

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND SIXTEENTH LEGISLATURE

SECOND REGULAR SESSION

January 5, 1994 to April 14, 1994

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 14, 1994

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1993

the visual arts, including graphics, ceramics, crafts, sculpture and painting; the media arts, including advertising, television, film and photography; dance; theater; music; and creative writing. The plan must also provide for a program of instruction that meets the curriculum requirements and the high school diploma standards pursuant to the Maine Revised Statutes, Title 20-A, chapter 207-A, for 11th and 12th grade students. The plan must also include, but is not limited to, the following other components:

1. The policy-making authority and governing body of the school;
2. Administration and staffing;
3. Student selection procedures;
4. Tuition;
5. Transportation and housing;
6. Capital and operational budgets;
7. Funding provisions and sources;
8. The role of the school as a statewide resource in arts education; and
9. Plans for assessing and reporting on pupil achievement and teacher development.

Sec. B-5. Staff assistance. The Department of Education shall provide necessary technical assistance and staff support to the task force.

Sec. B-6. Compensation. The members of the task force are not entitled to per diem, but those members who are not state employees may be reimbursed for expenses, as defined in the Maine Revised Statutes, Title 5, section 12002, upon application to the Commissioner of Education for those expenses.

Sec. B-7. Funding. The task force is authorized to accept funds and may contract for services in carrying out the duties set forth in section B-4.

Sec. B-8. Report. The task force shall present its report together with any implementing legislation to the Governor, the joint standing committee of the Legislature having jurisdiction over education matters and the Executive Director of the Legislative Council by December 15, 1994.

See title page for effective date.

CHAPTER 707

H.P. 1306 - L.D. 1761

An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 1994 and June 30, 1995

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

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

Whereas, certain obligations and expenses will become due and payable on or immediately after July 1, 1993; 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 from General Fund. There are appropriated from the General Fund for the fiscal years ending June 30, 1994 and June 30, 1995, to the departments listed, the following sums.

	1993-94	1994-95
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF		
Budget - Bureau of the		
All Other		\$3,515
Provides funds for participation in the Youth Apprenticeship Program. This request also provides for the transfer of funds from the Bureau of Taxation in fiscal year 1994-95 to continue the Youth Apprenticeship Program.		
Elderly Tax Deferral Program		
All Other		(70,000)

Provides for the deappropriation of funds by placing a moratorium on applications for benefits under this program.

Maine Residents Property Tax Program

All Other (\$500,000)

Provides for the deappropriation of funds due to an available balance from the supplemental appropriation provided in Private and Special Law 1993, chapter 57.

Maine Residents Property Tax Program

All Other 2,100,000

Provides funds to meet an anticipated shortfall in the Maine Residents Property Tax Program due to a higher than originally anticipated number of qualified applicants.

Taxation - Bureau of

Personal Services (17,572)
All Other 14,057
Total (3,515)

Provides for the transfer from Personal Services to All Other through the abolishment of 4 Intermittent Clerk I positions. Savings in fiscal year 1994-95 will be used to fund the Youth Apprenticeship Program for the Bureau of the Budget.

Taxation - Bureau of

Positions - Legislative Count (4.0)
Positions - Other Count (-5.5)
Personal Services (2,839)

Provides for the deappropriation of funds from the elimination of 3 seasonal, 16-week Taxpayer Assistant Specialist positions, 4 seasonal, 16-week Tax Examiner positions, and the upgrade of 4 seasonal, 26-week Tax Examiner positions to full time.

Capital Construction, Repairs, Improvements - Administration

All Other 150,000

Provides for the appropriation of funds for engineering, marketing and other studies needed to determine options for the Pineland Center.

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES TOTAL

(500,000) 2,177,161

AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF

Potato Quality Control - Reducing Inspection Costs

All Other 50,000 100,000

Provides funds to increase the subsidy of potato inspections. Notwithstanding any other provision of law, the potato inspection function may not be privatized during the remainder of the 1994-95 biennium. All parties with an interest in potato inspections are authorized to work together to improve the State's potato inspection function and report any findings and recommendations to the First Regular Session of the 117th Legislature.

DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES TOTAL

50,000 100,000

ATTORNEY GENERAL, DEPARTMENT OF THE

Administration - Attorney General

All Other 100,000

Provides for the appropriation of funds for reimbursement of litigation costs associated with the City of Portland lawsuit.

District Attorneys Salaries

Positions - Legislative Count (2.0)
Personal Services 86,080

<p>Provides for the appropriation of funds for 2 Assistant District Attorney positions for Prosecutorial District 2, Cumberland County, to relieve expanding caseloads.</p>			<p>Provides for the appropriation of funds for overtime and related Personal Services costs.</p>	
DEPARTMENT OF THE ATTORNEY GENERAL			Bangor Pre-Release Center	
TOTAL	100,000	86,080	Personal Services	321,581
CONSERVATION, DEPARTMENT OF			Provides for the appropriation of funds to operate the Bangor Pre-Release Center for the entire 12 months in fiscal year 1994-95.	
Forest Management, Utilization and Marketing			Central Maine Pre-Release Center	
Positions - Legislative Count		(1.0)	Personal Services	9,765
Personal Services		40,500	Provides for the appropriation of funds for overtime and related Personal Services costs.	
All Other		8,000	Charleston Correctional Facility	
Capital Expenditures		2,400	Personal Services	13,950
Total		50,900	Provides for the appropriation of funds for overtime and related Personal Services costs.	
Provides for the appropriation of funds for one Forester II position and related All Other and Capital Expenditures, to coordinate statewide enforcement of the forest practices laws.			Correctional Center	
Policy Planning and Information			Positions - Legislative Count	(9.0)
Positions - Legislative Count		(2.0)	Personal Services	344,085
Personal Services		109,261	Provides for the appropriation of funds to operate the Southern Maine Pre-Release Center in fiscal year 1994-95, including the continuation of 2 Correctional Officer II positions and 7 Correctional Officer I positions and will result in offsetting General Fund revenue of \$75,920 in fiscal year 1994-95.	
All Other		34,000	Correctional Center	
Capital Expenditures		4,800	Personal Services	149,265
Total		148,061	Provides for the appropriation of funds for overtime and related Personal Services costs.	
Provides for the appropriation of funds for one Chief Planner position, one Clerk Typist III position and one project Forester II position to undertake a field evaluation of the forest practices laws, assess increasing pressures on the forest resources of the State and provide staff support for the technical working group.			Downeast Correctional Facility	
DEPARTMENT OF CONSERVATION			Personal Services	21,600
TOTAL		198,961	Provides for the appropriation of funds for overtime and related Personal Services costs.	
CORRECTIONS, DEPARTMENT OF				
Bangor Pre-Release Center				
Personal Services		5,445		

savings in order to activate one Clerk III position in the veterans services program at Togus Veterans' Hospital.

Veterans Services

Personal Services	24,460
All Other	(6,000)
Total	18,460

Provides for the appropriation of funds for the activation of one Clerk III position at the veterans services program at Togus Veteran's Hospital through a line category transfer and a transfer from the Military Training and Operations program.

DEPARTMENT OF DEFENSE AND VETERANS' SERVICES TOTAL

-0-

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Administration - Economic and Community Development

All Other	250,000
Provides for the General Fund match of the United States Department of Defense, Office of Economic Adjustment grant to the Loring Development Authority of Maine to develop a reuse strategy for the Loring Air Force Base facility. It is the intent of the Legislature that these funds be used to augment and not supplant any funding currently received by the Loring Development Authority.	

Regional Development

All Other	150,000
Provides funds to support economic development initiatives in Eastern Maine. The Eastern Maine Development Corporation receives \$150,000 for the purpose of assisting existing businesses to sustain current operations and to stimulate the growth	

of new business enterprises within its service area. It is the intent of the Legislature that these funds be used to augment and not supplant any funding currently received by Eastern Maine Development Corporation.

DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TOTAL

400,000

EDUCATION, STATE BOARD OF

State Board of Education

All Other	260,000
Provides for the appropriation of funds to finance the activities of the Task Force on Learning Results.	

STATE BOARD OF EDUCATION TOTAL

260,000

EDUCATION, DEPARTMENT OF

Administrative Services Unit

Personal Services	(9,390)
Provides for the deappropriation of funds through the transfer of 25% funding for one Senior Legal Secretary position to the Attorney General's office, Other Special Revenue, effective June 6, 1994.	

Division for the Blind and Visually Impaired

Positions - Legislative Count	(11.0)
Personal Services	492,656
All Other	1,588,168

Total 2,080,824

Provides for the appropriation of funds for the reorganization of the Bureau of Rehabilitation, except the Division of Disability Determination Services and the bureau's transfer from the Department of Human Services to the Department of Education in accordance

with Resolve 1993, chapter 43. Also includes the transfer of one Rehabilitation Services Manager position from General Fund to Federal Expenditure Fund. The 11 positions are on file with the Bureau of the Budget.

Governor Baxter School for the Deaf

Positions - Other Count	(-5.0)
Personal Services	(170,760)
All Other	170,760
Total	-0-

Provides for the appropriation of funds through a line category transfer from Personal Services to All Other for the contracting of professional services that can not be secured through the filling of position vacancies. Also includes the deauthorization of 2 Occupational Therapist I positions, one Speech Pathologist I position and 2 Speech Pathologist II positions to create permanent savings for contractual services.

Governor Baxter School for the Deaf

All Other	198,406
Provides for the appropriation of funds for the payment of obligations in excess of available appropriations. Offsetting amounts of construction aid audit recoveries will be lapsed from the General Purpose Aid for Local Schools Account June 30, 1995.	

Jobs for Maine's Graduates

All Other	800,000
Provides for the appropriation of funds through a transfer from the School-to-work Transition Account for the purpose of consolidating into one General Fund Account, funds earmarked to grants for Jobs for Maine's	

Graduates, Incorporated, for school-to-work transition for at-risk students.

School-to-work Transition

All Other	(800,000)
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Provides for the deappropriation of funds through a transfer to the Jobs for Maine's Graduates Program Account for the purpose of consolidating into one General Fund Account funds earmarked to the Jobs for Maine Graduates, Incorporated, for school-to-work transition for at-risk students.

Rehabilitation Services

Positions - Legislative Count	(21.0)
Personal Services	875,314
All Other	5,231,312
Total	6,106,626

Provides for the appropriation of funds for the reorganization of the Bureau of Rehabilitation, except the Division of Disability Determination Services and the bureau's transfer from the Department of Human Services to the Department of Education in accordance with Resolve 1993, chapter 43. Also provides for the transfer of one Rehabilitation Counselor II position to the Federal Expenditure Fund. The 21 positions are on file with the Bureau of the Budget.

Educational Restructuring and Improvements

All Other	950,000
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Provides for the appropriation of funds for the Reading Recovery Program, including grants to school administrative units for the training of teachers and contractual services for program evaluation.

General Purpose Aid for Local Schools

All Other 4,000,000
 Provides for the appropriation of funds for General Purpose Aid.

Magnet Schools

All Other 320,000
 Provides for the appropriation of funds to pay for the start-up costs of the so-called magnet school, the Maine School of Science and Mathematics at Limestone.

Teacher Retirement

All Other 201,080
 Provides for the appropriation of funds for the state share of employer retirement contributions for certain secretaries employed by a school administrative unit, who are entitled to Maine State Retirement System membership as "teachers."

General Purpose Aid for Local Schools

All Other (111,830)
 Provides for the deappropriation of funds by decreasing payments to School Administrative District #61 to reflect the district's share of accumulated interest payable on employer retirement costs.

Rehabilitation Services

All Other 100,000
 Provides for the appropriation of funds for employment training for persons with mental illness covered under the consent decree. In the development of a data processing system for the Office of Rehabilitation Services, no funds are to be diverted from client services to the extent possible.

DEPARTMENT OF EDUCATION TOTAL

89,250 13,746,466

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Land Quality Control

Positions (1.0)
 Personal Services 35,619

Provides for the appropriation of funds for one Environmental Specialist II position.

Water Quality Control

Positions (5.0)
 Personal Services 213,260
 All Other 51,121

Total 264,381

Provides for the appropriation of funds for one Assistant Environmental Engineer position, 2 Environmental Specialist II positions, one Environmental Specialist III position, one Environmental Specialist IV and general operating costs.

Water Quality Control

Positions - Legislative Count (2.0)
 Positions - Other Count (1.0)
 Personal Services 54,700
 All Other 155,300

Total 210,000

Provides for the appropriation of funds for one seasonal Conservation Aide position, 2 full-time Conservation Aide positions and general operating expenses necessary to establish an ambient water toxins program.

DEPARTMENT OF ENVIRONMENTAL PROTECTION TOTAL

510,000

HUMAN RIGHTS COMMISSION, MAINE

Human Rights Commission - Regulation

Positions - Legislative Count (0.5)

Provides for headcount to upgrade one part-time Field

Investigator position to one full-time Field Investigator position. Funding will be provided by reducing one full-time Field Investigator position from 40 hours per week to 30 hours per week. There is no effect on this position's headcount.

Provides for the appropriation of funds for contractual assistance to improve and expand use of automated data systems in the administration of child welfare services, including, if needed, the acquisition of hardware and software.

**MAINE HUMAN RIGHTS COMMISSION
TOTAL**

-0-

**HUMAN SERVICES,
DEPARTMENT OF**

Administration - Human Services

Personal Services
All Other

5,000
(5,000)

Total

-0-

Provides for the appropriation of funds through a transfer for the reorganization of one Management Analyst II position to Assistant Director, Fiscal Operations position.

Administration - Human Services

All Other

(39,321)

Provides for the deappropriation of funds for the reorganization of the Bureau of Rehabilitation and the bureau's transfer from the Department of Human Services to the Department of Education in accordance with Resolve 1993, chapter 43.

Administration - Regional - Human Services

All Other

(52,500)

Provides for the deappropriation of funds for the reorganization of the Bureau of Rehabilitation and the bureau's transfer from the Department of Human Services to the Department of Education in accordance with Resolve 1993, chapter 43.

Administration - Social Services

All Other

33,700

Administration - Social Services

All Other

(52,083)

Provides for the deappropriation of funds for the reorganization of the Bureau of Rehabilitation and the bureau's transfer from the Department of Human Services to the Department of Education in accordance with Resolve 1993, chapter 43.

Aid to Families with Dependent Children

All Other

(1,479,169)

Provides for the deappropriation of funds due to a change in the federal match rate for federal fiscal year 1995 from 61.96% to 63.30%.

Aid to Families with Dependent Children - Foster Care

All Other

2,616,883

Provides for the appropriation of funds for the state share of AFDC-Foster Care.

Aid to Families with Dependent Children - Foster Care

All Other

(127,746)

Provides for the deappropriation of funds due to a change in the federal match rate for federal fiscal year 1995 from 61.96% to 63.30%.

Aid to Families with Dependent Children - Foster Care

All Other

90,942

Provides for the appropriation of funds for board and care of anticipated additional children in departmental

custody as a result of increased investigations.		Personal Services	39,986
Blind and Visually Impaired - Division for the		Provides for the appropriation of funds for one Chemist II position lost due to a double deappropriation in Public Law 1991, chapters 591 and 622.	
Positions - Legislative Count	(-12.0)		
Personal Services	(553,140)		
All Other	(1,245,101)		
Total	(1,798,241)	Health - Bureau of	
Provides for the deappropriation of funds for the reorganization of the Bureau of Rehabilitation, except the Division of Disability Determination Services and the bureau's transfer from the Department of Human Services to the Department of Education in accordance with Resolve 1993, chapter 43.		Positions - Other Count	(2.5)
		Personal Services	32,103
		All Other	12,500
		Total	44,603
Child Welfare Services		Provides for the appropriation of funds for 5 part-time Sanitarian II positions to support the eating and lodging program.	
All Other	2,863,877	Intermediate Care - Payments to Providers	
Provides for the appropriation of funds for child welfare services, including foster care and adoption programs.		All Other	(2,346,086)
		Provides for the deappropriation of funds due to a change in the federal match rate for federal fiscal year 1995 from 61.96% to 63.30%.	
Child Welfare Services		Long-Term Care - Human Services	
All Other	212,199	All Other	(1,691,272)
Provides for the appropriation of funds for board and care of anticipated additional children in departmental custody as a result of increased investigations.		Provides for the deappropriation of funds to transfer the Rehabilitation portion to the Department of Education in accordance with Resolve 1993, chapter 43.	
Adaptive Equipment Loan Program Fund Board		Medical Care - Payments to Providers	
All Other	(5,808)	All Other	(807,300)
Provides for the deappropriation of funds for the reorganization of the Bureau of Rehabilitation, except the Division of Disability Determination Services and the bureau's transfer from the Department of Human Services to the Department of Education in accordance with Resolve 1993, chapter 43.		Provides for the deappropriation of funds due to cost savings from a managed care system in the state Medicaid program.	
Health - Bureau of		Medical Care - Payments to Providers	
Positions - Legislative Count	(1.0)	All Other	(4,844,686)
		Provides for the deappropriation of funds due to a change in the federal fiscal match rate for	

federal fiscal year 1995
from 61.96% to 63.30%.

Medical Care Administration

Positions - Legislative Count	(5.0)
Personal Services	305,000
All Other	2,300
Total	<u>307,300</u>

Provides for the appropriation of funds for 2 Programmer Analyst I positions, one Statistician II position, one Senior Information Support Specialist position and one Data Entry Systems Manager position to implement a managed care system in the state Medicaid program.

Medical Care Administration

All Other	500,000
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Provides for the appropriation of funds to cover a projected shortfall due to increased costs for Early Periodic Screening Diagnostic and Treatment (EPSDT).

Medical Care Administration

Positions - Legislative Count	(1.0)
Personal Services	26,915
All Other	2,500
Capital Expenditures	3,000
Total	<u>32,415</u>

Provides for the appropriation of funds for one Health Services Consultant position to ensure quality of nursing services in residential care settings.

Medical Care Administration

All Other	200,000
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Provides for the appropriation of funds for Health Care Finance Administration (HFCA) required consultants to assist with the analysis, design, purchasing and overseeing the installation of a new Medicaid management information system.

Medical Care Administration

All Other	100,000
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Provides for the appropriation of funds for contracting with consultants to assist with the analysis, design and development of a Medicaid managed care system. The Department of Human Services shall, within one year of the effective date of this Act, design and implement a capitated long-term care, managed-care program. The consultant shall also assist the department in its current initiative to enroll all Medicaid enrollees in various forms of managed care, including, but not limited to, health maintenance organizations, limited hospital networks and primary care management.

Medical Care Administration

Capital Expenditures	200,000
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Provides for the appropriation of funds to purchase required Medicaid Management Information System (MMIS) hardware and software.

Rehabilitation - Bureau Of

Positions - Legislative Count	(-2.0)
Personal Services	(59,674)
All Other	(577,464)
Total	<u>(637,138)</u>

Provides for the deappropriation of funds for the reorganization of the Bureau of Rehabilitation, except the Division of Disability Determination Services and the bureau's transfer from the Department of Human Services to the Department of Education in accordance with Resolve 1993, chapter 43.

Rehabilitation - Vocational Rehabilitation - Bureau of

Positions - Legislative Count	(-20.0)
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Personal Services	(858,996)	4 Augusta Mental Health Institute consent decree class members.	
All Other	(3,052,091)		
Total	<u>(3,911,087)</u>		
Provides for the deappropriation of funds for the reorganization of the Bureau of Rehabilitation (ex: Disability Determination Unit) from the Department of Human Services to the Department of Education in accordance with 1993 Resolves, chapter 43.		Aid to Families with Dependent Children - Foster Care	
		All Other	95,000
		Provides for the appropriation of funds for the State's share of board and care of additional children in departmental custody as a result of increased investigations.	
Social Services - Regional		Child Welfare Services	
All Other	25,000	All Other	222,000
Capital Expenditures	75,000	Provides for the appropriation of funds for board and care of additional children in departmental custody as a result of increased investigations.	
Total	<u>100,000</u>	Child Welfare Services	
Provides for the appropriation of funds to improve and expand use of automated data systems in the administration of child welfare services through the acquisition of hardware and software.		Positions - Legislative Count	(1.5)
		Personal Services	55,706
Social Services - Regional		All Other	442,826
Positions - Legislative Count	(9.0)	Total	<u>498,532</u>
Personal Services	297,229	Provides for the appropriation of funds for one and 1/2 Human Services Caseworker positions and board and care costs for Augusta Mental Health Institute consent decree class members who are in the department's care or custody.	
All Other	49,771	Elder and Adult Services - Bureau of	
Total	<u>347,000</u>	All Other	75,000
Provides for the appropriation of funds for 8 Human Services Caseworker positions and one Clerk Typist II position to process referrals appropriate for investigation.		Provides for the appropriation of funds for supportive services for Augusta Mental Health Institute consent decree class member public wards.	
Special Children's Services		Medical Care - Payments to Providers	
Positions - Legislative Count	(0.5)	All Other	75,000
Personal Services	43,188	Provides for the appropriation of funds for care management services	
Provides for the appropriation of funds to reestablish one part-time Public Health Physician position.			
Aid to Families with Dependent Children - Foster Care			
All Other	25,414		
Provides for the appropriation of funds for board and clothing costs for			

for persons with head injuries.

Purchased Social Services

All Other	101,800
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Provides for the appropriation of funds to purchase services for children and families.

Social Services - Regional

Positions - Legislative Count	(12.0)
Personal Services	302,250
All Other	55,000
Total	357,250

Provides for the appropriation of funds for the development of agency infrastructure necessary to investigate referrals appropriate for services that are presently not served; to support increased numbers of children in state custody; and to include 2 Caseworker Supervisor positions and 5 Human Services Caseworker positions for the full year and 5 additional Human Services Caseworker positions to be established January 1, 1995.

