

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINETEENTH LEGISLATURE

FIRST REGULAR SESSION
December 2, 1998 to June 19, 1999

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 18, 1999

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
1999

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

Sec. 1. 22 MRSA §1711-C, sub-§9, ¶A, as enacted by PL 1997, c. 793, Pt. A, §8 and affected by §10, is amended to read:

A. The health care practitioner or facility provided a copy of the original health care record to the 3rd party on or after ~~January~~ October 1, 1999;

Sec. 2. 22 MRSA §1711-C, sub-§16, as enacted by PL 1997, c. 793, Pt. A, §8 and affected by §10, is amended to read:

16. Application. This section applies to all requests and directives to disclose health care information issued or received on or after ~~January~~ October 1, 1999 and to all authorizations to disclose health care information executed on or after ~~January~~ October 1, 1999.

Sec. 3. PL 1997, c. 793, Pt. A, §10 is amended to read:

Sec. A-10. Effective date. This Part takes effect ~~January~~ October 1, 1999 with the exception of section 9 of this Part, which takes effect August 1, 1998.

Sec. 4. PL 1997, c. 793, Pt. B, §6 is amended to read:

Sec. B-6. Effective date. This Part takes effect ~~January~~ October 1, 1999.

Sec. 5. Retroactivity. This Act applies retroactively to January 1, 1999.

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

Effective January 14, 1999.

CHAPTER 4

H.P. 36 - L.D. 50

An Act to Make Appropriations and Allocations for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 1999

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 prior to July 1, 1999; 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 year ending June 30, 1999, to the departments listed, the following sums.

1998-99

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Office of the Commissioner - Administrative and Financial Services

Personal Services	\$1,576
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Provides for the appropriation of funds to correct the omission of 2 longevity payments from Public Law 1997, chapter 24, Part A, as a transfer from the Bureau of Revenue Services program.

Accounts and Control - Bureau of

Personal Services	(70,000)
All Other	70,000

TOTAL	0
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Provides for the appropriation of funds through the use of salary savings to fund the continuation of a consulting contract that is necessary to assist the bureau with its ongoing GAAP conversion efforts.

Budget - Bureau of the

All Other 2,430,000

Provides for the appropriation of funds for the development of a replacement budget management system.

Provides for the appropriation of funds that will enable the completion of the renovation of the Oak Grove Campus for the Maine Criminal Justice Academy.

Buildings and Grounds Operations

All Other 125,000

Provides for the appropriation of funds for continuing operations at the Pineland Center as a transfer from the Capital Construction - Repairs - Improvements - Administrative program.

Financial and Personnel Services - Division of

All Other 205,000

Provides for the appropriation of funds to be transferred to the Risk Management Internal Service Fund to replenish the fund for liability claims payments.

Capital Construction - Repairs - Improvements - Administrative

All Other (125,000)

Provides for the deappropriation of funds through a transfer to the Buildings and Grounds Operations program to fund continuing operations at the Pineland Center.

Personal Property Tax Reform

All Other 6,400,000

Provides for the appropriation of funds for the payment of claims under the program.

Capital Construction - Repairs - Improvements - Renovate St Facilities

All Other 1,200,826
Capital Expenditures 98,800

TOTAL 1,299,626

Provides for the appropriation of funds for temporary costs, leases, telecommunications costs, equipment and other costs of relocation and moving as an accelerated schedule of securing space and agency moves.

Public Improvements - Division of Safety and Environmental Services

Personal Services 254

Provides for the appropriation of funds to fund longevity payments as a transfer from the Bureau of Revenue Services program.

Bureau of General Services - Capital Construction and Improvement Reserve Fund

Capital Expenditures 700,000

Purchases - Division of

Personal Services 9,376

Provides for the appropriation of funds to support the filling of a position at a higher pay step than budgeted and to meet the costs of unavoidable overtime as a transfer from the Bureau of Revenue Services program.

Revenue Services - Bureau of

Personal Services (11,206)

Provides for the deappropriation of funds from salary savings to support

Personal Services needs in other General Fund accounts within the department.

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES TOTAL

11,034,626

AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF

Division of Animal Health and Industry

Personal Services 11,924

Provides for the appropriation of funds through the transfer of salary savings from the Harness Racing Commission program to self-fund Personal Services needs.

Harness Racing Commission

Personal Services (13,610)

Provides for the deappropriation of funds through the transfer of salary savings to the Division of Animal Health and Industry program, General Fund and Office of Planning, Policy, Legislation and Information Services program, General Fund to self-fund Personal Services needs.

Division of Plant Industry

All Other 150,000

Provides for the one-time appropriation of funds for the continued operation of the seed potato certification program until instituted changes ensure the long-term viability of the program.

Office of Planning, Policy, Legislation and Information Services

All Other 53,100

Provides for the appropriation of funds to support the centralized Licensing Service Center to provide seamless, automated licensing services to the public that are Internet-accessible.

Office of Planning, Policy, Legislation and Information Services

Personal Services 1,686

Provides for the appropriation of funds through the transfer of salary savings from the Harness Racing Commission program to self-fund Personal Services needs.

DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES TOTAL

203,100

CORRECTIONS, DEPARTMENT OF

Community Based Corrections

All Other 690,155

Provides for the appropriation of funds to fully reimburse counties for the reimbursable amount due under the laws governing community corrections. These funds must be distributed according to the fiscal year 1997-98 reimbursement formula in which 15% must be used to support juvenile diversion programs.

