

# MAINE STATE LEGISLATURE

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# 120th MAINE LEGISLATURE

## FIRST SPECIAL SESSION-2002

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Legislative Document

No. 2220

H.P. 1746

House of Representatives, September 25, 2002

**An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2003.**

(EMERGENCY)

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Received by the Clerk of the House on September 24, 2002. Referred to the Committee on Appropriations and Financial Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

*Millicent M. MacFarland*

MILLICENT M. MacFARLAND, Clerk

Presented by Representative BERRY of Livermore. (GOVERNOR'S BILL)  
Cosponsored by Senator GOLDTHWAIT of Hancock and  
Representative NASS of Acton, Senators: CATHCART of Penobscot, MILLS of Somerset.

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

**Whereas,** certain obligations and expenses incident to the operation of state departments and institutions will become due and payable prior to June 30, 2003; and

**Whereas,** it is necessary that such modifications be made as soon as possible to ensure the continuous operation of State Government; and

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

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

**PART A**

**Sec. A-1. Supplemental appropriations and allocations.** There are appropriated and allocated from various funds for the fiscal year ending June 30, 2003, to the departments listed, the following sums.

**ADMINISTRATIVE AND FINANCIAL SERVICES,  
DEPARTMENT OF 18**

**Statewide Account 0016**

Initiative: Provides for the deappropriation of funds resulting from the curtailment of fiscal year 2002-03 expenditures from departments and agencies statewide, as authorized by Financial Order #05723 F3 and further amended by Financial Order #05871 F3 and Financial Order #06004 F3.

<b>General Fund</b>	<b>2002-03</b>
Personal Services	(\$1,641,023)
All Other	(49,288,754)
Capital Expenditures	(1,600,160)
Total	(52,529,937)

<b>Other Special Revenue Funds</b>	<b>2002-03</b>
All Other	(195,000)
Total	(195,000)

2 Initiative: Provides for the deappropriation of funds from the  
3 curtailment of fiscal year 2002-03 expenditures resulting from  
4 savings in Maine State Retirement System Administration in  
5 departments and agencies statewide, as authorized by Financial  
6 Order #05838 F3.

7 **General Fund** **2002-03**  
8 Personal Services (200,000)

10 Initiative: Provides for the deappropriation of funds from the  
11 curtailment of fiscal year 2002-03 expenditures resulting from  
12 3 temporary days off without pay for state employees in  
13 departments and agencies statewide, as authorized by Financial  
14 Order #05844 F3.

16 **General Fund** **2002-03**  
17 Personal Services (2,974,032)

18 Initiative: Provides for the deallocation of funds resulting  
19 from savings in the Highway Fund from 3 temporary days off  
20 without pay for state employees in departments and agencies  
21 statewide, as authorized by Executive Order 07 FY 01/02.

24 **Highway Fund** **2002-03**  
25 Personal Services (622,356)

26 Initiative: Provides for the deallocation of funds resulting  
27 from savings in Other Special Revenue Funds from 3 temporary  
28 days off without pay for state employees in departments and  
29 agencies statewide, as authorized by Executive Order 07 FY  
30 01/02.

32 **Other Special Revenue Funds** **2002-03**  
33 Personal Services (919,815)

36 **Business Equipment Tax Reimbursement**  
37 **(BETR) 0806**

38 Initiative: Provides for the deappropriation of funds from  
39 savings achieved through a change in the filing date to August  
40 1st for reimbursement purposes.

42 **General Fund** **2002-03**  
43 All Other (47,970,000)

46 **ADMINISTRATIVE AND FINANCIAL SERVICES,**  
47 **DEPARTMENT OF 18**  
48 **DEPARTMENT TOTALS**

49 **2002-03**  
50 **GENERAL FUND (103,673,969)**

2	HIGHWAY FUND	(622,356)
	OTHER SPECIAL REVENUE FUNDS	(1,114,815)
4	DEPARTMENT TOTAL - ALL FUNDS	<u>(105,401,140)</u>
6	ARTS COMMISSION, MAINE 94W	
8	Arts - Administration 0178	
10	Initiative: Provides for the deappropriation of New Century Program Grants for fiscal year 2002-03.	
12	General Fund	2002-03
14	All Other	(16,728)
16	ARTS COMMISSION, MAINE 94W	
18	DEPARTMENT TOTALS	2002-03
20	GENERAL FUND	(16,728)
22	DEPARTMENT TOTAL - ALL FUNDS	<u>(16,728)</u>
24	BEHAVIORAL AND DEVELOPMENTAL SERVICES, DEPARTMENT OF 14	
26	Medicaid Services - Mental Retardation 0705	
28	Initiative: Provides for the deappropriation of funds from savings achieved through expenditure reductions due to revenue generated in the Other Special Revenue Funds by the imposition of an assessment on residential treatment facilities for individuals with developmental disabilities.	
30	General Fund	2002-03
32	All Other	(700,000)
34	Residential Treatment Facilities Assessment (New)	
36	Initiative: Provides for the allocation of funds from revenue generated by the imposition of an assessment on residential treatment facilities for individuals with developmental disabilities.	
38	Other Special Revenue Funds	2002-03
40	All Other	1,055,648
42	BEHAVIORAL AND DEVELOPMENTAL SERVICES, DEPARTMENT OF 14	
44		
46		
48		
50		

2	<b>DEPARTMENT TOTALS</b>	<b>2002-03</b>
	<b>GENERAL FUND</b>	<b>(700,000)</b>
4	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>1,055,648</b>
6	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>355,648</b>
8	<b>CONSERVATION, DEPARTMENT OF 04</b>	
10	<b>Boating Facilities Program 0226</b>	
12	Initiative: Provides for the deappropriation of funds to achieve savings.	
14	<b>General Fund</b>	<b>2002-03</b>
16	All Other	(5,730)
18	<b>CONSERVATION, DEPARTMENT OF 04</b>	
20	<b>DEPARTMENT TOTALS</b>	<b>2002-03</b>
22	<b>GENERAL FUND</b>	<b>(5,730)</b>
24	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>(5,730)</b>
26	<b>DEVELOPMENT FOUNDATION, MAINE 99D</b>	
28	<b>Maine Development Foundation 0198</b>	
30	Initiative: Provides for the deappropriation of funds to achieve savings.	
32	<b>General Fund</b>	<b>2002-03</b>
34	All Other	(8,000)
36	<b>DEVELOPMENT FOUNDATION, MAINE 099D</b>	
38	<b>DEPARTMENT TOTALS</b>	<b>2002-03</b>
40	<b>GENERAL FUND</b>	<b>(8,000)</b>
42	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>(8,000)</b>
44	<b>ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF 19</b>	
46	<b>Administration - Economic and Community Development 0069</b>	
48	Initiative: Provides for the deappropriation of funds to achieve savings.	
50		

2	<b>General Fund</b>	<b>2002-03</b>
	All Other	(1,000,000)
4	<b>Forum Francophone 0882</b>	
6	Initiative: Provides for the deappropriation of the balance of funds for this program.	
8		
10	<b>General Fund</b>	<b>2002-03</b>
	All Other	(15,000)
12	<b>Office of Tourism 0577</b>	
14	Initiative: Provides for the deappropriation of funds to achieve savings.	
16		
18	<b>General Fund</b>	<b>2002-03</b>
	All Other	(121,463)
20	<b>ECONOMIC AND COMMUNITY DEVELOPMENT,</b>	
22	<b>DEPARTMENT OF 19</b>	
	<b>DEPARTMENT TOTALS</b>	<b>2002-03</b>
24	<b>GENERAL FUND</b>	<b>(1,136,463)</b>
26	<b>DEPARTMENT TOTALS - ALL FUNDS</b>	<b>(1,136,463)</b>
28	<b>EDUCATION, DEPARTMENT OF 05</b>	
30	<b>Health Insurance - Retired Teachers 0854</b>	
32	Initiative: Provides for the deappropriation of funds by postponing the 2nd 5% increase for Teacher Retiree Health that was due to be effective on April 1, 2003.	
34		
36	<b>General Fund</b>	<b>2002-03</b>
	All Other	(384,146)
38		
40	<b>EDUCATION, DEPARTMENT OF 05</b>	
	<b>DEPARTMENT TOTALS</b>	<b>2002-03</b>
42	<b>GENERAL FUND</b>	<b>(384,146)</b>
44	<b>DEPARTMENT TOTALS - ALL FUNDS</b>	<b>(384,146)</b>
46	<b>HISTORIC PRESERVATION COMMISSION,</b>	
48	<b>MAINE 94P</b>	
50	<b>Maine Historic Preservation</b>	
	<b>Commission 0036</b>	

2	Initiative: Provides for the deappropriation of New Century Program Grants for fiscal year 2002-03.	
4		
6	<b>General Fund</b>	<b>2002-03</b>
6	All Other	(30,726)
8	<b>HISTORIC PRESERVATION COMMISSION,</b>	
	<b>MAINE 94P</b>	
10	<b>DEPARTMENT TOTALS</b>	<b>2002-03</b>
12	<b>GENERAL FUND</b>	<b>(30,726)</b>
14	<b>DEPARTMENT TOTALS - ALL FUNDS</b>	<b>(30,726)</b>
16	<b>HOUSING AUTHORITY, MAINE STATE 99H</b>	
18	<b>Temporary Housing Assistance 0714</b>	
20	Initiative: Provides for the deappropriation of funds to eliminate funding for the Temporary Housing Assistance Program.	
22		
24	<b>General Fund</b>	<b>2002-03</b>
24	All Other	(52,500)
26	<b>HOUSING AUTHORITY, MAINE STATE 99H</b>	
28	<b>DEPARTMENT TOTALS</b>	<b>2002-03</b>
28	<b>GENERAL FUND</b>	<b>(52,500)</b>
30	<b>DEPARTMENT TOTALS - ALL FUNDS</b>	<b>(52,500)</b>
32		
34	<b>HUMANITIES COUNCIL, MAINE 95H</b>	
36	<b>Maine Humanities Council 0942</b>	
38	Initiative: Provides for deappropriation of New Century Program Grants for fiscal year 2002-03.	
40	<b>General Fund</b>	<b>2002-03</b>
42	All Other	(7,623)
44	<b>HUMANITIES COUNCIL, MAINE 95H</b>	
44	<b>DEPARTMENT TOTALS</b>	<b>2002-03</b>
46	<b>GENERAL FUND</b>	<b>(7,623)</b>
48	<b>DEPARTMENT TOTALS - ALL FUNDS</b>	<b>(7,623)</b>
50	<b>HUMAN SERVICES, DEPARTMENT OF 10A</b>	



2       **Purchased Social Services 0228**

4       Initiative: Provides for the deappropriation of funds and  
6       allocation of TANF reserve funds in the Purchased Social  
8       Services Block Grant account to be used for the transfer of  
state purchased child care services costs.

