

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINETEENTH LEGISLATURE

SECOND REGULAR SESSION
January 5, 2000 to May 12, 2000

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 11, 2000

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
2000

implementation of retail access, the commission shall act to equitably apportion the resulting costs and benefits between the qualifying facility and the utility. The commission shall issue a decision under this paragraph within 6 months of a filing by a utility or a qualifying facility for a determination pursuant to this paragraph.

2. For any contract to which this section applies that does not involve arrangements for the simultaneous purchase and sale of electricity, the commission shall establish or adjust the contract rate based on the annual change in the average of the total price paid for electric services by all retail customers in the utility's applicable rate class. The commission shall choose the applicable rate class and specific methodology for establishing or adjusting the rate to preserve as nearly as possible the parties' benefits and burdens under the terms of the contract, as amended.

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

Effective April 14, 2000.

CHAPTER 731

H.P. 1790 - L.D. 2510

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, 2000 and June 30, 2001

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, 2000 and June 30, 2001 to the departments listed the following sums.

	1999-00	2000-01
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF		

Office of the Commissioner - Administrative and Financial Services

All Other \$96,180

Provides for the appropriation of funds to pay the final settlement costs of the McKin Site cleanup incurred by state agencies.

Accounts and Control - Bureau of - Systems Project

Personal Services \$36,000
All Other (36,000)

TOTAL 0

Provides for the appropriation of funds to continue a project Accounting Systems Analyst position through June 30, 2001 to implement the statewide time and attendance system. The position was originally approved by Financial Order 003255F.

Budget - Bureau of the

All Other 237,500

Provides for the appropriation of funds for license costs, servers and the cost of first-year maintenance for the implementation and ongoing operation of the budget and financial management system.

Buildings and Grounds Operations

Positions - Legislative Count (8,000)
Personal Services 263,956
All Other 558,000

TOTAL 821,956

Provides for the appropriation of funds through the transfer of one Laborer II position, one Heavy Equipment Operator position, one Building Maintenance Supervisor position and 5 Boiler Engineer positions from the Augusta Mental Health Institute to manage the Augusta Mental

Health Institute campus. It is the intent of the department to turn over the facilities and grounds management of the campus to the Bureau of General Services.

Buildings and Grounds Operations

Personal Services	60,000	
All Other	(62,779)	(4,177)
TOTAL	(2,779)	(4,177)

Provides for the appropriation of funds for winter and emergency overtime. Also provides for the funding of a position reorganization in the Bureau of General Services.

Capital Construction/Repairs/Improvements - Administration

All Other	2,861,000	370,000
Capital Expenditures	285,000	
TOTAL	3,146,000	370,000

Provides for the appropriation of funds for the Bucks Harbor sewer separator, emergency repairs of electrical systems at Augusta Mental Health Institute, plumbing repairs at the H - Building in Bangor, completion of the Houlton barracks, electrical and safety system upgrades for forestry and park facilities and repairs at the Bureau of Health laboratory in Augusta.

Bureau of General Services - Capital Construction and Improvement Reserve Fund

Capital Expenditures	2,000,000	20,680,000
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Provides for the appropriation of funds for the completion of the Maine Criminal Justice Academy, sewer construction for the Warren Correctional Facility, additional funding for the completion of correctional facilities statewide and the renovation of the

Department of Labor building.

Homestead Property Tax Exemption Reimbursement

All Other	(2,884,962)	(4,084,590)
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Provides for the deappropriation of funds from projected savings to be transferred to the Maine Residents Property Tax Program to fund an anticipated shortfall.

Personal Property Tax Reform

All Other		3,561,747
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Provides for the appropriation of funds to pay the costs of unexpected claims.

Public Improvements - Planning/Construction - Administration

Personal Services	2,779	4,177
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Provides for the appropriation of funds to reorganize an Engineering Technician V position to a Construction Analyst position. Funding is provided by a transfer from All Other from the Buildings and Grounds Operations program.

Maine Residents Property Tax Program

All Other	2,650,000	1,600,050
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Provides for the appropriation of funds to pay refunds to program participants. The funds were intended to be carried forward, but lapsed out of the Elderly Householders Rent Refund account before the account merged with the Maine Residents Property Tax Program. In addition, it provides additional funding to meet expected refund activity.

Retirement - Federal Recovery

All Other	2,740,577	
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Provides funds in final settlement of the claim of the Federal Government

for overpayment of retirement contributions.

as part of a reorganization plan.

Salary Plan

Personal Services	1,718,543	4,623,320
Provides for the appropriation of funds for the increased General Fund cost of health insurance.		

Office of the Commissioner

Personal Services	2,734	16,315
Provides for the appropriation of funds through the transfer of savings from a split-funded Clerk Typist II position in the Division of Plant Industry to partially fund a Public Relations Representative position as part of a reorganization plan.		

Salary Plan

Personal Services	(1,998,003)	
Provides for the appropriation of funds from balances in the Salary Plan at the end of fiscal year 1998-99 that exceed the requirements for collective bargaining costs in fiscal year 1999-00 and fiscal year 2000-01.		

Office of the Commissioner

Positions - Legislative Count		(5,000)
Personal Services	13,015	280,998
All Other		223,988
Capital Expenditures		20,000
TOTAL	13,015	524,986

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES

TOTAL	7,372,155	27,906,163
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Provides for the appropriation of funds in fiscal year 1999-00 through the transfer of excess funds from the Office of Planning, Policy, Legislation and Information Services resulting from the class exchange of the Director, Office of Planning, Policy, Legislation and Information Services position for a Programmer Analyst position, continues a limited-period Senior Administrative Secretary position and establishes a Public Relations Representative position. In fiscal year 2000-01, transfers one 1,768-hour Clerk Typist II position, one Accountant II position, one 1/2 Senior Planner position, one 1/2 Information Officer position, one Finance and Legislation Specialist position and one Programmer Analyst position from the Office of Planning, Policy, Legislation and Information Services as part of a reorganization plan.

Office of the Commissioner

AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF

Office of the Commissioner

Positions - Legislative Count	(1,000)	(1,000)
Personal Services	4,995	36,046
Provides for the appropriation of funds through the transfer of one vacant Clerk Typist III position from the Division of Quality Assurance and Regulation and for the reclassification of that position to a Senior Administrative Secretary position as part of a reorganization plan.		

Office of the Commissioner

Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(6,912)	(44,168)
Provides for the deappropriation of funds through the transfer of one Senior Administrative Secretary position to the Division of Quality Assurance and Regulation		

Positions - Legislative Count	(1,000)	(1,000)		
Provides for the reallocation of headcount from the elimination of one vacant Clerk Typist III position in the Seed Potato Board to establish a Public Relations Representative position as part of a reorganization plan.			TOTAL	0
Office of the Commissioner			Provides for the appropriation of funds to fund personnel changes that are part of a reorganization plan.	
Personal Services		5,143	Office of Agricultural, Natural and Rural Resources	
Provides for the appropriation of funds to reclassify one departmental Finance and Legislation Specialist position to one Director of Budget and Fiscal Operations position in conjunction with a reorganization plan to streamline 2 divisions into one division.			Personal Services	672 4,543
Office of the Commissioner			Provides for the appropriation of funds to range change one Agricultural Compliance Officer position.	
Personal Services		5,914	Office of Agricultural, Natural and Rural Resources	
Provides for the appropriation of funds to reclassify one departmental Information Systems Manager position to one agency Technology Officer position in conjunction with a reorganization plan that establishes a 2nd technology position to support the needs of the department.			All Other	320,000
Office of the Commissioner			Provides for the appropriation of funds to support local soil and water conservation districts.	
Personal Services		6,108	Division of Animal Health and Industry	
Provides for the appropriation of funds to reclassify one Senior Planner position to one Assistant to the Commissioner position in conjunction with a reorganization plan that establishes a public information outreach program in response to industry demand.			Personal Services	861 5,831
Office of the Commissioner			Provides for the appropriation of funds for the range change of the Director, Division of Animal Health and Industry position.	
Personal Services		20,723	Food Assistance Program	
All Other		(20,723)	Capital Expenditures	45,000
			Provides for the appropriation of funds for the purchase of a truck with an insulated refrigerator box and a power lift gate.	
			Division of Plant Industry	
			Positions - Legislative Count	(-0.500) (-0.500)
			Personal Services	(2,734) (16,315)
			Provides for the deappropriation of funds through the transfer of 1/2 Clerk Typist II position to the dedicated revenue account in order to utilize funding and headcount that was transferred from the Department of Professional and Financial Regulation in Public Law	

1999, chapter 84 for the arborist program. The General Fund savings will be reappropriated to the Office of the Commissioner to fund part of a Public Relations Representative position that is part of a reorganization plan. The 1/2 headcount in this account is to be eliminated.