DEPARTMENT OF CORRECTIONS TOTAL

690,155

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

Disaster Assistance

All Other 1,436,269

<p>Provides for the appropriation of funds to match the federal 75% share of disaster assistance funding regarding the ice storm of 1998 and for claims pending from other declared disasters.</p>		<p>appropriate public education to eligible children ages 3 to 5.</p>	
<p>DEPARTMENT OF DEFENSE, VETERANS AND EMERGENCY MANAGEMENT</p>		<p>DEPARTMENT OF EDUCATION</p>	
<p>TOTAL</p>	<hr/> <p>1,436,269</p>	<p>TOTAL</p>	<hr/> <p>2,315,880</p>
<p>ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF</p>		<p>ENVIRONMENTAL PROTECTION, DEPARTMENT OF</p>	
<p>Administration - Economic and Community Development</p>		<p>Administration - Environmental Protection</p>	
<p>All Other</p>	<p>275,000</p>	<p>All Other</p>	<p>7,644</p>
<p>Provides for the appropriation of state matching funds for a grant to the Maine Extension Partnership to assist Maine businesses in becoming year 2000 compliant.</p>		<p>Provides for the appropriation of funds for Maine's share of support for joint environmental task force work of the New England Governors' Association and the Secretariat of the Premiers of the Eastern Canadian Provinces.</p>	
<p>DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT</p>		<p>DEPARTMENT OF ENVIRONMENTAL PROTECTION</p>	
<p>TOTAL</p>	<hr/> <p>275,000</p>	<p>TOTAL</p>	<hr/> <p>7,644</p>
<p>EDUCATION, DEPARTMENT OF</p>		<p>GOVERNMENTAL ETHICS AND ELECTION PRACTICES, COMMISSION ON</p>	
<p>General Purpose Aid For Local Schools</p>		<p>Governmental Ethics and Election Practices - Commission on</p>	
<p>All Other</p>	<p>1,515,880</p>	<p>Positions - Legislative Count</p>	<p>(-1,000)</p>
<p>Provides for the appropriation of funds to reimburse the fiscal year 1998-99 General Purpose Aid for payment of unpaid State Ward-State Agency Client bills from fiscal year 1997-98.</p>		<p>Personal Services</p>	<p>(7,865)</p>
<p>Preschool Handicapped</p>		<p>Provides for the deappropriation of funds through the transfer of one Lobbyist Registrar position to the Other Special Revenue account.</p>	
<p>All Other</p>	<p>800,000</p>	<p>Governmental Ethics and Election Practices - Commission on</p>	
<p>Provides for the appropriation of funds to ensure the provision of free and</p>		<p>Positions - Legislative Count</p>	<p>(1,000)</p>
		<p>Personal Services</p>	<p>6,129</p>
		<p>Provides for the appropriation of funds for the transfer of one Clerk Typist III position from Other Special Revenue.</p>	

**COMMISSION ON
GOVERNMENTAL ETHICS
AND ELECTION PRACTICES
TOTAL**

(1,736)

**HUMAN SERVICES,
DEPARTMENT OF**

Office of Management and Budget

All Other

22,365

Provides for the appropriation of funds to cover the costs of the food stamp adjustment due to the shift of common costs from TANF to food stamps based on changes in charges to programs from primary to benefiting.

Bureau of Family Independence - Central

All Other

111,293

Provides for the appropriation of funds to cover the cost of the food stamp adjustment due to the shift of common costs from TANF to food stamps based on changes in charges to programs from primary to benefiting.

Bureau of Family Independence - Regional

All Other

197,910

Provides for the appropriation of funds to cover the cost of the food stamp adjustment due to the shift of common costs from TANF to food stamps based on changes in charges to programs from primary to benefiting.

Medical Care - Payments to Providers

All Other

16,546,190

Provides for the appropriation of funds based on an estimated shortfall from expenditure

projections for fiscal year 1998-99.

Medical Care - Payments to Providers

All Other

3,721,416

Provides for the appropriation of funds for the Jackson Brook Institute settlement.

Medical Care - Payments to Providers

All Other

(295,946)

Provides for the deappropriation of funds to transfer to the Augusta Mental Health Institute and Bangor Mental Health Institute to pay for final gross patient services revenue limit for fiscal year 1996-97.

Bureau of Medical Services

All Other

2,145,268

Provides for the appropriation of funds to meet outstanding contractual obligations including health benefit advisor, redesign of the Maine Medicaid Information System, year 2000 compliance, drug processing fees to pharmacies and ongoing research and development contracts with the University of Maine.

Nursing Facilities

All Other

(8,435,548)

Provides for the deappropriation of funds based on an estimated balance from expenditure projections for fiscal year 1998-99.

OMB Operations - Regional

All Other

117,682

Provides for the appropriation of funds to cover the cost of the food stamp adjustment due

to the shift of common costs from TANF to food stamps based on changes in charges to programs from primary to benefiting.

order to reflect headcount in the appropriate program.

Medical Care - Payments to Providers

All Other (82,357)

Provides for the deappropriation of funds through a transfer to the Department of Mental Health, Mental Retardation and Substance Abuse Services for the purpose of utilization review of the gatekeeping system for children's services.

Administration - Mental Health and Mental Retardation

Personal Services (105,724)

Provides for the deappropriation of funds from salary savings to cover a Personal Services shortfall in the Aroostook Residential Center and Freeport Towne Square programs.

DEPARTMENT OF HUMAN SERVICES

TOTAL 14,048,273

Aroostook Residential Center

Personal Services 32,773

Provides for the appropriation of funds for unbudgeted overtime through the transfer of Personal Services salary savings from the Administration - Mental Health and Mental Retardation program.

JUDICIAL DEPARTMENT

Courts - Supreme, Superior, District and Administrative

All Other 857,000

Provides for the appropriation of funds to cover costs for the increase in indigent defense legal services, security costs and payment of bond fees.

Disproportionate Share - Augusta Mental Health Institute

Personal Services 25,118
Capital Expenditures (25,118)

TOTAL 0

JUDICIAL DEPARTMENT

TOTAL 857,000

Provides for the appropriation of funds through a transfer from Capital Expenditures for unbudgeted overtime from the unexpended balances from fiscal year 1997-98.

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

Administration - Mental Health and Mental Retardation

Positions - Legislative Count (1,000)
Personal Services 14,747

Provides for the appropriation of funds through the transfer of one Social Service Program Manager position from the Office of Substance Abuse in

Disproportionate Share - Augusta Mental Health Institute

All Other 187,989

Provides for the appropriation of funds to provide state seed money to pay for the final gross patient services revenue limit for fiscal year 1996-97.

Disproportionate Share - Bangor Mental Health Institute

All Other 107,957

Provides for the appropriation of funds to provide state seed money to pay for the final gross patient services limit for fiscal year 1996-97.

headcount in the appropriate program.

Freeport Towne Square

Personal Services 72,951

Provides for the appropriation of funds for unbudgeted overtime through the transfer of Personal Services salary savings from the Administration - Mental Health and Mental Retardation program.

Administration - Mental Health, Mental Retardation and Substance Abuse Services

Personal Services (50,000)

Provides for the deappropriation of funds from salary savings to cover a Personal Services shortfall in the Disproportionate Share - Augusta Mental Health Institute program.

Medicaid Services - Mental Retardation

All Other 682,169

Provides for the appropriation of funds through a transfer from the Mental Retardation Services - Community program in order to reflect expenditures in the correct account.

Disproportionate Share - Augusta Mental Health Institute

Personal Services 267,171

Provides for the appropriation of funds through a transfer from Personal Services from various programs to cover unbudgeted overtime.

