

# MAINE STATE LEGISLATURE

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L.D. 2214

Date: 4/17/24

(Filing No. S-730)

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STATE OF MAINE  
SENATE  
131ST LEGISLATURE  
SECOND REGULAR SESSION

SENATE AMENDMENT "F" to COMMITTEE AMENDMENT "A" to H.P. 1420, L.D. 2214, "An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2024 and June 30, 2025"

Amend the amendment by striking out all of Part TTTT.

Amend the amendment by inserting after Part TTTT the following:

**'PART UUUU**

**Sec. UUUU-1. Transfer from Maine Budget Stabilization Fund; Infrastructure Adaptation Fund.** Notwithstanding any provision of law to the contrary, the State Controller shall transfer \$50,000,000 by the close of the fiscal year ending June 30, 2025 from the Maine Budget Stabilization Fund within the Department of Administrative and Financial Services to the Department of Transportation, Infrastructure Adaptation Fund, Other Special Revenue Funds account for municipal, state or regionally significant infrastructure adaptation, repair and improvements that support public safety, protection of essential community assets, regional economic needs and long-term infrastructure resiliency.

**Sec. UUUU-2. Administration of Infrastructure Adaptation Fund program.** Funds appropriated under section 7 of this Part must be administered by the Department of Transportation and must be awarded by interagency boards using competitive processes. The interagency boards shall allocate up to \$30,000,000 of the funds provided to infrastructure projects related to wharves and piers that support commercial fisheries and aquaculture businesses in this State and the remainder to projects related to noncoastal municipal, state or regionally significant infrastructure adaptation, repair and improvement projects that support public safety, protection of essential community assets, regional economic needs and long-term infrastructure resiliency. Project rating criteria may include the potential extent of public safety; emergency management and infrastructure resiliency benefits; future climate conditions; ability to leverage federal and other funding; and community, economic and environmental benefits. All projects must demonstrate increased resilience to future storm and flooding impacts. The award criteria must prioritize proposals that demonstrate a significant and compelling community

**SENATE AMENDMENT**

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1 benefit; recipients that are not covered by Federal Emergency Management Agency  
2 disaster funds; and recipients that demonstrate that the damage is not covered by insurance  
3 and that all emergency relief currently available has been exhausted. The administration of  
4 the funds must include sufficient documentation and record-keeping requirements to  
5 provide assurance that funds have been awarded consistent with the program guidelines  
6 and used for the intended purpose.

7 **Sec. UUUU-3. Transfers from Infrastructure Adaptation Fund authorized.**

8 Funds provided under section 1 of this Part may be transferred by financial order upon the  
9 recommendation of the State Budget Officer and approval of the Governor for purposes  
10 described in section 1 of this Part and to facilitate the administration of the funds as  
11 described in section 2 of this Part.

12 **Sec. UUUU-4. Business Recovery and Resilience Fund program**  
13 **established.** The Business Recovery and Resilience Fund program is established in the  
14 Department of Economic and Community Development to provide grant opportunities for  
15 businesses and organizations, including nonprofit organizations, affected by severe  
16 weather-related events.

17 **Sec. UUUU-5. Transfer from Maine Budget Stabilization Fund; Business**  
18 **Recovery and Resilience Fund program, Other Special Revenue Funds**  
19 **account.** Notwithstanding any provision of law to the contrary, the State Controller shall  
20 transfer \$10,000,000 by the close of the fiscal year ending June 30, 2025 from the Maine  
21 Budget Stabilization Fund within the Department of Administrative and Financial Services  
22 to the Department of Economic and Community Development, Business Recovery and  
23 Resilience Fund program, Other Special Revenue Funds account for economic recovery  
24 and resilience grants to businesses and nonprofit organizations within areas that were  
25 impacted in the December 18, 2023 storm, the January 10, 2024 storm or the January 13,  
26 2024 storm. Projects may include a recovery component for damage sustained and must  
27 include efforts to increase business resilience to future storms and other climate conditions.

