CCCC provides funds for a low-barrier homeless teen
shelter located in Rockland to serve youth in Knox, Lincoln and
8 Waldo Counties of Region 2.

10 Part DDDD provides additional funding for the geographic
isolation adjustment within the General Purpose Aid for Local
12 Schools program.

14 Part EEEE changes the name of the Maine Communities in the
New Century Program to the New Century Community Program and
16 provides funding to enhance the preservation and advancement of
local cultural resources, promote literacy and access to lifelong
18 learning among children and adults and expand opportunities for
cultural tourism.

20 Part FFFF authorizes implementation of the Enhanced 9-1-1
22 Emergency System, authorizes a one-year increase in the statewide
E-1-1 surcharge and provides additional allocations necessary to
24 implement the program.

26 Part GGGG provides funds to include podiatrists in the group
of health care providers who are exempt from reimbursement
28 reductions with respect to its liability for Medicare Part B
deductible and coinsurance charges.

30 Part HHHH removes certain law enforcement officers in the
32 Department of Inland Fisheries and Wildlife and the Department of
Marine Resources from the 1998 Special Plan and provides those
34 certain positions with a retirement plan that offers full
retirement benefits after 25 years of service with no minimum age
36 requirement. This plan change is to be funded through year-end
transfers from the unappropriated surplus of the General Fund to
38 the Retirement Allowance Fund. The effective date of the plan
change is dependent upon the balance of the Retirement Allowance
40 Fund and the further action of the Legislature to direct payment
of the full actuarial cost of the retirement system.

42 Part IIII includes a one-time General Fund appropriation to
44 fund a matching grant program that establishes education and
training programs for eligible health care businesses and
46 organizations that provide dollar-for-dollar matching funds and
meet eligibility criteria established by rules of the Maine
48 Technical College System.

50 Part JJJJ appropriates funding for the Maine State Library

to purchase on-line reference materials.

2

4 Part KKKK makes the following General Fund appropriations:
6 ongoing appropriations of \$50,000 each in fiscal years 2001-02
8 and 2002-03 for operating costs at the Katahdin Area K-Tech
10 Center; an ongoing appropriation of \$60,000 in fiscal year
12 2002-03 to the Maine Technical College System for Western Maine
14 University and Technical College Center operations; a one-time
16 appropriation of \$120,000 in fiscal year 2001-02 to the
18 University of Maine System for architectural work at the Western
20 Maine University and Technical College Center; and an ongoing
22 appropriation of \$90,000 in fiscal year 2002-03 to the University
24 of Maine System for Western Maine University and Technical
26 College Center operations.

16 Part LLLL establishes a grant fund in the Department of
18 Conservation to assist foresters with the costs of obtaining
20 certain certifications. This Part also provides appropriations
22 and allocations necessary to administer this program.

20 Part MMMM establishes and funds the Maine Port Terminal
22 Facilities Marketing Program.

24 Part NNNN requires the Commissioner of Education to pay as a
26 supplement to the regular student tuition for unorganized
28 territory students attending school in School Administrative
District No. 58 a debt service factor to help fund school
construction costs of the school district.

30 Part OOOO establishes a state purchasing code of conduct for
32 suppliers of apparel, footwear or textiles and provides the
34 Division of Purchases the General Fund appropriations necessary
to administer the new provisions.

34 Part PPPP raises the debt service limit for school
36 facilities bonds for fiscal year 2005-06 and fiscal year 2006-07.

38 Part QQQQ creates the Legislative Youth Advisory Council,
40 which is composed primarily of youth and student members, to
42 provide advice to the Legislature on matters relating to youth
and appropriates funds for the council.

42 Part RRRR establishes the Maine Computer Crimes Task Force
44 and appropriates funds to administer the task force.

46 Part SSSS authorizes the Department of Defense, Veterans and
48 Emergency Management to accept land for a veterans' cemetery in
southern Maine. Land accepted by the department must meet all
the requirements provided in state laws and rules.

2 Part TTTT amends the penalties for late filing of
accelerated campaign reporting under the Maine Clean Election
4 Act. It also provides additional appropriations for increased
costs of the Commission on Governmental Ethics and Election
6 Practices and Other Special Revenue Funds allocations for one
additional General Counsel position.

8
 Part UUUU increases the cigarette tax from 74 cents to 94
10 cents per pack effective September 1, 2001 and reduces the amount
of the increase that licensed distributors retain.

12
 Part VVVV increases the sales tax on prepared food from 5%
14 to 7% and amends the definition of prepared food effective August
1, 2001.

16
 Part WWWW establishes the Tourism Marketing Promotion Fund
18 within the Department of Economic and Community Development and
dedicates a portion of meals and lodging tax collections to this
20 fund to fund the Office of Tourism program effective July 1, 2003.

22 Part XXXX provides funds for sexual assault and domestic
violence intervention and prevention.

24
 Part YYYY authorizes the expenditure of funding among
26 pharmaceutical benefits programs administered by the Department
of Human Services.

28
 Part ZZZZ authorizes certain balances to carry forward and
30 makes adjustments to appropriations to reflect the estimated
balances that will be carried forward. It also provides funding
32 for the State House renovation shortfall, legislative studies,
the civil rights team project and the Maine Biomedical Research
34 Fund. It also recognizes savings in the Department of Economic
and Community Development and utilizes some of the TANF reserve
36 funds within the Department of Human Services.