State Supplement to Federal Supplemental Security Income

All Other	150,000
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Provides for the appropriation of funds for 12 specialized boarding home beds.

Income Maintenance - Regional

Positions - Legislative Count	(2.0)
Personal Services	65,580
All Other	4,420
Total	70,000

Provides for the appropriation of funds for the transfer of 2 Fraud Investigator positions from the Federal Expenditure Fund to enhance the investigation of cases of suspected welfare fraud and recovery of funds.

Child Welfare Services

All Other	(1,129,679)
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Provides for the deappropriation of funds from savings as a result of increased federal funding under Title IVA through the Emergency Assistance Program for destitute children.

General Assistance

All Other	(100,000)
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Provides for the deappropriation of funds due to the availability of Stripper Well funds to support energy-related costs.

DEPARTMENT OF HUMAN SERVICES

TOTAL (9,620,027)

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF Fisheries and Hatcheries Operations

Positions - Legislative Count	(3.0)
Personal Services	20,038
All Other	(20,038)
Total	-0-

Provides for the appropriation of funds for the General Fund matching portion of 3 full-time Fish and Wildlife Technician positions through a transfer from All Other to Personal Services. These limited period positions are authorized for fiscal years 1993-94 and 1994-95 only. the Department of Inland Fisheries and Wildlife shall establish specific criteria for evaluating the success of these limited-period positions in achieving specific goals within the department's long-range fisheries management plan. the Department of Inland Fisheries and Wildlife shall provide a report to the joint standing committee of the Legislature having jurisdiction over fisheries and wildlife matters by April 1, 1995 that evaluates the actual success of these limited-period

positions in achieving the goals set for the positions.		Total	(335,695)
DEPARTMENT OF INLAND FISHERIES AND WILDLIFE TOTAL	<hr/> -0-	Provides for the appropriation of funds in All Other and the deappropriation of funds from Capital Expenditures from the lease purchase of capital equipment in fiscal year 1994-95.	
JUDICIAL DEPARTMENT		Courts - Supreme, Superior, District and Administrative	
Courts - Supreme, Superior, District and Administrative		Courts - Supreme, Superior, District and Administrative	
Personal Services	(403,598)	All Other	(562,000)
Provides for the deappropriation of funds from the deferral of Judicial Cost of Living Adjustments (COLAs) in accordance with Public Law 1993, chapter 410, Part X, section 1.		Provides for the deappropriation from savings in fiscal year 1994-95 from the refunding of debt by the Maine Court Facilities Authority.	
Courts - Supreme, Superior, District and Administrative		Courts - Supreme, Superior, District and Administrative	
All Other	4,897,024	All Other	(500,000)
Provides for the appropriation of funds to meet All Other expenditure requirements using fiscal year 1992-93 as a base.		Provides for the deappropriation of funds no longer required that were originally appropriated in Public Law 1993, chapter 410, Part TTT for debt service costs related to courthouse projects in Biddeford, Skowhegan and other locations designated by the Maine Court Facilities Authority.	
Courts - Supreme, Superior, District and Administrative		JUDICIAL DEPARTMENT TOTAL	<hr/> 2,962,156
Capital Expenditures	(36,000)	LABOR, DEPARTMENT OF	
Provides for the deappropriation of funds from District Court remodeling and furnishing.		Job Training Partnership Program	
Courts - Supreme, Superior, District and Administrative		Positions - Legislative Count	(-1.0)
Personal Services	(5,827)	Personal Services	(57,897)
Provides for the deappropriation of funds from the elimination of overtime in fiscal year 1994-95.		All Other	(4,320)
Courts - Supreme, Superior, District and Administrative		Total	<hr/> (62,217)
Personal Services	(91,748)	Provides for the deappropriation of funds through the transfer of one Director, Maine Conservation Corps position and related costs to the Twelve County SDA - Job Training Partnership Program, General Fund.	
Provides for the deappropriation of funds from anticipated salary savings.		Twelve County SDA - Job Training Partnership Program	
Courts - Supreme, Superior, District and Administrative			
All Other	7,638		
Capital Expenditures	(343,333)		

Positions - Legislative Count	(1.0)
Personal Services	57,897
All Other	4,320
Total	<u>62,217</u>

Provides for the appropriation of funds through the transfer of one Director, Maine Conservation Corps position and related costs from the Job Training Partnership Program, General Fund.

DEPARTMENT OF LABOR TOTAL -0-

LEGISLATURE

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All Other	(600,000)
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Provides for the deappropriation of funds no longer required.

LEGISLATURE TOTAL (600,000)

MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF

Augusta Mental Health Institute

Positions - Legislative Count	(40.0)
Personal Services	378,444
All Other	60,266
Total	<u>438,710</u>

Provides for the appropriation of funds for the continuation of one nursing unit, including position funding for 3 months with headcount authorized for 9 months. The 40 positions are on file with the Bureau of the Budget.

Bangor Mental Health Institute

Positions - Legislative Count	(25.5)
Personal Services	216,922
All Other	28,800
Total	<u>245,722</u>

Provides for the appropriation of funds for the continuation of one nursing unit, including position funding for 3 months with headcount authorized for 9 months

and associated All Other. The 25.5 positions are on file with the Bureau of the Budget.

Bangor Mental Health Institute

All Other	125,000
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Provides for the appropriation of funds for payment of the 7% gross receipts tax applicable to nursing homes, which will result in offsetting General Fund undedicated revenues of \$125,000 in fiscal year 1994-95.

Bath Children's Home

All Other	250,000
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Provides for the appropriation of funds to meet licensing requirements and to correct serious health and safety deficiencies. This will result in offsetting General Fund revenues of \$50,000 in fiscal year 1994-95.

Disproportionate Share - Augusta Mental Health Institute

Personal Services	(202,536)
All Other	(35,974)
Total	<u>(238,510)</u>

Provides for the deappropriation of funds due to a change in the federal financial participation rate (FFP) to 36.70% effective October 1, 1994 for the psychiatric hospital.

Disproportionate Share - Bangor Mental Health Institute

Personal Services	(170,293)
All Other	(34,137)
Total	<u>(204,430)</u>

Provides for the deappropriation of funds due to a change in the federal financial participation rate (FFP) to 36.70% effective October 1, 1994 for the psychiatric hospital.

Medicaid Services - Mental Retardation

<p>All Other (779,086)</p> <p>Provides for the deappropriation of funds due to a change in the federal financial participation rate (FFP) to 36.70% effective October 1, 1994 for community Medicaid services.</p> <p>Mental Health Services - Child Medicaid</p> <p>All Other (45,167)</p> <p>Provides for the deappropriation of funds due to a change in the federal financial participation rate (FFP) to 36.70% effective October 1, 1994 for community Medicaid services.</p> <p>Mental Health Services - Community Medicaid</p> <p>All Other 205,000</p> <p>Provides for the appropriation of funds for state match required to meet the obligations of consent decree activity relating to intensive, individualized community supports, including \$25,000 for Oxford County crisis beds.</p> <p>Mental Health Services - Community Medicaid</p> <p>All Other 535,700</p> <p>Provides for the appropriation of funds for that portion of community nursing facility beds that are Medicaid reimbursable.</p> <p>Mental Health Services - Community Medicaid</p> <p>All Other (91,604)</p> <p>Provides for the deappropriation of funds due to a change in the federal financial participation rate (FFP) to 36.70% effective October 1, 1994 for community Medicaid services.</p>	<p>Mental Health Services - Children</p> <p>All Other 500,000</p> <p>Provides for the appropriation of funds for consent decree activity in the areas of crisis intervention, respite care and individualized foster home placements.</p> <p>Mental Health Services - Community</p> <p>All Other 295,000</p> <p>Provides for the appropriation of funds for consent decree activity in crisis and emergency services.</p> <p>Mental Health Services - Community</p> <p>All Other 258,225</p> <p>Provides for the appropriation of funds for that portion of community nursing facility beds and associated psychogeriatric services that are not Medicaid reimbursable.</p> <p>Mental Retardation Services - Community</p> <p>Positions - Legislative Count (4,000) Personal Services 181,730 All Other (181,730)</p> <p>Total -0-</p> <p>Provides for the appropriation of funds through the transfer of one Accountant I position, one Management Analyst I position, one Auditor II position and one Social Services Program Specialist II position from the block grant account and the upgrade of the Management Analyst I position to a Management Analyst II position.</p> <p>Disproportionate Share - Bangor Mental Health Institute</p> <p>Personal Services 32,881 All Other (32,881)</p> <p>Total -0-</p>
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Provides for the appropriation of funds through a line category transfer for 3 1/2 laundry positions at the Bangor Mental Health Institute.

Bangor Mental Health Institute

Positions - Legislative Count	(1.0)
Personal Services	21,344
All Other	(21,344)
Total	<hr/> -0-

Provides for the appropriation of funds through a line category transfer for one Laundry Worker I position to provide laundry services at the Bangor Mental Health Institute.

Medicaid Services - Mental Retardation

All Other	65,000
Provides for the appropriation of funds for the state match requirement to meet the obligations of the Pineland consent decree relating to crisis intervention services.	

Mental Health Services - Children

All Other	818,000
Provides for the appropriation of funds for consent decree activity in the areas of crisis intervention, respite care, community support services, individual therapies and assessments and the individualized foster home placements that will reduce the need for hospital placement and the placement of seriously emotionally disturbed children who are abandoned by their families.	

Mental Health Services - Children Medicaid

All Other	182,000
Provides for the appropriation of funds for the state match requirement to meet the obligations of	

the consent decree relating to crisis, community support and residential services.

Mental Health Services - Community

All Other	900,000
Provides for the appropriation of funds for consent decree activity in crisis and emergency services including the expansion of existing case management services to create 3 assertive community treatment teams by enhancing psychiatric and psychiatric nursing components. Also includes 24-hour structured and supervised residential programs for 30 persons, rental assistance for supported housing for 65 persons and integrated vocational and educational services for 25 persons.	

Mental Health Services - Community Medicaid

All Other	675,000
Provides for the appropriation of funds for the state match requirement to meet obligations of consent decree activity related to the creation of 3 assertive community treatment teams and 24-hour structured and supervised residential programs.	

Mental Retardation Services - Community

All Other	360,000
Provides for the appropriation of funds for Pineland consent decree activity relating to crisis intervention, family support, supported employment and psychiatric services.	

Mental Health Services - Children

All Other	313,923
Provides for the appropriation of funds to	

maintain the current level of services previously funded in the Federal Mental Health Block Grant.

Disproportionate Share - Bangor Mental Health Institute

Personal Services	546,827
All Other	72,303
Capital Expenditures	1,679
Total	<u>620,809</u>

Provides for the appropriation of funds through a transfer of one nursing facility ward to the disproportionate share hospital program.

Bangor Mental Health Institute

Positions - Legislative Count	(-35.0)
Personal Services	(1,476,313)
All Other	(195,200)
Capital Expenditures	(4,534)
TOTAL	<u>(1,676,047)</u>

Provides for the deappropriation of funds through a transfer of one nursing facility ward to the disproportionate share hospital program. The position list is on file in the State Budget Office.

DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION

TOTAL	<u>3,753,245</u>
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PUBLIC SAFETY, DEPARTMENT OF

State Police

Capital Expenditures	90,123
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Provides for the appropriation of funds for the replacement of 50 vehicles. Delayed equipment purchases will place an excessive number of patrol vehicles over the 100,000-mile limit requiring replacement (13% General Fund).

State Police

All Other	10,647
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Provides for the appropriation of funds for the replacement of

protective vests for the officers of the State Police (13% General Fund).

State Police

All Other	14,100
Capital Expenditures	10,400
Total	<u>24,500</u>

Provides funds for the purchase of miscellaneous equipment and capital equipment for the tactical team.

DEPARTMENT OF PUBLIC SAFETY

TOTAL	<u>125,270</u>
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MAINE SCIENCE AND TECHNOLOGY FOUNDATION

Maine Science and Technology Foundation

All Other	990,000
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Provides funds to match a federal Department of Energy and a National Science Foundation Experimental Program to Stimulate Competition Research (EPSCoR) grants. These funds will be used to spur the growth of the State's biotechnology, marine sciences and wood science technology.

MAINE SCIENCE AND TECHNOLOGY FOUNDATION

TOTAL	<u>990,000</u>
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SECRETARY OF STATE, DEPARTMENT OF THE

Elections and Commissions

All Other	109,000
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Provides funds for the printing, postage and related expenses for the June 1994 referenda.

DEPARTMENT OF THE SECRETARY OF STATE

TOTAL	<u>109,000</u>
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MAINE TECHNICAL COLLEGE SYSTEM, BOARD OF TRUSTEES OF THE

Maine Technical College Systems - Board of Trustees

All Other	300,000	
Provides funds for the Maine Youth Apprenticeship Program.		
BOARD OF TRUSTEES OF THE MAINE TECHNICAL COLLEGE SYSTEM TOTAL	<hr/> 300,000	
TRANSPORTATION, DEPARTMENT OF		
Highway Maintenance		
All Other	(200,000)	
Provides for the deappropriation of funds from available balances.		
DEPARTMENT OF TRANSPORTATION TOTAL	<hr/> (200,000)	
SECTION A-1 TOTAL APPROPRIATIONS	<hr/> (813,228)	<hr/> 17,349,442

Sec. A-2. Allocation. The following funds are allocated from the Federal Expenditure Fund for the fiscal year ending June 30, 1995 to carry out the purposes of this Part.

1994-95

AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF		
Agricultural Production		
Positions - Other Count	(0.5)	
Personal Services	15,000	
All Other	65,000	
Capital Expenditures	20,000	
Provides for the allocation of funds to continue a cranberry farming study project originally established by Financial Order #04972 F3 and to establish one part-time Planning and Research Associate I position.		
DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES TOTAL	<hr/> 100,000	
ATTORNEY GENERAL, DEPARTMENT OF THE		
Administration - Attorney General		
Positions - Other Count	(1.0)	
Personal Services	60,295	

All Other	3,200
Total	<hr/> 63,495
Provides for the allocation of funds for one Assistant Attorney General position and related costs to handle statewide drug forfeitures.	
Human Services Division	
Positions - Other Count	(1.0)
Personal Services	60,296
All Other	2,800
Total	<hr/> 63,096
Provides for the allocation of funds for one Assistant Attorney General position to handle recoveries against estates for medical costs from 3rd-party liability claims.	
Human Services Division	
Positions - Other Count	(3.0)
Personal Services	114,158
All Other	10,500
Total	<hr/> 124,658
Provides for the allocation of funds for one Assistant Attorney General position, one Research Assistant position and one Legal Secretary position for child support enforcement.	
DEPARTMENT OF THE ATTORNEY GENERAL TOTAL	<hr/> 251,249
CONSERVATION, DEPARTMENT OF	
Administrative Services - Conservation	
Personal Services	4,002
Provides for the allocation of funds for one 12-week project position to participate in the 1994-95 State Government Internship Program.	
Forest Management, Utilization and Marketing	
Personal Services	17,612
All Other	264
Total	<hr/> 17,876

Provides for the allocation of funds for grants to municipalities and increased Personal Services costs due to the assertion of "bumping" privileges of senior personnel.

Parks - General Operations

All Other 300,000

Provides for the allocation of funds to award grants under the National Recreational Trails Funding program.

DEPARTMENT OF CONSERVATION TOTAL

321,878

CORRECTIONS, DEPARTMENT OF

Justice - Planning, Projects and Statistics

All Other 275,000

Provides for the allocation of additional federal funds for the juvenile justice and delinquency prevention program for general operating expenses and grants.

DEPARTMENT OF CORRECTIONS TOTAL

275,000

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Administration - Economic and Community Development

Positions - Other Count (3.0)
 Personal Services 139,500
 All Other 110,500
 Total 250,000

Provides for the allocation of funds for one Development Director position, one Planning and Research Associate II position and one Planning and Research Associate I position and corresponding All Other for the legislatively mandated statewide economic development plan. These funds are from the United

States Department of Commerce, Economic Development Administration.

Business Development

Positions - Other Count (2.0)
 Personal Services 78,900
 All Other 21,100

Total 100,000

Provides for the allocation of funds for 2 Development Project Officer positions and corresponding All Other for training and development of existing businesses and establishments.

Office of Community Development

Personal Services 841
 All Other 30,014

Total 30,855

Provides for the allocation of funds for implementing the Marine Sewage Management Grant. The Personal Services allotment will be used to reimburse the administration of the grant.

Office of Community Development

Positions - Other Count (1.0)
 Personal Services 52,000
 All Other 887

Total 52,887

Provides for the allocation of funds for one Senior Planner position as part of the Natural Areas Program established in Public Law 1993, chapter 92.

Office of Community Development

Personal Services 66,500

Provides for the allocation of funds that will provide Personal Services allotment in order to expend federal funds. Positions that already exist within the program are funded through Other Special Revenue funds and

matching federal funds. Since funding levels vary from year to year, expenditures must be moved to the federal side.

Economic Conversion Division

All Other 105,000

Provides for the allocation of funds from the United States Office of Economic Adjustment, Department of Defense for defense realignment.

DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TOTAL

605,242

EDUCATION, DEPARTMENT OF

Administrative Services

Positions - Other Count (-0.5)

Provides for a correction in position count in the Bilingual Education Account resulting from data entry error in Public Law 1993, chapter 410, Part Q, section 2.

Division of Adult Education

All Other 421,597

Provides for the allocation of funds to continue an adult education grant, New Life Skills for State and Local Prisoners. Funds will be used primarily for grants to county correctional facilities for curriculum education.

Division of Applied Technology

Positions - Other Count (-1.0)
Personal Services (37,157)
All Other (2,886)

Total (40,043)

Provides for the deallocation of funds for the transfer of one Accountant II position to the Division of Finance, Departmental Services, Federal Expenditures Account, effective June 6, 1994 in order to

accomplish the indirect cost plan.

Division for the Blind and Visually Impaired

Positions - Other Count (26.5)
Personal Services 1,061,241
All Other 1,128,702
Capital Expenditures 30,700

Total 2,220,643

Provides for the allocation of funds for the reorganization of the Bureau of Rehabilitation (except the Division of Disability Determination Services) from the Department of Human Services to the Department of Education in accordance with Resolve 1993, chapter 43. Also provides for the transfer of one Rehabilitation Counselor II position from the General Fund. The 26.5 positions are on file with the Bureau of the Budget.

Division for the Blind and Visually Impaired

Capital Expenditures 47,800

Provides for the allocation of funds for an estimated increase in federal rehabilitation grants.

Division for the Blind and Visually Impaired

All Other 200,000

Provides for the allocation of funds for an estimated increase in federal Title 7 Independent Living grants.

Curriculum - Education

Positions - Other Count (0.5)

Provides for a correction in position count in the Bilingual Education Account resulting from a data entry error in Public Law 1993, chapter 410, Part Q, section 2.

Division of Finance

Positions - Other Count (3.0)
Personal Services 99,001
All Other 7,310

<p>Total</p> <p>Provides for the allocation of funds from the transfer of 2 Accountant II positions and one Clerk Typist II position from the Federal ESEA Chapter I and Carl Perkins Applied Technology program accounts, effective June 6, 1994 to accomplish the indirect cost plan.</p>	<p>106,311</p>	<p>Division of Instruction</p> <p>Personal Services</p> <p>Provides for the deallocation of funds for the apportionment of 50% of the funding for one Clerk Typist III position from the Drug Free Schools Training Personnel Account to the Transition Services Youth with Disabilities and IDEA School Age Children accounts.</p>	<p>(15,899)</p>
<p>Division of Higher Education</p> <p>Personal Services</p> <p>All Other</p> <p>Capital Expenditures</p> <p>Total</p> <p>Provides for the allocation of funds to continue the State Postsecondary Review Entity Federal Grant program.</p>	<p>22,159</p> <p>107,841</p> <p>5,000</p> <hr/> <p>135,000</p>	<p>Preschool Handicapped</p> <p>All Other</p> <p>Provides for the deallocation of funds not required for grants to preschool sites, due to limited federal funding.</p>	<p>(736,983)</p>
<p>Division of Instruction</p> <p>All Other</p> <p>Provides for the allocation of funds to continue the Eisenhower National Program for Math and Science Curriculum Frameworks. Funds will be used for contracts, grants, travel, utilities and for other general operating costs required in accordance with the grant agreement.</p>	<p>300,122</p>	<p>Preschool Handicapped</p> <p>Positions - Other Count</p> <p>Personal Services</p> <p>All Other</p> <p>Total</p> <p>Provides for the allocation of funds for federal Individuals with Disabilities Education Act of 1991, Part H, preschool funds for eligible infants and toddlers. Funds will be used for grants to the child development sites and the state intermediate education unit. Also provides funds for the transfer of one Clerk Stenographer III position from the Department of Human Services to the Department of Education.</p>	<p>(1.0)</p> <p>32,251</p> <p>966,136</p> <hr/> <p>998,387</p>
<p>Division of Instruction</p> <p>All Other</p> <p>Provides for the allocation of funds to continue the Christa McAuliffe Fellowship Award Program. Funds will be used for grants to an eligible teacher.</p>	<p>31,055</p>	<p>School to Work Transition</p> <p>All Other</p> <p>Provides for the allocation of funds to continue a federal grant for school-to-work opportunities. Funds will be used primarily for grants to educational institutions.</p>	<p>2,000,000</p>
<p>Division of Instruction</p> <p>Personal Services</p> <p>Provides for the allocation of funds to pay overtime for one Clerk Typist III position as authorized in accordance with the federal Centers for Disease Control.</p>	<p>4,892</p>	<p>Division of Special Services</p> <p>Personal Services</p>	<p>7,949</p>

Provides for the allocation of funds for the apportionment of 25% of the funding for one Clerk Typist III position from the Drug Free Schools Training Personnel Account to the Transition Services Youth With Disabilities Account.