28 **Sec. UUUU-6. Administration of funds.** Funds provided under section 5 of this  
29 Part must be administered by the Department of Economic and Community Development  
30 and must be awarded using competitive processes. Project rating criteria may include the  
31 viability of the business or nonprofit organization, the ability to match grant funds and the  
32 efficacy of the recovery and resilience plan offered in the application. The award criteria  
33 must require that recipients demonstrate that the damage or project costs are not covered  
34 by Federal Emergency Management Agency disaster funds, or other insurance, and that the  
35 recipient has exhausted all emergency relief funding programs currently available. The  
36 administration of the funds must include sufficient documentation and record-keeping  
37 requirements to provide assurance that funds have been awarded consistent with the  
38 program guidelines and used for the intended purpose.

39 **Sec. UUUU-7. Appropriations and allocations.** The following appropriations  
40 and allocations are made.

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

42 **Business Recovery and Resilience Fund N491**

43 Initiative: Allocates funds for grants to businesses and nonprofit organizations impacted by  
44 the December 18, 2023 storm, the January 10, 2024 storm or the January 13, 2024 storm

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1 for recovery, rebuilding and investments in more resilient infrastructure. Infrastructure  
2 project types may include infrastructure upgrades, improvements or installation of drainage  
3 systems, moving electrical or business equipment, relocating the business to a more  
4 protected location and investing in additional insurance.

5	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2023-24</b>	<b>2024-25</b>
6	All Other	\$0	\$10,000,000
7			
8	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>\$10,000,000</u>

9			
10	<b>ECONOMIC AND COMMUNITY</b>		
11	<b>DEVELOPMENT, DEPARTMENT OF</b>		
12	<b>DEPARTMENT TOTALS</b>	<b>2023-24</b>	<b>2024-25</b>

13			
14	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$0</b>	<b>\$10,000,000</b>
15			
16	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u>\$0</u>	<u>\$10,000,000</u>

17 **TRANSPORTATION, DEPARTMENT OF**

18 **Infrastructure Adaptation Fund Z318**

19 Initiative: Provides one-time funding for municipal, state or regionally significant  
20 infrastructure adaptation, repair and improvements that support public safety, protection of  
21 essential community assets, regional economic needs and long-term infrastructure  
22 resiliency. Project types may include working waterfront infrastructure, culverts, storm  
23 water systems, water system upgrades and other interventions that support infrastructure  
24 repair and reducing or eliminating climate impacts, especially coastal and inland flooding.  
25 Funds may be used to support project planning and federal matching funds. Funds will be  
26 used for public infrastructure projects with project exemptions available for some types of  
27 private infrastructure upgrades with significant community benefits, such as working  
28 waterfronts. For the purposes of this fund, working waterfront infrastructure is defined as  
29 wharves and piers that support the State's commercial fisheries and aquaculture businesses.

30	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2023-24</b>	<b>2024-25</b>
31	All Other	\$0	\$50,000,000
32			
33	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>\$50,000,000</u>

34			
35	<b>TRANSPORTATION, DEPARTMENT OF</b>		
36	<b>DEPARTMENT TOTALS</b>	<b>2023-24</b>	<b>2024-25</b>

37			
38	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$0</b>	<b>\$50,000,000</b>
39			
40	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u>\$0</u>	<u>\$50,000,000</u>

41			
42	<b>SECTION TOTALS</b>	<b>2023-24</b>	<b>2024-25</b>

43

# SENATE AMENDMENT

1	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$0</b>	<b>\$60,000,000</b>
2			
3	<b>SECTION TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$60,000,000</b>

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**PART VVVV**

6

**Sec. VVVV-1. Department of Health and Human Services to amend rules for targeted case management services.** The Department of Health and Human Services shall amend its rule Chapter 101: MaineCare Benefits Manual, Chapter II, Section 13.03-4 to remove from the eligibility requirements for targeted case management services for adults with substance use disorder the provision regarding pregnancy, living with minor children and intravenous drug use. Rules adopted pursuant to this section are routine technical rules pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

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**Sec. VVVV-2. Appropriations and allocations.** The following appropriations and allocations are made.

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**HEALTH AND HUMAN SERVICES, DEPARTMENT OF**

17

**Medical Care - Payments to Providers 0147**

18

Initiative: Provides funding for an increase in case management services due to eligibility requirement changes.