Mental Retardation Services - Community

All Other (682,169)

Provides for the deappropriation of funds through a transfer to the Medicaid Services - Mental Retardation program in order to reflect expenditures in the correct account.

Mental Health Services - Children

Personal Services (67,171)

Provides for the deappropriation of funds from salary savings to cover a Personal Services shortfall in the Disproportionate Share - Augusta Mental Health Institute program.

Mental Health Services - Children

Personal Services 72,357
All Other 10,000

Office of Substance Abuse

Positions - Legislative Count (-1,000)
Personal Services (14,747)

Provides for the deappropriation of funds through a transfer of one Social Service Program Manager position to the Administration - Mental Health and Mental Retardation program in order to reflect

TOTAL 82,357

Provides for the appropriation of funds to establish one limited-period Psychologist II position, one limited-period Data Control Specialist position and 3 limited-period Nurse III positions in order to provide utilization review of the gatekeeping system for children's services. Authorization for these

positions ends on June 16, 2001 unless extended through legislative approval.

Maine Revised Statutes, Title 5, section 1517.

Mental Health Services - Community

Personal Services (150,000)

Provides for the deappropriation of funds from salary savings to cover a Personal Services shortfall in the Disproportionate Share - Augusta Mental Health Institute program.

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

378,303

PUBLIC SAFETY, DEPARTMENT OF

Administration - Public Safety

All Other 125,000

Provides for the appropriation of funds for technology costs.

Drug Enforcement Agency

All Other 402,761

Provides for the appropriation of funds necessary to ensure the proper operations of the Maine Drug Enforcement Agency due to the reduced revenue from forfeitures.

DEPARTMENT OF PUBLIC SAFETY
TOTAL

527,761

MAINE STATE RETIREMENT SYSTEM, BOARD OF TRUSTEES OF THE

Retirement System - Retirement Allowance Fund

All Other 1,000,000

Provides for the appropriation of funds in accordance with the

BOARD OF TRUSTEES OF THE MAINE STATE RETIREMENT SYSTEM

TOTAL 1,000,000

SECTION

TOTAL APPROPRIATIONS 32,772,275

Sec. A-2. Allocation. The following funds are allocated from the Federal Expenditures Fund for the fiscal year ending June 30, 1999 to carry out the purposes of this Part.

1998-99

AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF

Pesticides Control - Board of

Personal Services 953
 All Other 8

TOTAL 961

Provides for the allocation of funds to reorganize one Planning and Research Associate I position to an Environmental Specialist III position to assist with compliance activities, groundwater plans and promoting integrated pest management and education.

Pesticides Control - Board of

Positions - Legislative Count (-1,000)
 Personal Services (14,682)
 All Other (125)

TOTAL (14,807)

Provides for deallocation of funds through the transfer of one Environmental Specialist IV position to the Board of Pesticides Control program, Other Special Revenue.

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

(13,846)

**HUMAN SERVICES,
DEPARTMENT OF**

Office of Management and Budget

All Other

(22,365)

Provides for the deallocation of funds due to the loss of federal share of food stamp common costs.

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

All Other

835,645

Provides for the allocation of funds for the cost of operation of Maine Automated Child Welfare Information System (MACWIS) program.

**Bureau of Family Independence -
Central**

All Other

(111,293)

Provides for the deallocation of funds due to the loss of federal share of food stamps common costs.

**Bureau of Family Independence -
Regional**

All Other

(197,910)

Provides for the deallocation of funds due to the loss of federal share of food stamps common costs.

**Medical Care - Payments to
Providers**

All Other

32,566,870

Provides for the allocation of federal matching funds based on an estimated shortfall from expenditure projections for state fiscal year 1998-99.

**Medical Care - Payments to
Providers**

All Other

7,354,227

Provides for the allocation of funds for the Jackson Brook Institute settlement.

Bureau of Medical Services

All Other

4,263,119

Provides for the allocation of federal matching funds to meet outstanding contractual obligations including health benefit advisor, redesign of the Maine Medicaid Information System, year 2000 compliance, drug processing fees to pharmacies and ongoing research and development contracts with the University of Maine.

Nursing Facilities

All Other

(16,603,182)

Provides for the deallocation of federal matching funds based on an estimated balance from expenditure projections for state fiscal year 1998-99.

OMB Operations - Regional

All Other

(117,682)

Provides for the deallocation of funds due to the loss of federal share of food stamps common costs.

Bureau of Health

All Other

100,000

Provides for the allocation of funds for development and implementation of a birth defects monitoring program.

Bureau of Medical Services

All Other

1,400,000

Provides for the allocation of federal matching funds to meet

outstanding contractual obligations including health benefit advisor, redesign of the Maine Medicaid Information System, year 2000 compliance, drug processing fees to pharmacies and ongoing research and development contracts with the University of Maine System.

DEPARTMENT OF HUMAN SERVICES	
TOTAL	29,467,429
SECTION	
TOTAL ALLOCATIONS	29,453,583

Sec. A-3. Allocation. The following funds are allocated from Other Special Revenue funds for the fiscal year ending June 30, 1999 to carry out the purposes of this Part.

1998-99

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Accounts and Control - Bureau of

All Other	10,000
Provides for the allocation of funds to establish the Audit Recovery account within the Bureau of Accounts and Control that will incur expenditures for contractual services and related administrative expenses and seek recovery of excess outlays by State Government, with the net proceeds of these recovered costs returned to the fund of origin.	

Accounts and Control - Bureau of - Systems Project

All Other	5,000
Provides for the allocation funds to pay for the cost of training sponsored by the Bureau of Accounts and Control.	

Public Improvements - Planning and Construction - Administration

Personal Services	3,783
Provides for the allocation of funds to correct an error in Public Law 1997, chapter 24, Part A.	

Revenue Services - Bureau of

Positions - Legislative Count	(24,000)
Personal Services	149,943
All Other	6,000
TOTAL	155,943

Provides for the allocation of funds for 3 Senior Tax Examiner positions, 16 Tax Examiner positions, 2 Clerk Typist III positions, 3 Clerk Typist II positions and related All Other expenses as a result of Maine Revenue Services ending its outsourcing strategy for desk audits in sales and income tax.

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES

AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF

Milk Commission

Personal Services	3,397
Provides for the allocation of funds to meet Personal Services needs due to a position costing more than was budgeted.	

Pesticides Control - Board of

Positions - Legislative Count	(1,000)
Personal Services	14,682
All Other	125
TOTAL	14,807

Provides for the allocation of funds for the transfer of one Environmental Specialist IV position from the Board of Pesticides Control program, Federal Expenditures Fund.