Division of Special Services

All Other 254,222

Provides for the allocation of funds to continue the Statewide Systems Change Grant Program. Funds will be used for contracts to develop activities for improving the quality of special education for children with severe disabilities.

Division of Special Services

Personal Services 7,950

Provides for the allocation of funds for the apportionment of 25% of the funding for one Clerk Typist III position from the Drug Free Schools Training Personnel Account to the IDEA School Age Children Account.

Division of Special Services

Positions - Other Count (-2.0)
 Personal Services (61,844)
 All Other (4,424)

Total (66,268)

Provides for the deallocation of funds for the transfer of one Accountant II position and one Clerk Typist II position to the Division of Finance, Departmental Services, Federal Expenditures Account, effective June 6, 1994 in order to accomplish the indirect cost plan.

Division of Special Services

Personal Services (19,259)
 All Other 19,259

Total -0-

Provides for the deallocation of funds through a line category transfer due to a reduction, from 50% to 10%, in the Personal Services requirement for one Clerk Stenographer III position and one Education Specialist III position and increases the All Other allocation for contractual services with the University of Maine at Orono.

Division of Special Services

Positions - Other Count (-1.0)
 Personal Services (28,173)
 All Other 28,173

Total -0-

Provides for the deallocation of funds through the line category transfer of 75% funding for one Senior Legal Secretary position to the Attorney General's Office, Other Special Revenue, effective June 6, 1994. Provides funds to pay for legal services billed directly by the Attorney General's Office.

Rehabilitation Services

Positions - Other Count (115.5)
 Personal Services 4,661,208
 All Other 8,811,724
 Capital Expenditures 65,000

Total 13,537,932

Provides for the allocation of funds for the reorganization of the Bureau of Rehabilitation (except the Division of Disability Determination Services) from the Department of Human Services to the Department of Education in accordance with Resolve 1993, chapter 43. Also provides for the transfer of one Rehabilitation Services Manager position from the General Fund. The 115.5 positions are on file with the Bureau of the Budget.

Rehabilitation Services

All Other 147,800

Provides for the allocation of funds for an estimated increase in federal rehabilitation grants.

Vocational Training - Program Services

All Other 600,000

Provides for the allocation and transfer of funds for 8% education Federal Job Training Partnership funds from the Department of Labor to the Department of Education for subgranting and contracting for Jobs for Maine's Graduates.

DEPARTMENT OF EDUCATION TOTAL

20,162,467

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Administration - Environmental Protection

Personal Services 12,633
All Other 224

Total 12,857

Provides for the allocation of funds for the reorganization of one Public Assistance Coordinator position to one Environmental Specialist IV position to coordinate the Environmental Risk Priorities Project.

Lake Restoration and Protection Fund

Positions - Other Count (1.0)
Personal Services 36,503
All Other 197,980
Capital Expenditures 5,800

Total 240,283

Provides for the allocation of funds to establish one Biologist I position to carry out a lakes and coastal water research and monitoring project.

Oil and Hazardous Materials Control

Positions - Other Count (1.0)
Personal Services 47,962
All Other 8,260

Capital Expenditures 3,000

Total 59,222

Provides for the allocation of funds to reorganize one Oil and Hazardous Materials Specialist I position to one Toxicologist position and establish one Geologist position to meet risk and site assessment needs at federal defense facilities.

Oil and Hazardous Materials Control

Personal Services 20,000
All Other 504

Total 20,504

Provides for the allocation of funds to the Multisite II Emergency Response Contingent Account for response to unforeseen emergency requirements in the clean-up and remediation of hazardous materials and oil contamination events.

Oil and Hazardous Materials Control

Personal Services 75,000
All Other 1,980

Total 76,980

Provides for the allocation of funds to the Leaking Underground Storage Tank Trust II Clean Up Emergency Response Contingent Account for response to unforeseen emergency requirements in the clean-up and remediation of hazardous materials and oil contamination events.

Oil and Hazardous Materials Control

Personal Services 10,000
All Other 252

Total 10,252

Provides for the allocation of funds to the Super Fund Core Grant Emergency Response Contingent Account for response to

unforeseen emergency requirements in the clean-up and remediation of hazardous materials and oil contamination events.

Oil and Hazardous Materials Control

Personal Services	75,000
All Other	1,980
Total	76,980

Provides for the allocation of funds to the Leaking Underground Storage Tank Trust II Enforcement Emergency Response Contingent Account for response to unforeseen emergency requirements in the clean-up and remediation of hazardous materials and oil contamination events.

Oil and Hazardous Materials Control

Personal Services	20,000
All Other	504
Total	20,504

Provides for the allocation of funds to the Leaking Underground Storage Tank Trust Supplemental Emergency Response Contingent Account for response to unforeseen emergency requirements in the clean-up and remediation of hazardous materials and oil contamination events.

Pollution Prevention

All Other	44,016
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Provides for the allocation of funds for the Maine Comparative Risk Project.

DEPARTMENT OF ENVIRONMENTAL PROTECTION TOTAL

561,598

EXECUTIVE DEPARTMENT

Planning Office

Positions - Other Count	(2.0)
Personal Services	100,073
All Other	1,056,249

Total	1,156,322
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Provides for the allocation of funds for one Policy Development Specialist position and one Senior Planner position to administer the new Commission on National and Community Service, which will distribute federal grant awards to meet the nation's human, educational, environmental and public safety needs.

Office of Substance Abuse

Positions - Other Count	(0.5)
Personal Services	23,958
All Other	75,828
Capital Expenditures	4,613

Total	104,399
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Provides for the allocation of funds for one part-time Comprehensive Health Planner I position for prevention needs assessment studies as required by the federal Alcohol and Drug Block Grant.

EXECUTIVE DEPARTMENT TOTAL

1,260,721

MAINE HISTORICAL RECORDS ADVISORY BOARD

Maine Historical Records Advisory Board

Personal Services	16,351
All Other	30,307

Provides for the allocation of funds for one Project Planning and Research Associate II position, effective April 1, 1994 through March 31, 1996 in order to improve the preservation of and access to Maine's historical records.

MAINE HISTORICAL RECORDS ADVISORY BOARD TOTAL

46,658

HUMAN SERVICES, DEPARTMENT OF

Administration - Human Services

Positions - Other Count	(-1.0)
Personal Services	(49,349)
All Other	(117,963)
Total	<u>(167,312)</u>

Provides for the deallocation of funds for the reorganization of the Bureau of Rehabilitation from the Department of Human Services to the Department of Education.

Administration - Regional - Human Services

All Other	(161,500)
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Provides for the deallocation of funds for the reorganization of the Bureau of Rehabilitation from the Department of Human Services to the Department of Education.

Aid to Families with Dependent Children

All Other	1,479,169
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Provides for the allocation of federal funds due to a change in the federal match rate for federal fiscal year 1994-95 from 61.96% to 63.30%.

Aid to Families with Dependent Children - Foster Care

All Other	2,503,856
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Provides for the allocation of funds for the federal share of Aid to Families with Dependent Children - Foster Care.

Aid to Families with Dependent Children - Foster Care

All Other	127,746
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Provides for the allocation of funds due to a change in the rate for federal fiscal year 1994-95 from 61.96% to 63.30%.

Aid to Families with Dependent Children - Foster Care

All Other	148,128
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Provides for the allocation of funds for the AFDC

share of board and care for the anticipated additional children in departmental custody as a result of increased investigations.

Blind and Visually Impaired - Division for the

Positions - Other Count	(-21.0)
Personal Services	(908,934)
All Other	(979,758)
Capital Expenditures	(30,700)
Total	<u>(1,919,392)</u>

Provides for the deallocation of funds for the reorganization of the Bureau of Rehabilitation, except the Division of Disability Determination Services, from the Department of Human Services to the Department of Education in accordance with Resolves 1993, chapter 43.

Child Welfare Services

All Other	225,000
Capital Expenditures	75,000
Total	<u>300,000</u>

Provides for the allocation of federal funds to improve and expand use of automated data systems in the administration of Child Welfare Services.

Health - Bureau of

Positions - Other Count	(1.0)
Personal Services	41,670
All Other	6,280
Total	<u>47,950</u>

Provides for the allocation of funds for one Environmental Specialist III position to support the Childhood Lead Poisoning Prevention Program.

Health - Bureau of

Positions - Other Count	(1.0)
Personal Services	33,387
All Other	3,000
Total	<u>36,387</u>

Provides for the allocation of funds for one Paralegal

Assistant position for the drinking water program.

Health - Bureau of

Positions - Other Count (1.0)
Personal Services 34,004

Provides for the allocation of funds for one Programmer Analyst position responsible for designing, implementing and modifying the current Women, Infants and Children's (WIC) program in-house system, for responding to ad hoc programming requests and for contracted field personnel.

Health - Bureau of

Positions - Other Count (1.0)
Personal Services 39,621

Provides for the allocation of funds for one Senior Information Support Specialist position responsible for ongoing maintenance, support and technical assistance for the Women, Infants and Children's (WIC) program in-house data processing.

Health - Bureau of

Positions - Other Count (1.0)
Personal Services 36,223
Capital Expenditures 5,000

Total 41,223

Provides for the allocation of funds to support one Public Health Educator II position and capital equipment for the American Stop Smoking Intervention Study (ASSIST) project.

Health - Bureau of

Positions - Other Count (2.0)
Personal Services 75,844
All Other 42,600
Capital Expenditures 3,615

Total 122,059

Provides for the allocation of funds for one Public Health Educator II position and one Public Health Nurse II position and data

collection equipment for the Tuberculosis Control Program.

Health - Bureau of

Positions - Other Count (13.0)
Personal Services 387,448
All Other 1,881,746
Capital Expenditures 22,500

Total 2,291,694

Provides for the allocation of funds for the Breast and Cervical Cancer Prevention and Control Program for equipment for broad screening and public education programs, including one Epidemiologist position and one Senior Information System/Support Specialist position, one Planning and Research Associate II position, one Medical Claims Evaluator position, one Clerk Typist II position, one Clerk Typist III position, one Data Entry Specialist position, one Nursing Education Consultant position, one Word Processing Operator position, one Public Health Educator II position, one Engineering Technician III position, one Business Manager II position and one Comprehensive Health Planner I position.

Health - Bureau of

Positions - Other Count (5.0)
Personal Services 292,116
All Other 26,962

Total 319,078

Provides for the allocation of funds for one Medical Consultation Coordinator position, 2 Physician II positions, one Senior Programmer Analyst position, and one Clerk Typist II position to improve the capacity of the State's cancer registry to generate high-quality and timely data and to conduct breast cancer research.

Health - Bureau of

Positions - Other Count (4.0)

Personal Services	112,039	Personal Services	305,000
Capital Expenditures	26,000	All Other	2,300
Total	<u>138,039</u>	Total	<u>307,300</u>
Provides for the allocation of funds for one Storekeeper II position, 2 Public Health Nurse II positions, one Clerk Typist II position and equipment necessary for data collection and analysis to address immunization program requirements.		Provides for the allocation of funds for 2 Comprehensive Health Planner II positions, one Statistician III position, one Accountant III position and one Data Entry Specialist position to implement a managed care system in the State's Medicaid program.	
Health - Bureau of		Medical Care Administration	
Positions - Other Count	(-1.0)	All Other	500,000
Personal Services	(32,251)	Provides for the allocation of funds to cover a projected shortfall due to increased costs in early periodic screening diagnosis and treatment (EPSDT).	
Provides for the deallocation of funds through a transfer of one Clerk Stenographer III position to the Department of Education, Preschool Handicapped program, to continue clerical support for the Part H program.		Medical Care Administration	
Intermediate Care - Payments to Providers		Positions - Other Count	(2.0)
All Other	2,346,086	Personal Services	56,534
Provides for the allocation of federal funds due to a change in the federal match rate for federal fiscal year 1994-95 from 61.96% to 63.30%.		All Other	2,500
Medical Care - Payments to Providers		Capital Expenditures	3,000
All Other	(1,200,000)	Total	<u>62,034</u>
Provides for the deallocation of federal matching funds due to cost savings from a managed care system in the State's Medicaid program.		Provides for the allocation of funds for one Social Services Program Specialist I position and one Social Services Supervisor position to implement changes in residential care service settings.	
Medical Care - Payments to Providers		Medical Care Administration	
All Other	4,844,686	All Other	1,820,000
Provides for the allocation of federal funds due to a change in the federal match rate for federal fiscal year 1994-95 from 61.96% to 63.30%.		Provides for the allocation of federal matching funds for Health Care Finance Administration (HCFA) required consultants to assist in the analysis, design, purchasing and overseeing of the installation of the new Medicaid management information system.	
Medical Care Administration		Medical Care Administration	
Positions - Other Count	(5.0)	All Other	100,000
		Provides for the allocation of federal matching funds	

for contracting with consultants to assist with the analysis, design and development of a Medicaid managed care system.

Medical Care Administration

Capital Expenditures 600,000

Provides for the allocation of federal matching funds to purchase required Medicaid management information system (MMIS) hardware and software.

Rehabilitation - Bureau of

Positions - Other Count (-12.0)
 Personal Services (593,888)
 All Other (1,023,617)
 Total (1,617,505)

Provides for the deallocation of funds for the reorganization of the Bureau of Rehabilitation, except the Division of Disability Determination Services, from the Department of Human Services to the Department of Education in accordance with Resolve 1993, chapter 43.

Rehabilitation - Vocational Rehabilitation - Bureau of

Positions - Other Count (-106.0)
 Personal Services (4,066,438)
 All Other (7,761,428)
 Capital Expenditures (65,000)
 Total (11,892,866)

Provides for the deallocation of funds for the reorganization of the Bureau of Rehabilitation (ex: Disability Determination Unit) from the Department of Human Services to the Department of Education in accordance with Resolve 1993, chapter 43.

Aid to Families with Dependent Children - Foster Care

Positions - Other Count (1.0)
 Personal Services 40,470
 All Other 5,235
 Total 45,705

Provides for the allocation of funds for one Social Services Program Specialist II position to manage the federally funded Independent Living Program.

Child Welfare Services

Positions - Other Count (2.0)
 Personal Services 62,838
 All Other 524,014
 Total 586,852

Provides for the allocation of funds for one Social Services Program Specialist II position and one Clerk Typist II position for early intervention and family preservation to ensure a safe living environment for children.

Child Welfare Services

All Other 225,000
 Capital Expenditures 75,000
 Total 300,000

Provides for the allocation of funds to improve and expand use of automated data systems in the administration of Child Welfare Services.

Child Welfare Services

Positions - Other Count (1.0)
 Personal Services 38,802
 All Other 5,735
 Total 44,537

Provides for the allocation of funds for one Social Services Supervisor position to conduct administrative case reviews for increased numbers of children in the Department of Human Services care and custody.

Health - Bureau of

Positions - Other Count (1.5)
 Personal Services 53,670

Provides for the allocation of funds for one Microbiologist II position and one 1/2-time Data Entry Specialist position to implement new testing and

reporting procedures in the tuberculosis section of the health and environmental testing laboratory.

Income Maintenance - Regional

Positions - Other Count	(-2.0)
Personal Services	(65,580)
All Other	(4,420)
Total	(70,000)

Provides for the deallocation of funds from the transfer to the General Fund of 2 Fraud Investigator positions to enhance the investigation of cases of suspected welfare fraud and recovery of funds.

Child Welfare Services

All Other	1,129,679
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Provides for the allocation of funds as the result of increased federal funding under Title IV-A through the Emergency Assistance Program for destitute children.

DEPARTMENT OF HUMAN SERVICES

TOTAL

3,308,677

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF

Fisheries and Hatcheries Operations

Personal Services	60,113
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Provides for the allocation of funds for the federal matching portion of 3 full-time Fish and Wildlife Technician positions.

Resource Management Services-Inland Fisheries and Wildlife

Personal Services	9,610
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Provides for the allocation of funds for the 25% matching portion of one Biologist II position to work on lands managed by the Bureau of Public Lands.

DEPARTMENT OF INLAND FISHERIES AND WILDLIFE

TOTAL

69,723

LABOR, DEPARTMENT OF

Employment Security Services

Positions - Other Count	(1.0)
Personal Services	30,111

Provides for the allocation of funds for one Information Systems Support Technician position to provide technical support to the department's growing personal computer network.

Employment Security Services

Positions - Other Count	(1.0)
Personal Services	47,403

Provides for the allocation of funds for one Programmer Analyst position to support the new case management system.

Employment Security Services

Positions - Other Count	(1.0)
Personal Services	58,455

Provides for the allocation of funds for one Departmental Information Systems Manager position to provide supervisory and technical direction to existing and expanding initiatives in forms production, post processing, postal automation and technical staff telecommunications networking coordination.

Employment Security Services

Positions - Other Count	(1.0)
Personal Services	29,011

Provides for the allocation of funds for one Post Office Clerk I position to support implementation of forms redesign, post processing and internal and subcontracted postal automation.

Employment Security Services

Positions - Other Count	(1.0)
Personal Services	48,723

Provides for the allocation of funds for one Systems Analyst position to support the new imaging system in

the Unemployment Insurance Division.		Provides for the deallocation of funds through the transfer of one Volunteer Services Coordinator position, 3 Volunteer Services Assistant positions and one Clerk Typist II position and other related costs of the Maine Conservation Corps to the Twelve County SDA - Job Training Partnership Program, federal fund.	
Employment Security Services			
Positions - Other Count	(1.0)		
Personal Services	56,619		
Provides for the allocation of funds for one Systems Team Leader position to redesign the department's state/federal accounting system.			
Employment Security Services		Job Training Partnership Program	
Positions - Other Count	(1.0)	Positions - Other Count	(0.5)
Personal Services	33,608	Personal Services	6,909
Provides for the allocation of funds for one Computer Programmer position to support expanded automation activity within the department.		Provides for the allocation of funds to increase one Clerk Typist II position from 20 hours to 32 hours per week to address an increase in reporting requirements.	
Employment Security Services		Job Training Partnership Program	
Positions - Other Count	(1.0)	Positions - Other Count	(1.0)
Personal Services	32,385	Personal Services	56,575
Provides for the allocation of funds for one Clerk Typist III position to provide timely reporting for the department's office of human resources.		Provides for the allocation of funds for one Principal Economic Research Analyst position to manage the development of economic and labor market information.	
Employment Security Services		Job Training Partnership Program	
Positions - Other Count	(1.0)	Positions - Other Count	(-14.0)
Personal Services	43,540	Personal Services	(302,480)
Provides for the allocation of funds for one Accountant III position to provide accounting and budgeting information.		Provides for the deallocation of funds through the transfer of the Summer Youth Employment and Training Program's 26-week seasonal positions, consisting of 4 Clerk Typist I positions, 20 Employment and Training Specialist I positions and 4 Employment and Training Specialist II positions, to the Twelve County SDA - Job Training Partnership Program, federal fund.	
Employment Security Services		Job Training Partnership Program	
Positions - Other Count	(0.5)	Positions - Other Count	(-5.0)
Personal Services	17,995	Personal Services	(109,226)
Provides for the allocation of funds for one 20-hour per week Account Clerk I position to ensure timely processing of accounts payable transactions.		All Other	(584,000)
Job Training Partnership Program		Job Training Partnership Program	
Positions - Other Count	(-5.0)	All Other	(600,000)
Personal Services	(109,226)		
All Other	(584,000)		
Total	(693,226)		

Provides for the deallocation of funds through a transfer of Federal Job Training Partnership education funds to the Department of Education for the purpose of providing a grant to the Jobs for Maine's Graduates program.

Twelve County SDA - Job Training Partnership Program

Positions - Other Count	(5.0)
Personal Services	109,226
All Other	584,000
Total	693,226

Provides for the allocation of funds from the transfer of one Volunteer Services Coordinator position, 3 Volunteer Services Assistant positions and one Clerk Typist II position and related costs of the Maine Conservation Corps from the Job Training Partnership Program, federal fund.

Twelve County SDA - Job Training Partnership Program

Positions - Other Count	(14.0)
Personal Services	302,480

Provides for the allocation of funds through the transfer of the Summer Youth Employment and Training Program's 26 week seasonal positions consisting of 4 Clerk Typist I positions, 20 Employment and Training Specialist I positions and 4 Employment and Training Specialist II positions, from the Job Training Partnership Program, federal fund.

Twelve County SDA - Job Training Partnership Program

All Other	1,000,000
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Provides for the allocation of funds for a defense conversion grant to provide retraining and employment services for Aroostook County residents displaced by the closure of Loring Air Force Base.

DEPARTMENT OF LABOR TOTAL

861,334

LIBRARY, MAINE STATE

Library Development Services

Positions - Other Count	(3.0)
Personal Services	61,846
All Other	19,464
Capital Expenditures	7,841

Total 89,151

Provides for the allocation of funds for one Librarian II position, one Library Assistant position, one Planning and Research Associate II position and Capital Expenditures for a workstation, microfilm reader, ultrasonic splicer and microfilm editor-loader. Funds are to be allocated from a new grant from the National Endowment for the Humanities for the Maine Newspaper Project-Bibliograph Phase.

MAINE STATE LIBRARY TOTAL

89,151

MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF

Mental Health Services - Children

Positions - Other Count	(2.0)
Personal Services	85,313
All Other	240,255
Capital Expenditures	5,700

Total 331,268

Provides for the allocation of funds for one Social Services Program Specialist II position, one Statistician II position and associated support costs, including computer equipment to establish the Maine Infrastructure Development Project.

Mental Health Services - Children

Positions - Other Count	(2.0)
Personal Services	119,396
All Other	1,019,176
Capital Expenditures	33,000

Total 1,171,572

Provides for the allocation of funds for one Resource Development Manager position and one Field Operations Manager position and associated All Other and computer equipment for a demonstration grant to design and build a comprehensive system of mental health care for children and their families.