10	<b>General Fund</b>	<b>2002-03</b>
	All Other	(2,900,000)
12	Total	<hr/>
		(2,900,000)
14	<b>Federal Block Grant Fund</b>	<b>2002-03</b>
	All Other	3,900,000
16	Total	<hr/>
		3,900,000

18       **Child Care Services 0583**

20       Initiative: Provides for the allocation of TANF reserve funds  
22       in the Child Care Development Fund account to be used for the  
24       transfer of home visitation costs funded by the Fund for a  
Healthy Maine.

26	<b>Federal Block Grant Fund</b>	<b>2002-03</b>
	All Other	1,200,000

28       **FHM - Purchased Social Services 0961**

30       Initiative: Provides for the deallocation of Fund for a  
32       Healthy Maine funds for purchased child care social services to  
34       be replaced with TANF Block Grant reserve funds in the Child  
Care Development Fund.

36	<b>Other Special Revenue Funds</b>	<b>2002-03</b>
	All Other	(1,200,000)

38       **FHM - Home Visitation 0953-06**

40       Initiative: Provides for the deallocation of funds from the  
42       Fund for a Healthy Maine for Home Visitation that will be  
44       replaced by TANF reserve funds in the Social Services Block  
Grant account.

46	<b>Other Special Revenue Funds</b>	<b>2002-03</b>
	All Other	(1,000,000)

48       **Medical Care - Payments to Providers 0147**

50

2 Initiative: Provides for the deappropriation of funds and the  
allocation of dedicated revenue funds from the hospital license  
fee in the MaineCare Program.

4 **General Fund** **2002-03**  
6 All Other (3,500,000)  
8 Total (3,500,000)

10 **Other Special Revenue Funds** **2002-03**  
12 All Other 3,500,000  
14 Total 3,500,000

16 Initiative: Provides for the allocation of funds to increase  
payments for private duty nursing/personal care; elderly and  
adults with disabilities waiver; adult day health care; adult  
family care home; and medical and remedial private, nonmedical  
institution services.

20 **Other Special Revenue Funds** **2002-03**  
22 All Other 1,614,000  
24 Total 1,614,000

26 **Federal Expenditures Fund** **2002-03**  
28 All Other 3,176,739  
30 Total 3,176,739

32 Initiative: Provides for the allocation of funds to increase  
rates on January 1, 2003 for physicians to 60% of the Medicare  
rate as of January 1, 2002. This increase includes physical  
therapists, occupational therapists and speech therapists.

36 **Other Special Revenue Funds** **2002-03**  
38 All Other 1,350,000  
40 Total 1,350,000

42 **Federal Expenditures Fund** **2002-03**  
44 All Other 2,657,124  
46 Total 2,657,124

48 Initiative: Provides for the allocation of funds to rebase  
hospital inpatient service costs and to provide a  
cost-of-living adjustment for inpatient hospital services.

50 **Other Special Revenue Funds** **2002-03**

2	All Other	10,000,000
		<hr/>
4	Total	10,000,000
		<hr/>
6	<b>Federal Expenditures Fund</b>	<b>2002-03</b>
	All Other	20,000,000
8	Total	20,000,000
		<hr/>
10	Initiative: Provides for the deappropriation and allocation of	
12	funds associated with changes in the way the MaineCare Program	
14	reimburses medical and remedial private nonmedical institutions	
	for personal care services to allow for federal match.	
16	<b>General Fund</b>	<b>2002-03</b>
	All Other	(5,000,000)
18	Total	(5,000,000)
		<hr/>
20	<b>Federal Expenditures Fund</b>	<b>2002-03</b>
	All Other	5,000,000
22	Total	5,000,000
		<hr/>
24	Initiative: Provides for the deappropriation of funds	
26	associated with a Medicaid waiver that would allow for a	
28	portion of the Healthy Maine Prescription Program to be paid	
	for with federal funds.	
30	<b>General Fund</b>	<b>2002-03</b>
	All Other	(6,500,000)
32	Total	(6,500,000)
		<hr/>
34	<b>Federal Expenditures Fund</b>	<b>2002-03</b>
36	All Other	24,000,000
38	Total	24,000,000
		<hr/>
40	Initiative: Provides for the allocation of funds to increase	
42	the federal share of school-based rehabilitation services. The	
44	state share of this increase is provided in local school	
	budgets and does not need to be increased.	
46	<b>Federal Expenditures Fund</b>	<b>2002-03</b>
	All Other	5,000,000
48	Initiative: Provides for the allocation of funds to increase	
50	rates for municipally funded ambulance services to that of	
	usual charges.	

2	<b>Federal Expenditures Fund</b>	<b>2002-03</b>
	All Other	442,073
4		
6	Initiative: Provides for the allocation of funds to match	
8	existing state child welfare funds spent by the Bureau of Child	
	and Family Services for children served in private nonmedical	
	institutions.	
10	<b>Federal Expenditures Fund</b>	<b>2002-03</b>
	All Other	550,000
12		
14	<b>Nursing Facilities 0148</b>	
16	Initiative: Provides for the deappropriation and allocation of	
18	funds from the nursing facility assessment in the MaineCare	
	Program.	
20	<b>General Fund</b>	<b>2002-03</b>
	All Other	(9,500,000)
22		
	Total	<u>(9,500,000)</u>
24	<b>Other Special Revenue Funds</b>	<b>2002-03</b>
	All Other	9,500,000
26		
	Total	<u>9,500,000</u>
28		
30	Initiative: Provides for the allocation of funds required to	
32	make the payment of a nursing facility net operating revenue	
	assessment an allowable cost under the MaineCare Program.	
34	<b>Other Special Revenue Funds</b>	<b>2002-03</b>
	All Other	5,448,756
36		
	Total	<u>5,448,756</u>
38	<b>Federal Expenditure Fund</b>	<b>2002-03</b>
	All Other	10,724,459
40		
	Total	<u>10,724,459</u>
42		
44	Initiative: Provides for the allocation of funds to increase	
46	recruitment and retention of direct care staff for nursing	
	facilities.	
48	<b>Other Special Revenue Funds</b>	<b>2002-03</b>
	All Other	4,990,021
50		
	Total	<u>4,990,021</u>

2	<b>Federal Expenditure Fund</b>	<b>2002-03</b>
	All Other	9,821,558
4		
	Total	<u>9,821,558</u>
6		
8	Initiative: Provides for the deappropriation and deallocation	
10	of funds associated with the repeal of the law that allows	
	nonprofit nursing facilities to be reimbursed for a return on	
	net assets.	
12	<b>General Fund</b>	<b>2002-03</b>
	All Other	(118,380)
14		
	Total	<u>(118,380)</u>
16		
18	<b>Federal Expenditures Fund</b>	<b>2002-03</b>
	All Other	(235,839)
20		
	Total	<u>(235,839)</u>
22		
24	Initiative: Provides for the deappropriation and deallocation	
	of funds associated with the repeal of the law that lowered the	
	minimum occupancy percentages for nursing facilities.	
26	<b>General Fund</b>	<b>2002-03</b>
	All Other	(66,142)
28		
	Total	<u>(66,142)</u>
30		
32	<b>Federal Expenditures Fund</b>	<b>2002-03</b>
	All Other	(129,904)
34		
	Total	<u>(129,904)</u>
36	<b>Long Term Care - Human Services 0420</b>	
38		
40	Initiative: Provides for the allocation of funds to increase	
	payments to improve recruitment and retention of direct care	
	staff in the Home Based Care Program for elders and adults with	
	disabilities.	
42		
44	<b>Other Special Revenue Funds</b>	<b>2002-03</b>
	All Other	486,000
46	<b>Bureau of Medical Services 0129</b>	
48		
50	Initiative: Provides for the allocation of federal funds for a	
	state planning grant to assess different plans to provide	
	access to health care in Maine.	