Division of Plant Industry

Personal Services 4,108

Provides for the allocation of funds to meet Personal Services needs due to a position costing more than was budgeted.

DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES
TOTAL

22,312

BAXTER STATE PARK AUTHORITY

Baxter State Park Authority

Positions - FTE Count (0.635)
Personal Services 18,696

Provides for the allocation of funds to increase by 240 hours each per year 4 seasonal Gate Keeper positions, to increase by 240 hours per year one seasonal Park Ranger position and to increase by 60 hours each per year 2 Campground Attendant positions.

BAXTER STATE PARK AUTHORITY
TOTAL

18,696

GOVERNMENTAL ETHICS AND ELECTION PRACTICES, COMMISSION ON

Governmental Ethics and Election Practices - Commission on

Positions - Legislative Count (1,000)
Personal Services 7,865

Provides for the allocation of funds for the transfer of one Lobbyist Registrar position from the General Fund.

Governmental Ethics and Election Practices - Commission on

Positions - Legislative Count (1,000)
Personal Services 8,799
All Other 4,031

TOTAL 12,830

Provides for the allocation of funds for one Auditor II position to implement the Maine Clean Election Act.

Governmental Ethics and Election Practices - Commission on

Positions - Legislative Count (-1,000)
Personal Services (6,129)

Provides for the deallocation of funds through the transfer of one Clerk Typist III position to the General Fund.

COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES
TOTAL

14,566

HUMAN SERVICES, DEPARTMENT OF

Bureau of Child and Family Services - Central

All Other 52,939

Provides for the allocation of funds for support of the Maine Automated Child Welfare Information System (MACWIS) case management system.

Bureau of Medical Services

All Other 1,400,000

Provides for the allocation of funds to meet outstanding contractual obligations including health benefit advisor, redesign of the Maine Medicaid Information System, year 2000 compliance, drug processing fees to pharmacies and ongoing research and

development contracts with the University of Maine System. Funding is from one-time revenues from the recovery of federal funds.

DEPARTMENT OF HUMAN SERVICES
TOTAL 1,452,939

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

Augusta Mental Health Institute

Personal Services	49,438
Capital Expenditures	(49,438)
TOTAL	0

Provides for the allocation of funds in Personal Services through a transfer from Capital Expenditures for unbudgeted overtime.

Augusta Mental Health Institute

All Other	249,019
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Provides for the allocation of funds to pay the final gross patient services revenue limit for fiscal year 1996-97.

Bangor Mental Health Institute

All Other	156,738
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Provides for the allocation of funds to pay the final gross patient services revenue limit for fiscal year 1996-97.

Mental Health Services - Community

All Other	405,757
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Provides for the allocation of funds for consent decree purposes due to the impact of the final gross patient services revenue limit for fiscal 1996-97 for the Augusta Mental Health Institute and the

Bangor Mental Health Institute.

DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES
TOTAL 811,514

SECTION
TOTAL ALLOCATIONS 2,494,753

Sec. A-4. Allocation. The following funds are allocated from the Federal Block Grant Fund for the fiscal year ending June 30, 1999 to carry out the purposes of this Part.

1998-99

CORRECTIONS, DEPARTMENT OF Administration

Positions - Legislative Count	(3,000)
Personal Services	31,200
All Other	1,852,800
TOTAL	1,884,000

Provides for the allocation of funds to establish one Planning and Research Associate II position, one Training Coordinator position and one Clerk Typist II position and related All Other expenses including funding for technology and programming from the Juvenile Accountability Block Grant award.

DEPARTMENT OF CORRECTIONS
TOTAL 1,884,000

EDUCATION, DEPARTMENT OF Learning Systems

Personal Services	4,500
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Provides for the allocation of funds to meet a projected payroll shortfall resulting from a reduction for attrition, which

is not expected to be realized, and unbudgeted salary and benefit increases.

DEPARTMENT OF EDUCATION TOTAL

4,500

HUMAN SERVICES, DEPARTMENT OF

Child Care Services

All Other

757,827

Provides for the allocation of funds from the balance brought forward from fiscal year 1997-98 for contracts awarded for child care slots and from federally reallocated matching funds.

Community Services Block Grant

All Other

167,500

Provides for the allocation of funds from the balance brought forward from fiscal year 1997-98 to implement results-oriented management initiatives in community action programs.

Purchased Social Services

All Other

645,466

Provides for the allocation of funds from the balance brought forward from fiscal year 1997-98 to help maintain community services contract funding levels.

Community Services Block Grant

All Other

1,188,632

Provides for the allocation of funds based on federal grant award increases in fiscal year 1997-98 of \$572,877 and in fiscal year 1998-99 of \$615,755 in the Community Services Block Grant.

DEPARTMENT OF HUMAN SERVICES TOTAL

2,759,425

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

Mental Health Services - Children

All Other

35,590

Provides for the allocation of funds to provide community services to children with special needs.

Mental Retardation Services - Community

All Other

15,107

Provides for the allocation of funds to provide community services to individuals with mental retardation.

Office of Substance Abuse

All Other

900,000

Provides for the allocation of funds to provide substance abuse services in compliance with federal timelines.

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

950,697

SECTION

TOTAL ALLOCATIONS

5,598,622

Sec. A-5. Allocation. The following funds are allocated from the Alcoholic Beverage Fund for the fiscal year ending June 30, 1999 to carry out the purposes of this Part.

1998-99

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Alcoholic Beverages - General Operation

All Other	200,000
Provides for the allocation of funds for unexpected requirements related to lease payments for the Kittery Discount Store relocation, software requirements and additional expenses in state professional services.	
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES	
TOTAL	200,000
SECTION	
TOTAL ALLOCATIONS	\$200,000

PART B

Sec. B-1. Appropriation. There are appropriated from the General Fund for the fiscal year ending June 30, 1999, to the departments listed, the sums identified in the following, in order to provide funding for approved reclassifications and range changes.