All Other 368,820
Capital Expenditures 11,180

Provides for the allocation of funds for implementing an interstate tax administration system, utilizing the State's MATS system as a platform. In all cases, the federal reimbursement will reduce the net state expenditure associated with these programs.

Mental Health Services - Children

Positions - Other Count (-2.0)
Personal Services (88,511)
All Other (944,191)
Capital Expenditures (10,000)

DEPARTMENT OF THE SECRETARY OF STATE TOTAL

380,000

SECTION A-2 TOTAL ALLOCATIONS

28,767,803

Total (1,042,702)

Sec. A-3. Allocation. The following funds are allocated from Other Special Revenue funds for the fiscal year ending June 30, 1995 to carry out the purposes of this Part.

Provides for the deallocation of funds due to the elimination of one Clerk Stenographer III position and one Education Specialist II position and to transfer the federal Individuals with Disabilities Education Act Part H funds to the Department of Education.

1994-95

DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION TOTAL

460,138

ATTORNEY GENERAL, DEPARTMENT OF THE Administration - Attorney General

Positions - Other Count (1.0)
Personal Services 55,801
All Other 3,250

PUBLIC SAFETY, DEPARTMENT OF

State Police

Positions - Other Count (0.5)
Personal Services 13,804
All Other 163

Total 59,051

Provides for the allocation of funds for the continuation of one part-time Clerk Typist II position through June 3, 1995 to collect and disseminate information as part of the Missing Children Information Clearinghouse.

Administration - Attorney General

Positions - Other Count (1.0)
Personal Services 35,718
All Other 1,800

DEPARTMENT OF PUBLIC SAFETY TOTAL

13,967

Total 37,518

SECRETARY OF STATE, DEPARTMENT OF THE

Administration - Motor Vehicles

Provides for the allocation of funds for the transfer of one Senior Legal Secretary position from the Department of Education to the Department of the Attorney General to provide legal support services for the Department

of Education and other state agencies.

Victims' Compensation Board

All Other 226,144

Provides for the allocation of funds to meet higher than anticipated costs related to payments to victims and for computer support to assist in the streamlining of operations.

DEPARTMENT OF THE ATTORNEY GENERAL

TOTAL 322,713

CONSERVATION, DEPARTMENT OF

Forest Fire Control - Division of

All Other 25,000

Provides for the allocation of funds to the equipment revolving account permitting municipalities to purchase additional forest fire fighting equipment.

Forest Recreation Resource Fund

Positions - Other Count (0.5)
 Personal Services 17,534
 All Other 460

Total 17,994

Provides for the allocation of funds to increase one part-time limited period Park Manager II position on the Penobscot River Corridor to a full-time limited period Park Manager II position; 30% of the funding to be transferred from the Whitewater Rafting Fund.

Land Management and Planning

Personal Services 7,731
 All Other 182

Total 7,913

Provides for the allocation of funds to change a split-funded Planning and Research Associate II position to a fully funded position and eliminate a 1/2-time Planning and Research Assistant position.

Land Management and Planning

Personal Services (17,651)
 All Other 11,308

Total (6,343)

Provides for the allocation of funds to reclassify as a result of a reorganization of one Cartographer position to a Planning and Research Associate I position, increase a seasonal Park Ranger position from a 1/2-time, 5-week position to a full-time, 18-week position, establish a 16-week seasonal Laborer II position, eliminate one 1/2-time Clerk Typist II position, transfer 1/2 of a split-funded Planning and Research Associate II position to the Submerged Lands Fund to fully fund the position, permanently reduce a Clerk Typist II position by 10 hours per week, reclassify as a result of a reorganization one full-time Forester II position to a split-funded, full-time position by transferring 10 hours per week to the Public Lands Management Fund in this program and reorganize a full-time, split-funded Bureau Director Public Lands position by fully funding the position in the Public Reserved Lands Management Fund.

Land Management and Planning

Personal Services 6,519
 All Other 154

Total 6,673

Provides for the allocation of funds to split fund a Forester II position; 10 hours per week are transferred from the Public Reserved Lands Management Fund in this program and to eliminate 10 hours per week split funding of a Bureau Director Public Lands position.

Parks - General Operations

Positions - Other Count (-0.5)
 Personal Services (15,534)

Provides for the deallocation of funds for one part-time, limited- period Park Manager II position. One part-time, limited-period Park Manager II position in the Forest Recreation Resource Fund program, Other Special Revenue fund will be increased to full-time with 30% funding transferred from the Whitewater Rafting Fund.

DEPARTMENT OF CONSERVATION TOTAL

35,703

EDUCATION, DEPARTMENT OF

Division for the Blind and Visually Impaired

All Other 196,218
 Capital Expenditures 30,700

Total 226,918

Provides for the allocation of funds for the reorganization of the Bureau of Rehabilitation, except the Division of Disability Determination Services, from the Department of Human Services to the Department of Education in accordance with Resolve 1993, chapter 43.

Education in Unorganized Territory

All Other 7,000
 Capital Expenditures 6,000

Total 13,000

Provides for the allocation of funds from private grants and other contributions in support of the school operations.

Special Education - State Agency Client

All Other 350,000

Provides for the allocation of funds to state agency

clients and state wards from Medicaid funds received as the result of grants to school administrative units for state agency clients, state wards and students at long-term drug treatment centers.

Rehabilitation Services

All Other 155,263

Provides for the allocation of funds for the reorganization of the Bureau of Rehabilitation, except the Division of Disability Determination Services, from the Department of Human Services to the Department of Education in accordance with Resolve 1993 chapter 43.

DEPARTMENT OF EDUCATION TOTAL

745,181

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Dam Registration

All Other 15,215

Provides for the allocation of funds for contracting water level hearings.

Oil and Hazardous Materials Control

Personal Services 6,162
 All Other 155

Total 6,317

Provides for the allocation of funds for the reorganization of a Conservation Aide position to a Staff Development Specialist II position to assist in technical and safety training.

Oil and Hazardous Materials Control

Personal Services 100,000
 All Other 2,520

Total 102,520

Provides for the allocation of funds to the Maine Coastal and Inland Surface

Fund Emergency Response Contingent Account for response to unforeseen emergency requirements in the cleanup and remediation of hazardous materials and oil contamination events.

Oil and Hazardous Materials Control

Personal Services	100,000
All Other	2,520
Total	102,520

Provides for the allocation of funds to the Ground Water Oil Clean-up Fund Emergency Response Contingent Account for response to unforeseen emergency requirements in the cleanup and remediation of hazardous materials and oil contamination events.

Oil and Hazardous Materials Control

Personal Services	100,000
All Other	2,520
Total	102,520

Provides for the allocation of funds to the Maine Hazardous Waste Fund Emergency Response Contingent Account for response to unforeseen emergency requirements in the cleanup and remediation of hazardous materials and oil contamination events.

Oil and Hazardous Materials Control

Personal Services	20,000
All Other	500
Total	20,500

Provides for the allocation of funds to the Uncontrolled Sites Fund Emergency Response Contingent Account for response to unforeseen emergency requirements in the cleanup and remediation of hazardous materials and oil contamination events.

Oil and Hazardous Materials Control

Personal Services	5,520
All Other	735,863
Capital Expenditures	500,000
Total	1,241,383

Provides for the allocation of funds for the reclassification as a result of a reorganization of one Data Control Clerk position to an Information Services Support Technician position, unexpected spill clean-up cost and oil spill response equipment.

Oil and Hazardous Materials Control

All Other	512,600
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Provides for the allocation of funds for oil and hazardous material clean-up activities.

DEPARTMENT OF ENVIRONMENTAL PROTECTION TOTAL

2,103,575

EXECUTIVE DEPARTMENT

Office of Substance Abuse

Positions - Other Count	(1.0)
Personal Services	35,985
All Other	12,702
Total	48,687

Provides for the allocation of funds for one Planning and Research Associate I position in order to conduct a research study, in cooperation with Boston University, to evaluate a performance-based contracting system.

Office of Substance Abuse

All Other	24,645
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Provides for the allocation of funds to contract for client services in order to meet the requirements of the Robert Wood Johnson Grant.

EXECUTIVE DEPARTMENT TOTAL

73,332

**HUMAN SERVICES,
DEPARTMENT OF**

**Blind and Visually Impaired -
Division for the**

All Other	(196,218)
Capital Expenditures	(30,700)
Total	(226,918)

Provides for the deallocation of funds for the reorganization of the Bureau of Rehabilitation, except the Division of Disability Determination Services, from the Department of Human Services to the Department of Education in accordance with 1993 Resolve, chapter 43.

Health - Bureau of

All Other	300,000
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Provides for the allocation of funds for the escalating cost of chemicals, supplies and test kits required for testing submitted samples.

Health - Bureau of

Personal Services	2,308
All Other	1,200
Total	3,508

Provides for the allocation of funds to increase the work time of one Safety Compliance Specialist position by 3 hours per week from 37 hours to 40 hours per week.

Health - Bureau of

Positions - Other Count	(1.0)
Personal Services	22,745

Provides for the allocation of funds for one Laboratory Technician I position for processing of animals and preparation of specimens for rabies testing and to meet increased workload.

Health - Bureau of

Positions - Other Count	(1.0)
Personal Services	47,680
All Other	3,000
Capital Expenditures	4,300
Total	54,980

Provides for the allocation of funds for one Health Program Manager position to manage the Practice Sights in Maine Program.

Health - Bureau of

Positions - Other Count	(2.5)
Personal Services	54,263

Provides for the allocation of funds for 5 seasonal Chemist Assistant positions to handle increased summer workloads most cost-effectively.

Rehabilitation - Bureau of

All Other	(55,263)
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Provides for the deallocation of funds for the reorganization of the Bureau of Rehabilitation, except the Division of Disability Determination Services, from the Department of Human Services to the Department of Education in accordance with 1993 Resolve, chapter 43.

Rehabilitation - Vocational

Rehabilitation - Bureau of

All Other	(100,000)
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Provides for the deallocation of funds for the reorganization of the Bureau of Rehabilitation, except the Division of Disability Determination Services, from the Department of Human Services to the Department of Education in accordance with 1993 Resolve, chapter 43.

Administration - Income

Maintenance

Positions - Other Count	(2.0)
Personal Services	46,724
All Other	8,000

TOTAL	54,724
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Provides for the allocation of funds for 2 Human Services Aide III positions to provide administrative support for the Emergency Assistance Program.

General Assistance

All Other 100,000

Provides for the allocation of funds from the Stripper Well Fund to support energy-related costs.

DEPARTMENT OF HUMAN SERVICES TOTAL

208,039

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF

Resource Management Services - Inland Fisheries and Wildlife

Positions - Other Count (1.0)
Personal Services 28,831

Provides for the allocation of funds for the 75% matching portion of one Biologist II position funded through a transfer of revenue from the Public Reserved Lands Management Fund in the Department of Conservation.

DEPARTMENT OF INLAND FISHERIES AND WILDLIFE TOTAL

28,831

LABOR, DEPARTMENT OF

Job Training Partnership Program

Personal Services (60,834)
All Other (112,836)

Total (173,670)

Provides for the deallocation of funds to transfer the Maine Conservation Corps to the Twelve County SDA - Job Training Partnership Program, Other Special Revenue.

Twelve County SDA - Job Training Partnership Program

Personal Services 60,834
All Other 112,836

Total 173,670

Provides for the allocation of funds to transfer the Maine Conservation Corps from the Job Training

Partnership Program, Other Special Revenue.

DEPARTMENT OF LABOR TOTAL

-0-

MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF

Bangor Mental Health Institute

Positions - Other Count (3.5)
Personal Services 53,557
All Other (53,557)

TOTAL -0-

Provides for the allocation of funds through a line category transfer for one Laundry Supervisor II position, one Laundry Worker II position and one and 1/2 Laundry Worker I positions to provide laundry services at the Bangor Mental Health Institute.

Mental Health Services - Community

All Other 37,466

Provides for the allocation of funds to develop a pilot project to establish independent, nonprofit local mental health consumer and family controlled regional boards.

Bangor Mental Health Institute

Positions - Other Count (35.0)
Personal Services 929,486
All Other 122,897
Capital Expenditures 2,855

TOTAL 1,055,238

Provides for the allocation of funds through a transfer of one Nursing Facility Ward to the Disproportionate Share Hospital Program. Position list on file in the State Budget Office.

DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION TOTAL

1,092,704

MUSEUM, MAINE STATE

Administration - Museum

<p>All Other</p> <p>Provides for the allocation of funds for the purchase of additional merchandise for the museum sales shop.</p> <p>MAINE STATE MUSEUM TOTAL</p> <p>PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF</p> <p>Administrative Services - Professional and Financial Regulation</p> <p>Positions - Other Count</p> <p>Personal Services</p> <p>All Other</p> <p>Total</p> <p>Provides for the allocation of funds for one Programmer Analyst position and to downgrade one part-time Systems Analyst position to one full-time Account Clerk I position. This downgrade will increase headcount but will have no fiscal impact. All Other funds will be used for contractual software in the Securities Division and to contract for the service of one Security Guard position for the Gardiner Annex, which will be provided by the Department of Public Safety.</p> <p>Accountancy - Board of</p> <p>All Other</p> <p>Provides for the deallocation of funds through the transfer of rent allotment to the Division of Licensing and Enforcement. Rent will now be funded by this division.</p> <p>Acupuncture Licensing Board</p> <p>All Other</p> <p>Provides for the deallocation of funds through the transfer of rent allotment to the Division of Licensing and Enforcement. Rent will</p>	<p>40,000</p> <hr/> <p>40,000</p> <p>(1.5)</p> <p>38,884</p> <p>28,891</p> <hr/> <p>67,775</p> <p>(2,500)</p> <p>(1,000)</p>	<p>now be funded by this division.</p> <p>Arborists Examining Board</p> <p>All Other</p> <p>Provides for the allocation of funds to expand the scope of the board and its enforcement capabilities.</p> <p>Arborists Examining Board</p> <p>All Other</p> <p>Provides for the deallocation of funds through the transfer of rent allotment to the Division of Licensing and Enforcement. Rent will now be funded by this division.</p> <p>Architects, Landscape Architects and Interior Designers - Maine State Board for Licensure of</p> <p>All Other</p> <p>Provides for the deallocation of funds through the transfer of rent allotment to the Division of Licensing and Enforcement. Rent will now be funded by this division.</p> <p>Athletic Commission</p> <p>All Other</p> <p>Provides for the deallocation of funds through the transfer of rent allotment to the Division of Licensing and Enforcement. Rent will now be funded by this division.</p> <p>Banking - Bureau of</p> <p>Personal Services</p> <p>Provides for the deallocation of funds associated with the 10% prorated portion of the Superintendent of the Bureau of Banking position that will now be funded by the Securities Division.</p> <p>Banking - Bureau of</p> <p>Personal Services</p>	<p>8,400</p> <p>(1,062)</p> <p>(2,500)</p> <p>(1,062)</p> <p>(10,000)</p> <p>10,000</p>
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<p>Provides for the allocation of funds to pay for the 10% prorated portion of the Superintendent of the Bureau of Banking position.</p> <p>Barbering and Cosmetology - Board of</p> <p>Personal Services 12,825 All Other 9,000</p> <hr style="width: 100px; margin-left: 0;"/> <p>Total 21,825</p> <p>Provides for the allocation of funds for reclassification as a result of a reorganization of 2 Sanitarian I positions to 2 Senior Sanitarian positions; one Clerk Typist I position to one Clerk Typist II position; and funds for leased vehicle expenses.</p> <p>Commercial Driver Education</p> <p>All Other (1,062)</p> <p>Provides for the deallocation of funds through the transfer of rent allotment to the Division of Licensing and Enforcement. Rent will now be funded by this division.</p> <p>Consumer Credit Protection - Bureau of</p> <p>Personal Services 3,300</p> <p>Provides for the allocation of funds to reclassify as a result of a reorganization of one Clerk Typist II position to one Clerk Typist III position for additional duties.</p> <p>Board of Counseling Professionals Licensure</p> <p>All Other (5,000)</p> <p>Provides for the deallocation of funds through the transfer of rent allotment to the Division of Licensing and Enforcement. Rent will now be funded by this division.</p> <p>Electricians Examining Board</p> <p>All Other (6,000)</p>	<p>Provides for the deallocation of funds through the transfer of rent allotment to the Division of Licensing and Enforcement. Rent will now be funded by this division.</p> <p>Electricians Examining Board</p> <p>All Other 7,000</p> <p>Provides for the allocation of funds for increased vehicle lease expenses.</p> <p>Foresters - Board of Licensure</p> <p>All Other (1,062)</p> <p>Provides for the deallocation of funds through the transfer of rent allotment to the Division of Licensing and Enforcement. Rent will now be funded by this division.</p> <p>Funeral Services - Board of</p> <p>All Other (1,062)</p> <p>Provides for the deallocation of funds through the transfer of rent allotment to the Division of Licensing and Enforcement. Rent will now be funded by this division.</p> <p>Geologists and Soil Scientists - Board of Certification</p> <p>All Other (1,062)</p> <p>Provides for the deallocation of funds through the transfer of rent allotment to the Division of Licensing and Enforcement. Rent will now be funded by this division.</p> <p>Hearing Aid Dealers and Fitters - Board of</p> <p>All Other (1,062)</p> <p>Provides for the deallocation of funds through the transfer of rent allotment to the Division of Licensing and Enforcement. Rent will now be funded by this division.</p>
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Land Surveyors - Board of Registration for

All Other (3,000)

Provides for the deallocation of funds through the transfer of rent allotment to the Division of Licensing and Enforcement. Rent will now be funded by this division.

Licensing of Auctioneers

All Other (1,062)

Provides for the deallocation of funds through the transfer of rent allotment to the Division of Licensing and Enforcement. Rent will now be funded by this division.

Licensing of Auctioneers

All Other 2,000

Provides for the allocation of funds for increased board complaints.

Licensing of Dietetic Practice - Board of

All Other (1,062)

Provides for the deallocation of funds through the transfer of rent allotment to the Division of Licensing and Enforcement. Rent will now be funded by this division.

Licensing and Enforcement

Positions - Other Count (1.0)
 Personal Services 55,725
 All Other 117,500

Total 173,225

Provides for the allocation of funds for a range change as a result of a reorganization of 3 Regulatory Board Coordinator positions from range 19 to range 24 and to establish one Clerk Typist III position for increased workload. All Other funds will be used to fund rent for all the boards within the department and for

increased training costs. Rent allotment is being transferred from all the boards for this purpose.

Manufactured Housing Board

All Other (5,000)

Provides for the deallocation of funds through the transfer of rent allotment to the Division of Licensing and Enforcement. Rent will now be funded by this division.

Nursing Home Administrators Licensing Board

All Other (1,500)

Provides for the deallocation of funds through the transfer of rent allotment to the Division of Licensing and Enforcement. Rent will now be funded by this division.

Occupational Therapy Practice

All Other (1,062)

Provides for the deallocation of funds through the transfer of rent allotment to the Division of Licensing and Enforcement. Rent will now be funded by this division.

Oil and Solid Fuel Board

All Other (5,000)

Provides for the deallocation of funds through the transfer of rent allotment to the Division of Licensing and Enforcement. Rent will now be funded by this division.

Oil And Solid Fuel Board

All Other 7,500

Provides for the allocation of funds for increased vehicle lease expenses.

Pharmacy - Board of Commissioners of the Profession of

All Other (1,062)

<p>Provides for the deallocation of funds through the transfer of rent allotment to the Division of Licensing and Enforcement. Rent will now be funded by this division.</p>		<p>now be funded by this division.</p>	
Pharmacy - Board of Commissioners of the Profession of		Plumbers Examining Board	
All Other	10,336	All Other	2,000
Provides for the allocation of funds for increased vehicle lease expenses.		Provides for the allocation of funds for increased vehicle lease expenses.	
Physical Therapy - Board of Examiners		Psychologists - Board of Examiners	
All Other	2,700	All Other	(1,062)
Provides for the allocation of funds for examination services and membership dues to the American Physical Therapy Association.		Provides for the deallocation of funds through a transfer of rent allotment to the Division of Licensing Enforcement. Rent will now be funded by this division.	
Physical Therapy - Board of Examiners		Real Estate Appraisers - Board of	
All Other	(1,062)	All Other	(1,500)
Provides for the deallocation of funds through the transfer of rent allotment to the Division of Licensing and Enforcement. Rent will now be funded by this division.		Provides for the deallocation of funds through the transfer of rent allotment to the Division of Licensing and Enforcement. Rent will now be funded by this division.	
Maine State Pilotage Commission		Real Estate Appraisers - Board of	
All Other	(1,000)	All Other	20,000
Provides for the deallocation of funds through the transfer of rent allotment to the Division of Licensing and Enforcement. Rent will now be funded by this division.		Provides for the allocation of funds for contracted specialized services to analyze course offerings and compliance investigations.	
Plumbers Examining Board		Respiratory Care Practitioners - Board of	
All Other	(5,000)	All Other	(1,000)
Provides for the deallocation of funds through the transfer of rent allotment to the Division of Licensing and Enforcement. Rent will		Provides for the deallocation of funds through the transfer of rent allotment to the Division of Licensing and Enforcement. Rent will now be funded by this division.	
		Social Worker Licensure - Board of	
		All Other	(1,062)
		Provides for the deallocation of funds	

through the transfer of rent allotment to the Division of Licensing and Enforcement. Rent will now be funded by this division.

Speech Pathology and Audiology Board of Examiners

All Other (1,062)

Provides for the deallocation of funds through the transfer of rent allotment to the Division of Licensing and Enforcement. Rent will now be funded by this division.