19

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<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
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21

All Other	\$0	\$909,940
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22

23

<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$909,940</b>
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24

25

<b>FEDERAL EXPENDITURES FUND</b>	<b>2023-24</b>	<b>2024-25</b>
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26

All Other	\$0	\$5,869,233
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27

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<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<b>\$0</b>	<b>\$5,869,233</b>
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29

**Office of Substance Abuse & Mental Health Srv-Medicaid Seed Z202**

30

Initiative: Provides funding for an increase in case management services due to eligibility requirement changes.

31

32

<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
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33

All Other	\$0	\$920,925
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<b>GENERAL FUND TOTAL</b>	<b>\$0</b>	<b>\$920,925</b>
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**HEALTH AND HUMAN SERVICES,**

38

**DEPARTMENT OF**

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<b>DEPARTMENT TOTALS</b>	<b>2023-24</b>	<b>2024-25</b>
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<b>GENERAL FUND</b>	<b>\$0</b>	<b>\$1,830,865</b>
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1	<b>FEDERAL EXPENDITURES FUND</b>	<b>\$0</b>	<b>\$5,869,233</b>
2			
3	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$0</b>	<b>\$7,700,098</b>

**PART WWWW**

**Sec. WWWW-1. 22 MRSA §1708-A** is enacted to read:

**§1708-A. Compensation to Maine Veterans' Homes**

Services provided by a veterans' facility must be reimbursed by the MaineCare program at rates established by the department pursuant to this section. This section applies to all funds, including federal funds, paid by an agency of the State to a veterans' facility for resident care. For the purposes of this section, "veterans' facility" means a nursing facility, a residential care facility or a multilevel health care facility that is operated by the Maine Veterans' Homes at any location required under Title 37-B, section 601, subsection 2.

**1. Per resident basis.** Veterans' facilities must be reimbursed on a per resident daily rate basis for services to residents covered under the MaineCare program. Different rates may be established for services equivalent to those provided by nursing homes as defined in section 1812-A, residential care facilities as defined in section 7852, subsection 14 and multilevel health care facilities as defined in section 7852, subsection 10-A.

**2. Rate calculations.** Rate calculations under this section must result in reimbursement of the portion of the total MaineCare allowable cost of operating each veterans' facility attributable to the provision of services to residents who receive MaineCare benefits. Different rates may be established for services equivalent to those provided by nursing homes as defined in section 1812-A, residential care facilities as defined in section 7852, subsection 14 and multilevel health care facilities as defined in section 7852, subsection 10-A.

**3. Annual adjustments for inflation.** Rates established pursuant to this section must be adjusted annually to reflect projected inflation for the year to which the rates will apply.

**4. Calculation of per resident daily rate; limitation.** The department may use data from other states' veterans' home programs and appropriate price indices to establish the rates required in this section, as long as the application of data from other states' veterans' home programs and price indices does not reduce reimbursement below the portion of the total MaineCare allowable cost as described in subsection 2.

**5. Use of 3rd party.** The department may contract with a 3rd party to derive or review the rates established under this section.

**Sec. WWWW-2. Maine Health Data Organization; uniform data collection and reporting system.** No later than December 15, 2024, the Maine Health Data Organization shall produce and submit to the joint standing committee of the Legislature having jurisdiction over health and human services matters a report outlining the available data and data gaps related to, and the estimated cost of creating and implementing a uniform data collection and reporting system on, the State's so-called care gap related to MaineCare and state-funded services found in Department of Health and Human Services rule Chapter 101: MaineCare Benefits Manual, Chapter II, Sections 12, 13, 17, 18, 19, 20, 21, 23, 28, 29, 50, 65, 67, 92, 96 and 97 and rule Chapter 5: Office of Aging and Disability Services

1 Policy Manual, Sections 63 and 69. The report must include recommendations about  
 2 responsibilities for ongoing data collection, tracking and reporting.

3 **Sec. WWW-3. Appropriations and allocations.** The following  
 4 appropriations and allocations are made.

5 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF**

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

7 Initiative: Provides funding to ensure that Maine Veterans' Homes nursing facilities are  
 8 reimbursed a per resident daily rate for services that include the total allowable cost of  
 9 operating a veterans' home and it must also include an annual inflation adjustment  
 10 provision.