2	<b>Federal Expenditures Fund</b>	<b>2002-03</b>
	All Other	1,283,426
4		
	<b>HUMAN SERVICES, DEPARTMENT OF 10A</b>	
6	<b>DEPARTMENT TOTALS</b>	<b>2002-03</b>
8	<b>GENERAL FUND</b>	<b>(27,584,522)</b>
	<b>FEDERAL EXPENDITURES FUND</b>	<b>58,289,636</b>
10	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>34,688,777</b>
	<b>FEDERAL BLOCK GRANT FUND</b>	<b>5,100,000</b>
12		
	<b>DEPARTMENT TOTALS - ALL FUNDS</b>	<b>70,493,891</b>
14		
	<b>MUSEUM, MAINE STATE 94M</b>	
16		
	<b>Administration 0180</b>	
18		
	Initiative: Provides for deappropriation of New Century Program	
20	Grants for fiscal year 2002-03.	
22	<b>General Fund</b>	<b>2002-03</b>
	All Other	(3,165)
24		
	<b>MUSEUM, MAINE STATE 94M</b>	
26	<b>DEPARTMENT TOTALS</b>	<b>2002-03</b>
28	<b>GENERAL FUND</b>	<b>(3,165)</b>
30		
	<b>DEPARTMENT TOTALS - ALL FUNDS</b>	<b>(3,165)</b>
32		
	<b>TREASURER OF STATE (OFFICE OF) 28</b>	
34		
	<b>Debt Services 0021</b>	
36		
	Initiative: Provides for the deappropriation of funds from	
38	\$3,876,375 in savings on debt service due to lower interest and	
	premium on tax anticipation notes, TAN, and \$1,260,424 in	
40	savings due to lower interest and additional savings on General	
	Obligation bonds.	
42	<b>General Fund</b>	<b>2002-03</b>
	All Other	(5,136,799)
44		
	<b>TREASURER OF STATE (OFFICE OF) 28</b>	
46	<b>DEPARTMENT TOTALS</b>	<b>2002-03</b>
48	<b>GENERAL FUND</b>	<b>(5,136,799)</b>
50		
	<b>DEPARTMENT TOTALS - ALL FUNDS</b>	<b>(5,136,799)</b>

2

**PART B**

4

6       **Sec. B-1. Bureau of General Services Planning and Construction**  
**account: lapsed balances.** Notwithstanding any other provision of  
law, \$1,285,000 of unencumbered balance forward in fiscal year  
8       2002-03 in the Bureau of General Services Planning and  
Construction General Fund account in the Department of  
10       Administrative and Financial Services lapses to the General Fund  
in fiscal year 2002-03.

12

14       **Sec. B-2. Capital Construction and Improvement Reserve Fund**  
**account: lapsed balances.** Notwithstanding any other provision of  
law, \$1,720,608 of unencumbered balance forward in fiscal year  
16       2002-03 in the Capital Construction and Improvement Reserve Fund  
General Fund account in the Department of Administrative and  
18       Financial Services lapses to the General Fund in fiscal year  
2002-03.

20

22       **Sec. B-3. General Fund Salary Plan: lapsed balances.**  
Notwithstanding any other provision of law, \$6,708,171 of  
unencumbered balance forward in fiscal year 2002-03 in the  
24       General Fund Salary Plan General Fund account in the Department  
of Administrative and Financial Services lapses to the General  
26       Fund in fiscal year 2002-03.

28

30       **Sec. B-4. Transfer of funds.** Notwithstanding any other  
provision of law, the State Controller shall transfer \$2,431 from  
the Bureau of Revenue Services Other Special Revenue Fund account  
in the Department of Administrative and Financial Services to the  
32       unappropriated surplus of the General Fund no later than June 30,  
2003.

34

36       **Sec. B-5. Transfer of funds.** Notwithstanding any other  
provision of law, the State Controller shall transfer \$38,626  
from the Bureau of General Services Energy Conservation Other  
38       Special Revenue Fund account in the Department of Administration  
and Financial Services to the unappropriated surplus of the  
40       General Fund no later than June 30, 2003.

42

44       **Sec. B-6. Transfer of funds.** Notwithstanding any other  
provision of law, the State Controller shall transfer \$200 from  
the Energy Costs - Stripper Well account in the Department of  
Administrative and Financial Services to the unappropriated  
46       surplus of the General Fund no later than June 30, 2003.

48

50       **Sec. B-7. Transfer of funds.** Notwithstanding any other  
provision of law, the State Controller shall transfer \$200,000  
from the Public Improvements - Planning/Construction - Admin

2 Other Special Revenue Fund account in the Department of  
Administrative and Financial Services to the unappropriated  
surplus of the General Fund no later than June 30, 2003.

4  
6 **Sec. B-8. Transfer of funds.** Notwithstanding any other  
provision of law, the State Controller shall transfer \$8,662,638  
8 from the Fund for a Healthy Maine Other Special Revenue Funds  
account in the Department of Administrative and Financial  
10 Services to the unappropriated surplus of the General Fund no  
later than June 30, 2003.

12 **Sec. B-9. Transfer of funds.** Notwithstanding any other  
provision of law, the State Controller shall transfer \$1,700,000  
14 from the Fund for a Healthy Maine Other Special Revenue Funds  
account in the Department of Administrative and Financial  
16 Services to the unappropriated surplus of the General Fund no  
later than June 30, 2003. This amount represents the return of  
18 the working capital advance to the Maine Rx Dedicated Fund in the  
Department of Human Services as authorized in Public Law 2001,  
20 chapter 358, Part JJ, section 1.

22 **Sec. B-10. Transfer of funds.** Notwithstanding the Maine  
Revised Statutes, Title 20-A, Part 9, the Commissioner of  
24 Administrative and Financial Services shall transfer \$9,600,000  
from the Maine Learning Technology Endowment to the  
26 unappropriated surplus of the General Fund no later than June 30,  
2003.

28 **Sec. B-11. Transfer of funds.** Notwithstanding any other  
30 provision of law, the State Controller shall transfer \$10,000,000  
from the Operating Capital of the General Fund to the  
32 unappropriated surplus of the General Fund no later than June 30,  
2003.

34 **Sec. B-12. Transfer of funds.** Notwithstanding any other  
36 provision of law, on or before June 30, 2003, the State  
Controller shall transfer \$9,300,000 from the unallocated surplus  
38 of the Highway Fund to the unappropriated surplus of the General  
Fund as reimbursement for funds provided for highway improvement  
40 projects.

42 **Sec. B-13. Calculation and transfer.** Notwithstanding any other  
provision of law, the State Budget Officer shall calculate the  
44 amount of savings in Part A, section 1 that applies against each  
Other Special Revenue Funds account for all departments and  
46 agencies from the requirement that state employees take 3 days  
off without pay in fiscal year 2002-03 pursuant to Executive  
48 Order 07 FY 01/02 and shall transfer the calculated amount to the  
General Fund by financial order upon the approval of the  
50 Governor. This transfer is considered an adjustment to



2 allocations in fiscal year 2002-03. The State Budget Officer  
3 shall provide the joint standing committee of the Legislature  
4 having jurisdiction over appropriations and financial affairs a  
5 report of the transferred amount no later than January 15, 2003.  
6 The following Other Special Revenue Funds accounts are exempt  
7 from these calculations: the Public Reserved Lands Management  
8 Fund account and the Submerged Lands Fund account in the  
9 Department of Conservation and the Baxter State Park Authority  
10 account.

11 **Sec. B-14. Calculation and transfer.** Notwithstanding any other  
12 provision of law, the State Budget Officer shall calculate the  
13 amount of savings in Part A, section 1 that applies against each  
14 Highway Fund account for all departments and agencies from the  
15 requirement that state employees take 3 days off without pay in  
16 fiscal year 2002-03 pursuant to Executive Order 07 FY 01/02 and  
17 shall transfer the calculated amount to the General Fund by  
18 financial order upon the approval of the Governor. This transfer  
19 is considered an adjustment to allocations in fiscal year  
20 2002-03. The State Budget Officer shall provide the joint  
21 standing committee of the Legislature having jurisdiction over  
22 appropriations and financial affairs a report of the transferred  
23 amount no later than January 15, 2003.

24 **Sec. B-15. Statewide curtailment of General Fund expenditures in  
25 fiscal year 2002-03.** Notwithstanding any other provision of law,  
26 the State Budget Officer shall transfer by financial order upon  
27 the approval of the Governor the amounts identified in the fiscal  
28 year 2002-03 Personal Services, All Other and Capital  
29 Expenditures appropriations and allocations of the accounts in  
30 Financial Order 05723 F3, as adjusted by Financial Order 05871 F3  
31 and Financial Order 06004 F3 for all departments and agencies up  
32 to the amount of the deappropriations and deallocations in Part  
33 A, section 1 of this Act. These transfers are considered  
34 adjustments to appropriations and allocations in fiscal year  
35 2002-03.

36 **Sec. B-16. Statewide curtailment of General Fund expenditures in  
37 fiscal year 2002-03.** Notwithstanding any other provision of law,  
38 the State Budget Officer shall transfer by financial order upon  
39 the approval of the Governor the amounts identified in the fiscal  
40 year 2002-03 Personal Services appropriations of the General Fund  
41 accounts in Financial Order 05844 F3 that represent savings in  
42 Maine State Retirement System administration. These transfers  
43 are considered adjustments to appropriations in fiscal year  
44 2002-03.

45 **Sec. B-17. Statewide curtailment of General Fund expenditures in  
46 fiscal year 2002-03.** Notwithstanding any other provision of law,  
47 the State Budget Officer shall transfer by

2 financial order upon the approval of the Governor the amounts  
3 identified in the fiscal year 2002-03 Personal Services  
4 appropriations of the General Fund accounts in Financial Order  
5 05838 F3 that represent savings from the requirement that state  
6 employees take 3 days off without pay in fiscal year 2002-03  
7 pursuant to Executive Order 07 FY 01/02. These transfers are  
8 considered adjustments to appropriations in fiscal year 2002-03.

