

MAINE STATE LEGISLATURE

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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
required by the Legislature, the department shall highlight
8 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
standing committee of the Legislature having jurisdiction
14 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
Network to blind consumers
42 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

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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

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48

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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
violent predator, as defined under Title 34-A, section ~~11103~~
11203 to satisfy all requirements set forth in the Sex Offender
24 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,
section ~~11103, satisfy all responsibilities set forth in Title~~
32 ~~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~~
violent predator, as defined under Title 34-A, section 11203,
36 subsection 8, satisfy all responsibilities set forth in Title
34-A, chapter 15, the Sex Offender Registration and Notification
Act of 1999.

38 **Sec. PPP-4. 17-A MRSA §1252, sub-§4-A**, as enacted by PL 1997,
40 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
committed, the defendant had been convicted of 2 or more crimes
46 violating chapter 9, 11, 13 or 27 or essentially similar crimes
in other jurisdictions, the sentencing class for the crime is one
48 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
50 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
10 The department and the Department of Public Safety, State
11 Bureau of Identification are governed by the following notice
12 provisions when a sex offender or sexually violent predator is
13 conditionally released or discharged.

14 **1. Duties of the department.** The department shall give the
15 Department of Public Safety, State Bureau of Identification
16 notice of the following:

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.

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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

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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
34 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
50 optometrists for services
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.

		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	
20	of members of the Education Funding Reform	
	Committee, to conduct public hearings, for	
22	technical assistance and for printing and	
	other miscellaneous costs.	
24	LEGISLATURE	
	TOTAL	<u>\$22,000</u>

PART UUU

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

		2001-02	2002-03
34	EDUCATION, DEPARTMENT OF		
36	Educational Restructuring and Improvements		

38	All Other	\$142,500	\$152,737
40			
42	Provides additional funding		
	for the Reading Recovery		
44	Program.		

PART VVV

Sec. VVV-1. PL 1999, c. 401, Pt. KK is amended to read:

PART KK

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.

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**LEGISLATURE
TOTAL**

\$10,660

Sec. AAAA-3. Allocation. The following funds are allocated from Other Special Revenue to carry out the purposes of this Part.

2001-02

**LEGISLATURE
Health Care System and Health
Security Board**

All Other \$500

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.

PART BBBB

Sec. BBBB-1. 5 MRSA §13122-L is enacted to read:

§13122-L. Maine Research and Development Evaluation Fund

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.

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.

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.

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

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
 18 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
30 **Sec. FFFF-1. 3 MRSA §959, sub-§1, ¶D**, as enacted by PL 1995,
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
40 5. Call answering coverage. The bureau is not required to
provide call answering coverage in counties or municipalities
that choose not to participate in the E-9-1-1 system.

42
44 6. System databases. The system databases, wherever
located or stored, are the property of the bureau and their
confidentiality is governed by section 2929.

46
48 **Sec. FFFF-6. 25 MRSA §2927, sub-§1-B,** as enacted by PL 1999,
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.

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2001-02

2002-03

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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

18

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

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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 **Sec. HHHH-1. 5 MRSA §17709, sub-§2,** as repealed and replaced
30 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,
§9, is repealed and the following enacted in its place:

38
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
46 (b) Had fewer than 10 years of creditable service
47 on July 1, 1993, the segment amount must be
48 reduced by 6% for each year that the member's age
49 precedes 55 years of age.
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**
48 **1997, c. 769, §15, is repealed.**

50 **Sec. HHHH-16. Effect on game wardens and marine patrol officers
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

32

34

36

38

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.

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18

**BOARD OF TRUSTEES OF THE
MAINE TECHNICAL COLLEGE SYSTEM
TOTAL**

20

	\$50,000	\$110,000
--	----------	-----------

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.