Substance Abuse Counselors - Licensure of

All Other (1,062)

Provides for the deallocation of funds through the transfer of rent allotment to the Division of Licensing and Enforcement. Rent will now be funded by this division.

Veterinary Medicine - Board of

All Other (1,062)

Provides for the deallocation of funds through the transfer of rent allotment to the Division of Licensing and Enforcement. Rent will now be funded by this division.

Electricians Examining Board

Positions - Other Count (1.0)

Provides headcount for one Electrical Inspector position. Public Law 1993, chapter 220 mandated a minimum of 6 Electrical Inspector positions and funds are currently available for fiscal year 1994-95.

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION TOTAL

268,007

PUBLIC SAFETY, DEPARTMENT OF

Administration - Public Safety

Positions - Other Count (1.0)
 Personal Services 37,363
 All Other 533

Total 37,896

Provides for the allocation of funds for the establishment of one Accountant II position to assume functions and duties of positions eliminated by prior budget reductions.

Capitol Security - Bureau of

Positions - Other Count (1.0)
 Personal Services 28,521
 All Other 370

Total 28,891

Provides for the allocation of funds to establish one Capital Security Police Officer position to provide security at the Gardiner Annex.

Criminal Justice Academy

Personal Services 12,545
 All Other 115

Total 12,660

Provides for the allocation of funds for partial funding of one Director, Maine Criminal Justice Academy position and for the purchase of computer upgrade equipment.

Fire Marshal - Office of

Positions - Other Count (1.0)
 Personal Services 11,264
 All Other 70

Total 11,334

Provides for the allocation of funds to return one part-time Fire Protection Specialist Assistant position to full-time status.

DEPARTMENT OF PUBLIC SAFETY TOTAL

90,781

TRANSPORTATION, DEPARTMENT OF

Park and Ride Lots

All Other 1,000
 Provides for the allocation of funds for maintenance and improvements to park and ride lots.

Administration and Planning

All Other 100,000
 Provides for the allocation to expend funds received through the Stripper Well Fund and from funds received from partnership projects with municipalities and other transportation agencies.

DEPARTMENT OF TRANSPORTATION TOTAL

101,000

SECTION A-3 TOTAL ALLOCATIONS

5,109,866

Sec. A-4. Allocation. The following funds are allocated from Federal Block Grant funds for the fiscal year ending June 30, 1995 in order to carry out the purposes of this Part.

1994-95

HUMAN SERVICES, DEPARTMENT OF

Maternal and Child Health

Personal Services (200,000)
 All Other 200,000
 Total -0-

Provides for the allocation of funds through a transfer of salary savings to All Other for maternal and child health services programs.

Special Children's Services

Personal Services (200,000)
 All Other 200,000
 Total -0-

Provides for the allocation of funds through a transfer of salary savings to All Other for coordinated care services for Children with Special Health Care Needs Program.

DEPARTMENT OF HUMAN SERVICES TOTAL

-0-

MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF

Mental Retardation Services - Community

Positions - Legislative Count (-4.0)
 Personal Services (181,730)
 All Other 181,730
 Total -0-

Provides for the deallocation of funds through the transfer of one Accountant I position, one Management Analyst I position, one Auditor II position and one Social Services Program Specialist II position to the General Fund.

DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION TOTAL

-0-

SECTION A-4

TOTAL ALLOCATIONS

-0-

Sec. A-5. Allocation. The following funds are allocated from the Lottery Fund for the fiscal year ending June 30, 1995 in order to carry out the purposes of this Part.

1994-95

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Lottery Operations

All Other 400,000
 Provides for the allocation of funds for advertising costs related to the implementation of new lottery games. This proposal will increase General Fund revenue by \$200,000 in fiscal year 1994-95.

Lottery Operations

Positions - Legislative Count (1.0)
 Personal Services 24,673
 All Other 3,500
 TOTAL 28,173

Provides for the allocation of funds for one Receptionist position and related All Other. The

position will allow the dedication of another position to Tel-Sell activities and will result in increased General Fund revenue of \$171,827 in fiscal year 1994-95.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF TOTAL	428,173
SECTION A-5 TOTAL ALLOCATIONS	\$428,173

PART B

Sec. B-1. Appropriation. There are appropriated from the General Fund for the year ending June 30, 1995, to the departments listed, the sums identified in the following, in order to provide funding for approved reclassifications and range changes.

	1994-95
AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF	
Administration - Agriculture	
Personal Services	\$2,900
DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES TOTAL	2,900
ATTORNEY GENERAL, DEPARTMENT OF THE	
Administration - Attorney General	
Personal Services	2,830
DEPARTMENT OF THE ATTORNEY GENERAL TOTAL	2,830
CORRECTIONS, DEPARTMENT OF	
Downeast Correctional Facility	
Personal Services	1,989
State Prison	
Personal Services	2,090
DEPARTMENT OF CORRECTIONS TOTAL	4,079
EDUCATION, DEPARTMENT OF	
Division of Higher Education	

Personal Services	4,470
Division of Instruction	
Personal Services	3,608
DEPARTMENT OF EDUCATION TOTAL	8,078
ENVIRONMENTAL PROTECTION, DEPARTMENT OF	
Air Quality Control	
Personal Services	4,561
DEPARTMENT OF ENVIRONMENTAL PROTECTION TOTAL	4,561
GOVERNMENTAL ETHICS AND ELECTION PRACTICES, COMMISSION ON	
Governmental Ethics and Election Practices - Commission on	
Personal Services	4,361
COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES TOTAL	4,361
EXECUTIVE DEPARTMENT	
Planning Office	
Personal Services	5,738
Office of Substance Abuse	
Personal Services	4,016
EXECUTIVE DEPARTMENT TOTAL	9,754
HUMAN SERVICES, DEPARTMENT OF	
Elder and Adult Services - Bureau of	
Personal Services	9,500
DEPARTMENT OF HUMAN SERVICES TOTAL	9,500
INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF	
Administrative Services - Inland Fisheries and Wildlife	
Personal Services	2,635

Fisheries and Hatcheries Operations	
Personal Services	2,980
Licensing Services - Inland Fisheries and Wildlife	
Personal Services	2,417
Public Information and Education - Division of	
Personal Services	3,300
Resource Management Services - Inland Fisheries and Wildlife	
Personal Services	2,980
DEPARTMENT OF INLAND FISHERIES AND WILDLIFE TOTAL	<hr/> 14,312
LIBRARY, MAINE STATE	
Library Development Services	
Personal Services	2,260
MAINE STATE LIBRARY TOTAL	<hr/> 2,260
SECTION B-1 TOTAL APPROPRIATIONS	<hr/> \$62,635

Sec. B-2. Allocations; Federal Expenditure Fund. There are allocated from the Federal Expenditure Fund for the fiscal year ending June 30, 1995, to the departments listed, the sums identified in the following, in order to provide funding for approved reclassifications and range changes.

	1994-95
ATTORNEY GENERAL, DEPARTMENT OF THE	
Human Services Division	
Personal Services	1,821
DEPARTMENT OF THE ATTORNEY GENERAL TOTAL	<hr/> 1,821
EDUCATION, DEPARTMENT OF	
Division of Special Services	
Personal Services	4,418
DEPARTMENT OF EDUCATION TOTAL	<hr/> 4,418
ENVIRONMENTAL PROTECTION, DEPARTMENT OF	

Administration - Environmental Protection	
Personal Services	3,835
Air Quality Control	
Personal Services	7,589
Municipal Sewerage Construction	
Personal Services	2,116
Oil and Hazardous Materials Control	
Personal Services	3,019
Oil and Hazardous Materials Control	
Personal Services	8,180
Water Quality Control	
Personal Services	4,561
Water Quality Control	
Personal Services	2,019
DEPARTMENT OF ENVIRONMENTAL PROTECTION TOTAL	<hr/> 31,319
HUMAN SERVICES, DEPARTMENT OF	
Administration - Income Maintenance	
Personal Services	8,175
Health - Bureau of	
Personal Services	1,325
Medical Care Administration	
Personal Services	2,900
DEPARTMENT OF HUMAN SERVICES TOTAL	<hr/> 12,400
PUBLIC SAFETY, DEPARTMENT OF	
Criminal Justice Academy	
Personal Services	4,232
State Police	
Personal Services	1,382
DEPARTMENT OF PUBLIC SAFETY TOTAL	<hr/> 5,614
SECTION B-2 TOTAL ALLOCATIONS	<hr/> 55,572

Sec. B-3. Allocations; Other Special Revenue funds. There are allocated from Other Special Revenue funds for the fiscal year ending June 30, 1995, to the departments listed, the sums identified in the following, in order to provide funding for approved reclassifications and range changes.

	1994-95
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF	
Financial and Personnel Services - Division of	
Personal Services	1,903
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES	
TOTAL	<u>1,903</u>
ENVIRONMENTAL PROTECTION, DEPARTMENT OF	
Municipal Sewerage Construction	
Personal Services	3,897
Oil and Hazardous Materials Control	
Personal Services	15,524
Solid Waste Management	
Personal Services	2,657
DEPARTMENT OF ENVIRONMENTAL PROTECTION	
TOTAL	<u>22,078</u>
HUMAN SERVICES, DEPARTMENT OF	
Administration - Income Maintenance	
Personal Services	750
DEPARTMENT OF HUMAN SERVICES	
TOTAL	<u>750</u>
LABOR, DEPARTMENT OF	
Safety Education and Training Programs	
Personal Services	4,805
DEPARTMENT OF LABOR	
TOTAL	<u>4,805</u>
PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF	

Insurance - Bureau of	
Personal Services	7,100
DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION	
TOTAL	<u>7,100</u>
SECTION B-3	
TOTAL ALLOCATIONS	<u>36,636</u>

Sec. B-4. Allocations; Central Motor Pool Fund. There are allocated from the Central Motor Pool Fund for the fiscal year ending June 30, 1995, to the departments listed, the sums identified in the following, in order to provide funding for approved reclassifications and range changes.

	1994-95
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF	
Central Motor Pool	
Personal Services	1,982
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES	
TOTAL	<u>1,982</u>
SECTION B-4	
TOTAL ALLOCATIONS	<u>\$1,982</u>

PART C

Sec. C-1. Appropriation. There are appropriated from the General Fund for the fiscal year ending June 30, 1995, to the departments listed, the sums identified in the following, in order to provide funding for approved reclassifications and range changes.

	1994-95
AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF	
Administration - Agriculture	
All Other	(\$2,900)
Provides funds for approved reclassifications and range changes.	
DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES	
TOTAL	<u>(2,900)</u>
ATTORNEY GENERAL, DEPARTMENT OF THE	

Administration - Attorney General

Personal Services (2,830)
 Provides funds for approved reclassifications and range changes. Funds available from action taken in Public Law 1993, chapter 410, Part B.

DEPARTMENT OF THE ATTORNEY GENERAL TOTAL

(2,830)

CORRECTIONS, DEPARTMENT OF

Administration - Corrections

Personal Services (2,090)
 Provides funds for an approved reclassification at the Maine State Prison through the abolishment of one Psychologist IV position budgeted for 5 hours per week.

Downeast Correctional Facility

All Other (1,989)
 Provides funds for approved reclassifications and range changes.

DEPARTMENT OF CORRECTIONS TOTAL

(4,079)

EDUCATION, DEPARTMENT OF

Division of Higher Education

All Other (2,000)
 Provides funds for approved reclassifications and range changes.

Division of Instruction

All Other (6,078)
 Provides funds for approved reclassifications and range changes.

DEPARTMENT OF EDUCATION TOTAL

(8,078)

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Air Quality Control

All Other (4,561)
 Provides funds for approved reclassifications and range changes.

DEPARTMENT OF ENVIRONMENTAL PROTECTION TOTAL

(4,561)

EXECUTIVE DEPARTMENT

Planning Office

All Other (5,738)
 Provides funds for approved reclassifications and range changes.

Office of Substance Abuse

All Other (4,016)
 Provides funds for approved reclassifications and range changes.

EXECUTIVE DEPARTMENT TOTAL

(9,754)

DEPARTMENT OF HUMAN SERVICES

Elder and Adult Services - Bureau of

All Other (9,500)
 Provides funds for approved reclassifications and range changes.

DEPARTMENT OF HUMAN SERVICES TOTAL

(9,500)

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF

Administrative Services - Inland Fisheries and Wildlife

All Other (2,635)
 Provides funds for approved reclassifications and range changes.

Fisheries and Hatcheries Operations

All Other (2,980)
 Provides funds for approved reclassifications and range changes.

Licensing Services - Inland Fisheries and Wildlife

All Other (2,417)

Provides funds for approved reclassifications and range changes.

Public Information and Education - Division of

All Other (3,300)

Provides funds for approved reclassifications and range changes.

Resource Management Services - Inland Fisheries and Wildlife

All Other (2,980)

Provides funds for approved reclassifications and range changes.

DEPARTMENT OF INLAND FISHERIES AND WILDLIFE TOTAL

(14,312)

LIBRARY, MAINE STATE

Library Development Services

All Other (2,260)

Provides funds for approved reclassifications and range changes.

MAINE STATE LIBRARY TOTAL

(2,260)

SECTION C-1

TOTAL APPROPRIATIONS

(\$58,274)

PART D

Sec. D-1. PL 1993, c. 313, §41 is amended to read:

Sec. 41. Allocation. The following funds are allocated from Other Special Revenue to carry out the purposes of this Act.

	1993-94	1994-95
PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF		
Bureau of Insurance		
Positions	(2.0)	(2.0)
	(0.5)	(0.5)
Personal Services	\$124,000	\$130,000
	<u>\$28,600</u>	<u>\$26,900</u>
All Other	4,000	4,000

Provides funding for continuation of one ~~Managing Insurance Examiner position and one Senior Rate Analyst position; and provides funding for reclassification of one Staff Attorney position to Senior Staff Attorney position, one Clerk IV position to Assistant Company Examiner position and one part-time Market Conduct Examiner position to a full-time Market Conduct Examiner position.~~

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION TOTAL

\$128,000	\$134,000
<u>\$32,600</u>	<u>\$30,900</u>

Sec. D-2. PL 1993, c. 410, Pt. B, §1, under that part designated "ATTORNEY GENERAL, DEPARTMENT OF THE" in that part relating to "Chief Medical Examiner - Office of," 3rd line is amended to read:

Positions - Legislative Count	(-2.0)	(-2.0)
	<u>(-1.0)</u>	<u>(-1.0)</u>

Sec. D-3. PL 1993, c. 410, Pt. B, §1, under that part designated "AUDIT, DEPARTMENT OF" in the first part relating to "Audit - Departmental Bureau," 2nd line is amended to read:

Positions - Legislative Count	(-2.0)	(-2.0)
	<u>(-1.5)</u>	<u>(-1.5)</u>

Sec. D-4. PL 1993, c. 410, Pt. B, §1, under that part designated "CONSERVATION, DEPARTMENT OF," that part relating to "Forest Fire Control - Division of" is amended to read:

Forest Fire Control - Division of

Positions - Legislative Count	(-3.0)	(-3.0)
Positions - Other Count	(-18.0)	(-18.0)
	<u>(-12.0)</u>	<u>(-12.0)</u>
Personal Services	(397,104)	(395,389)
All Other	(183,908)	
Capital Expenditures	(110,000)	23,756
TOTAL	<u>(691,012)</u>	<u>(371,633)</u>

Provides for the deappropriation of funds through the elimination of one Staff Forester position, 2 Forest Ranger IV

positions and 22 Forest Watchperson positions. Three seasonal Laborer I positions and 2 seasonal Radio Operators Operator positions are authorized and 12 seasonal Laborer I positions are extended for 12 weeks. Operational and capital expenditures are reduced in fiscal year 1993-94.

Sec. D-5. PL 1993, c. 410, Pt. B, §1, under that part designated "EDUCATION, DEPARTMENT OF" in that part relating to "Governor Baxter School for the Deaf," 4th line is amended to read:

Positions - Other Count	(-1.5)	(-1.5)
	(-2.0)	(-2.0)

Sec. D-6. PL 1993, c. 410, Pt. B, §1, under that part designated "HUMAN SERVICES, DEPARTMENT OF" in the first part relating to "Administration - Social Services," 3rd line is amended to read:

Positions - Legislative Count	(-6.0)	(-6.0)
	(-5.5)	(-5.5)

Sec. D-7. PL 1993, c. 410, Pt. B, §1, under that part designated "PUBLIC SAFETY, DEPARTMENT OF" in that part relating to "Administration - Public Safety," first 2 lines are amended to read:

Administration - Public Safety

Positions - Legislative Count	(-0.5)	(-0.5)
Personal Services	(31,476)	(30,970)

Sec. D-8. PL 1993, c. 410, Pt. B, §1, under that part designated "PUBLIC SAFETY, DEPARTMENT OF" in that part relating to "Liquor Enforcement," 2nd line is amended to read:

Positions - Legislative Count	(-2.5)	(-2.5)
	(-3.0)	(-3.0)

Sec. D-9. PL 1993, c. 410, Pt. B, §1, under that part designated "TRANSPORTATION, DEPARTMENT OF" in that part relating to "Administration - Aeronautics," 2nd line is amended to read:

Positions - Legislative Count	(-2.0)	(-2.0)
	(-1.5)	(-1.5)

Sec. D-10. PL 1993, c. 410, Pt. B, §7, under that part designated "TRANSPORTATION, DEPARTMENT OF," that part relat-

ing to "Augusta State Airport" is amended to read:

Augusta State Airport

Positions - Other Count	(-2.0)	(-2.0)
	(-1.5)	(-1.5)
Personal Services	(\$52,731)	(\$46,594)

Provides for the deallocation of funds through the elimination of 2 Airport Custodian positions and the transfer in of 1/2 of one Clerk Stenographer II position.

Sec. D-11. PL 1993, c. 410, Pt. GGG, §1, under that part designated "CONSERVATION, DEPARTMENT OF" in that part relating to "Parks - General Operations," 2nd line is amended to read:

Positions - Other Count	(9.0)	(9.5)
	(9.5)	(10.0)

Sec. D-12. PL 1993, c. 410, Pt. III, §1, under that part designated "CONSERVATION, DEPARTMENT OF" in that part relating to "Parks - General Operations," first 2 lines are amended to read:

Parks - General Operations

Positions - Other Count	(0.5)	(0.5)
Personal Services	\$15,000	\$15,000

Sec. D-13. PL 1993, c. 415, Pt. A, §1, that part designated "ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF" is repealed and the following enacted in its place:

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Taxation - Bureau of

Positions - Other Count	(-4.5)	(-4.5)
Personal Services	(\$110,000)	(\$110,000)
All Other	45,000	45,000
TOTAL	(65,000)	(65,000)

Provides for the deappropriation of funds from the elimination of 8 seasonal Clerk I positions, 3 seasonal Clerk Typist I positions and 2 seasonal Clerk II positions; elimination of overtime; the increase in contractual services for clerical support; and the upgrade of

2 seasonal, 18-week Clerk I positions to seasonal, 40-week Clerk III positions as a continuation of reductions in Public Law 1993, chapter 6.

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
TOTAL

(65,000) (65,000)

Sec. D-14. PL 1993, c. 415, Pt. A, §2, under that part designated "AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF" in that part relating to "Consumer Services - Agriculture," 2nd line is repealed.

Sec. D-15. PL 1993, c. 415, Pt. A, §2, under that part designated "PUBLIC SAFETY, DEPARTMENT OF," that part relating to "Administration - Public Safety" is amended to read:

Administration - Public Safety

Positions - Other Count (1.0) (1.0)
 Personal Services (0.5) (0.5)
 31,476 30,970

Provides for the allocation of funds for the reestablishment of 1/2 of one Chief Accountant position through the use of highway funds and administrative funds available from federal grants awarded to the Maine Emergency Medical Services Program.

Sec. D-16. Allocation. The following funds are allocated from the Federal Expenditure Fund for the fiscal years ending June 30, 1994 and June 30, 1995 to carry out the purposes of this Part.

HUMAN SERVICES, DEPARTMENT OF

Child Care Food Program

Positions - Other Count (-1.0) (-1.0)
 Personal Services (\$27,950) (\$28,246)
 All Other (5,595) (5,595)

Provides for the deallocation of funds through the elimination of one Nutrition Consultant position.

DEPARTMENT OF HUMAN SERVICES
TOTAL

(\$33,545) (\$33,841)

Sec. D-17. Allocation. The following funds are allocated from Other Special Revenue for the fiscal years ending June 30, 1994 and June 30, 1995 to carry out the purposes of this Part.

1993-94 1994-95

CONSERVATION, DEPARTMENT OF

Geographic-based Information Services

Positions - Other Count (3.0) (3.0)
 Personal Services \$107,131 \$113,183
 All Other 157,800 186,800

Provides for the allocation of funds to correct Public Law 1993, chapter 410, Part B, section 4.

DEPARTMENT OF CONSERVATION
TOTAL

264,931 299,983

HUMAN SERVICES, DEPARTMENT OF

Child Care Food Program

Positions - Other Count (1.0) (1.0)
 Personal Services 27,950 28,246
 All Other 5,595 5,595

Provides for the allocation of funds to correct Public Law 1993, chapter 415, Part A, section 3.

DEPARTMENT OF HUMAN SERVICES
TOTAL

33,545 33,841

MENTAL HEALTH AND MENTAL RETARDATION, DEPARTMENT OF

Augusta Mental Health Institute

Positions - Other Count (-3.0) (-3.0)
 Personal Services (82,837) (80,267)

Provides for the deallocation of funds through the elimination of one Psychiatric Social Worker I position, one Physician Assistant position and one

Occupational Therapy Aide position.		
DEPARTMENT OF MENTAL HEALTH AND MENTAL RETARDATION		
TOTAL	(82,827)	(80,267)
SECTION D-17		
TOTAL ALLOCATIONS	\$215,639	\$253,557

Positions - Legislative Count	(-1.0)
Personal Services	(49,080)
Provides for the deappropriation of funds through the elimination of one Assistant Attorney General position.	