	1998-99
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF	
Budget - Bureau of the	
Personal Services	\$2,706
Buildings and Grounds Operations	
Personal Services	4,828
Public Improvements - Division of Safety and Environmental Services	
Personal Services	8,568
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES	
TOTAL	16,102
AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF	

Division of Animal Health and Industry	
Personal Services	10,077
DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES	
TOTAL	10,077
ATLANTIC SALMON AUTHORITY	
Atlantic Salmon Authority	
Personal Services	2,086
ATLANTIC SALMON AUTHORITY	
TOTAL	2,086
CORRECTIONS, DEPARTMENT OF	
Administration - Corrections	
Personal Services	19,065
Correctional Center	
Personal Services	5,437
DEPARTMENT OF CORRECTIONS	
TOTAL	24,502
ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF	
Administration - Economic and Community Development	
Personal Services	6,650
Maine State Film Commission	
Personal Services	8,050
DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT	
TOTAL	14,700
EDUCATION, DEPARTMENT OF	
Leadership	

Personal Services	1,181	INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF	
Management Information Systems		Administrative Services - Inland Fisheries and Wildlife	
Personal Services	7,662	Personal Services	2,246
Support Systems		DEPARTMENT OF INLAND FISHERIES AND WILDLIFE	
Personal Services	2,795	TOTAL	<hr/> 2,246
DEPARTMENT OF EDUCATION		MARINE RESOURCES, DEPARTMENT OF	
TOTAL	<hr/> 11,638	Division of Administrative Services	
ENVIRONMENTAL PROTECTION, DEPARTMENT OF		Personal Services	14,314
Air Quality		Marine Patrol - Bureau of	
Personal Services	773	Personal Services	12,850
Land and Water Quality		DEPARTMENT OF MARINE RESOURCES	
Personal Services	14,858	TOTAL	<hr/> 27,164
DEPARTMENT OF ENVIRONMENTAL PROTECTION		MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES, DEPARTMENT OF	
TOTAL	<hr/> 15,631	Administration - Mental Health and Mental Retardation	
EXECUTIVE DEPARTMENT		Personal Services	2,165
Planning Office		Aroostook Residential Center	
Personal Services	1,873	Personal Services	5,059
EXECUTIVE DEPARTMENT		Elizabeth Levinson Center	
TOTAL	<hr/> 1,873	Personal Services	2,335
HUMAN SERVICES, DEPARTMENT OF		Mental Health Services - Children	
Office of Management and Budget		Personal Services	1,938
Personal Services	6,910	Office of Substance Abuse	
Bureau of Child and Family Services - Central		Personal Services	25,655
Personal Services	5,905	DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES	
Bureau of Family Independence - Central		TOTAL	<hr/> 37,152
Personal Services	7,343		
DEPARTMENT OF HUMAN SERVICES			
TOTAL	<hr/> 20,158		

**PUBLIC SAFETY,
DEPARTMENT OF**

Administration - Public Safety

Personal Services	7,650
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Criminal Justice Academy

Personal Services	1,630
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DEPARTMENT OF PUBLIC SAFETY

TOTAL	9,280
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SECTION

TOTAL APPROPRIATIONS	192,609
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Sec. B-2. Allocations; Highway Fund.
There are allocated from the Highway Fund for the fiscal year ending June 30, 1999, to the departments listed, the sums identified in the following, in order to provide funding for approved reclassifications and range changes.

1998-99

**PUBLIC SAFETY,
DEPARTMENT OF**

Administration - Public Safety

Personal Services	4,566
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State Police

Personal Services	2,442
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Traffic Safety

Personal Services	11,504
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DEPARTMENT OF PUBLIC SAFETY

TOTAL	18,512
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**SECRETARY OF STATE,
DEPARTMENT OF THE**

Administration - Motor Vehicles

Personal Services	5,572
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DEPARTMENT OF THE SECRETARY OF STATE

TOTAL	5,572
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**TRANSPORTATION,
DEPARTMENT OF**

Administration and Planning

Personal Services	20,106
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Bridge Maintenance

Personal Services	7,199
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Highway and Bridge Improvement

Personal Services	38,096
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Highway Maintenance

Personal Services	8,357
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Traffic Service

Personal Services	5,134
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DEPARTMENT OF TRANSPORTATION

TOTAL	78,892
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SECTION

TOTAL ALLOCATIONS	102,976
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Sec. B-3. Allocations; Federal Expenditures Fund. There are allocated from the Federal Expenditures Fund for the fiscal year ending June 30, 1999, to the departments listed, the sums identified in the following, in order to provide funding for approved reclassifications and range changes.

1998-99

**CONSERVATION,
DEPARTMENT OF**

Forest Policy and Management - Division of

Personal Services	2,002
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DEPARTMENT OF CONSERVATION

TOTAL	2,002
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**DEFENSE, VETERANS AND EMERGENCY MANAGEMENT,
DEPARTMENT OF**

Military Training and Operations

Personal Services	3,944
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DEPARTMENT OF DEFENSE, VETERANS AND EMERGENCY MANAGEMENT

TOTAL	3,944
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ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Remediation and Waste Management

Personal Services 4,269

Remediation and Waste Management

Personal Services 5,953

Remediation and Waste Management

Personal Services 1,779

DEPARTMENT OF ENVIRONMENTAL PROTECTION TOTAL

12,001

HUMAN SERVICES, DEPARTMENT OF

Office of Management and Budget

Personal Services 3,455

Bureau of Family Independence - Central

Personal Services 6,585

Health - Bureau of

Personal Services 11,215

Bureau of Medical Services

Personal Services 27,895

Office of Management and Budget Operations - Regional

Personal Services 8,675

DEPARTMENT OF HUMAN SERVICES TOTAL

57,825

PUBLIC SAFETY, DEPARTMENT OF

Highway Safety - Department of Public Safety

Personal Services 590

State Police

Personal Services 2,470

DEPARTMENT OF PUBLIC SAFETY TOTAL

3,060

SECTION

TOTAL ALLOCATIONS

78,832

Sec. B-4. Allocations; Other Special Revenue. There are allocated from Other Special Revenue funds for the fiscal year ending June 30, 1999, to the departments listed, the sums identified in the following, in order to provide funding for approved reclassifications and range changes.