1,768-hour Clerk Typist II position, one Accountant II position, one 1/2 Senior Planner position, one 1/2 department Information Systems Officer position, one Finance and Legislation Specialist position and one Programmer Analyst position to the Office of the Commissioner and one Clerk Typist III position to the Division of Plant Industry as part of a reorganization plan.

Division of Plant Industry

Positions - Legislative Count (1,000)
 Personal Services 35,270

Provides for the appropriation of funds through the transfer of one Clerk Typist III position from the Office of Planning, Policy, Legislation and Information Services as part of a reorganization plan.

Office of Planning, Policy, Legislation and Information Services

Personal Services 775

Provides for the appropriation of funds to reclassify one departmental Information Systems Manager position to one agency Technology Officer position in conjunction with a reorganization plan that establishes a 2nd technology position to support the needs of the department.

Division of Plant Industry

Personal Services 861 5,831

Provides for the appropriation of funds for the range change of the Director, Division of Plant Industry position.

Office of Planning, Policy, Legislation and Information Services

Personal Services 758

Provides for the appropriation of funds to reclassify one departmental Finance and Legislation Specialist position to one Director of Budget and Fiscal Operations position in conjunction with a reorganization plan to streamline 2 divisions into one division.

Office of Planning, Policy, Legislation and Information Services

Positions - Legislative Count (-6,000)
 Personal Services (13,015) (316,268)
 All Other (223,988)
 Capital Expenditures (20,000)
 TOTAL (13,015) (560,256)

Provides for the deappropriation of funds for the class exchange of one Director, Office of Planning, Policy, Legislation and Information Services position to one Computer Programmer position in fiscal year 1999-00 through a transfer of funds to the Office of the Commissioner, and provides for the deappropriation of funds in fiscal year 2000-01 through the transfer of one

Office of Planning, Policy, Legislation and Information Services

Personal Services 901

Provides for the appropriation of funds to reclassify one Senior Planner position to one Assistant to the Commissioner position in

<p>conjunction with a reorganization plan that establishes a public information outreach program in response to industry demand.</p>			<p>private funds. Any unexpended balance may not lapse but must be carried forward to be used for the same purpose.</p>
<p>DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES</p>			
<p>Division of Market and Production Development</p>			<p>TOTAL</p>
Capital Expenditures		1,200,000	<p>109,499 4,129,028</p>
Provides for the appropriation of funds for capital repairs and improvements to the State of Maine Building at the Eastern States Exposition.			
<p>DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES</p>			
<p>ARTS COMMISSION, MAINE</p>			
<p>Arts - Administration</p>			
All Other			<p>2,870 615</p>
Provides for the appropriation of funds through a transfer from Arts - Sponsored Program to properly align expenditures as a result of actions taken in Public Law 1999, chapter 401.			
<p>Arts - Sponsored Program</p>			
All Other			<p>(2,870) (615)</p>
Provides for the deappropriation of funds through a transfer to Arts - Sponsored Program to properly align expenditures as a result of actions taken in Public Law 1999, chapter 401.			
<p>MAINE ARTS COMMISSION</p>			
<p>Division of Quality Assurance and Regulation</p>			<p>TOTAL</p>
Positions - Legislative Count Personal Services	<p>(-1.000) (4,995)</p>	<p>(-1.000) (36,046)</p>	<p>0 0</p>
Provides for the deappropriation of funds through the transfer of one Clerk Typist III position to the Office of the Commissioner as part of a reorganization plan.			
<p>ATTORNEY GENERAL, DEPARTMENT OF THE</p>			
<p>District Attorneys Salaries</p>			
Positions - Legislative Count Personal Services			<p>(8.000) 426,077</p>
Provides for the appropriation of funds to establish 3 new Assistant District Attorney positions and provides funds for the transfer of 3 Assistant District Attorney positions from the Other Special Revenue funds and for the transfer of 2 Assistant District Attorney positions from the Federal Expenditures Fund due to the projected unavailability of funding to continue these positions in fiscal year 2000-01. These positions are required to prosecute			
<p>Division of Quality Assurance and Regulation</p>			
Personal Services	59,671	75,658	
Provides for the appropriation of funds to implement approved range changes.			
<p>Pollution Control Structures</p>			
All Other		2,500,000	
Provides funds for the construction of new or the retrofitting of existing manure pollution control structures on Maine farms to comply with state law. These state funds will be matched with federal and			

crimes of domestic violence.

District Attorneys Salaries

Personal Services 57,860

Provides for the appropriation of funds to restore full funding for 2 Assistant District Attorney positions in Aroostook County.

DEPARTMENT OF THE ATTORNEY GENERAL TOTAL

483,937

CONSERVATION, DEPARTMENT OF

Administrative Services - Conservation

Personal Services 3,357 6,881
All Other (3,357) (6,881)

TOTAL 0 0

Provides for the appropriation of funds for the reclassification of a department Information Systems Manager position to an agency Technology Officer position.

Forest Fire Control - Division of

Personal Services (441,747)
All Other 441,747

TOTAL 0

Provides for the appropriation of funds through a one-time transfer for necessary repairs to the department's helicopters.

DEPARTMENT OF CONSERVATION TOTAL

0 0

CORRECTIONS, DEPARTMENT OF

Administration - Corrections

Positions - Legislative Count (1,000)
Personal Services 100,676
All Other 8,000

TOTAL 108,676

Provides for the appropriation of funds for one Clinical Director position and related All

Other costs. Also provides for the reorganization of one Director, Legislative Research and Policy position to Associate Commissioner for Legislative and Program Services position and to implement the accounting reorganizations approved by the Bureau of Human Resources. The Clinical Director position will be effective on October 1, 2000.

Administration - Corrections

All Other 2,300,000

Provides for the appropriation of one-time funds for the development of a departmentwide information system. Any balance remaining at the end of each fiscal year may not lapse but must be carried forward to be used for the same purpose.

Adult Community Corrections

All Other 377,510

Provides for the appropriation of funds through a transfer of funds from the Correctional Services account for the Volunteers of America Southern Maine Pre-Release contract.

Adult Community Corrections

All Other 1,334 2,054

Provides for the appropriation of funds to cover the increase in the medical contract.

Office of Advocacy

All Other 35,056

Provides for the appropriation of funds from a transfer from the Community Correctional Services account to fund contracted legal services for inmates in the custody of the department.