32

34

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38

**BOARD OF TRUSTEES OF THE
UNIVERSITY OF MAINE SYSTEM
TOTAL**

40

42

	\$120,000	\$90,000
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TOTAL APPROPRIATION

44

	\$170,000	\$200,000
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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
32 The Maine Port Terminal Facilities Marketing Program is
established to encourage and promote business opportunities for
Eastport's port terminal facility. The Maine Port Authority
34 shall develop and implement the marketing program. The authority
may enter into agreements or cooperative arrangements with any
36 person or entity for the purpose of increasing the use of
Eastport's port terminal facility. The authority may receive,
38 administer and disburse funds, either independently or in
conjunction with state funds allocated for the purpose, provided
40 that funds so contributed must be used only for the purpose of
marketing and economic development programs.

42
44 **Sec. MMMM-2. Appropriation.** The following funds are
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

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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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32

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
--	----------------	----------------

40

EDUCATION, DEPARTMENT OF

42

Education in Unorganized Territory

44

All Other	\$66,355	\$66,355
-----------	----------	----------

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 code.

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
services to evaluate major
4 contracts and provide state
and vendor training,
6 development of a publicly
accessible site on the
Internet, and required
8 upgrades to the current
purchasing system.

10

12 **DEPARTMENT OF ADMINISTRATIVE
AND FINANCIAL SERVICES**

14 **TOTAL** \$59,580 \$41,750

14

16

PART PPPP

18

Sec. PPPP-1. 20-A MRSA §15905, sub-§1, ¶A, as amended by PL
1999, c. 731, Pt. YY, §3, is further amended to read:

20

22 A. The state board may approve projects as long as no
project approval will cause debt service costs, as defined
24 in section 15603, subsection 8, paragraph A, to exceed the
maximum limits specified in Table 1 in subsequent fiscal
years.

26

Table 1

28

Fiscal year Maximum Debt Service Limit

30

32	1990	\$ 48,000,000
	1991	\$ 57,000,000
34	1992	\$ 65,000,000
	1993	\$ 67,000,000
36	1994	\$ 67,000,000
	1995	\$ 67,000,000
38	1996	\$ 67,000,000
	1997	\$ 67,000,000
40	1998	\$ 67,000,000
	1999	\$ 69,000,000
42	2000	\$ 72,000,000
	2001	\$ 74,000,000
44	2002	\$ 74,000,000
	2003	\$ 80,000,000
46	2004	\$ 80,000,000
	2005	\$ 84,000,000
48	<u>2006</u>	<u>\$ 90,000,000</u>
	<u>2007</u>	<u>\$ 96,000,000</u>

50

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;.

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.

PART QQQQ

40
41 **Sec. QQQQ-1. 3 MRSA §168-A is enacted to read:**

42
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
8 **LEGISLATURE**
TOTAL

\$47,860

10 **Sec. QQQQ-4. Effective date.** This Part takes effect July 1,
11 2002.

12
13
14 **PART RRRR**

15
16 **Sec. RRRR-1. 25 MRSA c. 192** is enacted to read:

17
18 **CHAPTER 192**

19
20 **MAINE COMPUTER CRIMES TASK FORCE**

21
22 **§1521. Maine Computer Crimes Task Force**

23
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.

33
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.

39
40 **3. Repeal.** This chapter is repealed January 1, 2004.

41
42 **Sec. RRRR-2. Appropriation.** The following funds are
43 appropriated from the General Fund to carry out the purposes of
44 this Part.

45
46 **2001-02 2002-03**

47
48 **PUBLIC SAFETY, DEPARTMENT OF**
49
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.** 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;

12 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

18 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

22 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.

24 This subsection is repealed August 1, 2002.

26 **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		

38 **Commission on Governmental Ethics**
40 **and Election Practices**

All Other	\$20,900	\$20,900
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42 Provides funds for the per
44 diem and other expenses
46 associated with increasing
48 the number of meetings of the
50

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
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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 A tax is imposed on all cigarettes imported into this State
46 or held in this State by any person for sale at the rate of ~~37~~ 47
mills for each cigarette. Payment of the tax is evidenced by the
48 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%

2 on the value of all other tangible personal property and taxable
3 services. Value is measured by the sale price, except as
4 otherwise provided.