## 10 PART C

12 **Sec. C-1. Division of Quality Assurance and Regulation account:  
13 lapsed balances.** Notwithstanding any other provision of law,  
14 \$6,000 of unencumbered balance forward in fiscal year 2002-03 in  
15 the Division of Quality Assurance and Regulation General Fund  
16 account in the Department of Agriculture, Food and Rural  
17 Resources lapses to the General Fund in fiscal year 2002-03.

18 **Sec. C-2. Pollution Control Structures account: lapsed balances.**  
19 Notwithstanding any other provision of law, \$154,000 of  
20 unencumbered balance forward in fiscal year 2002-03 in the  
21 Pollution Control Structures General Fund account in the  
22 Department of Agriculture, Food and Rural Resources lapses to the  
23 General Fund in fiscal year 2002-03.

## 26 PART D

28 **Sec. D-1. Contingent Account - Attorney General account: lapsed  
29 balances.** Notwithstanding any other provision of law, \$17,657 of  
30 unencumbered balance forward in fiscal year 2002-03 in the  
31 Contingent Account - Attorney General General Fund account in the  
32 Department of the Attorney General lapses to the General Fund in  
33 fiscal year 2002-03.

## 36 PART E

38 **Sec. E-1. Disproportionate Share - Bangor Mental Health Institute  
39 account: lapsed balances.** Notwithstanding any other provision of  
40 law, \$163 of unencumbered balance forward in fiscal year 2002-03  
41 in the Disproportionate Share - Bangor Mental Health Institute  
42 General Fund account in the Department of Behavioral and  
43 Developmental Services lapses to the General Fund in fiscal year  
44 2002-03.

46 **Sec. E-2. Medicaid Match - MR account: lapsed balances.**  
47 Notwithstanding any other provision of law, \$35,989 of  
48 unencumbered balance forward in fiscal year 2002-03 in the  
49 Medicaid Match - MR General Fund account in the Department of  
50 Behavioral and Developmental Services lapses to the General Fund  
in fiscal year 2002-03.

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**Sec. E-3. MH Services Child Medicaid account: lapsed balances.**  
Notwithstanding any other provision of law, \$40,459 of unencumbered balance forward in fiscal year 2002-03 in the MH Services Child Medicaid General Fund account in the Department of Behavioral and Developmental Services lapses to the General Fund in fiscal year 2002-03.

**Sec. E-4. MH Services Community Medicaid account: lapsed balances.** Notwithstanding any other provision of law, \$2,113,059 of unencumbered balance forward in fiscal year 2002-03 in the MH Services Community Medicaid General Fund account in the Department of Behavioral and Developmental Services lapses to the General Fund in fiscal year 2002-03.

**PART F**

**Sec. F-1. Division of Forest Fire Control account: lapsed balances.**  
Notwithstanding any other provision of law, \$1,000 of unencumbered balance forward in fiscal year 2002-03 in the Division of Forest Fire Control General Fund account in the Department of Conservation lapses to the General Fund in fiscal year 2002-03.

**Sec. F-2. Transfer of funds.** Notwithstanding any other provision of law, the State Controller shall transfer \$4,138 from the Municipal Recreation Fund Other Special Revenue Funds account in the Department of Conservation to the unappropriated surplus of the General Fund no later than June 30, 2003.

**Sec. F-3. Transfer of funds.** Notwithstanding any other provision of law, the State Controller shall transfer \$1,797 from the Conservation Central Admin Other Special Revenue Funds account in the Department of Conservation to the unappropriated surplus of the General Fund no later than June 30, 2003 pursuant to Financial Order 05870 F3.

**Sec. F-4. Transfer of funds.** Notwithstanding any other provision of law, the State Controller shall transfer \$1,494 from the Maine Rivers Coordination account in the Department of Conservation to the unappropriated surplus of the General Fund no later than June 30, 2003.

**Sec. F-5. Transfer of funds.** Notwithstanding any other provision of law, the State Controller shall transfer \$64,746 from the Keep Maine Scenic Other Special Revenue Funds account in the Department of Conservation to the unappropriated surplus of the General Fund no later than June 30, 2003 pursuant to Financial Order 05870 F3.

2           **Sec. F-6. Transfer of funds.** Notwithstanding any other  
3 provision of law, the State Controller shall transfer \$5,445 from  
4 the Treat ME Right Other Special Revenue Funds account in the  
5 Department of Conservation to the unappropriated surplus of the  
6 General Fund no later than June 30, 2003 pursuant to Financial  
7 Order 05870 F3.

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10                                   **PART G**

11           **Sec. G-1. Department of Corrections account: lapsed balances.**  
12 Notwithstanding any other provision of law, \$10,721 of  
13 unencumbered balance forward in fiscal year 2002-03 in the  
14 Department of Corrections General Fund account in the Department  
15 of Corrections lapses to the General Fund in fiscal year 2002-03.

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17                                   **PART H**

18           **Sec. H-1. Transfer of funds.** Notwithstanding any other  
19 provision of law, the State Controller shall transfer \$2,629 from  
20 the Veterans Services Other Special Revenue Funds account in the  
21 Department of Defense, Veterans and Emergency Management to the  
22 unappropriated surplus of the General Fund no later than June 30,  
23 2003.

24           **Sec. H-2. Transfer of funds.** Notwithstanding any other  
25 provision of law, the State Controller shall transfer \$42,200  
26 from the Dam Repair and Reconstruction Fund Other Special Revenue  
27 Funds account in the Department of Defense, Veterans and  
28 Emergency Management to the unappropriated surplus of the General  
29 Fund no later than June 30, 2003.

30           **Sec. H-3. Transfer of funds.** Notwithstanding any other  
31 provision of law, the State Controller shall transfer \$570 from  
32 the MEMA - Hazardous Material Other Special Revenue Funds account  
33 in the Department of the Defense, Veterans and Emergency  
34 Management to the unappropriated surplus of the General Fund no  
35 later than June 30, 2003.

36  
37                                   **PART I**

38           **Sec. I-1. Transfer of funds.** Notwithstanding any other  
39 provision of law, the State Controller shall transfer \$76,000  
40 from the DECD Admin Other Special Revenue Funds account in the  
41 Department of Economic and Community Development to the  
42 unappropriated surplus of the General Fund no later than June 30,  
43 2003.

44           **Sec. I-2. Transfer of funds.** Notwithstanding any other  
45 provision of law, the State Controller shall transfer \$51,000

2 from the Maine Biomedical Research Fund Other Special Revenue  
3 Funds account in the Department of Economic and Community  
4 Development to the unappropriated surplus of the General Fund no  
later than June 30, 2003.

6 **Sec. I-3. Transfer of funds.** Notwithstanding any other  
7 provision of law, the State Controller shall transfer \$25,466  
8 from the Economic Opportunity Fund Other Special Revenue Funds  
9 account in the Department of Economic and Community Development  
10 to the unappropriated surplus of the General Fund no later than  
11 June 30, 2003.

12 **Sec. I-4. Transfer of funds.** Notwithstanding any other  
13 provision of law, the State Controller shall transfer \$17,600  
14 from the Job Retention Program Other Special Revenue Funds  
15 account in the Department of Economic and Community Development  
16 to the unappropriated surplus of the General Fund no later than  
17 June 30, 2003.

## 20 PART J

22 **Sec. J-1. Education in Unorganized Territory account: lapsed**  
23 **balances.** Notwithstanding any other provision of law, \$2,000,000  
24 of unencumbered balance forward in fiscal year 2002-03 in the  
25 Education Unorganized Territory General Fund account in the  
26 Department of Education lapses to the General Fund in fiscal year  
27 2002-03.

30 **Sec. J-2. School Breakfast Program account: lapsed balances.**  
31 Notwithstanding any other provision of law, \$116,430 of  
32 unencumbered balance forward in fiscal year 2002-03 in the School  
33 Breakfast Program General Fund account in the Department of  
34 Education lapses to the General Fund in fiscal year 2002-03.

## 36 PART K

38 **Sec. K-1. Land and Water Quality account: lapsed balances.**  
39 Notwithstanding any other provision of law, \$6,244 of  
40 unencumbered balance forward in fiscal year 2002-03 in the Land  
41 and Water Quality General Fund account in the Department of  
42 Environmental Protection lapses to the General Fund in fiscal  
43 year 2002-03.

44 **Sec. K-2. Transfer of funds.** Notwithstanding any other  
45 provision of law, the State Controller shall transfer \$120,000  
46 from the Administrative Services Unit - ACE Cluster Other Special  
47 Revenue Funds account in the Department of Environmental  
48 Protection to the unappropriated surplus of the General Fund no  
49 later than June 30, 2003.



**Sec. O-3. Nursing Facilities account: lapsed balances.**

2 Notwithstanding any other provision of law, \$3,191,659 of  
unencumbered balance forward in fiscal year 2002-03 in the  
4 Nursing Facilities General Fund account in the Department of  
Human Services lapses to the General Fund in fiscal year 2002-03.

**Sec. O-4. Transfer of funds.**

6 Notwithstanding any other  
8 provision of law, the State Controller shall transfer \$89,962  
from the Nursing Facilities Other Special Revenue Funds account  
10 in the Department of Human Services to the unappropriated surplus  
of the General Fund no later than June 30, 2003.