Bangor Pre-Release Center

<p>Positions - Legislative Count Provides for the abolishment of all 15 positions at the Bangor Pre-Release Center. The positions being eliminated are 6 Correctional Officer I positions, 4 Senior Correctional Officer positions, 3 Correctional Officer II positions, one Correctional Trades Instructor position and one Correctional Center Manager position due to closure of the Bangor Pre-Release Center as part of the capital plan.</p>	<p>(-15,000)</p>	<p>Caseworker position, one Vocational Trades Instructor position, one Program Manager position and one Clerk Typist II position. Provides for the deappropriation of All Other in the food line. These funds are no longer required due to a shifting of inmate population.</p>	
Bangor Pre-Release Center		Charleston Correctional Facility	
<p>All Other Provides for the appropriation of funds for increased cost of the medical contract.</p>	<p>14,927 34,545</p>	<p>All Other Provides for the appropriation of funds for increased costs of the medical contract.</p>	<p>52,757 124,527</p>
Central Maine Pre-Release Center		Correctional Services	
<p>All Other Provides the appropriation of funds for continuance of a comprehensive medical service at Central Maine Pre-Release Center.</p>	<p>19,150 40,011</p>	<p>All Other Provides for the deappropriation of funds to eliminate the Community Correctional Services account in order to have better accountability of funds for Adult and Juvenile Community Corrections programs.</p>	<p>(3,550,492)</p>
Charleston Correctional Facility		Correctional Center	
<p>Positions - Legislative Count All Other Provides for the abolishment of 25 positions and the establishment of 5 new positions associated with the downsizing of the Charleston Correctional Facility. The positions to be abolished are 3 Correctional Maintenance Mechanic positions, 17 Correctional Officer I positions, one Correctional Officer II position, 2 Correctional Trades Instructor positions, one Chief of Security position and one Correctional Program Manager position and the establishment of 5 positions: one Teacher position, one Correctional</p>	<p>(-20,000) (35,000)</p>	<p>Positions - Legislative Count Personal Services All Other TOTAL Provides for the appropriation of funds for the establishment of one Chief of Prison Security position, 4 Clerk Typist II positions, 2 Case Manager positions and 2 Unit Manager positions and the elimination of one Correctional Officer III position necessary for the conversion to unit management principles.</p>	<p>(8,000) 96,359 38,500 <hr/>134,859</p>
		Correctional Center	
		<p>Personal Services All Other TOTAL Provides for the appropriation of funds to establish 9 limited-period Correctional Officer I</p>	<p>340,949 18,000 <hr/>358,949</p>

<p>positions at the Maine Correctional Center. These positions are required to provide additional security during the transition to unit management and will end on February 28, 2002.</p>			<p>forward to be used for the same purpose.</p>	
Correctional Center			Juvenile Community Corrections	
All Other	84,088	207,472	All Other	3,137,926
Provides for the appropriation of funds for increased costs of a comprehensive medical service contract at the Maine Correctional Center.			Provides for the appropriation of funds through a transfer from the Community Correctional Services account, which was eliminated to provide better accountability of funds for Adult and Juvenile Community Corrections programs.	
Correctional Center			Juvenile Community Corrections	
Personal Services	95,506	376,708	All Other	225,863
Provides for the appropriation of funds for overtime to develop policies and procedures and train the entire staff for transition into unit management.			Provides for the appropriation of funds for county prevention programs, Juvenile Intensive Supervision Services or JISS, leased office space and the building alternatives projects.	
Correctional Center			Northern Maine Juvenile Detention Facility	
Personal Services		109,885	Personal Services	45,587
Provides for the appropriation of funds for overtime and related expenses to allow for transition to the new 100-bed female unit.			Provides for the appropriation of funds for positions being reclassified as part of a reorganization plan and for range changes.	
Downeast Correctional Facility			Northern Maine Juvenile Detention Facility	
All Other		78,335	Personal Services	183,133
Provides for the appropriation of funds for the increased cost of the medical contract.			Provides for the appropriation of funds for new positions to start sooner than previously projected in order to receive appropriate and required training.	
Downeast Correctional Facility			Northern Maine Juvenile Detention Facility	
All Other		60,000	Personal Services	293,279
Capital Expenditures		30,000	All Other	100,000
TOTAL		90,000	TOTAL	393,279
Provides for the appropriation of funds for the phase II site evaluation and acquisition of land for the Downeast Correctional Facility. Any balance remaining at the end of each fiscal year may not lapse but must be carried			Provides for the appropriation of funds for the training of all staff of	

the juvenile correctional facility and provides supplies for education, library and program development.

Northern Maine Juvenile Detention Facility

All Other 15,187
Provides for the appropriation of funds for increased costs of the medical contract.

State Prison

Positions - Legislative Count	(4,000)	(19,000)
Personal Services	31,367	1,233,254
All Other		203,868
TOTAL	<u>31,367</u>	<u>1,437,122</u>

Provides for the appropriation of funds to relocate the Maine State Prison from Thomaston to Warren. Establishes 50 new positions. Reduces 31 positions to limited-period status with an end date of February 28, 2002. Provides for the reclassification and range changes of several positions as part of the reorganization within the department. Four of the newly established positions will take effect on April 1, 2000. Position detail is on file with the Bureau of the Budget.

State Prison

Personal Services	64,510	488,333
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Provides for the appropriation of funds for overtime expenses related to transition of the Maine State Prison at Thomaston to the new Maine State Prison at Warren.

State Prison

All Other	112,718	161,031
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Provides for the appropriation of funds for the increased cost of the medical contract.

State Prison

Positions - Legislative Count		(2,000)
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Personal Services	92,584
All Other	33,675
TOTAL	<u>126,259</u>

Provides for the appropriation of funds from the State Prison - Farm Program to consolidate programs with common goals to align with performance-based budgeting initiatives.

State Prison - Farm Program

Positions - Legislative Count	(-2,000)
Personal Services	(92,584)
All Other	(33,675)
TOTAL	<u>(126,259)</u>

Provides for the deappropriation of funds through a transfer to the State Prison program to consolidate programs with common goals to align with performance-based budgeting initiatives.

Youth Center - Maine

Positions - Legislative Count	(4,000)
Personal Services	505,762

Provides for the appropriation of funds for the reorganization of the Maine Youth Center to the Southern Maine Juvenile Facility as outlined in the Department of Corrections Master Plan. Establishes 2 1/2-time Teacher positions, 2 Teacher positions and one Teacher Aide position. The positions being reorganized are on file with the Bureau of the Budget. Fifty thousand dollars of existing All Other funds must be used for teacher professional development in special education and alternative education.

Youth Center - Maine

All Other	173,296
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Provides for the appropriation of funds for the increase in the medical contract.

Youth Center - Maine

Personal Services 81,228 577,407

Provides for the appropriation of funds for overtime related to transition training to move the Maine Youth Center to the new Southern Maine Juvenile Facility.

Youth Center - Maine

Positions - FTE Count (2,404)
 Personal Services 37,100
 All Other (37,100)

TOTAL 0

Provides for the appropriation of funds for substitute teachers previously provided through the use of contracted services. Increases by 5,000 the number of hours available for substitute teachers.

Downeast Correctional Facility

Personal Services 2,417 4,800

Provides for the appropriation of funds to reclassify one Business Manager II position to one Business Services Manager position through a reorganization at the Downeast Correctional Facility. This position reclassification was authorized by the Bureau of Human Resources.

Maine Correctional Center

Positions - Legislative Count (-1,000) (-1,000)
 Personal Services (3,554) (17,354)

Provides for the deappropriation of funds from the elimination of one Correctional Trades Instructor position and provides for the reclassification and range change of several positions through an approved reorganization at the Maine Correctional Center in accordance with the Master Plan. Details of position reclassifications and range

changes are on file with the Bureau of the Budget.

Northern Maine Juvenile Detention Facility

Personal Services 520 1,567

Provides for the appropriation of funds to reclassify one Accountant III position to one Senior Staff Accountant position through a reorganization at the Northern Maine Juvenile Detention Facility. This position reclassification was authorized by the Bureau of Human Resources.

DEPARTMENT OF CORRECTIONS

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

Administration - Maine Emergency Management Agency

Positions - Legislative Count (10,000) (10,000)
 Personal Services 105,438 226,229
 All Other 37,956 50,000

TOTAL 143,394 276,229

Provides for the appropriation of funds to permit the transfer of the following 10 positions from the Federal Maine Emergency Management Agency account: 3 Planning and Research I positions, one Planning and Research Associate II position, one Radiological Maintenance Officer position, one Technical Hazard Specialist position, one Staff Development Specialist IV position, one Engineer Technician IV position, one Planning and Research Assistant position and one Clerk Typist III position and operational funds due to a Federal Emergency Management Agency funding change to 50% federal and 50% state, effective January 1, 2000,

and provides an additional match to meet federal program requirements.

assistance with film, television, advertising and other media projects.