5 **Sec. VVVV-3. Application.** Those sections of this Part that
6 repeal and replace the Maine Revised Statutes, Title 36, section
7 1752, subsection 8-A and amend Title 36, section 1811 apply to
8 sales occurring on or after August 1, 2001.

10 **PART WWWW**

12 **Sec. WWWW-1. 5 MRSA §13090-K** is enacted to read:

14 **§13090-K. Tourism Marketing Promotion Fund**

16 **1. Fund established.** The Tourism Marketing Promotion Fund
18 is established in the Department of Economic and Community
19 Development, Office of Tourism as a nonlapsing dedicated account.

20 **2. Source of fund.** Beginning July 1, 2003 and every July
22 1st thereafter, the State Controller shall transfer to the
23 Tourism Marketing Promotion Fund an amount, as certified by the
24 State Tax Assessor, that is equivalent to 5% of the 7% tax
25 imposed on tangible personal property and taxable services
26 pursuant to Title 36, section 1811, for the first 6 months of the
27 prior fiscal year after the reduction for the transfer to the
28 Local Government Fund as described by Title 30-A, section 5681,
29 subsection 5. Beginning on October 1, 2003 and every October 1st
30 thereafter, the State Controller shall transfer to the Tourism
31 Marketing Promotion Fund an amount, as certified by the State Tax
32 Assessor, that is equivalent to 5% of the 7% tax imposed on
33 tangible personal property and taxable services pursuant to Title
34 36, section 1811, for the last 6 months of the prior fiscal year
35 after the reduction for the transfer to the Local Government
36 Fund. The tax amount must be based on actual sales for that
37 fiscal year and may not consider any accruals that may be
38 required by law. The amount transferred from General Fund sales
39 and use tax revenues does not affect the calculation for the
40 transfer to the Local Government Fund.

42 **3. Restrictions.** A minimum of 10% of the funds received by
43 the Tourism Marketing Promotion Fund in accordance with
44 subsection 2 must be used for regional marketing promotion and
45 regional special events promotion.

46 **PART XXXX**

2 adequate compensation for
staff.

4	DEPARTMENT OF HUMAN SERVICES		
	TOTAL	\$1,200,000	\$3,000,000

6

8

PART YYYY

10

Sec. YYYY-1. 22 MRSa §258, sub-§8 is enacted to read:

12

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.

14

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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

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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			

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	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		<hr/>	<hr/>
	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		<hr/>	<hr/>
	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.

44

Part DD provides a 5% increase in the maximum level of assistance in the Temporary Assistance for Needy Families program effective October 1, 2001.

48

Part DD also includes offsetting allocations and

50

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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
level of assistance.

6
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
12 Part FF sets up a priority of transfers from unappropriated
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
20 1. It establishes a summer "fill" program to provide
low-income households that are eligible for fuel assistance
22 through the Low-income Home Energy Assistance program, LIHEAP,
with an initial supply of fuel and authorizes a \$10,000,000
24 working capital advance from the General Fund beginning in fiscal
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
48 Part II expands the eligibility for the elderly low-cost
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

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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

18 Part FFF provides funds to improve the services of the Saco
River Corridor Commission.

20

22 Part GGG provides a General Fund appropriation of \$25,000 in
24 fiscal year 2002-03 to the Department of Education to grant funds
to certain teachers seeking certification from 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 teachers that become certified.
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

34 Part III appropriates funds to the Maine Technical College
System for the programs and operation of the Bath Higher
Education Center.

36

38 Part JJJ exempts certain organizations from the meals and
lodging tax.

40

42 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
Impaired Children positions and related costs.

44

46 Part LLL clarifies the duties of the Department of Mental
Health, Mental Retardation and Substance Abuse Services regarding
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

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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.