11	<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
12	All Other	\$0	\$922,940
13			
14	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>\$922,940</u>

15

16	<b>FEDERAL EXPENDITURES FUND</b>	<b>2023-24</b>	<b>2024-25</b>
17	All Other	\$0	\$1,840,881
18			
19	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>\$0</u>	<u>\$1,840,881</u>

20

21	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2023-24</b>	<b>2024-25</b>
22	All Other	\$0	\$264,886
23			
24	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>\$264,886</u>

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

26 Initiative: Provides one-time deappropriation of the supplemental payment to the Maine  
 27 Veterans' Homes for MaineCare residents that was provided in Part A.

28	<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
29	All Other	\$0	(\$922,940)
30			
31	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>(\$922,940)</u>

32

33	<b>FEDERAL EXPENDITURES FUND</b>	<b>2023-24</b>	<b>2024-25</b>
34	All Other	\$0	(\$1,840,881)
35			
36	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>\$0</u>	<u>(\$1,840,881)</u>

37

38	<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2023-24</b>	<b>2024-25</b>
39	All Other	\$0	(\$264,886)
40			
41	<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<u>\$0</u>	<u>(\$264,886)</u>

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**Nursing Facilities 0148**

Initiative: Provides funding to ensure that Maine Veterans' Homes nursing facilities are reimbursed a per resident daily rate for services that include the total allowable cost of operating a veterans' home and it must also include an annual inflation adjustment provision.

<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
All Other	\$0	\$2,792,478
<b>GENERAL FUND TOTAL</b>	<hr/>	<hr/>
	\$0	\$2,792,478

<b>FEDERAL EXPENDITURES FUND</b>	<b>2023-24</b>	<b>2024-25</b>
All Other	\$0	\$5,569,834
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<hr/>	<hr/>
	\$0	\$5,569,834

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2023-24</b>	<b>2024-25</b>
All Other	\$0	\$533,765
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<hr/>	<hr/>
	\$0	\$533,765

**Nursing Facilities 0148**

Initiative: Provides one-time deappropriation of the supplemental payment to the Maine Veterans' Homes for MaineCare residents that was provided in Part A.

<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
All Other	\$0	(\$2,792,478)
<b>GENERAL FUND TOTAL</b>	<hr/>	<hr/>
	\$0	(\$2,792,478)

<b>FEDERAL EXPENDITURES FUND</b>	<b>2023-24</b>	<b>2024-25</b>
All Other	\$0	(\$5,569,834)
<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<hr/>	<hr/>
	\$0	(\$5,569,834)

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2023-24</b>	<b>2024-25</b>
All Other	\$0	(\$533,765)
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<hr/>	<hr/>
	\$0	(\$533,765)

**PNMI Room and Board Z009**

Initiative: Provides funding to ensure that Maine Veterans' Homes nursing facilities are reimbursed a per resident daily rate for services that include the total allowable cost of operating a veterans' home and it must also include an annual inflation adjustment provision.



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1	<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
2	All Other	\$0	\$1,386,060
3			
4	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>\$1,386,060</u>
5	<b>PNMI Room and Board Z009</b>		
6	Initiative: Provides one-time deappropriation of the funding to Maine Veterans' Homes		
7	nursing facilities for costs not allowable under Medicaid law provided in Part A.		
8	<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
9	All Other	\$0	(\$1,386,060)
10			
11	<b>GENERAL FUND TOTAL</b>	<u>\$0</u>	<u>(\$1,386,060)</u>
12			
13	<b>HEALTH AND HUMAN SERVICES,</b>		
14	<b>DEPARTMENT OF</b>		
15	<b>DEPARTMENT TOTALS</b>	<b>2023-24</b>	<b>2024-25</b>
16			
17	<b>GENERAL FUND</b>	\$0	\$0
18	<b>FEDERAL EXPENDITURES FUND</b>	\$0	\$0
19	<b>OTHER SPECIAL REVENUE FUNDS</b>	\$0	\$0
20			
21	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u>\$0</u>	<u>\$0</u>

**PART XXXX**

24       **Sec. XXXX-1. 5 MRSA §7065, sub-§2-D, ¶A,** as enacted by PL 1993, c. 705,  
 25 §2, is amended to read:

26       A. Payment of a recruitment and retention adjustment may be authorized only when  
 27 justified by at least 2 of the following conditions.