**Sec. O-5. Transfer of funds.**

12 Notwithstanding any other  
14 provision of law, the State Controller shall transfer \$60,956  
from the Control Over Plumbing Other Special Revenue Funds  
16 account in the Department of Human Services to the unappropriated  
surplus of the General Fund no later than June 30, 2003.

**Sec. O-6. Transfer of funds.**

18 Notwithstanding any other  
20 provision of law, the State Controller shall transfer \$38,196  
from the Child and Family Services - Regional Other Special  
22 Revenue Funds account in the Department of Human Services to the  
unappropriated surplus of the General Fund no later than June 30,  
24 2003.

**Sec. O-7. Transfer of funds.**

26 Notwithstanding any other  
28 provision of law, the State Controller shall transfer \$5,000,000  
from the Medical Care Services Other Special Revenue Funds  
account in the Department of Human Services to the unappropriated  
30 surplus of the General Fund no later than June 30, 2003 for  
allowable cost-of-living adjustments for federal fiscal years  
32 1999-00, 2000-01 and 2001-02 for the school-based MaineCare  
program.

**Sec. O-8. Transfer of funds.**

34 Notwithstanding any other  
36 provision of law, the State Controller shall transfer \$1,000,000  
from the Medical Care - Payments to Providers Federal Block Grant  
38 Fund account in the Department of Human Services to the  
unappropriated surplus of the General Fund no later than June 30,  
40 2003 representing funds earned through expenditures from the Fund  
for a Healthy Maine toward the Child Health Insurance Program.

**Sec. O-9. ASPIRE account: lapsed balances.**

42 Notwithstanding any other  
44 provision of law, \$206,399 of unencumbered balance forward  
in fiscal year 2002-03 in the ASPIRE General Fund account in the  
46 Department of Human Services lapses to the General Fund in fiscal  
year 2002-03.

**Sec. O-10. Drugs for Maine's Elderly account: lapsed balances.**

48 Notwithstanding any other provision of law, \$99,395 of  
50

2 unencumbered balance forward in fiscal year 2002-03 in the Drugs  
for Maine's Elderly General Fund account in the Department of  
4 Human Services lapses to the General Fund in fiscal year 2002-03.

6 **PART P**

**Sec. P-1. Transfer of funds.** Notwithstanding any other  
8 provision of law, the State Controller shall transfer \$78,718  
from the Courts - Supreme, Superior, District and Administrative  
10 Federal Fund account in the Judicial Department to the  
unappropriated surplus of the General Fund no later than June 30,  
12 2003.

14 **PART Q**

16 **Sec. Q-1. Governor's Training Initiative account: lapsed balances.**  
Notwithstanding any other provision of law, \$864,898 of  
18 unencumbered balance forward in fiscal year 2002-03 in the  
Governor's Training Initiative Program General Fund account in  
20 the Department of Labor lapses to the General Fund in fiscal year  
2002-03.

22 **PART R**

24 **Sec. R-1. Legislative account: lapsed balances.** Notwithstanding  
any other provision of law, \$200,000 of unencumbered balance  
26 forward in fiscal year 2002-03 in the Legislative General Fund  
account in the Legislature lapses to the General Fund in fiscal  
28 year 2002-03.

30 **PART S**

32 **Sec. S-1. Transfer of funds.** Notwithstanding any other  
provision of law, the State Controller shall transfer \$5,000 from  
34 the Private Contribution Revolving Other Special Revenue Funds  
account in the Maine State Museum to the unappropriated surplus  
36 of the General Fund no later than June 30, 2003.

38 **PART T**

40 **Sec. T-1. Transfer of funds.** Notwithstanding any other  
provision of law, the State Controller shall transfer \$235 from  
42 the Groundfish Hatchery Fund Other Special Revenue Funds account  
in the Department of Marine Resources to the unappropriated  
44 surplus of the General Fund no later than June 30, 2003.

46 **PART U**

48 **Sec. U-1. Transfer of funds.** Notwithstanding any other  
50 provision of law, the State Controller shall transfer \$6,106 from



2 the Conference Seminar and Workshop Other Special Revenue Funds  
3 account in the Department of Professional and Financial  
4 Regulation to the unappropriated surplus of the General Fund no  
5 later than June 30, 2003.

## 6 PART V

8 **Sec. V-1. Transfer of funds.** Notwithstanding any other  
9 provision of law, the State Controller shall transfer \$3,710 from  
10 the State Bureau of Investigation Other Special Revenue Funds  
11 account in the Department of Public Safety to the unappropriated  
12 surplus of the General Fund no later than June 30, 2003.

14 **Sec. V-2. Transfer of funds.** Notwithstanding any other  
15 provision of law, the State Controller shall transfer \$1,107 from  
16 the Traffic Safety Division Other Special Revenue Funds account  
17 in the Department of Public Safety to the unappropriated surplus  
18 of the General Fund no later than June 30, 2003.

20 **Sec. V-3. Transfer of funds.** Notwithstanding any other  
21 provision of law, the State Controller shall transfer \$1,022 from  
22 the Traffic Safety Commission Vehicle Enforcement Other Special  
23 Revenue Funds account in the Department of Public Safety to the  
24 unappropriated surplus of the General Fund no later than June 30,  
25 2003.

## 26 PART W

28 **Sec. W-1. Transfer of funds.** Notwithstanding any other  
29 provision of law, the State Controller shall transfer \$20,000  
30 from the Public Utilities Commission Reimbursement Fund Other  
31 Special Revenue Funds account in the Public Utilities Commission  
32 to the unappropriated surplus of the General Fund no later than  
33 June 30, 2003.

36 **Sec. W-2. Transfer of funds.** Notwithstanding any other  
37 provision of law, the State Controller shall transfer \$2,893 from  
38 the Public Utilities Commission Miscellaneous Other Special  
39 Revenue Funds account in the Public Utilities Commission to the  
40 unappropriated surplus of the General Fund no later than June 30,  
41 2003.

## 42 PART X

44 **Sec. X-1. 33 MRSA §1960,** as enacted by PL 1997, c. 508, Pt.  
45 A, §2 and affected by §3, is amended to read:

48 **§1960. Notice and publication of unclaimed property**  
49

1           **1. Publication.** The administrator shall publish a notice  
2 no later than November 30th of the year next following the year  
3 in which ~~abandoned~~ unclaimed property has been paid or delivered  
4 to the administrator. The notice must be published in a  
5 ~~newspaper of general circulation~~ medium generally available to  
6 residents in this State. The advertisement must be in a form  
7 that, in the judgment of the administrator, is likely to attract  
8 the attention of the apparent owner of the unclaimed property.  
9 The form must contain:

10           A. The name of each person appearing to be the owner of the  
11 property, as set forth in the report filed by the holder;

12           B. The last known address or location of each person  
13 appearing to be the owner of the property, if an address or  
14 location is set forth in the report filed by the holder;

15           C. A statement explaining that property of the owner is  
16 presumed to be abandoned and has been taken into the  
17 protective custody of the administrator; and

18           D. A statement that information about the property and its  
19 return to the owner is available to a person having a legal  
20 or beneficial interest in the property, upon request to the  
21 administrator.

22           **2. Publication not required.** The administrator is not  
23 required to advertise the name and address or location of an  
24 owner of property having a total value less than \$50 or  
25 information concerning a traveler's check, money order or similar  
26 instrument.

27           **Sec. X-2. 33 MRSA §1963, sub-§§1 and 2,** as enacted by PL 1997,  
28 c. 508, Pt. A, §2 and affected by §3, are amended to read:

29           **1. Highest bidder.** Except as otherwise provided in this  
30 section, the administrator, ~~within 3 years after the receipt of~~  
31 ~~abandoned property,~~ shall may sell it unclaimed property anytime  
32 90 days or more after it has been advertised pursuant to section  
33 1960. The sale must be to the highest bidder at public sale at a  
34 location in the State, or via electronic medium available to  
35 citizens of the State that, in the judgment of the administrator,  
36 affords the most favorable market for the property. The  
37 administrator may decline the highest bid and reoffer the  
38 property for sale if the administrator considers the bid to be  
39 insufficient. The administrator need not offer the property for  
40 sale if the administrator considers that the probable cost of  
41 sale will exceed the proceeds of the sale. A sale held under  
42 this section must be preceded by a single publication of notice,  
43 at least 3 weeks before sale, in a newspaper of general

circulation in ~~the county in which the property is to be sold~~ the State.

**2. Securities.** Securities listed on an established stock exchange must be sold at prices prevailing on the exchange at the time of sale. Other securities may be sold over the counter at prices prevailing at the time of sale or by any reasonable method selected by the administrator. If securities are sold by the administrator before the expiration of ~~-3--years~~ one year after their delivery to the administrator, a person making a claim under this Act before the end of the ~~-3-year~~ one-year period is entitled to the proceeds of the sale of the securities or the market value of the securities at the time the claim is made, whichever is greater, plus dividends, interest and other increments thereon up to the time the claim is made, less any deduction for expenses of sale. A person making a claim under this Act after the expiration of the ~~-3-year~~ one-year period is entitled to receive the securities delivered to the administrator by the holder, if they still remain in the custody of the administrator, or the net proceeds received from sale and is not entitled to receive any appreciation in the value of the property occurring after delivery to the administrator, except in a case of intentional misconduct or malfeasance by the administrator.