PART E

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

1994-95

ATTORNEY GENERAL, DEPARTMENT OF THE

Departmentwide - Attorney General

All Other \$853,771

Provides for the appropriation of funds to offset a deappropriation in Public Law 1993, chapter 410, Part B.

Administration - Attorney General

Positions - Legislative Count (-6.0)
 Personal Services (343,699)

Provides for the deappropriation of funds from the elimination of 4 Assistant Attorney General positions and 2 Senior Legal Secretary positions.

District Attorneys Salaries

Personal Services (460,992)

Provides for the deappropriation of funds by placing District Attorneys and Assistant District Attorneys on an offset plan.

Human Services Division

DEPARTMENT OF THE ATTORNEY GENERAL

AUDIT, DEPARTMENT OF

Audit - Departmental Bureau

Personal Services (30,000)
 All Other 30,000

Provides for the appropriation of funds to offset a deappropriation in Public Law 1993, chapter 410, Part B through the use of salary savings.

DEPARTMENT OF AUDIT

JUDICIAL DEPARTMENT

Departmentwide - Judicial

All Other 3,293,369

Provides for the appropriation of funds to offset deappropriations in Public Law 1993, chapter 410, Parts B and GGG.

Courts - Supreme, Superior, District and Administrative

All Other (3,293,369)

Provides for the deappropriation of funds in accordance with the plan submitted by the Judicial Department pursuant to Public Law 1993, chapter 410, Parts B and GGG.

JUDICIAL DEPARTMENT
TOTAL _____
-0-

PART E
TOTAL APPROPRIATIONS _____
-\$0-

PART F

Sec. F-1. Basic elementary and secondary per pupil operating rate. The basic elementary per pupil operating rate for fiscal year 1994-95 is \$2,693 and the basic secondary per pupil operating rate for fiscal year 1994-95 is \$3,707. The foundation per pupil operating rate for fiscal year 1994-95 is \$2,975.

Sec. F-2. Basic education allocation. The basic allocation of state and local funds for fiscal year 1994-95 for the purposes listed in this section is as follows.

1994-95

Operating Costs

Elementary and Secondary Operating Costs (adjusted)	\$799,480,929
Less Public Law 81-874 (Federal Impact Funds)	-0-

Operating Costs Total _____
799,480,929

Less Percentage Reduction (Maine Revised Statutes, Title 20-A, section 15603, subsection 26-A, paragraph F)	(161,781,554)
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Adjusted Operating Costs Total _____
637,699,375

Program Costs

Early Childhood	533,280
Special Education (Local)	102,618,067
Special Education (Tuition and Board)	13,068,883
Vocational Education	22,111,023
Transportation Operating	54,540,464
Bus Purchases	4,500,000

Program Costs Total _____
197,371,717

Less Percentage Reduction (Title 20-A, section 15603, subsection 26-A, paragraph F)	(39,939,793)
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Adjusted Program Costs Total _____
157,431,924

Debt Service Costs

Principal and Interest	66,316,647
Approved Leases	4,928,985
Insured Value Factor	1,975,721

Debt Service Costs Total _____
73,221,352

Less Percentage Reduction of Insured Value Factor (Title 20-A, section 15603, subsection 26-A, paragraph F)	(399,803)
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Adjusted Debt Service Costs Total _____
72,821,549

Combined Allocations 867,952,848

Minimum State Allocation 900,000

TOTAL ALLOCATION _____
868,852,848

Sec. F-3. Subsidy indexes. Mill rates are established as follows. The operating cost millage is 4.76 mills. The program millage limit is 0.98 mills. The debt service millage is 0.51 mills.

Sec. F-4. Appropriation. The appropriation provided for General Purpose Aid for Local Schools for the fiscal year beginning July 1, 1994 and ending June 30, 1995 is calculated as follows.

1994-95

STATE ALLOCATION 493,595,303

Adjustment to Maintain State Share of Operating Cost Allocation	3,772,305
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Total Adjusted State Allocation _____
497,367,608

ADJUSTMENTS AND MISCELLANEOUS COSTS

Cost of Geographic Isolation Adjustments	250,000
Cost of Quality Incentive Adjustments	-0-
Audit Adjustments	-0-
Cost of Reimbursement for Private School Services	201,000
Special Education Hardship Grants	-0-
Special Education Tuition and Board for State Wards and Other Pupils Placed Directly by the State	5,548,569
State Agency Clients	9,788,168
Out-of-District Placements	1,674,000
Long-term Drug Treatment Centers	117,677
Medicaid Seed	125,000
Total Adjustments	17,704,414
TOTAL RECOMMENDED FUNDING LEVEL	515,072,022
Estimated Construction Audit Recoveries	-0-
Fiscal Year 1994-95 Hardship Fund	4,000,000
TOTAL APPROPRIATION FOR FISCAL YEAR 1994-95	\$519,072,022

beginning July 1, 1994 and ending June 30, 1995, as authorized by Public Law 1993, chapter 410 and this Act, totaling \$519,072,022.

PART G

Sec. G-1. 5 MRSA §902, sub-§3, as enacted by PL 1981, c. 270, §4, is amended to read:

3. Job-sharing employment. "Job-sharing employment" means employment where 2 or more persons share one ~~full-time~~ position.

Sec. G-2. 5 MRSA §1511, as amended by PL 1993, c. 508, Pt. G, §1, is further amended to read:

§1511. Reserve for General Fund operating capital

The State Controller may, at the close of each fiscal year, transfer from the Unappropriated Surplus of the General Fund to the Reserve for General Fund Operating Capital such amounts as may be available from time to time up to an amount of \$1,000,000 a year, except for fiscal year 1993-94 when an amount up to \$2,500,000 may be transferred, until a maximum of \$25,000,000 is achieved. The State Controller is further authorized, at the close of each fiscal year, to transfer from the Unappropriated Surplus of the General Fund to the Loan Insurance Reserve amounts as may be available from time to time, up to an amount of \$1,000,000 per year. The balance of this reserve must be paid to the Finance Authority of Maine if such payment does not cause the balance in the reserve fund maintained by the authority, when added to amounts held in the Finance Authority of Maine Mortgage Insurance Fund that are not committed or encumbered for another purpose, to exceed \$10,000,000. Any balance in the Loan Insurance Reserve is appropriated for this purpose. The State Controller on or before June 30, 1993 must transfer the balance in the Reserve for General Fund Operating Capital to the unappropriated surplus of the General Fund. ~~On or before June 30, 1995 the State Controller must transfer \$1,500,000 from the unappropriated surplus of the General Fund to the reserve for General Fund Operating Capital as a transfer in excess of any other transfers required under this section.~~

Sec. G-3. 5 MRSA §1513, sub-§1-C, as enacted by PL 1993, c. 410, Pt. II, §1, is amended to read:

1-C. Transfer from Rainy Day Fund; capital construction, improvements and repairs. Notwithstanding subsection 2 and section 1585, an amount not to exceed \$2,154,370 in fiscal year 1993-94 and ~~\$2,770,000~~ \$4,000,000 in fiscal year 1994-95 may be transferred from the available balance in the Rainy Day Fund to the "Public Improvements - Planning -

Sec. F-5. Limit of State's obligation. If the State's continued obligation for any individual program contained in sections 2 and 4 of this Part exceeds the level of funding provided for that program, any unexpended balances occurring in other programs may be applied to avoid proration of payments for any individual program. Any unexpended balances from sections 2 and 4 of this Part may not lapse but must be carried forward to be used for the same purpose.

Sec. F-6. Appropriation. Nothing in this Part may be construed to require the State to provide payments that exceed the appropriation of funds for General Purpose Aid for Local Schools for fiscal year

Construction - Administration" program in the Department of Administrative and Financial Services to be made available by financial order upon the recommendation of the State Budget Officer and approval of the Governor to be used for statewide capital construction, improvements and repairs.

Sec. G-4. 5 MRSA §1583-A, as amended by PL 1993, c. 414, Pt. F, §1, is further amended to read:

§1583-A. Creation of positions

Notwithstanding any other provision of law, positions, except for workers' compensation positions to be established for former regular employees of the State who are receiving workers' compensation payments from the State and intern positions to be established as part of the Summer Internship Program, may not be established except as authorized by legislative appropriation or allocation, including general ledger accounts. This provision does not apply to project positions funded by the Highway Fund through salary savings.

Sec. G-5. Effective date. That section of this Part that amends the Maine Revised Statutes, Title 5, section 1583-A takes effect on January 1, 1994.

Sec. G-6. 5 MRSA §1811, sub-§5, as amended by PL 1991, c. 780, Pt. Y, §64, is further amended to read:

5. Storerooms. To establish and operate, with the approval of the Commissioner of Administrative and Financial Services, storerooms which, in the judgment of the Director of the Bureau of General Services, are determined necessary for the storage and distribution of supplies, materials and equipment by resale, rental or other method, required for use by the State Government or any department or agency, or any political subdivision or school administrative unit; Notwithstanding section 1587, the Director of the Bureau of General Services may purchase, lease, lease-purchase or enter into other financing agreements for the acquisition of equipment in accordance with this subsection when it can be demonstrated that any such action or agreement provides a clear cost advantage to the State. All contracts, terms, terms of financing and other terms related to any financing agreement reached are subject to the review of the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs;

Sec. G-7. 14 MRSA §8112, sub-§2, as repealed and replaced by PL 1987, c. 740, §11, is amended to read:

2. When the governmental entity is liable. A Except as provided in subsection 9, a governmental entity shall, with the consent of the employee, assume the defense of and shall indemnify any employee

against a claim ~~which~~ that arises out of an act or omission occurring within the course and scope of employment and for which sovereign immunity has been waived under section 8104-A, under another law or by legislative authorization. Except as otherwise provided ~~herein in this subsection~~, in lieu of assuming the defense of an employee, the governmental entity may pay the reasonable attorneys' fees and court costs of the employee. If the defense of its employee creates a conflict of interest between the governmental entity and the employee, the governmental entity shall pay the reasonable attorneys' fees and court costs of the employee.

A governmental entity ~~shall~~ may not be required to indemnify its employee and is not liable for the attorneys' fees and court costs of its employee under this subsection in the event that the employee is determined to be criminally liable for the acts or omissions in question. In addition, after the litigation against the employee is concluded, a governmental entity ~~shall be~~ is relieved of any obligation to indemnify the employee for punitive damages and may recoup any attorneys' fees and costs paid to outside counsel if the governmental entity proves that the employee acted in bad faith.

This subsection does not apply if the employee settles the claim without the consent of the governmental entity.

This subsection does not apply if notice is not required to have been filed as provided in section 8107 or if the employee does not notify the governmental entity within 30 days after receiving actual written notice of the claim or within 15 days after the service of a summons and complaint if the governmental entity is prejudiced by the lack of such notice.

Sec. G-8. 14 MRSA §8112, sub-§9 is enacted to read:

9. Certain suits arising out of use of motor vehicles. A governmental entity is not required to assume the defense of or to indemnify an employee of that governmental entity who uses a privately owned vehicle, while acting in the course and scope of employment, to the extent that applicable liability insurance coverage exists other than that of the governmental entity. In such cases, the employee of the governmental entity and the owner of the privately owned vehicle may be held liable for the negligent operation or use of the vehicle but only to the extent of any applicable liability insurance, which constitutes the primary coverage of any liability of the employee and owner and of the governmental entity. To the extent that liability insurance other than that of the governmental entity does not provide coverage up to the limit contained in section 8105, the governmental

entity remains responsible for any liability up to that limit.

Sec. G-9. Effective date. That section of this Part that amends the Maine Revised Statutes, Title 14, section 8112 is repealed June 30, 1995.

Sec. G-10. 36 MRS A §6267 is enacted to read:

§6267. Phase out of elderly tax deferral program

New taxpayer claims for participation in the deferral program provided pursuant to this chapter are not allowed regarding an application filed on or after April 1, 1991.

Sec. G-11. PL 1993, c. 410, Pt. A, §§25-A and 25-B are enacted to read:

Sec. A-25-A. Position count descriptions. The State Budget Officer shall study the feasibility of changing Positions - Nonlegislative Count to Positions - Full-Time Equivalent, FTE, in the General Fund, Highway Fund, Federal Block Grant Fund, Internal Telecommunications Fund, Alcoholic Beverage Fund and State Lottery Fund and Positions - Nonlegislative Count to Positions - Legislative Count or Positions - Full-Time Equivalent, FTE, in All Other funds. As a part of this study, the State Budget Officer is authorized to conduct a pilot project in an agency or agencies. The State Budget Officer shall submit a report of findings and recommendations to the Joint Standing Committee on Appropriations and Financial Affairs no later than January 1, 1995. Upon the approval of the findings and recommendations by the Joint Standing Committee on Appropriations and Financial Affairs, the State Budget Officer may implement the position changes in fiscal year 1995-96 and fiscal year 1996-97 and include these changes in the current services budget submission for the fiscal year 1998-99 biennial budget.

Sec. A-25-B. Position actions. Positions identified with an appropriation or allocation are presented for informational purposes. The State Budget Officer, when reviewing position actions submitted from departments and agencies pursuant to an appropriation or allocation, shall approve or deny the position actions based on the extent to which the submission is within the appropriation or allocation for Personal Services and complies with the expected program outcome or result as expressed by the Legislature in the appropriation or allocation. The State Budget Officer may establish procedures for the submission of proposed position actions from departments and agencies to ensure compliance with this section.

Sec. G-12. Maine Labor Relations Board unit clarification decisions that result in the

determination of positions as confidential.

Notwithstanding any other provision of law, the employer cost of the pick-up retirement from unit clarification decisions of the Maine Labor Relations Board that result in the determination of positions as confidential may be funded in fiscal year 1993-94 and fiscal year 1994-95 from accrued salary savings within an appropriation or allocation for Personal Services in the account where the savings exist or in another account in the same fund and department. These costs are considered ongoing current services items in subsequent fiscal year budget submissions. The Commissioner of Administrative and Financial Services shall report to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs no later than February 1, 1995 with the number of cases that have been settled or are expected to be settled and the cost of any settlement, segregated by funding source.

Sec. G-13. Transfer from Rainy Day Fund; local disaster relief. Notwithstanding the Maine Revised Statutes, Title 5, section 1585, subsection 2, an amount not to exceed \$650,000 in fiscal year 1994-95 may be transferred from the available balance in the Rainy Day Fund to the Administration - Maine Emergency Management Agency program in the Department of Defense and Veterans' Services to be made available by financial order upon the recommendation of the State Budget Officer and approval of the Governor to be used for the reimbursement of the State's matching share of local disaster relief.

Sec. G-14. Workers' compensation funding in fiscal year 1995-96 and fiscal year 1996-97 for state government departments and agencies. Notwithstanding any other provision of law, the State Budget Officer is authorized to include in the current services requests and recommendations representing the Personal Services submission for each department or agency program for the fiscal year 1995-96 and fiscal year 1996-97 biennial budgets the workers' compensation premium charge that includes the projected cash requirements, loss experience, actuarial reserve and administration.

Sec. G-15. Revenue projection. Notwithstanding the Maine Revised Statutes, Title 30-A, section 5683, subsection 3, the March 1994 increase of revenue estimates for fiscal year 1994-95 during the Second Regular Session of the 116th Legislature does not increase the appropriation to the Property Tax Relief Fund.

PART H

Sec. H-1. Department of the Attorney General; additional legal services to the Department of Mental Health and Mental Retardation. Notwithstanding any other provision of law,

the Attorney General is authorized to administratively reassign duties for up to one existing authorized position within the Department of the Attorney General so as to increase legal services available to the Department of Mental Health and Mental Retardation.

PART I

Sec. I-1. 22 MRSA §14, sub-§2-I, as enacted by PL 1993, c. 410, Pt. I, §3, is amended to read:

2-I. Claims against estates of Medicaid recipients. Claims against the estates of Medicaid recipients are governed by this subsection.

A. The department has a claim against the estate of a Medicaid recipient when, after the death of the recipient:

(1) Property or other assets are discovered that existed and were owned by the recipient during the period when Medicaid benefits were paid for the recipient and disclosure of the property or assets at the time benefits were being paid would have rendered the recipient ineligible to receive the benefits;

(2) It is determined that the recipient was ~~65~~ 55 years of age or older when that person received ~~medicaid~~ Medicaid assistance and the recipient died on or after January 1, 1993; or

(3) ~~The~~ It is determined that the recipient had been receiving institutional care in a nursing facility or intermediate care facility for the mentally retarded at the time of death on or after January 1, 1993 has received or is entitled to receive benefits under a long-term care insurance policy in connection with assets or resources that are disregarded and medical assistance was paid on behalf of the recipient for nursing facility or other long-term care services.

B. The amount of Medicaid benefits paid and recoverable under this ~~section~~ subsection is a claim against the estate of the deceased recipient pursuant to Title 18-A, Article III, Part 8.

(1) This claim may be enforced pursuant to Title 18-A, Article III, Part 8 in the same manner as assets of the recipient included in the probated estate.

(2) This claim may be enforced by filing a claim in any court of competent jurisdiction in the same manner as assets of the

recipient not included in the probated estate.

C. ~~No A claim may not be enforced against the following made under paragraph A, subparagraph (2) or (3) until:~~

(1) ~~Real estate of a recipient used for the support, maintenance or comfort of the surviving spouse, a dependent child under 21 years of age or a dependent who is non-supporting because of a disability, until that real estate is no longer used for those purposes. The recipient has no surviving spouse; or and~~

(2) ~~Personal property necessary for the support, maintenance or comfort of the surviving spouse, a dependent child under 21 years of age or a dependent who is non-supporting because of a disability, until the property is no longer used for those purposes. The recipient has no surviving child who is under age 21 or who is blind or permanently and totally disabled as defined in 42 United States Code, Section 1382c.~~

D. Paragraph A, subparagraphs (2) and (3) apply only to recipient who died on or after October 1, 1993 for Medicaid payments made on or after October 1, 1993.

E. A Claim under paragraph A, subparagraph (2) must be waived if enforcement of the claim would create an undue hardship under criteria developed by the Secretary of the United States Department of Health and Human Services.

F. As used in this subsection, unless the context otherwise indicates, the term "estate" means:

(1) All real and personal property and other assets included in the recipient's estate, as defined in Title 18-A, section 1-201; and

(2) Any other real and personal property and other assets in which the recipient had any legal interest at the time of death, to the extent of that interest, including assets conveyed to a survivor, heir or assign of the deceased recipient through tenancy in common, survivorship, life estate, living trust, joint tenancy in personal property or other arrangement.

Sec. I-2. 22 MRSA §3174-N is enacted to read:

§3174-N. Authorization to pursue federal waivers to develop Medicaid managed-care program

The department is authorized to seek all necessary approvals to establish a Medicaid managed-care demonstration project pursuant to 42 United States Code, Social Security Act, Section 1115.

Sec. I-3. 22 MRSA §3761, as amended by PL 1993, c. 267, §1, is repealed and the following enacted in its place:

§3761. Emergency assistance

The department, at the discretion of the commissioner, may establish and operate a program of emergency assistance to needy families with children within the United States Social Security Act, Title IV-A, Section 406(e), and any amendments and additions.

This program must provide:

1. Benefits; emergency situation. Benefits to needy families with children in emergency situations in which the family is deprived of the basic necessities essential to their support, including, but not limited to, utility terminations, lack of adequate shelter, fire and other natural disasters. In determining what constitutes an emergency with respect to utility terminations, the department shall grant assistance when an otherwise qualified family has received a disconnection notice and has exhausted their ability to negotiate and pay the terms of a reasonable payment arrangement. The program may not be used to supplant local responsibility for operating or funding a general assistance program. The department shall not expend more than \$750,000 of state general assistance funds for the purposes of covering the cost of services set out in this subsection; and

2. Additional emergency services. Additional emergency services to children who are at risk of removal from the home because of their specified relative's inability to provide care and children in emergency situations where continued presence in the home is not in the best interest of the children. Additional emergency services are defined as those that cover emergency situations resulting from child abuse, neglect, abandonment or domestic abuse. The department may expend other general funds for the additional emergency services described in this subsection.

The department may establish eligibility guidelines and limits on services covered under this program.

PART J

Sec. J-1. Judicial Department; lease purchase of computer hardware and software and ergonomic work stations. Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Judicial Department may enter into financing arrangements for the acquisition of computer hardware and software and ergonomic work stations in order to gain efficiency from improved technology and to avoid future workers' compensation injuries. The financing agreement may not exceed 3 years in duration and \$470,000 in principal costs. The interest rate is estimated at 6.5% with total interest costs over the duration of the financing arrangement estimated at \$38,186. The annual principal and interest costs must be paid from the Capital Expenditures and All Other line category appropriations to the Courts - Supreme, Superior, District and Administrative Account. The financing agreement must provide that the State will become the ultimate owner of the computer hardware and software and ergonomic work stations.

Sec. J-2. 4 MRSA §115-A is enacted to read:

§115-A. Closure of Superior Courts

A Superior Court location, as authorized under the provisions of this chapter, may not be closed unless approved by an act of the Legislature.

PART K

Sec. K-1. Bangor Mental Health Institute; laundry. Notwithstanding any other provision of law, the Department of Mental Health and Mental Retardation may privatize its laundry operations at the Bangor Mental Health Institute.