- 28       (1) High turnover exists or long-term vacancies exist within State Government in  
 29 the relevant occupational classifications or job series;
- 30       (2) The relevant occupational classification or job series has a clear,  
 31 geographically definable labor market within which the State must compete;
- 32       (3) All appropriate recruitment and retention efforts have been attempted and have  
 33 proven ineffective at the current levels of compensation; or
- 34       (4) Comprehensive, verifiable documentation of labor market compensation levels  
 35 for the relevant occupation has been compiled to determine competitive pay levels  
 36 within the defined labor market. This documentation must demonstrate that a labor  
 37 market disparity exists and that the disparity represents a long-term, not transitory  
 38 or seasonal, problem.

39       **Sec. XXXX-2. 5 MRSA §7065, sub-§2-D, ¶C,** as corrected by RR 2023, c. 1, Pt.  
 40 B, §38 and affected by §50, is amended to read:

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1 C. To assist the officer in making a determination under paragraphs A and B, a  
 2 committee must be formed to evaluate each request from an agency or bargaining agent  
 3 for a recruitment or retention adjustment. The committee must be composed of a  
 4 representative of the bureau, a representative of the employing agency or agencies and  
 5 a representative of the bargaining agent, if applicable. The committee shall evaluate  
 6 the request against the applicable criteria specified in paragraphs A and B and shall  
 7 conduct studies as the committee considers necessary to evaluate the request. ~~The~~  
 8 ~~committee shall, by majority vote, provide~~ If the committee agrees on the appropriate  
 9 adjustments, the committee shall issue to the officer, the agency and the bargaining  
 10 agent, if applicable, ~~with~~ a report recommending and documenting adjustments  
 11 authorized under this subsection. If the committee cannot agree on the appropriate  
 12 adjustments, the matter must be submitted to a neutral 3rd party for a final decision and  
 13 report. The neutral 3rd party may be jointly agreed upon by the officer, the agency and  
 14 the bargaining agent, if applicable, or, if agreement cannot be reached, the Maine Labor  
 15 Relations Board shall appoint the neutral 3rd party in accordance with the procedure  
 16 outlined in Title 26, section 979-D, subsection 4, paragraph B. The officer, the agency  
 17 and the bargaining agent, if applicable, shall act on ~~this~~ the report. If a funding request  
 18 is necessary to implement an approved adjustment, the officer shall submit the cost  
 19 items for inclusion in the Governor's next operating budget within 10 days after action  
 20 on the report.

21 **Sec. XXXX-3. PL 2023, c. 406, §1** is amended to read:

22 **Sec. 1. Adjustment of salary schedules for fiscal years 2023-24 and 2024-**

23 **25.** The salary schedules for the executive branch employees in bargaining units  
 24 represented by the American Federation of State, County and Municipal Employees, the  
 25 Maine State Troopers Association, the Maine State Law Enforcement Association, the  
 26 Maine Service Employees Association, the Fraternal Order of Police and any other certified  
 27 bargaining representative for an executive branch bargaining unit must be adjusted  
 28 consistent with the terms of any agreements ratified by ~~December 31, 2023~~ July 1, 2025.

29 **Sec. XXXX-4. PL 2023, c. 406, §5** is amended to read:

30 **Sec. 5. Costs to General Fund and Highway Fund.** Costs to the General Fund  
 31 and Highway Fund must be provided wholly or in part through a transfer of Personal  
 32 Services appropriations within and between departments and agencies from the Salary Plan  
 33 program, General Fund account in the Department of Administrative and Financial  
 34 Services ~~in an amount not to exceed \$99,000,000 in total for the fiscal years ending June~~  
 35 ~~30, 2024 and June 30, 2025~~ up to the full amount the salary plan has accrued as of the date  
 36 an agreement is reached with the respective bargaining agents to implement the economic  
 37 terms of the ~~most recent~~ collective bargaining agreements made ~~from July 2023 to~~  
 38 ~~December 2023~~ by with collective bargaining agents for the State and the American  
 39 Federation of State, County and Municipal Employees, the Maine State Troopers  
 40 Association, the Maine State Law Enforcement Association, the Maine Service Employees  
 41 Association, the Fraternal Order of Police and any other certified bargaining representative  
 42 for an executive branch bargaining unit, to provide equitable treatment of employees  
 43 excluded from collective bargaining pursuant to the Maine Revised Statutes, Title 26,  
 44 section 979-A, subsection 6, paragraph F and, notwithstanding Title 26, section 979-D,  
 45 subsection 1, paragraph E, subparagraph (3), to implement equitable adjustments for  
 46 confidential employees.

1           **Sec. XXXX-5. PL 2023, c. 406, §6** is amended to read:

2           **Sec. 6. Transfer of Personal Services appropriations between programs**  
3 **and departments; General Fund.** Notwithstanding the Maine Revised Statutes, Title  
4 5, section 1585 or any other provision of law to the contrary, available balances in the  
5 General Fund for Personal Services in fiscal year 2023-24 and fiscal year 2024-25 may be  
6 transferred by financial order between programs and departments within the General Fund  
7 upon recommendation of the State Budget Officer and approval of the Governor to be used  
8 for costs associated with ~~collective bargaining~~ agreements made with collective bargaining  
9 agents for state employees.

10           **Sec. XXXX-6. PL 2023, c. 406, §7** is amended to read:

11           **Sec. 7. Transfer from Salary Plan program and special account funding.**  
12 The Salary Plan program, General Fund account in the Department of Administrative and  
13 Financial Services may be made available as needed in allotment by financial order upon  
14 the recommendation of the State Budget Officer and approval of the Governor to be used  
15 for the implementation of the ~~collective bargaining~~ agreements made with collective  
16 bargaining agents for state employees and for other economic items contained in this Act  
17 in fiscal year 2023-24 and fiscal year 2024-25. Positions supported from sources of funding  
18 other than the General Fund and the Highway Fund ~~must~~ may be funded from those other  
19 sources.

20           **Sec. XXXX-7. PL 2023, c. 406, §8** is amended to read:

21           **Sec. 8. Transfer of Personal Services allocations between programs and**  
22 **departments; Highway Fund.** Notwithstanding the Maine Revised Statutes, Title 5,  
23 section 1585 or any other provision of law to the contrary, available balances in the  
24 Highway Fund for Personal Services in fiscal year 2023-24 and fiscal year 2024-25 may  
25 be transferred by financial order between programs and departments within the Highway  
26 Fund upon recommendation of the State Budget Officer and approval of the Governor to  
27 be used for costs associated with ~~collective bargaining~~ agreements made with collective  
28 bargaining agents for state employees.

29           **Sec. XXXX-8. Appropriations and allocations.** The following appropriations  
30 and allocations are made.

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

32           **Administration - Human Resources 0038**

33 Initiative: Establishes one Public Service Coordinator I position for recruitment and  
34 retention adjustment requests and evaluations and provides funding for related All Other  
35 costs.

GENERAL FUND	2023-24	2024-25
POSITIONS - LEGISLATIVE COUNT	0.000	1.000
Personal Services	\$0	\$122,114
All Other	\$0	\$5,375
GENERAL FUND TOTAL	\$0	\$127,489

42           **Administration - Human Resources 0038**

ROS

1 Initiative: Establishes one Public Service Coordinator II position to handle recruitment and  
2 retention adjustment arbitration and provides funding for related All Other costs.