Veterans Services

All Other 10,000 40,000
 Provides for the appropriation of funds to support the new veterans cemetery in northern Maine necessary to pay for contract burials, which will be less costly than hiring employees and purchasing burial equipment.

Administration - Economic and Community Development

Personal Services 850
 All Other (850)
 TOTAL 0

Veterans Services

Capital Expenditures 316,000
 Provides for the appropriation of funds to supplement federal funds required for construction expenditures associated with the expansion of the Maine Veterans' Memorial Cemetery in Augusta. These funds may not lapse but must be carried forward to June 30, 2001 to be used for the same purpose.

Business Development

All Other 1,500,000
 Provides for the appropriation of funds to continue the business attraction and expansion marketing efforts established in Public Law 1997, chapter 643 and Public Law 1999, chapter 401. Funds must be dispersed in accordance with a competitive quality-based selection procedure as established and administered by the Department of Economic and Community Development.

DEPARTMENT OF DEFENSE, VETERANS AND EMERGENCY MANAGEMENT TOTAL

153,394 632,229

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TOTAL

1,740,000

Administration - Economic and Community Development

All Other 150,000
 Provides for the appropriation of funds for the Maine Manufacturing Extension Partnership to partially offset a loss in federal funding.

EDUCATION, DEPARTMENT OF

Education in Unorganized Territory

Positions - Legislative Count (-1.000) (-1.000)
 Positions - FTE Count (0.885) (0.885)
 Personal Services (3,584) (3,638)

Maine State Film Commission

All Other 90,000
 Provides for the appropriation of funds to the Maine Film Office for marketing and to meet increased demands for

Provides for the deappropriation of funds from the reduction of one Janitor/Bus Driver position from permanent full-time to seasonal full-time.

General Purpose Aid for Local Schools

<p>All Other</p> <p>Provides for the one-time appropriation of funds to temper the impact on school units due to changes in the school funding law resulting from the multi-year school funding targets enacted by the Legislature.</p>	<p>4,309,294</p>	<p>Provides for the appropriation of funds to enhance adult education capacity for programming to prepare students for postsecondary training and higher education.</p>	
General Purpose Aid for Local Schools			
<p>All Other</p> <p>Provides for the appropriation of funds to support increases in the per-pupil guarantee and program subsidy consistent with the multi-year school funding targets enacted by the Legislature.</p>	<p>18,500,000</p>	<p>Management Information Systems</p> <p>All Other</p> <p>Provides for the appropriation of funds for maintenance and network management of the ATM Distance Learning Network.</p>	<p>512,000</p>
Governor Baxter School for the Deaf			
<p>Personal Services (224,000)</p> <p>All Other 224,000</p> <p>Unallocated (100,000)</p> <p>TOTAL 0</p> <p>Provides for the appropriation of funds through a one-time transfer for operational needs of the school.</p>	<p>(224,000)</p> <p>224,000</p> <p>(100,000)</p> <p>(100,000)</p>	<p>Management Information Systems</p> <p>All Other (880)</p> <p>Provides for the appropriation of funds for an approved range change for the Deputy Commissioner.</p>	<p>(915)</p>
Professional Development			
<p>All Other</p> <p>Provides for the appropriation of funds for the professional development of educators.</p>	<p>(100,000)</p>	<p>All Other</p> <p>Provides for the appropriation of funds for an approved range change for the Deputy Commissioner.</p>	<p>1,000,000</p>
Regional Services			
<p>All Other</p> <p>Provides for the appropriation of funds for an approved range change for the Deputy Commissioner.</p>	<p>(880)</p>	<p>All Other</p> <p>Provides for the appropriation of funds for an approved range change for the Deputy Commissioner.</p>	<p>(915)</p>
Retired Teachers' Health Insurance			
<p>All Other</p> <p>Provides for the appropriation of funds for the projected shortfall in the Retired Teachers' Health Insurance program for fiscal years 1999-00 and 2000-01.</p>	<p>(880)</p>	<p>All Other</p> <p>Provides for the appropriation of funds for an approved range change for the Deputy Commissioner.</p>	<p>496,849</p>
Maine Learning Technology Endowment			
<p>All Other</p> <p>Provides funds to help capitalize the Maine Learning Technology</p>	<p>78,855</p>	<p>All Other</p> <p>Provides for the appropriation of funds for an approved range change for the Deputy Commissioner.</p>	<p>30,000,000</p>
Learning Systems			
<p>All Other</p> <p>Provides for the appropriation of funds for an approved range change for the Deputy Commissioner.</p>	<p>(880)</p>	<p>All Other</p> <p>Provides for the appropriation of funds for an approved range change for the Deputy Commissioner.</p>	<p>(915)</p>
Learning Systems			
<p>All Other</p> <p>Provides for the appropriation of funds for an approved range change for the Deputy Commissioner.</p>	<p>78,855</p>	<p>All Other</p> <p>Provides for the appropriation of funds for an approved range change for the Deputy Commissioner.</p>	<p>163,939</p>

Endowment as established in the Maine Revised Statutes, Title 20-A, chapter 801.

Support Systems

Personal Services	19,375	19,812
All Other	(19,375)	(19,812)
TOTAL	0	0

Provides for the appropriation of funds for the reorganization of an Engineering Technician V position to an Education Team Coordinator position.

Support Systems

All Other	(880)	(915)
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Provides for the appropriation of funds for an approved range change for the Deputy Commissioner.

School Renovation

All Other	27,000,000
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Provides for the appropriation of funds for school renovations for the purpose of capitalizing a revolving school renovation fund. Any balance remaining at the end of each fiscal year may not lapse but must be carried forward to be used for the same purpose.

Support Systems

All Other	250,000
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Provides for the appropriation of funds to be held in reserve to help offset certain fingerprinting and criminal history records checks expenses. Expenditures may be made from this appropriation as determined by separate legislation pending in the Second Regular Session of the 119th Legislature. Any balance remaining at the end of each fiscal year may not lapse but must be carried forward.

DEPARTMENT OF EDUCATION

TOTAL	490,133	81,878,444
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ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Administration – Environmental Protection

All Other	280,000
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Provides for the appropriation of funds to integrate the department's data pertaining to groundwater and permit applications across bureau programs.

Administration – Environmental Protection

All Other	240,000
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Provides for the appropriation of funds for the purchase and implementation of a standardized electronic compliance reporting system for facility reports.

Air Quality

Capital Expenditures	512,500
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Provides for the appropriation of funds for the replacement of capital equipment for air monitoring.

Land and Water Quality

Positions - Legislative Count	(1,000)
Personal Services	45,594
All Other	15,000
TOTAL	60,594

Provides for the appropriation of funds for one Biologist I position to carry out a salmon conservation plan in the Bureau of Land and Water Quality.

Land and Water Quality

Personal Services	(37,684)
All Other	(12,000)
TOTAL	(49,684)

Provides for the deappropriation of funds to reflect the 4th-quarter

requirements for a position authorized in Private and Special Law 1999, chapter 61.			Program by split-funding a Planner II position between the Federal Expenditures Fund and the General Fund.		
Air Quality			Planning Office - Smart Growth Initiative		
All Other	46,000		All Other		1,700,000
Provides one-time funds to develop a protocol to measure mercury emissions.			Provides funds for planning grants to municipalities, grants to regional councils to provide technical assistance to municipalities, grants to municipalities for plan implementation and plan updates and alternative growth management initiatives and pilot projects, including regional projects. Any unexpended balance may not lapse but must be carried forward to be used for the same purpose.		
Land and Water Quality					
All Other	2,900,000				
Provides one-time funds for construction of water pollution control facilities, providing the state match for federal funds. Any balance remaining at the end of each fiscal year may not lapse but must be carried forward.					
Solid Waste Management					
All Other	1,250,000				
Provides one-time funds for grants to municipalities to close and clean up solid waste landfills. Any unexpended balance may not lapse but must be carried forward to be used for the same purpose.					
DEPARTMENT OF ENVIRONMENTAL PROTECTION TOTAL	(49,684)	5,289,094	EXECUTIVE DEPARTMENT TOTAL		1,782,641
EXECUTIVE DEPARTMENT Planning Office			FINANCE AUTHORITY OF MAINE		
All Other	53,000		Finance Authority of Maine		
Provides for the appropriation of matching funds to administer AmeriCorps grants and fulfills state grant-making, oversight and technical assistance responsibilities on grants to communities.			All Other		3,000,000
			Provides for the appropriation of one-time funds for the Small Enterprise Growth Fund.		
Planning Office			FINANCE AUTHORITY OF MAINE TOTAL		3,000,000
Personal Services	29,641		HUMAN SERVICES, DEPARTMENT OF		
Provides for the appropriation of funds for continued support of the Flood Plain Management			Child Welfare Services		
			All Other	(2,761,000)	(5,653,000)
			Provides for the deappropriation of funds to adjust the balance between the Child Welfare Services and Foster Care accounts.		
			Elder and Adult Services - Bureau of		
			Positions - Legislative Count		(1,000)
			Personal Services		43,742
			All Other		1,000