1998-99

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Financial and Personnel Services - Division of

Personal Services 5,583

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES TOTAL

5,583

AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF

Division of Animal Health and Industry

Personal Services 10,077

All Other (10,077)

TOTAL 0

DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES TOTAL

0

BAXTER STATE PARK AUTHORITY

Baxter State Park Authority

Personal Services 2,058

BAXTER STATE PARK AUTHORITY TOTAL	2,058	EXECUTIVE DEPARTMENT TOTAL	3,445
CONSERVATION, DEPARTMENT OF		HUMAN SERVICES, DEPARTMENT OF	
Administrative Services - Conservation		Plumbing - Control Over	
Personal Services	1,577	Personal Services	4,990
Boating Facilities Fund		DEPARTMENT OF HUMAN SERVICES	
Personal Services	6,871	TOTAL	4,990
DEPARTMENT OF CONSERVATION TOTAL	8,448	MARINE RESOURCES, DEPARTMENT OF	
CORRECTIONS, DEPARTMENT OF		Division of Administrative Services	
Charleston Correctional Facility		Personal Services	2,649
Personal Services	4,271	Resource Management - Bureau of	
All Other	(4,271)	Personal Services	3,354
TOTAL	0	DEPARTMENT OF MARINE RESOURCES TOTAL	6,003
DEPARTMENT OF CORRECTIONS TOTAL	0	PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF	
ENVIRONMENTAL PROTECTION, DEPARTMENT OF		Administrative Services - Professional and Financial Regulation	
Maine Environmental Protection Fund		Personal Services	10,629
Personal Services	13,925	DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION TOTAL	10,629
Remediation and Waste Management		PUBLIC SAFETY, DEPARTMENT OF	
Personal Services	2,586	Criminal Justice Academy	
DEPARTMENT OF ENVIRONMENTAL PROTECTION TOTAL	16,511	Personal Services	2,470
EXECUTIVE DEPARTMENT		Emergency Services Communication Bureau	
Planning Office		Personal Services	2,536
Personal Services	3,445	Fire Marshal - Office of	

Personal Services	40,999
DEPARTMENT OF PUBLIC SAFETY	
TOTAL	46,005
SECTION	
TOTAL ALLOCATIONS	103,672

Sec. B-5. Allocations; Federal Block Grant Fund. There are allocated from the Federal Block Grant Fund for the fiscal year ending June 30, 1999, to the departments listed, the sums identified in the following, in order to provide funding for approved reclassifications and range changes.

	1998-99
HUMAN SERVICES, DEPARTMENT OF	
Health - Bureau of	
Personal Services	3,760
All Other	(3,760)
TOTAL	0
Hypertension Control	
Personal Services	1,715
All Other	(1,715)
TOTAL	0
Maternal and Child Health	
Personal Services	5,735
All Other	(5,735)
TOTAL	0
Risk Reduction	
Personal Services	5,465
All Other	(5,465)
TOTAL	0
DEPARTMENT OF HUMAN SERVICES	
TOTAL	0
SECTION	
TOTAL ALLOCATIONS	0

Sec. B-6. Allocations; Central Motor Pool. There are allocated from the Central Motor Pool fund for the fiscal year ending June 30, 1999, to

the departments listed, the sums identified in the following, in order to provide funding for approved reclassifications and range changes.

	1998-99
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF	
Central Motor Pool	
Personal Services	2,376
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES	
TOTAL	2,376
SECTION	
TOTAL ALLOCATIONS	\$2,376

PART C

Sec. C-1. Appropriation. There are appropriated from the General Fund for the fiscal year ending June 30, 1999, to the departments listed, the sums identified in the following, in order to provide funding for approved reclassifications and range changes.

	1998-99
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF	
Buildings and Grounds Operations	
All Other	(\$13,396)
Provides funds for approved reclassifications in this program and the Public Improvements - Division of Safety and Environmental Services program.	
Revenue Services - Bureau of	
All Other	(2,706)
Provides funds for an approved reclassification and a range change in the Bureau of the Budget program.	

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES		ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF	
TOTAL	(16,102)	Administration - Economic and Community Development	
AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF		Capital Expenditures	(6,650)
Division of Animal Health and Industry		Provides funds for an approved reclassification.	
All Other	(10,077)	Office of Tourism	
Provides funds for approved range changes.		All Other	(8,050)
DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES		Provides funds for approved range changes in the Maine State Film Commission program.	
TOTAL	(10,077)	DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT	
ATLANTIC SALMON AUTHORITY		TOTAL	(14,700)
Atlantic Salmon Authority		EDUCATION, DEPARTMENT OF	
All Other	(2,086)	Leadership	
Provides funds for an approved reclassification.		All Other	(1,181)
ATLANTIC SALMON AUTHORITY		Provides funds for an approved reclassification.	
TOTAL	(2,086)	Management Information Systems	
CORRECTIONS, DEPARTMENT OF		All Other	(7,662)
Office of Advocacy		Provides funds for an approved reclassification.	
Personal Services	(19,065)	Support Systems	
Provides funds for approved reclassifications from salary savings in this program for the Administration - Corrections program.		All Other	(2,795)
Correctional Center		Provides funds for an approved reclassification.	
All Other	(5,437)	DEPARTMENT OF EDUCATION	
Provides funds for an approved reclassification.		TOTAL	(11,638)
DEPARTMENT OF CORRECTIONS		ENVIRONMENTAL PROTECTION, DEPARTMENT OF	
TOTAL	(24,502)	Air Quality	

<p>All Other (773) Provides funds for an approved reclassification.</p> <p>Land and Water Quality</p> <p>All Other (14,858) Provides funds for approved reclassifications.</p> <p>DEPARTMENT OF ENVIRONMENTAL PROTECTION TOTAL (15,631)</p> <p>EXECUTIVE DEPARTMENT</p> <p>Planning Office</p> <p>All Other (1,873) Provides funds for an approved reclassification.</p> <p>EXECUTIVE DEPARTMENT TOTAL (1,873)</p> <p>HUMAN SERVICES, DEPARTMENT OF</p> <p>Office of Management and Budget</p> <p>All Other (6,910) Provides funds for an approved reclassification.</p> <p>Bureau of Child and Family Services - Central</p> <p>All Other (5,905) Provides funds for an approved reclassification.</p> <p>Bureau of Family Independence - Central</p> <p>All Other (7,343) Provides funds for approved reclassifications.</p> <p>DEPARTMENT OF HUMAN SERVICES TOTAL (20,158)</p> <p>INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF</p>	<p>Administrative Services - Inland Fisheries and Wildlife</p> <p>All Other (2,246) Provides funds for an approved reclassification.</p> <p>DEPARTMENT OF INLAND FISHERIES AND WILDLIFE TOTAL (2,246)</p> <p>MARINE RESOURCES, DEPARTMENT OF</p> <p>Marine Patrol - Bureau of</p> <p>Capital Expenditures (27,164) Provides funds for an approved range change in this program and reclassifications and a range change in the Division of Administrative Services program.</p> <p>DEPARTMENT OF MARINE RESOURCES TOTAL (27,164)</p> <p>MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES, DEPARTMENT OF</p> <p>Administration - Mental Health and Mental Retardation</p> <p>All Other (2,165) Provides funds for an approved reclassification.</p> <p>Mental Health Services - Children</p> <p>All Other (4,273) Provides funds for approved reclassifications in this program and the Elizabeth Levinson Center program.</p> <p>Mental Retardation Services - Community</p> <p>All Other (5,059) Provides funds for an approved reclassification in the</p>
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Aroostook Residential Center program.