Notwithstanding this subsection, the administrator may sell the securities of any single issue whose custodial costs are likely to exceed its value anytime 90 days or more after they have been advertised pursuant to section 1960. A person making a claim under this Act after these securities have been sold is only entitled to the net proceeds received from the sale.

## PART Y

**Sec. Y-1. 30-A MRSA §5681, sub-§5, ¶¶A and B,** as amended by PL 2001, c. 559, Pt. G, §1, are further amended to read:

A. For months beginning before ~~May~~ July 1, 2003, 5.1%; and

B. For months beginning on or after ~~May~~ July 1, 2003, 5.2%.

## PART Z

**Sec. Z-1. 36 MRSA §1760, sub-§31, ¶A,** as amended by PL 2001, c. 709, §1, is further amended to read:

A. For use by the purchaser directly and primarily in the production of tangible personal property intended to be sold or leased ultimately for final use or consumption or in the

2 production of tangible personal property pursuant to a  
3 contract with the United States Government or any agency  
4 thereof, ~~or in the case of sales occurring on or after~~  
5 ~~March 1, 2003 but prior to July 1, 2003, in the generation~~  
6 ~~of digital television broadcast signals or, in the case of~~  
7 ~~sales occurring after June 30, 2003, in the generation of~~  
8 ~~radio and television broadcast signals.~~ This exemption  
9 applies even if the purchaser sells the machinery or  
10 equipment and leases it back in a sale and leaseback  
11 transaction. This exemption also applies whether the  
12 purchaser agrees before or after the purchase of the  
13 machinery or equipment to enter into the sale and leaseback  
14 transaction and whether the purchaser's use of the machinery  
15 or equipment in production commences before or after the  
16 sale and leaseback transaction occurs. ~~As used in this~~  
17 ~~paragraph, "digital television broadcast signal" means an~~  
18 ~~over-the-air signal transmitted by a television station~~  
19 ~~licensed under 47 Code of Federal Regulations, Part 73; and~~

20

## PART AA

22

23 **Sec. AA-1. 36 MRSA §112, sub-§12**, as enacted by PL 2001, c.  
24 559, Pt. GG, §2 and affected by §26, is repealed.

26

27 **Sec. AA-2. 36 MRSA §5122, sub-§1, ¶N**, as amended by PL 2001,  
28 c. 700, §3, is further amended to read:

28

29 N. For any taxable year beginning in 2002, 2003 or 2004, an  
30 amount equal to the net increase in depreciation  
31 attributable to a 30% bonus depreciation deduction claimed  
32 by the taxpayer pursuant to Section 101 of the federal Job  
33 Creation and Worker Assistance Act of 2002, Public Law  
34 107-147 with respect to property placed in service during  
35 the taxable year, ~~multiplied by the factor obtained by~~  
36 ~~subtracting from the number 1.0 the conformity factor~~  
37 ~~calculated by the State Tax Assessor under section 112,~~  
38 ~~subsection 12;~~

40

41 **Sec. AA-3. 36 MRSA §5122, sub-§2, ¶Q**, as enacted by PL 2001,  
42 c. 559, Pt. GG, §12 and affected by §26, is amended to read:

42

43 Q. For tax years beginning in 2003, 2004 or, 2005 or 2006,  
44 an amount equal to 1/3 of any amount added back to federal  
45 adjusted gross income by the taxpayer for the 2002 tax year  
46 pursuant to subsection 1, paragraph N, except with respect  
47 to 3-year property, in which case this paragraph does not  
48 apply to 2005 or 2006 tax years and the amount to be  
49 subtracted pursuant to this paragraph in the 2004 tax year  
50 is an amount equal to 2/3 of the amount added back pursuant

2 to subsection 1, paragraph N, for tax years beginning in  
3 2002;

4 **Sec. AA-4. 36 MRSA §5122, sub-§2, ¶¶R and S** are enacted to  
5 read:

6 R. For tax years beginning in 2005, 2006 or 2007, an amount  
7 equal to 1/3 of any amount added back to federal adjusted  
8 gross income by the taxpayer for the 2003 tax year pursuant  
9 to subsection 1, paragraph N, except with respect to 3-year  
10 property, in which case this paragraph does not apply to  
11 2006 or 2007 tax years and the amount to be subtracted  
12 pursuant to this paragraph in the 2005 tax year is an amount  
13 equal to the amount added back pursuant to subsection 1,  
14 paragraph N for tax years beginning in 2003; and

15 S. For tax years beginning in 2006, 2007 or 2008, an amount  
16 equal to 1/3 of any amount added back to federal adjusted  
17 gross income by the taxpayer for the 2004 tax year pursuant  
18 to subsection 1, paragraph N, except with respect to 3-year  
19 property, in which case this paragraph does not apply to  
20 2007 or 2008 tax years and the amount to be subtracted  
21 pursuant to this paragraph in the 2006 tax year is in an  
22 amount equal to the amount added back pursuant to subsection  
23 1, paragraph N for tax years beginning in 2004.

24 **Sec. AA-5. 36 MRSA §5200-A, sub-§1, ¶N**, as amended by PL 2001,  
25 c. 700, §5, is further amended to read:

26 N. For any taxable year beginning in 2002, 2003 or 2004, an  
27 amount equal to the net increase in depreciation  
28 attributable to a 30% bonus depreciation deduction claimed  
29 by the taxpayer pursuant to Section 101 of the federal Job  
30 Creation and Worker Assistance Act of 2002, Public Law  
31 107-147 with respect to property placed in service during  
32 the taxable year,--multiplied--by--the--factor--obtained--by  
33 subtracting--from--the--number--1.0--the--conformity--factor  
34 calculated--by--the--State--Tax--Assessor--under--section--112,  
35 subsection-12;

36 **Sec. AA-6. 36 MRSA §5200-A, sub-§2, ¶¶L and M**, as enacted by  
37 PL 2001, c. 559, Pt. GG, §18 and affected by §26, are amended to  
38 read:

39 L. An amount equal to the absolute value of any net  
40 operating loss arising from a tax year beginning or ending  
41 in 2001 for which federal taxable income was increased under  
42 subsection 1, paragraph M and that, pursuant to Section 102  
43 of the federal Job Creation and ~~Werk~~ Worker Assistance Act  
44 of 2002, Public Law 107-147, was carried back more than 2

years to the taxable year for federal income tax purposes,  
but only to the extent that:

(1) Maine taxable income is not reduced below zero;

(2) The taxable year is either within 2 years prior to the year in which the loss arose or within the allowable federal period for carry-over of net operating losses; and

(3) The amount has not been previously used as a modification pursuant to this subsection; and

M. For tax years beginning in 2003, 2004 or 2005 or 2006, any amount equal to 1/3 of any amount added back to federal taxable income by the taxpayer for the 2002 tax year pursuant to subsection 1, paragraph N, except with respect to 3-year property, in which case this paragraph does not apply to 2005 or 2006 tax years and the amount to be subtracted pursuant to this paragraph in the 2004 tax year is an amount equal to 2/3 of the amount added back pursuant to subsection 1, paragraph N;

**Sec. AA-7. 36 MRSA §5200-A, sub-§2, ¶¶N and O** are enacted to read:

N. For tax years beginning in 2005, 2006 or 2007, an amount equal to 1/3 of any amount added back to federal taxable income by the taxpayer for the 2003 tax year pursuant to subsection 1, paragraph N, except with respect to 3-year property, in which case this paragraph does not apply to 2006 or 2007 tax years and the amount to be subtracted pursuant to this paragraph in the 2005 tax year is an amount equal to the amount added back pursuant to subsection 1, paragraph N; and

O. For tax years beginning in 2006, 2007 or 2008, an amount equal to 1/3 of any amount added back to federal taxable income by the taxpayer for the 2004 tax year pursuant to subsection 1, paragraph N, except with respect to 3-year property, in which case this paragraph does not apply to 2007 or 2008 tax years and the amount to be subtracted pursuant to this paragraph in the 2006 tax year is an amount equal to the amount added back pursuant to subsection 1, paragraph N.

## PART BB

2           **Sec. BB-1. 36 MRSA §6654**, as amended by PL 2001, c. 358, Pt.  
H, §1 and affected by §3, is further amended to read:

4           **§6654. Claim for reimbursement**

6           A person entitled to reimbursement of property taxes paid  
7 with respect to eligible property pursuant to section 6652 may  
8 file a single claim annually for reimbursement with the State Tax  
9 Assessor. The reimbursement claim must be filed with the State  
10 Tax Assessor ~~beginning any time after the last property tax~~  
11 ~~payment in a calendar year has been made but no later than April~~  
12 ~~1st of the following calendar year~~ on or after August 1st and on  
13 or before the following December 31st for property taxes paid  
14 during the preceding calendar year for which no previous  
15 reimbursement pursuant to this chapter has been made. The For  
16 good cause, the State Tax Assessor may at any time extend for  
17 ~~good cause the date on which~~ the time for filing a claim for  
18 ~~reimbursement is due, but in no event may a claim be allowed if~~  
19 ~~it is submitted later than~~ for a period not exceeding 60 days  
20 ~~after~~ from the original due date. Except as otherwise provided,  
21 the claim must be accompanied by the statement obtained by the  
22 claimant pursuant to section 6653. If the claimant requests  
23 reimbursement of an amount of tax that differs from the amount of  
24 tax specified for the eligible property in the statement provided  
25 by the assessor or assessors of the taxing jurisdiction, the  
26 claimant must attach to the claim form an explanation of the  
27 reasons for that difference and the State Tax Assessor shall  
28 determine the correct amount of reimbursement to which the  
29 claimant is entitled, taking into consideration both the  
30 statement from the assessor or assessors and the taxpayer's  
31 explanation. If, for any reason, the claimant is unable to  
32 obtain the statement specified in section 6653 from the assessor  
33 or assessors within the time specified in section 6653, the  
34 claimant must attach to the claim form an explanation of the  
35 amount of reimbursement requested and the State Tax Assessor  
36 shall process the claim without that statement.