		44,742		Personal Services	16,958
TOTAL				Provides for the appropriation of funds to increase the hours of a Public Health Physician position from 34 to 40 hours to ensure adequate surveillance of, analysis of and response to infectious disease and to provide physician support to bureau staff.	
Provides for the appropriation of funds to establish one Human Services Caseworker position to comply with the Augusta Mental Health Institute Consent Decree requiring active caseloads for caseworkers assigned to class member public wards not to exceed 25 cases.				Health - Bureau of	
Elder and Adult Services - Bureau of				Positions - Legislative Count	(2,000)
				Personal Services	100,858
All Other		800,000		Provides for the appropriation of funds to establish one Public Health Nurse II position and one Environmental Specialist III position for the ongoing coordination of medical and environmental services for lead-poisoned children and their families.	
Provides for the appropriation of funds for homemaker, adult day care and caregiver respite services.				Health - Bureau of	
Foster Care				Capital Expenditures	136,000
All Other	2,761,000	5,653,000		Provides for the appropriation of funds to purchase critical safety and disinfection equipment for the Health and Environmental Testing Laboratory to ensure adequate preparedness to safely identify emerging infectious diseases and meet bioterrorism events.	
Provides for the appropriation of funds to adjust the balance between the Child Welfare Services and Foster Care accounts.				Health - Bureau of	
Health - Bureau of				Positions - Legislative Count	(1,000)
				Personal Services	41,762
Provides for the appropriation of funds to establish one Sanitarian II position in the Eating and Lodging program, Division of Health Engineering to replace 5 seasonal summer Sanitarian I positions.				Provides for the deappropriation of funds to eliminate one 1/2-time Public Health Nurse I position in the Bureau of Health.	
Health - Bureau of				Long-Term Care - Human Services	
Positions - FTE Count		(-1,250)		All Other	800,000
Personal Services		(33,914)		Provides for the appropriation of funds for 120 elders and adults with disabilities who are on	
Provides for the deappropriation of funds to eliminate 5 seasonal Sanitarian I positions in order to establish one Sanitarian II position in the Eating and Lodging program, Division of Health Engineering.					
Health - Bureau of					

waiting lists for home care services.

brought forward from fiscal year 1997-98 of \$577,000 and fiscal year 1998-99 of \$362,000.

Medical Care - Payments to Providers

All Other 29,915,129 28,456,139

Provides for the appropriation of funds to cover an anticipated Medicaid budget shortfall that has resulted because actual fiscal year 1999-00 spending and updated fiscal year 2000-01 spending projections significantly exceed those used for the fiscal year 2000-01 biennial budget.

Office of Management and Budget

Personal Services 949,211

Provides for the appropriation of funds for the transfer of the state share of costs of the Office of Management and Budget Central from the Social Services Block Grant to allow for the equitable distribution of these costs to benefiting programs. This transfer is necessary due to reductions in the Social Services Block Grant.

Medical Care - Payments to Providers

All Other (132,659)

Provides for the deappropriation of funds to cover the fiscal year 1997-98 hospital tax for the Augusta Mental Health Institute and the Bangor Mental Health Institute.

OMB Operations - Regional

All Other 1,063,056

Provides for the appropriation of funds for the state share of costs for the OMB Operations - Regional transferred from the Social Services Block Grant to allow for the equitable distribution of costs to the benefiting programs. This transfer is necessary due to reductions in the Social Services Block Grant.

Bureau of Medical Services

Positions - Legislative Count (1,000)
 Personal Services 58,244
 All Other 2,000
 TOTAL 60,244

Provides for the appropriation of funds to establish one Pharmacist position to work in the State Pharmacy Programs including Low Cost Drugs for the Elderly and Medicaid.

General Assistance

All Other (460,000) (350,000)

Provides for the deappropriation of funds based on projections of expenditures through June 30, 2000.

Purchased Social Services

All Other 803,000

Provides for the appropriation of funds to offset congressional reductions in the Social Services Block Grant.

Bureau of Health

All Other 1,500,000

Provides funds for the construction of drinking water system improvements for public water supplies, providing the match for \$7,500,000 in federal funds. Any unexpended balance may not lapse but must be carried forward to be used for the same purpose.

State Supplement to Federal Supplemental Security Income

All Other (939,000)

Provides for the deappropriation of funds based on the balances

Bureau of Medical Services

All Other 1,416,613

Provides funds to purchase and develop software to enhance the department's Medicaid Claims Management System. These expenses are partially offset from Targeted Case Management Child Welfare retroactive reimbursements of \$959,000, which will be deposited in the General Fund undedicated revenue in fiscal year 2000-01.

DEPARTMENT OF HUMAN SERVICES

TOTAL 29,320,265 34,854,198

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF

Office of the Commissioner - Inland Fisheries and Wildlife

Personal Services 5,399 13,087

Provides for the appropriation of funds to implement the provisions of the collective bargaining agreements.

Administrative Services - Inland Fisheries and Wildlife

Personal Services 9,729 23,519

Provides for the appropriation of funds to implement the provisions of the collective bargaining agreements.

Administrative Services - Inland Fisheries and Wildlife

All Other 25,000 50,000

Capital Expenditures 14,000

TOTAL 39,000 50,000

Provides for the appropriation of funds for upgrading the department's desktop suite software and e-mail system to bring it into compliance with new state standards and make it a more stable and productive operating system.

Enforcement Operations - Inland Fisheries and Wildlife

Personal Services 349,079 500,316

Provides for the appropriation of funds to implement the provisions of the collective bargaining agreements.

Enforcement Operations - Inland Fisheries and Wildlife

Positions - Legislative Count (2,000)

Personal Services 38,751

All Other 20,000

Capital Expenditures 20,000

TOTAL 78,751

Provides for the appropriation of funds for 2 Game Warden positions to become effective in January 2001.

Fisheries and Hatcheries Operations

Personal Services 21,018 51,520

Provides for the appropriation of funds to implement the provisions of the collective bargaining agreements.

Fisheries and Hatcheries Operations

All Other 250,000 250,000

Provides for the appropriation of funds for engineering design for the Embden Hatchery and a statewide assessment of all other hatchery facilities.

Licensing Services - Inland Fisheries and Wildlife

Personal Services 8,542 20,595

Provides for the appropriation of funds to implement the provisions of the collective bargaining agreements.

Licensing Services - Inland Fisheries and Wildlife

All Other 1,700,000

Provides for the appropriation of funds for automating Inland

Fisheries and Wildlife's licensing, registration and permitting processes. Any balance remaining at the end of the fiscal year may not lapse but must be carried forward to be used for the same purpose.

positions, one Assistant Trainer position and one Help Desk position in the Office of Technology. The Assistant Trainer and Help Desk positions will take effect on January 1, 2001.

Public Information and Education - Division of

Personal Services 5,399 12,981

Provides for the appropriation of funds to implement the provisions of the collective bargaining agreements.

Resource Management Services - Inland Fisheries and Wildlife

Personal Services 12,110 29,478

Provides for the appropriation of funds to implement the provisions of the collective bargaining agreements.