Office of Substance Abuse

All Other (25,655)

Provides funds for approved reclassifications.

DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES TOTAL (37,152)

PUBLIC SAFETY, DEPARTMENT OF Administration - Public Safety

All Other (7,650)

Provides funds for approved reclassifications and a range change.

Criminal Justice Academy

All Other (1,630)

Provides funds for an approved reclassification.

DEPARTMENT OF PUBLIC SAFETY TOTAL (9,280)

SECTION TOTAL APPROPRIATIONS (192,609)

Sec. C-2. Allocations; Highway Fund.
 There are allocated from the Highway Fund for the fiscal year ending June 30, 1999, to the departments listed, the sums identified in the following, in order to provide funding for approved reclassifications and range changes.

1998-99

PUBLIC SAFETY, DEPARTMENT OF Administration - Public Safety

All Other (4,566)

Provides funds for an approved reclassification.

State Police

All Other (2,442)

Provides funds for approved reclassifications.

Traffic Safety

All Other (11,504)

Provides funds for approved reclassifications.

DEPARTMENT OF PUBLIC SAFETY TOTAL (18,512)

SECRETARY OF STATE, DEPARTMENT OF THE Administration - Motor Vehicles

All Other (5,572)

Provides funds for an approved reclassification.

DEPARTMENT OF THE SECRETARY OF STATE TOTAL (5,572)

TRANSPORTATION, DEPARTMENT OF Administration and Planning

All Other (20,106)

Provides funds for approved reclassifications.

Bridge Maintenance

All Other (7,199)

Provides funds for an approved reclassification.

Highway and Bridge Improvement

All Other (38,096)

Provides funds for approved reclassifications.

Highway Maintenance

All Other (8,357)

Provides funds for an approved reclassification.

Traffic Service

All Other (5,134)
 Provides funds for an approved reclassification.

DEPARTMENT OF TRANSPORTATION TOTAL

(78,892)

SECTION TOTAL ALLOCATIONS

(\$102,976)

PART D

Sec. D-1. 5 MRSA §1513, sub-§1-J, as enacted by PL 1997, c. 643, Pt. E, §2, is amended to read:

1-J. Transfer from Maine Rainy Day Fund; Retirement - Federal Recovery Program. Notwithstanding subsection 2 and section 1585, an amount not to exceed ~~\$3,200,000~~ \$6,350,000 in fiscal year 1998-99 may be transferred from the available balance in the Maine Rainy Day Fund to the Retirement - Federal Recovery 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, for the purposes outlined in Public Law 1995, chapter 368, Part AA, section 1.

Sec. D-2. Carrying balance. Any balance remaining on June 30, 1999 in the General Fund Retirement - Federal Recovery Program in the Department of Administrative and Financial Services may not lapse but must be carried forward to no later than June 30, 2000 to be used for the same purpose.

Sec. D-3. Carrying balance. Any balance remaining on June 30, 1999 in the General Fund Capital Construction - Repairs - Improvements - Administrative program in the Department of Administrative and Financial Services may not lapse but must be carried forward to be used for the same purpose.

Sec. D-4. Carrying balance. Any balance remaining on June 30, 1999 in the General Fund Capital Construction - Repairs - Improvements - Renovation of State Facilities program in the Department of Administrative and Financial Services may not lapse but must be carried forward each fiscal year until the completion of the State Office Building project.

Sec. D-5. Carrying balance. Any balance remaining on June 30, 1999 in the General Fund Salary Plan program in the Department of Administrative and Financial Services may not lapse but must

be carried forward to no later than June 30, 2000 to be used for the same purpose.

Sec. D-6. Carrying balance. Any balance remaining on June 30, 1999 in the General Fund "Land for Maine's Future Fund" program in the Executive Department may not lapse but must be carried forward to June 30, 2000 to be used for the same purpose.

Sec. D-7. Department of Administrative and Financial Services; lease-purchase authorization. Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Department of Administrative and Financial Services in cooperation with the Treasurer of State may enter into financing arrangements in fiscal year 1998-99 for the acquisition of motor vehicles for the Central Motor Pool. The financing agreements may not exceed 4 years in duration and \$2,000,000 in principal costs. The interest rate may not exceed 6% and total interest costs may not exceed \$300,000. The annual principal and interest costs must be paid from the appropriate line category allocations in the Central Motor Pool Internal Service Fund account.

Sec. D-8. Statewide - Unfunded Liability - Retirement Account. Any balance remaining in the Statewide - Unfunded Liability - Retirement Account in the Department of Administrative and Financial Services must be made available by financial order, upon recommendation of the State Budget Officer and approval of the Governor, and paid to the Maine State Retirement System by the State Controller no later than June 30, 1999.

PART E

Sec. E-1. 7 MRSA §2106 is enacted to read:

§2106. Working capital advance

The State Controller is authorized to advance \$300,000 from the General Fund unappropriated surplus to the Division of Plant Industry program in the department during any state fiscal year, if requested in writing by the Director of the Division of Plant Industry, to be used to provide cash necessary to meet current expenditures of the seed certification program. These funds must be returned to the General Fund unappropriated surplus before the close of the state fiscal year in which the advance was made. The State Controller shall report to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs within 30 days of making any working capital advance for this purpose.

PART F

Sec. F-1. Implementation of memoranda of agreement. The memoranda of agreement

executed on September 8, 1998 between the Maine State Employees Association and the Judicial Department that adjust pay ranges and certain other provisions of the current collective bargaining agreements for the administrative services, professional services and supervisory services bargaining units in the Judicial Department must be implemented March 1, 1999.

Sec. F-2. Transfer from Salary Plan. The Salary Plan program in the Department of Administrative and Financial Services may be made available as needed in allotment by financial order upon the recommendation of the State Budget Officer and approval of the Governor to be used in fiscal years 1999-00 and 2000-01 for the implementation of the memoranda of agreement identified in section 1 of this Part.