38           **Sec. BB-2. 36 MRSA §6656**, as amended by PL 2001, c. 358, Pt.  
H, §2 and affected by §3, is further amended to read:

40           **§6656. Payment of claims**

42           Except as provided in section 6652, subsection 3, upon  
43 receipt of a timely and properly completed claim for  
44 reimbursement, the State Tax Assessor shall certify that the  
45 claimant is eligible for reimbursement and shall pay the amount  
46 claimed from the General Fund ~~at any time after receipt of the~~  
47 ~~claim but in any event~~ within 180 90 days after the end of the  
48 filing period or, in the case of a claim for which a filing  
49 extension has been granted, within 90 days after the extended due  
50

2 date ~~of the claim~~. For those claims for which payments are  
withheld pursuant to section 6652, subsection 3, reimbursement  
4 must be paid within ~~180~~ 90 days after the assessor receives  
notification under that subsection that the report has been  
6 received or within 90 days after the end of the filing period for  
the claim or, in the case of a claim for which a filing extension  
8 has been granted, within 90 days after the extended due date,  
whichever of the applicable dates occurs later.

10 **Sec. BB-3. Application.** Those sections of this Part that  
amend the Maine Revised Statutes, Title 36, sections 6654 and  
12 6656 apply to unreimbursed property taxes paid on or after  
January 1, 2002.  
14

## 16 PART CC

18 **Sec. CC-1. Assessment on residential services for individuals with**  
**developmental disabilities; "facility" defined.** In addition to all  
20 other fees and taxes now required or paid, an annual assessment  
equal to 6% of total annual gross patient services revenue,  
22 excluding any grants, donations or research funding, is applied  
to each facility. For purposes of this Part, "facility" means a  
24 facility described in Section 1905(d) of the federal Social  
Security Act, 42 United States Code, Section 1396d(d), that  
26 provides services to individuals with developmental disabilities,  
as well as a community-based facility providing similar services  
28 to the developmentally disabled under a waiver pursuant to  
Section 1915(c) of the federal Social Security Act, 42 United  
30 States Code, Section 1396n(c), to the extent permitted by federal  
law and regulations.  
32

### 34 **Sec. CC-2. Determination and payment of assessment.**

36 **1. Basis of assessments.** The Department of Human Services  
and the Department of Behavioral and Developmental Services shall  
38 determine the amount of each facility's gross revenue based on  
information filed with cost reports required to be filed for  
calendar year 2001 and yearly thereafter. Any facility that does  
40 not file a cost report with the Department of Human Services is  
required to submit a statement that accurately reflects annual  
42 gross revenue and all other information that may be necessary to  
implement this subsection.  
44

46 **2. Notice.** Each facility must be notified in writing of  
its total annual assessment as soon as practicable after the  
beginning of each state fiscal year.  
48

50 **3. Residential treatment facilities assessment Other  
Special Revenue Funds program.** There is created in the



2 Department of Behavioral and Developmental Services an Other  
3 Special Revenue Funds program to be known as the "Residential  
4 Treatment Facilities Assessment," which is composed of the  
5 assessments set forth in section 1 of this Part. Funds in the  
6 Residential Treatment Facilities Assessment may be expended only  
7 for behavioral and developmental services, and may be expended  
8 only upon allocation by the Legislature. Any unexpended funds  
9 remaining at the end of each fiscal year do not lapse but remain  
10 as a carrying balance to be used for the same purposes.

11 **4. Monthly payment.** The annual assessment imposed pursuant  
12 to section 1 of this Part must be paid in monthly installments  
13 and must be credited to the Residential Treatment Facilities  
14 Assessment program.

15 **5. Allowable cost.** The Department of Behavioral and  
16 Developmental Services and the Department of Human Services shall  
17 adopt rules as needed recognizing the assessments described in  
18 section 1 of this Part as an allowable and reimbursable cost.  
19 The departments will determine the portion of the assessment to  
20 be reimbursed based on MaineCare's share of total days of service.  
21

### 22 **Sec. CC-3. Failure to make timely payment of assessment.**

23 **1. Collection.** If any facility fails to make timely  
24 payment of any portion of an assessment, action is authorized to  
25 be taken to collect any outstanding assessments consistent with  
26 the laws of the State.  
27

28 **2. Collection by Department of Human Services.** If any  
29 portion of a facility's assessment is more than 30 days past due,  
30 upon 10 days' written notice to the facility, the Department of  
31 Human Services may:  
32

33 **A.** Withhold the outstanding amount and any penalties or  
34 fines from the facility's Medicaid payments; or

35 **B.** Suspend or withdraw the facility's Medicaid enrollment.  
36

37 **3. Change of ownership.** Regardless of changes in control  
38 or ownership of any facility, the Department of Human Services  
39 may recover from a facility any outstanding assessments and may  
40 take any of the actions described in subsection 2 against a  
41 facility for any outstanding assessments under this Part.  
42

### 43 **Sec. CC-4. Rules.**

44 The Department of Human Services and the Department of  
45 Behavioral and Developmental Services shall adopt any rules not  
46 inconsistent with state law and fiscal procedures necessary for  
47  
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2 the proper administration of this Part and to carry out the  
provisions, policies and purposes of this Part. Rules adopted  
4 pursuant to this Part are routine technical rules as defined in  
the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

6  
8 **PART DD**

10 **Sec. DD-1. Hospital assessment; "hospital" defined.**

12 **1. Calculation of annual assessment.** As used in this Part,  
"hospital" means a hospital licensed under the Maine Revised  
14 Statutes, Title 22, chapter 404 or 405, except for a public  
mental health institution. Except as provided in subsection 2 of  
16 this Part, in addition to all other fees and taxes now required  
or paid, a hospital is subject to an annual assessment of:

18 A. .565 of one percent of annual gross revenue received  
from all private and public payors for inpatient hospital  
20 services; and

22 B. .565 of one percent of annual gross revenue received  
from all private and public payors for outpatient hospital  
24 services.

26 **Sec. DD-2. Determination and payment of assessment.**

28 Assessments must be determined and paid in accordance with this  
section.

30 **1. Basis of assessments.** The Department of Human Services  
shall determine the amount of each hospital's gross revenue for  
32 inpatient and outpatient services based on information filed with  
cost reports required to be filed for cost reporting periods  
34 beginning on or after October 1, 1998 and before October 1, 1999  
and yearly thereafter. Any hospital that does not file a cost  
36 report with the Department of Human Services is required to  
submit a statement that accurately reflects gross revenue for  
38 inpatient services and gross revenue for outpatient services and  
all other information that may be necessary to implement this  
40 Part.

42 **2. Notice.** The Maine Revenue Services shall notify in  
writing each hospital of its total annual assessment as  
44 determined by the Department of Human Services as soon as  
practicable after the beginning of each state fiscal year.

46 **3. Monthly payment.** A hospital shall pay its annual  
48 assessment in monthly installments and that amount must be  
credited to the Medical Care Services Other Special Revenue Fund  
50 account in the Department of Human Services.



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**Sec. EE-2. Determination and payment of assessment.**

**1. Basis of assessment.** The Department of Human Services shall determine the amount of each nursing home's net operating revenue for nursing facility services based on information filed with cost reports required to be filed for calendar year 2001 and yearly thereafter. Any nursing home that does not file a cost report with the Department of Human Services is required to submit a statement that accurately reflects gross revenue and all other information as may be necessary to implement this Part.

**2. Notice.** The Maine Revenue Services shall notify in writing each nursing home of its total annual assessment as determined by the Department of Human Services as soon as practicable after the beginning of each state fiscal year.

**3. Monthly payment.** A nursing home shall pay its annual assessment in monthly installments to the Intermediate Care Services Other Special Revenue Fund account in the Department of Human Services.

**4. Allowable cost.** The Department of Human Services shall adopt rules recognizing the nursing home assessment as an allowable and reimbursable cost. The department will determine the portion of the assessment to be reimbursed based on MaineCare's share of total days of service.

**5. Billing statements.** The assessment imposed by this Part may not be billed by the nursing home as a separately stated charge on the billing statement to its patients.

**Sec. EE-3. Failure to make timely payment of assessment.**

**1. Collection.** If any nursing home fails to make timely payment of any portion of an assessment, action is authorized to be taken to collect any outstanding assessments consistent with the laws of the State.

**2. Collection by Department of Human Services.** If any portion of a nursing home's assessment is more than 30 days past due, upon 10 days' written notice to the nursing home, the Department of Human Services may:

- A. Withhold the outstanding amount and any penalties or fines from the nursing home's Medicaid payments; or
- B. Suspend or withdraw the nursing home's Medicaid registration.