DEPARTMENT OF INLAND FISHERIES AND WILDLIFE TOTAL

700,276 2,730,247

JUDICIAL DEPARTMENT

Courts - Supreme, Superior, District and Administrative

All Other 80,800

Provides for the appropriation of funds to provide parking for jurors.

Courts - Supreme, Superior, District and Administrative

All Other 100,000

Provides for the appropriation of funds for security coverage for additional judges employed by the judicial branch.

Courts - Supreme, Superior, District and Administrative

Positions - Legislative Count (4,000)
Personal Services 145,635
All Other 10,250

TOTAL 155,885

Provides for the appropriation of funds for 2 Programmer Analyst

Courts - Supreme, Superior, District and Administrative

All Other 49,273

Provides for the appropriation of funds for the increase in security costs in Penobscot County.

Courts - Supreme, Superior, District and Administrative

All Other 600,000 600,000

Provides for the appropriation of funds to cover costs for increased activity in indigent defense legal services.

Courts - Supreme, Superior, District and Administrative

All Other 107,200

Provides for the appropriation of funds to install the wide area network into all judicial branch locations.

JUDICIAL DEPARTMENT TOTAL

600,000 1,093,158

LABOR, DEPARTMENT OF

Governor's Training Initiative Program

Personal Services 50,000
All Other 550,000

TOTAL 600,000

Provides for the appropriation of funds for the Governor's Training Initiative Program to assist employers in remaining competitive and expanding job opportunities for Maine workers.

Regulation and Enforcement

Personal Services 30,257

Provides for the appropriation of funds for

the approved reclassifications of 4 Labor and Safety Inspector positions and one Chief, Labor and Safety Inspector position associated with the reorganization of the Wage and Hour Division of the Bureau of Labor Standards.

June 30, 2002 to be used for the same purposes.

Maine Centers for Women, Work and Community

All Other 92,575

Provides funds for increased staff costs, including funds for a staff position in Androscoggin and Oxford Counties. Also provides \$40,000 for various technology costs.

Regulation and Enforcement

Personal Services 11,936

Provides for the appropriation of funds for the reclassification of one Clerk Typist II position to a Clerk Typist III position and to fund a bargaining unit change of an Occupational Health and Safety Program Supervisor position.

DEPARTMENT OF LABOR TOTAL 350,000 734,768

LEGISLATURE

Legislature

Personal Services 847,440

Provides funds for the new salary and classification plan adopted by the Legislative Council.

Rehabilitation Services

Positions - Legislative Count (1,000) (1,000)
Personal Services 55,304 58,269

Provides for the appropriation of funds for the transfer of a Rehabilitation Services Manager position from the Federal Expenditures Fund.

Legislature Branch-wide

All Other 4,180,000

Provides funds to complete the Legislature's computer migration project. To the extent possible, the migration to a client-server environment must be undertaken in a manner that maintains the Legislature's current electronic access to executive branch systems.

Rehabilitation Services

Positions - Legislative Count (-1,000) (-1,000)
Personal Services (54,459) (54,961)
All Other (845) (3,308)
TOTAL (55,304) (58,269)

Provides for the deappropriation of funds through the transfer of a Casework Supervisor position to the Federal Expenditures Fund.

State House Renovations

All Other 7,000,000

Provides funds to complete renovation of the State House and to reimburse the State Office Building for certain costs.

Welfare to Work

Personal Services 64,283
All Other 285,717
TOTAL 350,000

Provides for the appropriation of matching funds for the Welfare to Work Program. These funds may not lapse but must be carried forward to

Legislature

All Other 150,000

Provides funds to support monthly meetings of the joint standing committees and the joint select committees of the Legislature, as authorized by the presiding officers.

LEGISLATURE TOTAL 12,177,440

MAINE STATE LIBRARY

Maine State Library

All Other		200,000
Provides for the continuation of fiscal year 1999-00 funding in the Maine State Library's acquisition budget for the purchase of library materials.		

MAINE STATE LIBRARY TOTAL

200,000

MARINE RESOURCES, DEPARTMENT OF

Division of Administrative Services

Positions - Legislative Count	(1,000)	(1,000)
Personal Services	5,274	31,000

Provides for the appropriation of funds for an Administrative Procedures Coordinator position to provide assistance in the department's rule-making process.

Division of Administrative Services

Personal Services	3,836	5,491
All Other	(3,836)	(5,491)
TOTAL	0	0

Provides for the appropriation of funds to reallocate the range authority of one Director of Administrative Services position to appropriately align classification with responsibilities.

Division of Administrative Services

Personal Services		2,621
All Other		(2,621)
TOTAL		0

Provides for the appropriation of funds to reorganize one Administrative Secretary position to a Senior Administrative Secretary position in order to appropriately align new duties with classification.

Division of Administrative Services

Personal Services	2,725
All Other	(2,725)

TOTAL 0

Provides for the appropriation of funds to reorganize one Accountant III position to a Senior Staff Accountant position in order to appropriately align new duties with classification.

Division of Community Resource Development

Personal Services	(5,274)	(18,000)
All Other		(13,000)

TOTAL (5,274) (31,000)

Provides for the deappropriation of funds through savings generated by the downgrade of one position and savings in All Other that will fund a position in the Division of Administrative Services.

Bureau of Resource Management

All Other 300,000

Provides for the appropriation of funds to design and implement a fisheries statistics database system.

Bureau of Resource Management

Capital Expenditures 20,000

Provides for the appropriation of funds to properly dispose of toxic substances in the environmental control system at the Boothbay Harbor lab.

Bureau of Resource Management

All Other 448,000

Provides for the appropriation of funds to fully fund long-term plans to restore the Kennebec River fishery.

Division of Administrative Services

Personal Services	2,400
All Other	(2,400)
TOTAL	0

Provides for the appropriation of funds to reorganize one Account Clerk I position to one Account Clerk II position to appropriately align classification with new duties.

Bureau of Resource Management

Capital Expenditures	175,000
Appropriates funds for costs of replacing a dock at Boothbay Harbor.	

DEPARTMENT OF MARINE RESOURCES

TOTAL	768,000	175,000
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MAINE MARITIME ACADEMY

Maritime Academy - Operations

All Other	4,000,000
Provides funds for capital improvements.	

MAINE MARITIME ACADEMY TOTAL

TOTAL	4,000,000
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MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES, DEPARTMENT OF

Disproportionate Share – Augusta Mental Health Institute

Personal Services	10,926
All Other	4,085
Capital Expenditures	44
TOTAL	15,055

Provides for the appropriation of funds due to a change in the federal match rate for fiscal year 2000-01 from 66.22% to 66.12%.

Disproportionate Share – Augusta Mental Health Institute

Personal Services	100,000
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All Other	75,000
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TOTAL	175,000
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Provides for the appropriation of funds through a transfer from Personal Services salary savings from the Mental Health Services - Community program to cover unbudgeted overtime and to fund necessary health and safety needs, such as an electrical infrastructure upgrade and air quality and sprinkler system.

Disproportionate Share - Augusta Mental Health Institute

All Other	41,840
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Provides for the appropriation of funds through a transfer from the Mental Health Services - Community and Mental Retardation Services - Community programs for the purpose of increasing dentist hours in the Department's 3 dental clinics.

Disproportionate Share - Augusta Mental Health Institute

Personal Services	39,938	163,558
All Other	207,942	237,384

TOTAL	247,880	400,942
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Provides for the appropriation of state matching funds in order to meet requirements of the Augusta Mental Health Institute Consent Decree.

Disproportionate Share - Augusta Mental Health Institute

All Other	90,743
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Provides for the appropriation of funds to provide state matching funds to pay for the final gross patient services revenue limit for fiscal year 1997-98.

Disproportionate Share - Augusta Mental Health Institute

Personal Services	(97,342)
All Other	(140,170)

TOTAL (237,512)

Provides for the deappropriation of funds through the transfer of management of facilities and grounds and one Laborer II position, one Heavy Equipment Operator position, one Building Maintenance Supervisor position and 5 Boiler Engineer positions from the Augusta Mental Health Institute to the Bureau of General Services.