PART G

Sec. G-1. PL 1997, c. 790, Pt. A, §2 is amended to read:

Sec. A-2. Transfer of funds. Notwithstanding any provision of law, including the Maine Revised Statutes, Title 5, section 1585, the Governor, upon the recommendation of the State Budget Officer, is authorized to transfer from the ~~budgets~~ mental health services for children programs of the Department of Human Services, Medicaid ~~accounts~~ programs and from the Department of Mental Health, Mental Retardation and Substance Abuse Services to the Community Development Fund - Children, established in Part C of this Act, as often as twice per fiscal year, funds representing any cost savings, including any savings pursuant to Title 34-B, section 15003, subsection 5, during that fiscal year. If any such savings are realized, the initial transfer of those savings must occur within 30 days after the close of the fiscal year ending June 30, 1999. The transfer must be implemented by financial order contingent upon the recommendation of the State Budget Officer and approval of the Governor and upon review by the Joint Standing Committee on Appropriations and Financial Affairs. Funds ~~appropriated~~ transferred to the Community Development Fund - Children may not lapse but must be carried forward at the end of the fiscal year.

The department shall report to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over health and human services matters by February 1st each year on the amount of funds transferred and the uses of those funds for community development.

PART H

Sec. H-1. 21-A MRSA §1124, sub-§2, ¶C, as enacted by IB 1995, c. 1, §17, is amended to read:

C. Revenue from a tax checkoff program allowing a resident of the State who files a tax return with the State Tax Assessor to designate that \$3 be paid into the fund. If a husband and wife file a joint return, each spouse may designate that \$3 be paid. ~~The amounts designated for the fund must be appropriated from the General Fund and credited to the fund.~~ State Tax Assessor shall report annually the amounts designated for the fund to the State Controller, who shall transfer that amount to the fund;

PART I

Sec. I-1. PL 1997, c. 449, §2 is amended to read:

Sec. 2. Calculation and transfer. Notwithstanding the Maine Revised Statutes, Title 5, section 1585, or any other provision of law, the State Budget Officer shall calculate the amount that will remain on June 30, 1999 in all lapsing General Fund accounts and apply against each affected account the amount of the savings identified in section 3 and shall transfer the calculated amounts by financial order. These transfers are to be considered adjustments to appropriations. The State Budget Officer shall provide the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs with a report of the transferred amounts no later than ~~May 15, 1999~~ June 30, 1999.

PART J

Sec. J-1. PL 1997, c. 643, Pt. BB, §1, first ¶ is amended to read:

Sec. BB-1. Study. The Commissioner of Transportation shall study and develop a west-east highway in the State. The commissioner shall make a preliminary report to the joint standing committee of the Legislature having jurisdiction over transportation matters by January 1, 1999 and a final report by ~~March 15,~~ July 1, 1999 on matters including, but not limited to:

Sec. J-2. PL 1997, c. 643, Pt. BB, §3 is amended to read:

Sec. BB-3. Study. The State Planning Office, in cooperation with the Department of Transportation and the Department of Economic and Community Development, must study and report on economic and trade issues associated with the development of a west-east highway in the State. The study must

examine the projected increase in the Canadian highway traffic across Maine as well as the projected economic impact of the Canadian highway traffic. The State Planning Office shall report its findings along with any implementing legislation to both the joint standing committee of the Legislature having jurisdiction over appropriation and financial affairs and the joint standing committee of the Legislature having jurisdiction over transportation matters no later than ~~January~~ July 1, 1999.

PART K

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

1998-99

AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF

Division of Plant Industry

Positions - Legislative Count (1,500)
Personal Services \$27,504

Provides funds to transfer 1/2 of a split-funded Director, Division of Plant Industry position and one Clerk Typist II position from Other Special Revenue to the General Fund.

Seed Potato Board

Capital Expenditures 10,000

Provides funds for the purchase of a bin piler machine.

DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES

TOTAL

 37,504

Sec. K-2. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Part.

1998-99

AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF

Division of Plant Industry

Positions - Legislative Count (-1,500)
Personal Services (27,504)

Provides for the deallocation of funds in order to transfer 1/2 of a split-funded Director, Division of Plant Industry position and one Clerk Typist II position from Other Special Revenue to the General Fund.

DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES

TOTAL

 (\$27,504)

PART L

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

1998-99

LABOR, DEPARTMENT OF Miscellaneous Acts & Resolves

All Other \$75,000

Provides funds for the Katahdin Area Training Center to assist in providing transitional services for the region.

PART M

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

1998-99

LABOR, DEPARTMENT OF Miscellaneous Acts & Resolves

All Other \$15,000

Provides funds to the Bridgton Transition Center for displaced workers who incurred training or educational expenses that were not eligible for state or federal training assistance. Any unexpended balances must lapse to the General Fund.

PART N

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

1998-99

**HUMAN SERVICES,
DEPARTMENT OF**

**Bureau of Elder and Adult
Services**

All Other \$159,000

Provides funds for homemaker services, adult day care and Alzheimer's respite care to reduce the number of persons on the waiting list.

**Long Term Care - Human
Services**

All Other 443,040

Provides funds for home-based care to reduce the number of persons on the waiting list.

**DEPARTMENT OF HUMAN
SERVICES**

TOTAL \$602,040

Sec. N-2. Plan submittal by Department of Human Services. The Commissioner of Human Services shall submit a plan to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Health and Human Services no later than February 1, 1999 that revises the cost-sharing requirements of the various home care programs funded by the Department of Human Services in a way that would ensure that persons with higher incomes would pay a proportionately higher share of the cost of the home care services they receive.

It is the intent of the Legislature that any rules implementing such a plan take effect no later than July 1, 1999. Rules adopted under this section to implement the plan are major substantive rules in accordance with the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A.

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

Effective February 18, 1999.

CHAPTER 5

S.P. 13 - L.D. 2

**An Act to Clarify the Application of
Insurance Fraud Prevention Laws**

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

Whereas, it is imperative that the definition of insurance be clarified in the insurance fraud prevention laws; and

Whereas, the clarification should occur retroactively with the effective date of the provisions recommended by the Commission to Study Insurance Fraud as passed in Public Law 1997, chapter 675; 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:

Sec. 1. 24-A MRSA §2186, sub-§1, ¶B, as enacted by PL 1997, c. 675, §2, is amended to read:

B. "Insurer" means a an authorized insurance company, reinsurer, surplus lines insurer, unauthorized insurer, nonprofit hospital and medical service organization, health maintenance organization, risk retention group or multiple employer welfare organization. "Insurer" also includes an insurance producer or other person acting on the behalf of an insurer. For the purposes of this section, "insurer" also means the state Medicaid program.

Sec. 2. Retroactivity. This Act applies retroactively to June 30, 1998.

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

Effective March 11, 1999.