Sec. K-2. Pineland Center positions. If the Department of Mental Health and Mental Retardation proposes a change to the listing of positions at the Pineland Center that are, as of the effective date of this Part, scheduled for elimination, a copy of which listing is on file at the Bureau of the Budget and the Office of Fiscal and Program Review, and the change affects a position title or an effective date of elimination of any position on that listing, then the Superintendent of Pineland Center must justify such changes to an ad hoc advisory panel comprised of the Commissioner of Mental Health and Mental Retardation or the commissioner's designee, the Chair of Pineland's Board of Visitors and a Legislator who is a member of the Joint Standing Committee on Human Resources or show that a position is vacant and will save a layoff. All changes must be submitted, in writing, to the Bureau of the Budget and the Office of Fiscal and Program Review at least one month before

the effective date of the proposed change. All changes must generate equal or greater savings.

PART L

Sec. L-1. 25 MRSA §2914 is enacted to read:

§2914. Drug and Alcohol Resistance Education Fund

1. Fund established. The Drug and Alcohol Resistance Education Fund, referred to in this section as the "fund," is established as a nonlapsing fund. The commissioner may use this fund only to support the activities of officers in the drug and alcohol resistance education program in the Department of Public Safety.

2. Revenue sources. The commissioner may accept court mandated and private contributions intended to be used for the purposes of the fund.

3. Budget. The commissioner shall submit a budget for each biennium pursuant to Title 5, sections 1663 and 1666.

Sec. L-2. PL 1993, c. 410, Pt. SS, §1 is amended to read:

Sec. SS-1. Authorization to establish project positions for a Maine State Police training academy. Notwithstanding any other provision of law in accordance with Part A, section 3 of this Act, the State Budget Officer is authorized to establish necessary project positions in fiscal year years 1993-94 and 1994-95 within the Bureau of State Police to conduct a Maine State Police training academy.

PART M

Sec. M-1. General Purpose Aid for Local Schools; lapsed balances. Notwithstanding any other provision of law, \$198,406 in fiscal year 1994-95 in the General Purpose Aid for Local Schools account lapse to the General Fund as a result of construction audit recoveries.

Sec. M-2. Transfer from Public Improvements - Planning - Construction - Administration program. Notwithstanding the Maine Revised Statutes, Title 5, section 1585, in fiscal year 1994-95 the State Budget Officer may transfer from the Public Improvements - Planning - Construction - Administration program in the Department of Administrative and Financial Services any funds available for capital repairs to state parks to the Capital Construction - Repairs - Improvements - Conservation program in the Department of Conservation.

PART N

Sec. N-1. 30-A MRSA §5683, sub-§3, as enacted by PL 1989, c. 534, Pt. F, is amended to read:

3. Property Tax Relief Fund established. There is established the Property Tax Relief Fund for the purpose of distributing unanticipated surplus revenues accruing in the General Fund to municipalities experiencing high rates of population growth. The purpose of the fund is to assist municipalities in meeting their infrastructure needs.

The State Controller shall at the close of each fiscal year transfer from the unappropriated surplus of the General Fund to the Property Tax Relief Fund an amount not to exceed 1/2 of the balance remaining after all other required transfers ~~have been made~~ from the excess of total General Fund revenues received over accepted estimates in that fiscal year and all required deductions of appropriations, financial commitments, designated funds, transfers from the unappropriated surplus of the General Fund or transfers from the available balance remaining in the General Fund have been made.

General Fund revenue estimates may be made once during the First Regular Session of the Legislature and adjustments to these accepted revenue estimates may be made once during the Second Regular Session of the Legislature without mandatory transfer of funds to the Property Tax Relief Fund. If adjustments are made to those initial estimates presented to each regular session of the Legislature, an amount equal to 1/2 of the excess of the estimated revenue over the amounts required by law to be set aside for other purposes must be appropriated to the Property Tax Relief Fund.

The fund ~~shall~~ may not exceed \$25,000,000 and ~~shall~~ may not lapse, but ~~shall~~ must remain a continuing carrying account to carry out the purpose of this section.

PART O

Sec. O-1. 20-A MRSA §12714, sub-§§5 and 6, as amended by PL 1989, c. 443, §50, are further amended to read:

5. Southern Maine. Southern Maine Technical College; ~~and~~

6. Washington County. Washington County Technical College; ~~and~~

Sec. O-2. 20-A MRSA §12714, sub-§7 is enacted to read:

7. York County. York County Technical College.

Sec. O-3. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1994-95

BOARD OF TRUSTEES OF THE MAINE TECHNICAL COLLEGE SYSTEM

Maine Technical College System - Board of Trustees

All Other \$1,200,000

Provides funds to establish a technical college in York County, including funds for administration, student services, program development, training equipment, rent and other needs of the new college, with students being enrolled for the term beginning in the fall of 1995. It is the intent of the Legislature that this \$1,200,000, along with an additional \$600,000 to fully fund the annual costs of the York County Technical College, be incorporated into the current services budget recommendations for fiscal year 1995-96 and fiscal year 1996-97.

PART P

Sec. P-1. 5 MRSA §150, 2nd ¶, as amended by PL 1993, c. 382, §1, is further amended to read:

The Treasurer of State, with the approval of the Governor, may negotiate a temporary loan or loans in anticipation of taxes levied for that fiscal year, but not exceeding a total of that amount of taxes estimated by the Treasurer of State to be collected in the fiscal year in which the temporary loan or loans, or renewal ~~thereof of the temporary loan or loans~~, is made, provided that the temporary loans or renewals ~~thereof of the temporary loans~~ do not exceed any limitation set forth in the Constitution of Maine, Article IX, Section 14. Any such loans may be renewed from time to time as the Treasurer of State, with the approval of

the Governor, determines, ~~provided except~~ that each loan or renewal ~~thereof of the loan~~ must be retired not later than the close of the fiscal year in which the loan was originally made and for which were levied the taxes in anticipation of the collection of which ~~such the~~ loan was originally made; and that each ~~such~~ loan or renewal ~~thereof of the loan~~ must comply with the provisions of this section and the Constitution of Maine, Article IX, Section 14. The Treasurer of State shall pay the loan or loans in anticipation of taxes during ~~such the~~ year and there is appropriated for any year in which the Treasurer of State and the Governor determine it necessary to borrow in anticipation of taxes the sum of \$30,000,000; except that for fiscal year 1991-92, the sum may not exceed \$150,000,000; for fiscal year 1992-93, the sum may not exceed \$170,000,000; ~~and~~ for fiscal year 1993-94, the sum may not exceed \$170,000,000; and for fiscal year 1994-95, the sum may not exceed \$175,000,000.

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

1994-95

TREASURER OF STATE, OFFICE OF THE

Debt Service - Treasury

All Other \$6,125,000

Provides funds to meet the debt service payments related to a \$175,000,000 tax anticipation note for fiscal year 1994-95.

PART Q

Sec. Q-1. Transfer of funds. The Maine State Retirement System shall transfer \$4,000,000 from the surplus in the State Retiree Health Insurance Fund and the State Retired Teachers' Health Insurance Fund to the Retirement Allowance Fund. The Executive Director of the Maine State Retirement System shall notify the State Controller of the transfer by July 1, 1995. The State Controller shall reduce the payments to the Maine State Retirement System in July 1995 by the same \$4,000,000 that must be transferred by the State Controller to the Blue Cross and Blue Shield Withholding Fund on or before July 31, 1995. The June 1995 payment to Blue Cross and Blue Shield of Maine or the insurance carrier of record as of that date must be reduced by \$4,000,000 and transferred by the State Controller from the Blue Cross and Blue Shield Withholding Fund to the

General Fund on or before June 30, 1995. The July 1995 payment to Blue Cross and Blue Shield of Maine or the insurance carrier of record must be increased by \$4,000,000.

It is the intent of the Legislature that \$4,000,000 be deappropriated from funds that would otherwise be appropriated to or for the Maine State Retirement System within the 1996-97 General Fund "Current Services" budget bill in order to ensure that identified surplus funds within the health insurance funds of the Maine State Retirement System are returned to the General Fund, as originally identified in Public Law 1991, chapter 780, Part W, section 1 and Public Law 1993, chapter 6, Part E, section 2.

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

1994-95

**MAINE STATE
RETIREMENT SYSTEM**

Retirement Allowance Fund

All Other	\$4,000,000
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PART R

Sec. R-1. 5 MRSA §1666, as amended by PL 1989, c. 934, Pt. C, §2, is further amended to read:

§1666. Review and revision of estimates

The Governor-elect or the Governor, with the assistance of the State Budget Officer, shall review the budget estimates, altering, revising, increasing or decreasing the items of the estimates as may be ~~deemed~~ determined necessary in view of the needs of the various departments and agencies and the total anticipated income of the State Government during the ensuing biennium. This review ~~shall~~ must cover all budgets regardless of source of funds, including, but not limited to, budgets related to the Highway Fund, the Federal Revenue Sharing Fund and other special revenue funds. The State Budget Officer, at the direction of the Governor-elect or the Governor shall then prepare a state budget document in the form required by law. The Governor-elect or the Governor ~~shall be~~ is fully responsible for all budgetary recommendations made to the Legislature. The Governor shall transmit the budget document to the Legislature not later than the Friday following the first Monday in January of the first regular legislative session. At that time the Governor shall also transmit any biennial budget bills that authorize appropriations or allocations in the upcoming biennium that the

Governor may wish to propose as well as any emergency bills that authorize additional appropriations or allocations in the current fiscal year that the Governor may wish to propose. A Governor-elect elected to a first term of office shall transmit the budget document to the Legislature not later than the Friday following the first Monday in February of the first regular legislative session. At that time the Governor-elect shall also transmit any biennial budget bills that authorize appropriations or allocations in the upcoming biennium that the Governor may wish to propose as well as any emergency bills that authorize additional appropriations or allocations in the current fiscal year that the Governor may wish to propose.

PART S

Sec. S-1. P&SL 1967, c. 211, §10-A is enacted to read:

Sec. 10-A. Public records. The administrative records of the district, including the financial and compensation records of any agent employed by, under contract with or utilized in any other managerial capacity by, the district to administer that district, are public records within the meaning of the Maine Revised Statutes, Title 1, chapter 13.

PART T

Sec. T-1. Department of Human Services legal services in Aroostook County report. The Department of Human Services, the Department of the Attorney General and the Office of the District Attorney in Aroostook County shall review the effectiveness of the current method of providing legal services funding for child paternity actions, child support claims and child protection proceedings in Aroostook County. The report must include a review of the affected positions, including the 2 part-time Assistant District Attorney positions, a paralegal position and a part-time secretary position as stipulated in any 3-way agreement. The report must also review funding sources, previous funding levels, the projected need for legal services, the amount of federal funding available and expenditures formerly made in the Aroostook County Contingent Account.

The report must be submitted to the Joint Standing Committee on Appropriations and Financial Affairs on or before December 1, 1994 and must include any recommended legislation along with the appropriation and allocation transfers necessary to provide full accountability to the State and Aroostook County.

Sec. T-2. Agreement terminated. Any agreement entered into by the Department of Human Services, the Department of the Attorney General and the Office of the District Attorney in Aroostook

County for legal services that was in effect through fiscal year 1992-93 remains in effect until June 30, 1994. The next agreement, which will be effective July 1, 1994, must recognize the interest of the State in seeing that state-administered funds are expended only as authorized by allocation and subsequent allotment as well as the interest of Aroostook County in seeing that necessary county expenses are paid directly to the county and that agreement is terminable as of the end of fiscal year 1994-95.

Reimbursement for expenses may not be made directly to the Aroostook County District Attorney, except to reimburse the district attorney's specific expenses related to the provision of legal services. The provisions of the Maine Revised Statutes, Title 5, section 135-A specifically apply to any funding agreement for legal services in Aroostook County.

Sec. T-3. Allocation. The following funds are allocated from the Federal Expenditure Fund to carry out the purposes of this Act.

1994-95

**ATTORNEY GENERAL,
DEPARTMENT OF**

District Attorneys Salaries

All Other \$120,115

Provides for the allocation of funds for legal services in Aroostook County in accordance with the Maine Revised Statutes, Title 5, section 135-A through a transfer from the Department of Human Services. the Attorney General is authorized to transfer funds within the various line categories as necessary.

**DEPARTMENT OF THE
ATTORNEY GENERAL
TOTAL**

\$120,115

**HUMAN SERVICES,
DEPARTMENT OF**

Departmentwide

All Other (\$120,115)

Provides for the deallocation of funds for legal services in Aroostook County in accordance with the Maine Revised Statutes, Title 5, section 135-A through a transfer to the Department of the Attorney General.

**DEPARTMENT OF HUMAN
SERVICES**

TOTAL -\$0-

**TOTAL APPROPRIATIONS
PART T**

-\$0-

PART U

Sec. U-1. 8 MRSA §275-K, as enacted by PL 1993, c. 388, §8, is amended by adding at the end a new paragraph to read:

The amounts in this section are reduced in accordance with the provisions of section 275-M.

Sec. U-2. 8 MRSA §§275-M and 275-N are enacted to read:

§275-M. Amounts payable to the State Harness Racing Commission

Except for those off-track betting facilities operating within the same municipality as a commercial track, an off-track betting facility shall pay the following amounts of wagers placed at the facility to the Treasurer of State to be deposited as undedicated revenue to the General Fund.

1. Interstate commingled pools. An off-track betting facility shall pay 1.666% of the commission on regular wagers made to interstate commingled pools and 1.154% of the exotic wagers made to these pools.

2. All other pools. An off-track betting facility shall pay .33% of the regular and exotic wagers made to all pools other than interstate commingled pools.

§275-N. Limitations on off-track betting facilities

During any fiscal year, an off-track betting facility may not be licensed for operation unless at least one commercial track is licensed and has been awarded at least 120 race dates under the provisions of section 271.

Sec. U-3. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1994-95

**AGRICULTURE, FOOD AND
RURAL RESOURCES,
DEPARTMENT OF**

Harness Racing Commission

All Other \$57,000

Provides for the appropriation of funds for additional operating costs of the State Harness Racing Commission.

PART V

Sec. V-1. 12 MRSA §586-A, sub-§4 is enacted to read:

4. Repeal. This section is repealed on June 30, 1995.

PART W

Sec. W-1. PL 1993, c. 508, Pt. J, §2 is amended to read:

Sec. J-2. Freeport Towne Square. The Department of Mental Health and Mental Retardation shall establish an organizational unit for the Freeport Towne Square group homes and workshop that is separate and has a separate organizational structure from the Pineland Center that requires the Freeport Towne Square manager to report directly to the Director of the Division of Mental Retardation. The department shall determine the position and financial transfers necessary to ~~meet this legislative intent~~ establish the separate organizational structure and shall submit the required information to the Bureau of the Budget for submission to the First Regular Session of the 117th Legislature with an implementation date of July 1, 1995. The department and the appropriate collective bargaining agents shall negotiate the appropriate organizational unit or unit division for Freeport Towne Square for the purposes of applying the seniority and layoff procedures under the applicable collective bargaining agreements.

PART X

Sec. X-1. Modify 1994 state valuation. Notwithstanding any other provision in the Maine Revised Statutes, Title 36, the 1994 state valuation for

the City of Bath, for the purposes of school appropriations and municipal revenue sharing funds, must be based on a valuation that values the property of the Bath Iron Works in the City of Bath at \$120,050,000.

PART Y

Sec. Y-1. Bid preference suspension. Notwithstanding the Maine Revised Statutes, Title 5, section 1812-B, subsection 3 or any other provisions of law, the bid preference system for paper or paper products with recycled material content is suspended from July 1, 1994 to June 30, 1995.

Sec. Y-2. Calculation and transfer. The State Budget Officer shall calculate the amounts in section 1 of this Part that apply against each General Fund account for all departments and agencies based on the proportionate share of paper product costs. Notwithstanding the Maine Revised Statutes, Title 5, section 1585, or any other provision of law, the State Budget Officer shall cause the calculated amount resulting from section 1 of this Part to be transferred from each account and shall forward a report on the distribution to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs no later than March 15, 1995.

Sec. Y-3. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1994-95

**ADMINISTRATIVE AND
FINANCIAL SERVICES,
DEPARTMENT OF**

**Department and Agencies -
Statewide**

All Other (\$70,986)

Provides for the deappropriation of funds from savings resulting from a one-year suspension of the bid preference system for recycled paper products.

PART Z

Sec. Z-1. 22 MRSA §3500-A, as amended by PL 1993, c. 410, Pt. I, §11, is further amended to read:

§3500-A. Jurisdiction of Director of Division for the Blind and Visually Impaired, defined

"Jurisdiction of director" means having direct administrative responsibility for all programs and personnel under the Division for the Blind and Visually Impaired, sections 3500 to 3512, except section 3501-B.

Sec. Z-2. 22 MRSA §3501-B is enacted to read:

§3501-B. Medical eye care program

The department shall provide medical eye services, within the amounts appropriated by the Legislature, including corrective glasses, to individuals who have an annual income not exceeding 80% of the State's median income adjusted for family size and who have:

1. Eye disorder. A significant eye disorder that, if untreated, may progress to blindness; or

2. Visual acuity of 20/70 or worse. A visual acuity after correction of 20/70 or worse in the better eye.

The department shall, after hearing, in a manner consistent with the Maine Administrative Procedure Act, adopt rules governing eligibility, application procedures, services covered and reimbursement procedures.

Sec. Z-3. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1994-95

**HUMAN SERVICES,
DEPARTMENT OF**

**Medical Care - Payments to
Providers**

All Other \$300,000

Provides for the appropriation of funds to reinstate the medical eye care program within the Bureau of Medical Services.

PART AA

Sec. AA-1. Establishment of the Maine Health Care Reform Commission. There is

established the Maine Health Care Reform Commission, referred to in this Part as the "commission." The goal of the commission is to create alternative comprehensive health care proposals for consideration by the 117th Legislature, providing access to health care for all citizens of the State by July 1, 1997.

Sec. AA-2. Commission members. The commission consists of 3 commissioners, appointed according to the provisions of this section and subject to review and approval by the joint standing committee of the Legislature having jurisdiction over banking and insurance matters. One member must be appointed by the Governor. One member must be appointed jointly by the President of the Senate and the Speaker of the House of Representatives. One member must be appointed jointly by the Governor, the President of the Senate and the Speaker of the House of Representatives. All appointments must be made within 30 days of the effective date of this Part. The joint standing committee must review the appointments and vote on approval within 30 days of the appointments being made. Any vacancy on the commission must be filled in the manner of the original appointment.

Sec. AA-3. Terms of office; reimbursement. The commissioners serve from the date of approval by the joint standing committee of the Legislature having jurisdiction over banking and insurance matters through May 1, 1996. They shall perform their duties on a part-time basis and are entitled to reimbursement of \$75 per day for work performed in their capacities as commissioners, plus reasonable and necessary expenses, upon request from the Executive Director of the Legislative Council.

Sec. AA-4. Notification; first meeting. The Executive Director of the Legislative Council must be notified when the review and approval have taken place by the joint standing committee of the Legislature having jurisdiction over banking and insurance matters and convene the first meeting of the commission within 14 days of the notification.

Sec. AA-5. Responsibilities of the commission. The commission shall develop at least 3 models for health care reform and a proposal for implementation of a uniform data collection system and report to the Governor, the Legislature and the public by November 1, 1995. On or before January 1, 1996, the commission shall submit to the Governor and the Legislature implementing legislation for the models for health care reform and for a uniform data collection system.

Sec. AA-6. Development of 3 required models for health care reform. The commission shall develop 3 required models for health care reform, including a multi-payor model that provides

health insurance coverage for all citizens of the State, a single-payor model that provides universal coverage for all citizens of the State and a model based on the present health care system that incorporates managed care and other mechanisms to control costs and to improve access for uninsured citizens of the State.

The commission shall design all required models on the same basis. All required models must contain similar benefits, based upon a benefit package that the commission determines to be adequate to ensure necessary health services for the citizens of the State. The benefit package serves the purposes of pricing and comparison only. All required models must include budgets and financing mechanisms. All required models must include information on the costs of the components of the models.

Sec. AA-7. Additional report provisions on models for health care reform. The commission may include in its report additional models for health care reform, variations on the required models and combinations of provisions from the required models. For any additional models reported, the commission must provide the information directed to be included for the required models.

Sec. AA-8. Mandatory report provisions on required health care reform models. The report must contain the following information for the required health care reform models: projections of the costs, statements of the economic impact on the State, statements of the health care services not provided under the models and discussions and comparisons of the models.

Sec. AA-9. Factors to be addressed in the development of the required health care reform models. In developing the required health care reform models, the commission must address the following factors: the demographics and geography of the State, the different needs of the citizens of rural and urban areas of the State, the need for primary and preventive health care and health professions education, managed care and cost containment and the desirability of offering to the insured a choice of health insurance plan.

Sec. AA-10. Additional responsibilities. In the course of developing and reporting on models for health care reform and a proposal for a uniform data collection system, the commission shall provide the following:

1. A program of public participation and education to January 1, 1996;
2. An interim report to the Governor, the Legislature and the public by January 1, 1995, with the option of recommendations at that time;

3. A draft report to the Governor, the Legislature and the public by June 1, 1995;

4. A public comment period from June 1, 1995 to September 1, 1995;

5. A final report to the Governor, the Legislature and the public by November 1, 1995; and

6. Implementing legislation for all models for health care reform contained in the final report and the proposal for a uniform data collection system by January 1, 1996.

The commission shall participate in the legislative process from January 1, 1996 to May 1, 1996.

Sec. AA-11. Public participation and education. The commission shall develop a program of public participation and education that must involve all interested citizens, parties and groups, including but not limited to: consumers, providers of health care services, public and private agencies, health profession educators, public policy makers, employers, insurance carriers, managed care providers and nonprofit hospital and medical service corporations.

The program must provide for adequate representation of all interested citizens, parties and groups, giving consideration to population distribution and demographics, health care needs, present and future availability of health care providers and changes in the delivery of health care.