Disproportionate Share - Bangor Mental Health Institute

Personal Services 13,617
 All Other 2,647
 Capital Expenditures 24
 TOTAL 16,288

Provides for the appropriation of funds due to a change in the federal match rate for fiscal year 2000-01 from 66.22% to 66.12%.

Disproportionate Share - Bangor Mental Health Institute

All Other 41,916

Provides for the appropriation of funds to provide state matching funds to pay for the final gross patient services revenue limit for fiscal year 1997-98.

Disproportionate Share - Bangor Mental Health Institute

Personal Services (106,555) (190,530)
 All Other (6,283) (12,705)
 TOTAL (112,838) (203,235)

Provides for the deappropriation of funds from the elimination of 17.5 positions as a result of a unit closing at the Bangor Mental Health Institute.

Elizabeth Levinson Center

Positions - Legislative Count (-1,000)
 Personal Services (52,914)

Provides for the deappropriation of funds through the transfer of one MR Resource Coordinator position to the Mental Health Services - Children program in order to reflect the headcount in the appropriate program.

Freeport Towne Square

Personal Services 100,000

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

Freeport Towne Square

Positions - Legislative Count (-2,000)
 Personal Services (98,010)

Provides for the deappropriation of funds through a transfer of 2 Manual Trainer Coordinator positions to the Mental Retardation Services - Community program to reflect the headcount in the appropriate program.

Office of Management and Budget

Personal Services 158,919

Provides for the appropriation of funds to continue the following limited-period positions until December 31, 2001 for the purpose of building a comprehensive and integrated database system: one Planning and Research Associate I position, one Clerk Typist II position, one Mental Health - Mental Retardation Casework Supervisor position, 3 Intensive Case Manager positions and one Mental Health Program Coordinator position. This request will be offset with revenue generated through the revision of targeted case management rates and the

administrative cost allocation plan.					
Medicaid Services – Mental Retardation				Mental Health Services – Child Medicaid	
All Other		125,240		All Other	1,362,316
Provides for the appropriation of funds due to a change in the federal match rate for fiscal year 2000-01 from 66.22% to 66.12%.				Provides for the appropriation of state matching funds for increased utilization of residential, community support and case management services to children with special needs.	
Medicaid Services – Mental Retardation				Mental Health Services – Child Medicaid	
All Other	1,512,692	1,517,248		All Other	233,143
Provides for the appropriation of funds through a transfer from the Mental Retardation Services - Community program for services provided to individuals through the home-based and community-based waiver program.				Provides for the appropriation of funds for case management, family support and developmental therapy to children 0-5 years of age.	
Medicaid Services – Mental Retardation				Mental Health Services – Child Medicaid	
All Other		(20,920)		All Other	19,569
Provides for the deappropriation of funds through a transfer to the Disproportionate Share - Augusta Mental Health Institute program for the purpose of increasing dentist services at the department's 3 dental clinics.				Provides for the appropriation of state matching funds for case management services for children with mental retardation.	78,555
Medicaid Services – Mental Retardation				Mental Health Services – Community Medicaid	
All Other		147,088		All Other	59,657
Provides for the appropriation of state matching funds in order to meet requirements of the Augusta Mental Health Institute Consent Decree.				Provides for the appropriation of funds due to a change in the federal match rate for fiscal year 2000-01 from 66.22% to 66.12%.	
Mental Health Services – Child Medicaid				Mental Health Services – Community Medicaid	
All Other		26,642		All Other	719,662
Provides for the appropriation of funds due to a change in the federal match rate for fiscal year 2000-01 from 66.22% to 66.12%.				Provides for the appropriation of state matching funds for increased utilization of Medicaid eligible mental health services.	770,457
				Mental Health Services – Community Medicaid	
				All Other	84,650
				Provides for the appropriation of state	

<p>matching funds for housing for adults with mental illness in Region III.</p> <p>Mental Health Services – Community Medicaid</p> <p>All Other (20,920)</p> <p>Provides for the deappropriation of funds through a transfer to the Disproportionate Share - Augusta Mental Health Institute program for the purpose of increasing dentist hours in the department's 3 dental clinics.</p> <p>Mental Health Services – Community Medicaid</p> <p>All Other 192,428 1,561,953</p> <p>Provides for the appropriation of state matching funds in order to meet requirements of the Augusta Mental Health Institute Consent Decree.</p> <p>Mental Health Services - Children</p> <p>Personal Services (100,000)</p> <p>Provides for the deappropriation of funds from salary savings to cover a Personal Services shortfall in the Freeport Towne Square program.</p> <p>Mental Health Services - Children</p> <p>Positions - Legislative Count (1,000) Personal Services 52,914</p> <p>Provides for the appropriation of funds through the transfer of one MR Resource Coordinator position from the Elizabeth Levinson Center in order to reflect the headcount in the appropriate program.</p> <p>Mental Health Services - Children</p> <p>All Other 628,457</p> <p>Provides for the appropriation of funds for increased utilization of residential, community</p>	<p>support and case management services to children with special needs.</p> <p>Mental Health Services - Children</p> <p>All Other 1,318,103</p> <p>Provides for the appropriation of funds for room and board costs for children who need short-term stabilization and targeted treatment.</p> <p>Mental Health Services - Children</p> <p>All Other 100,000</p> <p>Provides for the appropriation of funds for case management, family support and developmental therapy for children 0-5 years of age.</p> <p>Mental Health Services - Children</p> <p>All Other 48,000</p> <p>Provides for the appropriation of funds for case management services for children with mental retardation.</p> <p>Mental Health Services - Children</p> <p>All Other (24,000)</p> <p>Provides for the deappropriation of funds through a transfer to the Regional Operations program in order to reflect expenditures in the appropriate program.</p> <p>Mental Health Services - Community</p> <p>All Other 1,963,226</p> <p>Provides for the appropriation of funds for increased utilization of community mental health services.</p> <p>Mental Health Services - Community</p> <p>All Other 30,000 234,918</p> <p>Provides for the appropriation of funds for</p>
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housing for adults with mental illness in Region III.

Mental Health Services - Community

Personal Services (175,000)

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

Mental Health Services - Community

Positions - Legislative Count (6,000)
 Personal Services 249,326
 All Other 685,006

TOTAL 934,332

Provides for the appropriation of funds to establish 5 Intensive Case Manager positions and one Program Services Director position in order to meet requirements of the Augusta Mental Health Institute Consent Decree. This request will generate \$111,236 in General Fund undedicated revenue in fiscal year 2000-01.

Mental Retardation Services - Community

All Other (1,512,692) (1,517,248)

Provides for the deappropriation of funds through a transfer to the Medicaid Services - Mental Retardation program for services available through the home-based and community-based waiver program.

Mental Retardation Services - Community

All Other (75,000)

Provides for the deappropriation of funds through a transfer to the Regional Operations program in order to reflect

expenditures in the appropriate program.

Mental Retardation Services - Community

Positions - Legislative Count (2,000)
 Personal Services 98,010

Provides for the appropriation of funds through a transfer of 2 Manual Training Coordinator positions from Freeport Towne Square in order to reflect the headcount in the appropriate program.

Regional Operations

All Other 99,000

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

Regional Operations

All Other 400,000

Provides for the appropriation of funds for travel and other expenditures associated with the department's Intensive Case Management program. This request will be offset by revenue generated through the revision of targeted case management rates and the administrative cost allocation plan. It is the intent of the Legislature that ongoing appropriations for this function in fiscal year 2001-02 and fiscal year 2002-03 are \$200,000 each year.

Disproportionate Share - Augusta Mental Health Institute

Personal Services (51,548)
 All Other (2,032)

TOTAL (53,580)

Provides for the deappropriation of funds

due to the elimination of one Physician III position.