2	Part Y	441,744	441,744
4	Part Z	74,953	74,953
6	Part AA	<u>16,570,264</u>	<u>16,570,264</u>
8	Total	20,322,294	20,322,294

**ADJUSTMENTS TO GENERAL FUND BALANCE**

10		<b>2002-03</b>	<b>BIENNIUM</b>
12	Part B		
14	Section B-1	1,285,000	1,285,000
	Section B-2	1,720,608	1,720,608
16	Section B-3	6,708,171	6,708,171
	Section B-4	2,431	2,431
18	Section B-5	38,626	38,626
	Section B-6	200	200
20	Section B-7	200,000	200,000
	Section B-8	8,662,638	8,662,638
22	Section B-9	1,700,000	1,700,000
	Section B-10	9,600,000	9,600,000
24	Section B-11	10,000,000	10,000,000
	Section B-12	9,300,000	9,300,000
26	Section B-13	919,815	919,815
	Section B-14	622,356	622,356
28	Part C		
30	Section C-1	6,000	6,000
	Section C-2	154,000	154,000
32	Part D		
34	Section D-1	17,657	17,657
36	Part E		
	Section E-1	163	163
38	Section E-2	35,989	35,989
	Section E-3	40,459	40,459
40	Section E-4	2,113,059	2,113,059
42	Part F		
	Section F-1	1,000	1,000
44	Section F-2	4,138	4,138
	Section F-3	1,797	1,797
46	Section F-4	1,494	1,494
	Section F-5	64,746	64,746
48	Section F-6	5,445	5,445
50	Part G		

2	Section G-1	10,721	10,721
	Part H		
4	Section H-1	2,629	2,629
	Section H-2	42,200	42,200
6	Section H-3	570	570
	Part I		
8	Section I-1	76,000	76,000
10	Section I-2	51,000	51,000
	Section I-3	25,466	25,466
12	Section I-4	17,600	17,600
	Part J		
14	Section J-1	2,000,000	2,000,000
16	Section J-2	116,430	116,430
	Part K		
18	Section K-1	6,244	6,244
20	Section K-2	120,000	120,000
	Section K-3	125,000	125,000
22	Part L		
24	Section L-1	59,261	59,261
	Part N		
26	Section N-1	2,500,000	2,500,000
28	Part O		
30	Section O-1	49,000	49,000
	Section O-2	477,746	477,746
32	Section O-3	3,191,659	3,191,659
	Section O-4	89,962	89,962
34	Section O-5	60,956	60,956
	Section O-6	38,196	38,196
36	Section O-7	5,000,000	5,000,000
	Section O-8	1,000,000	1,000,000
38	Section O-9	206,399	206,399
	Section O-10	99,395	99,395
40	Part P		
42	Section P-1	78,718	78,718
	Part Q		
44	Section Q-1	864,898	864,898
46	Part R		
48	Section R-1	200,000	200,000
50	Part S		



2	Section S-1	5,000	5,000
4	Part T		
	Section T-1	235	235
6	Part U		
	Section U-1	6,106	6,106
8	Part V		
10	Section V-1	3,710	3,710
	Section V-2	1,107	1,107
12	Section V-3	1,022	1,022
14	Part W		
	Section W-1	20,000	20,000
16	Section W-2	<u>2,893</u>	<u>2,893</u>
	Total	69,755,915	69,755,915

**ADJUSTMENTS TO GENERAL FUND BALANCE**

20		<b>2002-03</b>	<b>BIENNIUM</b>
22			
	Part B		
24	Section B-14	(622,356)	(622,356)

**SUMMARY**

**28**

**PART A**

30

Part A amends the appropriations and allocations of funds.

32

**PART B**

34

Part B does the following:

36

38 1. Lapses funds from 3 General Fund accounts and transfers  
balances from 8 Other Special Revenue Funds accounts in the  
Department of Administrative and Financial Services to the  
40 General Fund in fiscal year 2002-03;

42

44 2. Authorizes the State Budget Officer to calculate in  
fiscal year 2002-03 Personal Services savings equivalent to 3  
days off without pay for state employees from Other Special  
Revenue Funds and Highway Fund accounts and makes allocation  
46 adjustments to those accounts by financial order; and

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50 3. Authorizes the adjustment of appropriations and  
allocations based upon financial orders #05871 F3, #06004 F3,  
#05844 F3 and #05838 F3.

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**PART C**

Part C lapses funds from 2 General Fund accounts in the Department of Agriculture, Food and Rural Resources to the General Fund in fiscal year 2002-03.

**PART D**

Part D lapses funds from a General Fund account in the Department of the Attorney General to the General Fund in fiscal year 2002-03.

**PART E**

Part E lapses funds from 4 General Fund accounts in the Department of Behavioral and Developmental Services to the General Fund in fiscal year 2002-03.

**PART F**

Part F lapses funds from a General Fund account and transfers balances from 6 Other Special Revenue Funds accounts in the Department of Conservation to the General Fund in fiscal year 2002-03.

**PART G**

Part G lapses funds from a General Fund account in the Department of Corrections to the General Fund in fiscal year 2002-03.

**PART H**

Part H transfers balances from 3 Other Special Revenue Funds accounts in the Department of Defense, Veterans and Emergency Management to the General Fund in fiscal year 2002-03.

**PART I**

Part I transfers balances from 4 Other Special Revenue Funds accounts in the Department of Economic and Community Development to the General Fund in fiscal year 2002-03.

**PART J**

Part J lapses funds from 2 General Fund accounts in the Department of Education to the General Fund in fiscal year 2002-03.

**PART K**

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Part K does the following:

1. Lapses funds from a General Fund account and transfers balances from the Other Special Revenue Funds account in the Department of Environmental Protection to the General Fund in fiscal year 2002-03; and

2. Transfers funds from the Maine Environmental Protection Fund Other Special Revenue Funds account in the Department of Environmental Protection to the General Fund in fiscal year 2002-03. This transfer constitutes full repayment of the working capital advance provided to the fund.

**PART L**

Part L lapses funds from a General Fund account in the Executive Department to the General Fund in fiscal year 2002-03.

**PART M**

Part M transfers revenue from the Finance Authority of Maine to the General Fund in fiscal year 2002-03.

**PART N**

Part N transfers balances from an Other Special Revenue Funds account in the Commission on Governmental Ethics and Election Practices to the General Fund in fiscal year 2002-03.

**PART O**

Part O lapses funds from 5 General Fund accounts and transfers balances from 5 Other Special Revenue Funds accounts in the Department of Human Services to the General Fund in fiscal year 2002-03.

**PART P**

Part P lapses funds from a Federal Fund account in the Judicial Department to the General Fund in fiscal year 2002-03.

**PART Q**

Part Q lapses funds from a General Fund account in the Department of Labor to the General Fund in fiscal year 2002-03.

**PART R**

2 Part R lapses funds from a General Fund account in the  
Legislature to the General Fund in fiscal year 2002-03.

4 **PART S**

6 Part S transfers balances from the Other Special Revenue  
Funds account in the Maine State Museum account to the General  
8 Fund in fiscal year 2002-03.

10 **PART T**

12 Part T transfers balances from an Other Special Revenue  
Funds account in the Department of Marine Resources to the  
14 General Fund in fiscal year 2002-03.

16 **PART U**

18 Part U transfers balances from an Other Special Revenue  
Funds account in the Department of Professional and Financial  
20 Regulations to the General Fund in fiscal year 2002-03.

22 **PART V**

24 Part V transfers balances from 3 Other Special Revenue Funds  
accounts in the Department of Public Safety to the General Fund  
26 in fiscal year 2002-03.

28 **PART W**

30 Part W transfers balances from 2 Other Special Revenue Funds  
accounts in the Public Utilities Commission to the General Fund  
32 in fiscal year 2002-03.

34 **PART X**

36 Part X does the following:

38 1. Amends the law to allow for notification of unclaimed  
property to be published in media other than the newspaper; and  
40

42 2. Amends the law to allow the Treasurer of State the  
option of selling tangible property via electronic auction and  
encourages sales at more frequent intervals. It also permits the  
44 Treasurer of State to dispose of the securities of those issues  
whose custodial costs exceed their value reasonably soon after  
46 being advertised. Once sold, the rightful owner will receive the  
proceeds of the sale when that owner makes a claim.

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**PART Y**

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2 Part Y delays by 2 months the scheduled .1% increase in  
revenue sharing that would be effective May 1, 2003.

4 **PART Z**

6 Part Z repeals the sales tax exemption for broadcasting  
equipment that was enacted by Public Law 2001, chapter 709.

8 **PART AA**

10 Part AA disallows, for property placed in service during tax  
12 years beginning in 2002, 2003 and 2004, the net increase in  
depreciation attributable to the 30% bonus depreciation claimed  
14 by the taxpayer for federal income tax purposes in accordance  
with the Jobs Creation and Worker Assistance Act of 2002. Except  
16 for 3-year property, the taxpayer is allowed to recapture the  
disallowance in equal amounts over a 3-year period that begins 2  
18 years after the beginning of the taxable year of the  
disallowance. For 3-year property, the taxpayer is allowed to  
20 recapture the entire disallowance in the first year of the 3-year  
recovery period. Full recapture of disallowed depreciation is  
22 complete by 2009, at which time Maine would again be in full  
conformity with federal depreciation schedules on affected  
24 property.

26 **PART BB**

28 Part BB amends the Business Equipment Tax Reimbursement  
statute to provide that applications for reimbursement must be  
30 filed between August 1st and December 31st, with claims to be  
paid within 90 days from the end of the filing period.

32 **PART CC**

34 Part CC implements an assessment on residential treatment  
36 facilities for individuals with developmental disabilities.

38 **PART DD**

40 Part DD implements an assessment on hospitals.

42 **PART EE**

44 Part EE implements an assessment on nursing facilities.

46 **PART FF**

48 Part FF recognizes the method used to determine the amount  
of curtailment each school system will receive.