The program must begin early in the work of the commission and continue through the presentation of legislation to the Governor and the Legislature.

The program must include participation through a number of advisory groups designed to address particular subject areas and interests, meetings in all areas of the State and opportunities for individual and group participation in person and in writing.

Sec. AA-12. Staff. The commission may employ unclassified confidential employees or contract for the services of professional and support staff as necessary to carry out the responsibilities of the commission and may contract with individuals and entities for the provision of consultant and other services. The commission may borrow staff from other state agencies, as agreed upon between the agency and the commission. Through cooperative agreements, the commission may obtain access to the expertise and information of the University of Maine System and state agencies, including but not limited to the State Planning Office, the Bureau of Insurance, the Maine Health Care Finance Commission and the Department of Human Services.

Sec. AA-13. Freedom of access. Meetings of the commission are public meetings and records and papers of the commission are public records for the purposes of the freedom of access laws, pursuant to the Maine Revised Statutes, Title 1, chapter 13, subchapter I.

Sec. AA-14. Funds. The commission is entitled to a General Fund appropriation, which does not lapse at the end of the fiscal year. The commission shall seek funding from outside sources, including grants and awards from foundations and other private and public sources. At the conclusion of the work of the commission, all property of the commission becomes the property of the State and all unexpended funds revert to the General Fund.

Sec. AA-15. Administration of the budget. The Executive Director of the Legislative Council shall administer the budget of the commission.

Sec. AA-16. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1994-95

LEGISLATURE

Maine Health Care Reform Commission

Positions - Legislative Count	(2.0)
Personal Services	\$108,000
All Other	50,300
Capital Expenditures	5,000

Provides funds for the Maine Health Care Reform Commission for the per diem of commission members, for 2 limited period staff members to include a director and clerical position, general operating expenses and consulting services and capital expenditure funds for computers.

LEGISLATURE

TOTAL	<u>\$163,300</u>
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Sec. AA-17. Effective date. This Part takes effect July 20, 1994, except that commissioners shall serve from the dates on which their appointments were reviewed and approved in accordance with

section 3 of this Part. The commissioners are authorized to take action prior to the effective date of this Part to ensure the effective and timely operation of the commission.

PART BB

Sec. BB-1. 5 MRSA §51 is enacted to read:

§51. Departmental Total Quality Management Coordinator; positions established

Notwithstanding any other provision of law, if any position or positions in a department or agency account are determined unnecessary as a direct result of total quality management in accordance with section 50, the personal services savings for one or more of these former positions may be used in the Personal Services line category within the account where the savings exist or in another account in the same fund and department or agency to establish a total quality management coordinator position for the department or agency following the abolishment of the unnecessary position or positions and the identification of permanent funding.

Sec. BB-2. 5 MRSA §1589, sub-§1, as enacted by PL 1993, c. 476, §2, is repealed and the following enacted in its place:

1. Carry-forward and transfer authorized.

The funds from the following accounts must be carried forward each fiscal year to be transferred and used as follows.

A. At the end of each fiscal year, 30% of the available balances remaining in each General Fund account after the deduction of all expenditures, encumbrances, commitments or outstanding payment obligations that would otherwise lapse by law, must be carried forward each fiscal year to be transferred and used as provided for in subsections 2 to 5, except that at no time may the amount available from General Fund available balances exceed \$2,500,000 in the aggregate.

B. At the end of each fiscal year, 30% of the available balances remaining in each Highway Fund account after the deduction of all expenditures, encumbrances, commitments or outstanding payment obligations that would otherwise lapse by law, must be carried forward each fiscal year to be transferred and used as provided for in subsections 2 to 5, except that at no time may the amount available from Highway Fund available balances exceed \$500,000 in the aggregate.

C. Notwithstanding any other provision of law, upon the approval of the department or agency

head, non-General Fund and non-Highway Fund accounts may contribute resources on an allocated basis to an administrative account for the support of departmentwide or agencywide total quality management efforts.

Sec. BB-3. 5 MRSA §1589, sub-§§2-A and 2-B are enacted to read:

2-A. Nonlapsing. Any unencumbered balances transferred to carry out the purposes of this section do not lapse, but must be carried forward for continued use in accordance with subsections 3 to 5.

2-B. Interdepartmental transfers authorized. Notwithstanding section 1585, the transfer of funds between a statewide account and a departmentwide account within the same fund is authorized to carry out proposals in accordance with subsections 3 to 5.

Sec. BB-4. 5 MRSA §1589, sub-§3, as enacted by PL 1993, c. 476, §2, is amended to read:

3. Total quality management initiatives. Available Except as provided in subsection 3-C, available balances transferred into each departmentwide and statewide account in accordance with subsection 2 must be used for the payment of nonrecurring expenditures representing total quality management initiatives in the same department or agency or on a statewide basis, respectively.

Sec. BB-5. 5 MRSA §1589, sub-§§3-A, 3-B and 3-C are enacted to read:

3-A. Office of State Quality Management General Fund account established. There is established in the Executive Department a General Fund account entitled Office of State Quality Management to receive and expend funds in accordance with subsection 3-C and chapter 523.

3-B. General Fund positions; legislative count established. There is established in the Office of State Quality Management General Fund account in the Executive Department 2 legislative count positions to provide for the establishment of 2 full-time, permanent positions authorized by section 20094. There is established in the Human Resources General Fund account in the Department of Administrative and Financial Services 2 legislative count positions to provide for the establishment of 2 full-time, permanent training positions for total quality management training and coordination.

3-C. Transfer of funds authorized. Notwithstanding any other provision of law, funds may be transferred in each fiscal year from the Statewide - Total Quality Management General Fund account in the Department of Administrative and Financial Services to the Office of State Quality Management

General Fund account in the Executive Department established in subsection 3-A and the Human Resources General Fund account in the Department of Administrative and Financial Services to be allotted by financial order upon the approval of the Governor for the personal services, all other and capital expenditures requirements for 2 positions in the Office of State Quality Management authorized by section 20094 and 2 training positions in the Bureau of Human Resources to be established for total quality management training and coordination.

Sec. BB-6. 5 MRSA §1589, sub-§7, as enacted by PL 1993, c. 476, §2 is repealed.

Sec. BB-7. 5 MRSA c. 523 is enacted to read:

CHAPTER 523

OFFICE OF STATE QUALITY MANAGEMENT

§20090. Office established; purpose

The Office of State Quality Management is established within the Executive Department. The office is directly responsible to the Governor and, through the Governor, provides direction and leadership to the Maine Quality Management Council and departmental total quality management councils.

§20091. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Departmental total quality management council. "Departmental total quality management council" means the quality management council specific to each department that is composed of managers of the department, union representatives and state employees of the department.

2. Maine Quality Management Council. "Maine Quality Management Council" means the Maine Quality Management Council as established by section 12004-I, subsection 77-A and having membership as defined by section 49.

3. Office. "Office" means the Office of State Quality Management.

4. Process action team. "Process action team" means an action team that is established to study and make recommendations on a state government process or service that has been selected by a departmental total quality management council or subcouncil for improvement. The process action team is composed of a subset of employees from the same or different

departments who are knowledgeable of the process or service under review.

5. Total quality management. "Total quality management" means the process chosen by State Government for motivating employees at all levels of the organization to volunteer their individual expertise and skills for the improvement of state government programs and services.

§20092. Implementation and administration.

Each department and agency in State Government shall establish a departmental total quality management council. The departmental total quality management council shall name a 2nd associate member to the Maine Quality Management Council. The 2nd associate member must be a classified service employee of the department. One of the associate members shall serve as the total quality management coordinator for the department or agency.

§20093. Powers and duties

The office shall:

1. State Government. Establish, in joint cooperation with the Maine Quality Management Council, the statewide plans, policies, objectives and priorities for total quality management in State Government;

2. Coordination. Oversee the statewide implementation of total quality management programs and coordinate total quality management programs of the individual departments and agencies;

3. Training programs. Work with the State Development and Training Division of the Bureau of Human Resources to orient and train state employees in total quality management and to develop the team building skills needed to ensure the success of total quality management efforts; and

4. Reports. By January 15th of each year, report to the Legislature on the total quality management accomplishments of the past year's programs, the progress towards obtaining the goals and objectives of its total quality management plans and other pertinent information.

§20094. Executive director; administrative assistant

The Governor shall appoint an executive director of the office. The executive director shall serve at the Governor's pleasure. The executive director must be qualified by training and experience in the techniques and purpose of total quality management. The executive director shall exercise the powers of the office and is responsible for the execution of its functions.

The executive director may appoint an administrative assistant. The administrative assistant must be appointed and salaried in accordance with the Civil Service Law and rules.

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

1993-94

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Departments and Agencies - Departmental Total Quality Management Accounts

All Other (\$500,000)

Provides for the deappropriation of funds from a reduction of available total quality management balances. The Maine Quality Management Council will make a recommendation to the State Budget Officer that will equitably distribute the necessary savings no later than May 31, 1994. The State Budget Officer shall calculate the amounts that apply against the General Fund accounts established in the Maine Revised Statutes, Title 5, section 1589, subsection 2 based on the recommendations of the Maine Quality Management Council. Notwithstanding Title 5, section 1585, or any other provision of law, the State Budget Officer shall cause the calculated amount to be transferred from each account referred to in this paragraph by financial order.

PART CC

Sec. CC-1. 20-A MRSA c. 431-A is enacted to read:

CHAPTER 431-AMAINE QUALITY CENTERS§12725. Establishment

There are established, under the Maine Technical College System, the Maine Quality Centers, in this chapter referred to as the "centers." The mission of the centers is to meet the workforce education and training needs of new and expanding businesses in the State and provide new employment and career advancement opportunities for Maine people. The centers shall fulfill their mission by working in close coordination with state and regional economic development agencies.

§12726. Purpose

The primary purposes of the Maine Quality Centers are as follows:

1. Job creation. To encourage and facilitate the creation of new jobs in the State by offering customized education and training programs at the technical colleges free of charge to businesses that are seeking to create new jobs in the State. The eligibility criteria for free customized education and training programs and other policies and terms governing the centers are established by the Maine Technical College System Board of Trustees;

2. Workforce preparation. To offer education and training opportunities for unemployed Maine people to allow them to prepare for future jobs in new or expanding businesses in the State, and for underemployed Maine people seeking to upgrade their education, skills and credentials in order to facilitate career advancement and enhance job security; and

3. Partnerships. To establish and maintain long-term partnerships with prospective and established businesses with the goal of creating and maintaining a skilled, adaptable and competitive workforce.

§12727. Maine Quality Centers

1. State and regional delivery. The centers are located at the Maine Technical College System Office and the technical colleges. Staff of the centers shall work in close coordination with the Department of Economic and Community Development, the Office of the Governor and other state and local education and economic development agencies.

2. Recruitment and screening. Recruitment of trainees and preliminary screening and testing for programs developed through the centers must be conducted by the technical colleges in conjunction with the Maine Job Service, state job training providers, human service offices and other referring agencies.

3. Eligibility for enrollment. To be considered eligible for programs developed under this chapter, applicants must meet technical college and program admissions standards. Students who have enrolled in such programs must maintain satisfactory academic performance and meet all requirements in order to continue enrollment in the program.

4. Cost to trainees. Education and training programs developed through the centers must be offered to trainees free of charge.

5. Certification of competencies. Upon completion of a program, trainees are issued certification from the technical college providing the training that delineates the education or skill competencies obtained through the program.

6. Training guarantee. If the employer of the trainee finds that the trainee fails to meet any of the competencies listed on the certification, the technical college providing the training must retrain the employee at no cost to the employer or trainee.

7. Placement of trainees. Placement of trainees in jobs with the employer for which a program has been provided is not guaranteed. Final determination of hire rests with the employer.

§12728. Coordination with education providers

If an education or training requirement can not be delivered directly by a technical college, staff of the centers shall work with other education and training providers to develop and deliver the program.

§12729. Report

The President of the Maine Technical College System shall provide to the joint standing committee of the Legislature having jurisdiction over economic development matters an annual report that must include the following for each business assisted under this chapter: the name and location of the business; the number of employees trained or retrained; the dollar amount expended; and, where applicable, the number of new jobs created.

Sec. CC-2. Transfer to Maine Quality Centers program. Notwithstanding any other provision of law, after the State Controller officially closes the financial accounts of the State for the fiscal year ending June 30, 1994, an amount not to exceed

\$2,600,000 must be transferred to the Maine Technical College System, Maine Quality Centers program from the available balance remaining in the General Fund after the deduction of all appropriations, financial commitments or other designated funds to be made available by financial order upon the recommendation of the State Budget Officer and approval of the Governor.

PART DD

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

	1993-94	1994-95
EDUCATION, DEPARTMENT OF		
General Purpose Aid for Local Schools		
All Other	\$111,830	(\$111,830)
Provides funds in fiscal year 1993-94 to offset a deappropriation in Part A, section 1 and deappropriates funds in fiscal year 1994-95 by decreasing payments to School Administrative District #61 to reflect the district's share of accumulated interest payable on employer retirement costs.		

PART EE

Sec. EE-1. 12 MRSA §4652, first ¶, as amended by PL 1975, c. 771, §154, is further amended to read:

In pursuance of Article III of ~~said the~~ compact there ~~shall be~~ are 3 members, ~~hereinafter in this subchapter~~ called "commissioners" of the Atlantic States Marine Fisheries Commission, ~~hereinafter in this subchapter~~ called "commission" from the State of Maine. The first commissioner from the State of Maine ~~shall must~~ be the Commissioner of Marine Resources of the State of Maine ex officio, and the term of any such ex officio commissioner ~~shall must~~ terminate at the time ~~he that commissioner~~ ceases to hold ~~said the~~ office of Commissioner of Marine Resources and ~~his that commissioner's~~ successor as commissioner ~~shall must~~ be ~~his that commissioner's~~ successor as Commissioner of Marine Resources. The 2nd commissioner from the State of Maine ~~shall must~~ be a Legislator ~~and member of the Maine Commission on Interstate Cooperation~~ ex officio, designated

~~by said Maine Commission on Interstate Cooperation, and the term of any such ex officio commissioner shall terminate at the time he ceases to hold said legislative office or said office as commissioner on interstate cooperation, and his successor as commissioner shall be named in like manner appointed jointly by the President of the Senate and the Speaker of the House of Representatives. The Legislator appointed as the 2nd commissioner serves until the end of the term of the Legislature in which that person was appointed or until replaced by the President of the Senate and the Speaker of the House of Representatives. The Governor shall appoint a citizen as a 3rd commissioner who shall must have a knowledge of and interest in the marine fisheries problem. The term of said that commissioner shall be is 3 years and he shall hold that commissioner holds office until his a successor shall be is appointed and qualified. Vacancies occurring in the office of such that commissioner from for any reason or cause shall must be filled by appointment by the Governor for the unexpired term. The Commissioner of Marine Resources as ex officio commissioner may delegate, from time to time, to any deputy or other subordinate in his that commissioner's department or office the power to be present and participate, including voting as his that commissioner's representative or substitute at any meeting of or hearing by or other proceeding of the commission. The terms of each of the initial 3 members shall begin at the date of the appointment of the appointive commissioner, provided the said compact shall must then have gone into effect in accordance with Article II of the compact; otherwise they shall the terms begin upon the date upon which said the compact shall become becomes effective in accordance with said Article II.~~

PART FF

Sec. FF-1. 3 MRSA §162-A, sub-§2, as repealed and replaced by PL 1987, c. 349, Pt. K, §1, is repealed.

PART GG

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

1994-95

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Land Quality Control

Positions (4.0)

Personal Services	\$164,359
All Other	55,000
TOTAL	\$219,359

Provides for the appropriation of funds for 2 Environmental Specialist II positions and 2 Environmental Specialist III positions and general operating expenses.

Water Quality Control

Positions	(2.0)
Personal Services	78,402
All Other	2,239
TOTAL	80,641

Provides for the appropriation of funds for one Environmental Specialist II position and one Environmental Specialist III position and general operating expenses.

Land Quality Control

Positions	(-1.0)
Personal Services	(35,619)

Provides for the deappropriation of funds to offset an appropriation in Part A, section 1.

Water Quality Control

Positions	(-5.0)
Personal Services	(213,260)
All Other	(51,121)
TOTAL	(264,381)

Provides for the deappropriation of funds to offset an appropriation in Part A, section 1.

DEPARTMENT OF ENVIRONMENTAL PROTECTION TOTAL

-0-

PART HH

Sec. HH-1. Construction audit recoveries; General Purpose Aid for Local Schools; lapsed balances. Notwithstanding any other provision of law, in fiscal year 1993-94, \$169,000 in the General Purpose Aid for Local Schools account lapses to the General Fund as a result of construction audit recoveries.

Sec. HH-2. Preschool handicapped children; General Purpose Aid for Local Schools. Notwithstanding any other provision of law, the Commissioner of Education is authorized to spend fiscal year 1993-94 audit recoveries in school construction aid or any unobligated balances in fiscal year 1993-94 General Purpose Aid for Local Schools, up to the amount of \$125,000, to meet the needs of preschool handicapped children in the Child Development Services program.

Sec. HH-3. Teacher aide position; health and safety issues; General Purpose Aid for Local Schools. Notwithstanding any other provision of law, the Commissioner of Education is authorized to spend fiscal year 1993-94 audit recoveries in school construction aid or any unobligated balances in fiscal year 1993-94 General Purpose Aid for Local Schools, up to the amount of \$11,000, to upgrade a teacher aide position pursuant to an arbitration decision and up to the amount of \$34,000 to fund health and safety needs at the Baxter School for the Deaf.

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

	1993-94	1994-95
EDUCATION, DEPARTMENT OF Preschool Handicapped		
All Other	\$169,000	
Provides funds for federally mandated services to 220 newly identified eligible preschool handicapped children.		

General Purpose Aid for Local Schools

All Other \$3,000,000
 Provides additional funds for General Purpose Aid for Local Schools.

DEPARTMENT OF EDUCATION TOTAL

169,000 3,000,000

HUMAN SERVICES, DEPARTMENT OF

General Assistance

All Other (250,000) (100,000)
 Provides for the deappropriation of additional funds due to the availability of funds from the Stripper Well Fund to support energy-related costs.

State Supplement to Federal Supplemental Security Income

All Other (60,000)
 Provides for the deappropriation of funds no longer required.

DEPARTMENT OF HUMAN SERVICES TOTAL

(160,000)

LEGISLATURE

Legislature - Departmentwide

All Other (300,000)
 Provides for the deappropriation of funds from the Legislature. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, the deappropriation must be distributed, by financial order, among the various programs by the Executive Director of the Legislative Council based on the recommendation of the Legislative Council.

LEGISLATURE TOTAL

(300,000)

SECRETARY OF STATE, DEPARTMENT OF THE

Elections and Commissions

All Other (109,000)
 Provides for the deappropriation of funds to offset and appropriation in Part A, section 1.

DEPARTMENT OF THE SECRETARY OF STATE TOTAL

(109,000)

TOTAL APPROPRIATIONS, SECTION HH-4

(\$190,000) \$2,540,000

Sec. HH-5. Allocation. The following funds are allocated from Other Special Revenue to carry out the purposes of this Part.

1993-94 1994-95

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Public Improvements - Planning - Construction - Administration

All Other (\$250,000)
 Provides for the deallocation of available funds from the Stripper Well Fund.

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES TOTAL

(250,000)

HUMAN SERVICES, DEPARTMENT OF

General Assistance

All Other 250,000 \$100,000
 Provides for the allocation of additional funds from the Stripper Well Fund to support energy-related costs.

DEPARTMENT OF HUMAN SERVICES TOTAL

\$250,000 100,000

TOTAL ALLOCATIONS, SECTION HH-5

\$-0- \$100,000

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

Effective April 15, 1994, unless otherwise indicated.

CHAPTER 708

H.P. 1431 - L.D. 1956

An Act to Revise the Laws of Maine to Incorporate the Office of Rehabilitation Services within the Department of Education

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 will become due and payable on or before July 1, 1994; and

Whereas, it is essential that services to people who are clients of the Office of Rehabilitation Services continue uninterrupted; 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. 20-A MRSA c. 701 is enacted to read:

CHAPTER 701

REHABILITATION ACT

§18001. Short title

This chapter may be known and cited as the "Rehabilitation Act."

§18002. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Community rehabilitation program. "Community rehabilitation program" means a facility

operated for the primary purpose of providing rehabilitation services to or gainful employment for people with disabilities, or evaluation and vocational services for disadvantaged individuals, that provides one or more of the following services for people with disabilities:

A. Comprehensive rehabilitation services, which must include under one management medical, psychological, social and vocational services;

B. Testing, fitting or training in the use of prosthetic or orthotic devices;

C. Prevocational conditioning or recreational therapy;

D. Physical and occupational therapy;

E. Speech and hearing therapy;

F. Psychological and social services;

G. Vocational evaluation;

H. Personal and work adjustment;

I. Vocational training, in combination with other rehabilitation services;

J. Placement;

K. Transitional and supported employment; and

L. Extended employment for people with severe disabilities who can not be readily absorbed in the competitive labor market.

2. Disadvantaged individuals. "Disadvantaged individuals" means:

A. Persons with disabilities as defined in this section;

B. Individuals disadvantaged by reason of youth or advanced age, low educational attainments, ethnic or cultural factors, prison or delinquency records or other conditions; and

C. Other members of their families when the provision of rehabilitation services to family members is necessary for the rehabilitation of individuals described in paragraph A or B.

3. Evaluation and vocational services. "Evaluation and vocational services" includes, as appropriate in each case, such services as:

A. A preliminary diagnostic study to determine that the individual is disadvantaged or has a disability-related barrier to employment and that services are needed;