3	<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
4	POSITIONS - LEGISLATIVE COUNT	0.000	1.000
5	Personal Services	\$0	\$133,759
6	All Other	\$0	\$5,375
7			
8	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$139,134</u>

9 **Administration - Human Resources 0038**

10 Initiative: Provides funding for recruitment and retention adjustments.

11	<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
12	Personal Services	\$0	\$5,000,000
13			
14	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$5,000,000</u>

15 **Administration - Human Resources 0038**

16 Initiative: Provides funding for the contracted services of arbitrators and mediators.

17	<b>GENERAL FUND</b>	<b>2023-24</b>	<b>2024-25</b>
18	Personal Services	\$0	\$75,000
19			
20	GENERAL FUND TOTAL	<u>\$0</u>	<u>\$75,000</u>

21

22 **ADMINISTRATIVE AND FINANCIAL**  
23 **SERVICES, DEPARTMENT OF**  
24 **DEPARTMENT TOTALS**

25		<b>2023-24</b>	<b>2024-25</b>
26	<b>GENERAL FUND</b>	\$0	\$5,341,623
27			
28	<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<u>\$0</u>	<u>\$5,341,623</u>

29 **Sec. XXXX-9. Retroactivity.** Except for those sections of this Part that amend the  
30 Maine Revised Statutes, Title 5, section 7065, subsection 2-D, paragraphs A and C, this  
31 Part applies retroactively to July 10, 2023.

32 **PART YYYY**

33 **Sec. YYYY-1. 20-A MRSA §4016** is enacted to read:

34 **§4016. Minimum hourly wage for educational technicians and other school support**  
35 **staff**

36 **1. Definitions.** As used in this section, unless the context otherwise indicates, the  
37 following terms have the following meanings.

38 A. "Educational technician" has the same meaning as in section 13001-A, subsection  
39 8.

40 B. "Other school support staff" means a public school employee who is not an  
41 educational technician and who is paid on an hourly basis.

ROS

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2. Minimum hourly wage. Except as provided in subsection 3, for the school year starting after June 30, 2025 and for each subsequent school year, the minimum hourly wage for educational technicians is equal to 125% of the minimum hourly wage established in Title 26, section 664, subsection 1 and the minimum hourly wage for other school support staff is equal to 112.5% of the minimum hourly wage established in Title 26, section 664, subsection 1.

3. Wage increases. If, pursuant to the requirements of Title 26, section 664, subsection 1, the minimum hourly wage is increased on January 1st of any year, the minimum hourly wage for educational technicians and other school support staff is increased beginning July 1st of the same year in an amount equal to 125% of the increased minimum hourly wage under Title 26, section 664, subsection 1 for educational technicians and in an amount equal to 112.5% of the increased minimum hourly wage under Title 26, section 664, subsection 1 for other school support staff.

4. State contribution. Notwithstanding any provision of chapter 606-B to the contrary, the State shall provide 100% of the additional funding necessary to achieve the minimum hourly wage for educational technicians and other school support staff under this section.

**Sec. YYYY-2. 20-A MRSA §15677, sub-§2, ¶B,** as enacted by PL 2003, c. 504, Pt. A, §6, is amended to read:

B. For fiscal year 2006-07 ~~and each subsequent year~~ until fiscal year 2025-26, the commissioner shall update the previous year's salary matrix to reflect appropriate trends in the Consumer Price Index or other comparable index.

**Sec. YYYY-3. 20-A MRSA §15677, sub-§2, ¶C** is enacted to read:

C. For fiscal year 2025-26 and for each subsequent fiscal year, the commissioner shall update the previous year's salary matrix to reflect appropriate trends in the Consumer Price Index or other comparable index and to reflect any increase in the minimum hourly wage of educational technicians and clerical staff in accordance with section 4016, subsection 3.

**Sec. YYYY-4. Incorporation into essential programs and services.** The Department of Education shall incorporate the minimum hourly wage under the Maine Revised Statutes, Title 20-A, section 4016 into the essential programs and services funding model under Title 20-A, chapter 606-B.'

Amend the amendment by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

**SUMMARY**

This amendment does the following.

It incorporates the substance of L.D. 2225 as amended by Committee Amendment "A," except that it moves the transfers to fiscal year 2025 and requires no more than \$30,000,000 of the \$50,000,000 to be provided for infrastructure projects related to wharves and piers that support commercial fisheries and aquaculture businesses.

It directs the Department of Health and Human Services to amend its rule Chapter 101: MaineCare Benefits Manual, Chapter II, Section 13.03-4 to remove from the eligibility

**SENATE AMENDMENT**

ROS

1 requirements for targeted case management services for adults with substance use disorder  
2 the provision regarding pregnancy, living with minor children and intravenous drug use.

3 It removes from Committee Amendment "A" Part TTTT, which required the  
4 Department of Health and Human Services to extend supplemental payments to the Maine  
5 Veterans' Homes.

6 It requires the Department of Health and Human Services to establish reimbursement  
7 rates for Maine Veterans' Homes services covered by the MaineCare program. It requires  
8 the MaineCare program to reimburse veterans' facilities for covered services on a per  
9 resident daily rate basis that will reimburse the portion of the total MaineCare allowable  
10 cost of operating each veterans' facility attributable to the provision of services to residents  
11 who receive MaineCare benefits. This Part requires the department to index the rates to  
12 inflation annually. It also requires the Maine Health Data Organization to submit a report  
13 regarding implementing a uniform data collection and reporting system on the State's so-  
14 called care gap related to MaineCare and state-funded services.

15 It amends Public Law 2023, chapter 406, which funded collective bargaining  
16 agreements with executive branch employees for the fiscal years 2023-24 and 2024-25, by  
17 removing the cap on the amount that may be used to fund the Salary Plan program and  
18 instead allowing the funds to be provided pursuant to agreements with collective bargaining  
19 agents for executive branch bargaining units instead of pursuant to a collective bargaining  
20 agreement.

21 It amends the recruitment and retention adjustment process for state civil service  
22 employees by:

- 23 1. Reducing from 4 to at least 2 the number of specified conditions that must be met to  
24 authorize payment of a recruitment and retention adjustment; and
- 25 2. Requiring, in the event the committee formed to determine the appropriate  
26 recruitment and retention adjustments cannot agree on the appropriate adjustment, the use  
27 of a neutral 3rd party to make a final decision.

28 It provides that, beginning in the school year starting after June 30, 2025, the minimum  
29 hourly wage for educational technicians is 125% of the state minimum hourly wage and  
30 the minimum hourly wage for other school support staff who are paid hourly is 112.5% of  
31 the state minimum hourly wage. If the state minimum hourly wage is increased on January  
32 1st of any year, the minimum hourly wage for educational technicians and other school  
33 support staff is increased beginning July 1st of the same year. It provides that, beginning  
34 in fiscal year 2025-26 and for each subsequent fiscal year, the Commissioner of Education  
35 is required to update the salary matrix to reflect any increase in the minimum hourly wage  
36 of educational technicians and other school support staff. The Department of Education is  
37 directed to incorporate the minimum hourly wage into the essential programs and services  
38 funding model. It also provides that the State must pay 100% of the additional funding  
39 necessary to achieve the minimum hourly wage.

40 SPONSORED BY: *Heidi Grohoski*  
41 (Senator GROHOSKI, N.)

42 COUNTY: Hancock

**FISCAL NOTE REQUIRED**  
**(See attached)**

# SENATE AMENDMENT



# 131st MAINE LEGISLATURE

LD 2214

LR 3108(10)

**An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government, General Fund and Other Funds and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2024 and June 30, 2025**

**Fiscal Note for Senate Amendment "F" to Committee Amendment "A" (S-730)**  
**Sponsor: Sen. Grohoski of Hancock**  
**Fiscal Note Required: Yes**

## Fiscal Note

	FY 2023-24	FY 2024-25	Projections FY 2025-26	Projections FY 2026-27
<b>Net Cost (Savings)</b>				
General Fund	\$0	\$7,172,488	\$13,054,391	\$18,440,767
<b>Appropriations/Allocations</b>				
General Fund	\$0	\$7,172,488	\$13,054,391	\$18,440,767
Federal Expenditures Fund	\$0	\$5,869,233	\$15,459,653	\$15,459,653
Other Special Revenue Funds	\$0	\$60,000,000	\$823,089	\$823,089
<b>Transfers</b>				
General Fund	\$0	\$0	\$0	\$0
Other Special Revenue Funds	\$0	\$60,000,000	\$0	\$0

### Fiscal Detail and Notes

This amendment makes additional changes to certain provisions of state law and provides supplemental appropriations and allocations for fiscal year 2024-25.