Office of Management and Budget

Positions - Legislative Count	(-1,000)
Personal Services	(33,551)
All Other	(2,000)
TOTAL	(35,551)

Provides for the deappropriation of funds through the transfer of one Clerk Typist II position to the Regional Operations program in order to reflect the headcount in the appropriate program.

Mental Health Services - Child Medicaid

All Other	(1,176,506)
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Provides for the deappropriation of funds through a transfer to the Mental Health Services - Children program in order to meet room and board expenditures for an increase in the number of children served in the program. Funding is made available from fiscal year 1998-99 carried balance.

Mental Health Services - Children

Positions - Legislative Count	(1,000)
Personal Services	152,238
All Other	6,000
TOTAL	158,238

Provides for the appropriation of funds to establish one Physician III position to provide psychiatric consultation and evaluation to children with behavioral health needs. This request will generate \$55,383 in General Fund undedicated revenue in fiscal year 2000-01.

Mental Health Services - Children

All Other	1,176,506
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Provides for the appropriation of funds

through a transfer from the Mental Health Services - Child Medicaid program in order to meet room and board expenditures for an increase in the number of children served in the program.

Regional Operations

Positions - Legislative Count	(1,000)
Personal Services	33,551
All Other	2,000

TOTAL	35,551
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Provides for the appropriation of funds through the transfer of one Clerk Typist II position from the Office of Management and Budget program in order to reflect the headcount in the appropriate program.

Medicaid Services - Mental Retardation

All Other	1,724,652
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Provides funds for day services and residential services for people with mental retardation who are not class members.

Mental Retardation Services - Community

Positions - Legislative Count	(4,000)
Personal Services	144,506
All Other	199,680

TOTAL	344,186
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Provides funds for 4 Mental Health and Mental Retardation caseworker positions to provide case management services and provides funds for the portion of the costs of the additional day services for the people with mental retardation who are not class members and are not Medicaid reimbursable.

Regional Operations

All Other	28,344
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Provides funds for the operational costs associated with providing case management services to people with mental

<p>retardation who are not class members.</p> <p>Office of Management and Budget</p> <p>All Other 258,700</p> <p>Provides funds to purchase and develop software to enhance the department's Claims Management Information Systems and to maximize the collection of Medicaid revenues. This request will be offset by \$300,000 in General Fund undedicated revenue in fiscal year 2000-01 through the revision of targeted case management rates.</p> <p>DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES</p> <p>TOTAL 1,229,360 12,687,734</p> <p>PUBLIC SAFETY, DEPARTMENT OF</p> <p>Capitol Security - Bureau of</p> <p>Positions - Legislative Count (3,000) Personal Services 105,368 All Other 23,874</p> <p>TOTAL 129,242</p> <p>Provides for the appropriation of funds to establish 3 Capitol Security Police Officer positions and related All Other costs. These positions are necessary to provide for 24 hour, 7 day per week coverage of Augusta area state-owned and state-leased facilities.</p> <p>Criminal Justice Academy</p> <p>All Other 229,567</p> <p>Provides for the appropriation of funds to support the operational training costs of the Maine Criminal Justice Academy.</p> <p>Drug Enforcement Agency</p> <p>All Other 535,746</p>	<p>Provides for the appropriation of funds necessary to ensure the proper operations of the Maine Drug Enforcement Agency.</p> <p>Emergency Medical Services</p> <p>Positions - Legislative Count (1,000) Personal Services 79,235 All Other 26,000</p> <p>TOTAL 105,235</p> <p>Provides for the appropriation of funds for the transfer of one Director, Office of Emergency Medical Services position from the Preventive Health Block Grant Fund due to the loss of federal funds. Provides funds for All Other operational costs.</p> <p>Emergency Medical Services</p> <p>All Other 25,000</p> <p>Provides for the appropriation of funds for the Office of Emergency Medical Services necessary to cover the increased costs of the data collection contract based upon RFP responses.</p> <p>State Police</p> <p>Personal Services 118,196 81,935</p> <p>Provides for the appropriation of the 40% General Fund share of funds for the approved reclassification and range changes for 47 Police Communication Operator positions and 6 Police Communications Operator Supervisor positions, as authorized by the Bureau of Human Resources.</p> <p>State Police</p> <p>All Other 32,000</p> <p>Provides for the appropriation of the 40% General Fund share of funds as match for available grant funds for the replacement of protective vests.</p>
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State Police

Capital Expenditures 131,500

Provides for the appropriation of funds for equipment at the Houlton barracks.

**DEPARTMENT OF PUBLIC SAFETY
TOTAL**

281,696 1,106,725

**SECRETARY OF STATE,
DEPARTMENT OF THE**

Bureau of Administrative Services and Corporations

Personal Services 5,874 5,992
All Other (5,874) (5,992)

TOTAL 0 0

Provides for the appropriation of funds to increase the workweeks from 38 to 52 on a Clerk Typist II position.

Administration - Archives

Personal Services 1,777 4,983
All Other (1,777) (4,983)

TOTAL 0 0

Provides for the appropriation of funds to continue one 36-week part-time project Clerk Typist II position from April 15, 2000 until November 4, 2000. This position will perform extensive data entry needed in order to track boxes of archival documents that must be moved to accommodate the conversion of a part of the archives facility to mobile compact shelving. The All Other funds are no longer necessary due to several noncapital purchases that cost less than expected or were no longer needed.

**DEPARTMENT OF THE SECRETARY OF STATE
TOTAL**

0 0

MAINE TECHNICAL COLLEGE SYSTEM, BOARD OF TRUSTEES OF THE

Maine Technical College System - Board of Trustees

All Other 2,000,000

Provides one-time funds for technology improvements and operational support as needed.

Maine Technical College System - Board of Trustees

All Other 900,000

Provides funds for operational support and increased access for students.

Maine Technical College System - Board of Trustees

All Other 1,000,000

Provides one-time funds to match the Osher scholarship.

Maine Technical College System - Board of Trustees

All Other 1,300,000

Provides funds to the Maine Technical College System's Penquis facilities to renovate and equip classroom space.

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

5,200,000

**TRANSPORTATION,
DEPARTMENT OF**

Administration - Aeronautics

All Other 1,000,000

Provides \$800,000 to provide for the ongoing marketing efforts at the Bangor International Airport; \$80,000 for engineering costs and airport expansion efforts at the Oxford airport; and \$120,000 for marketing efforts at the Presque Isle airport.

Administration - Ports and Marine Transportation

All Other 550,000

Provides funds for marine improvement projects.

Railroad Assistance Program

All Other	2,500,000	1,000,000
Capital Expenditures	1,000,000	6,550,000
TOTAL	<u>3,500,000</u>	<u>7,550,000</u>

Provides for the appropriation of funds for railroad improvement projects.

DEPARTMENT OF TRANSPORTATION

TOTAL	<u>3,500,000</u>	<u>9,100,000</u>
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TREASURER OF STATE (OFFICE OF)

Administration - Treasury

All Other	17,368	39,094
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Provides for the appropriation of funds for an ongoing service level agreement with the Bureau of Information Services.

Debt Service - Treasury

All Other		3,651,934
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Provides for the appropriation of funds to pay interest and principal on outstanding State of Maine bonds in the fiscal year ending June 30, 2001.

(OFFICE OF) TREASURER OF STATE

TOTAL	<u>17,368</u>	<u>3,691,028</u>
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UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE

Educational and General Activities - University of Maine System

All Other	1,000,000
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Provides funds for state match for Osher scholarships.

Educational and General Activities - University of Maine System

All Other	4,150,000
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Provides funds for operational support, including \$150,000 for the

"Senior College" initiative.

Educational and General Activities - University of Maine System

All Other	17,250,000
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Provides one-time funds for capital improvements as follows: \$9,000,000 to renovate teaching laboratories and classrooms in Aubert Hall at the University of Maine; \$3,500,000 to renovate the college building for classroom, laboratory and library uses at the Lewiston-Auburn College; \$2,000,000 to renovate and equip classroom space at the university's Houlton facilities; \$1,000,000 to expand classroom space in the Northern Aroostook Technical Center for students and businesses at the University of Maine at Fort Kent; \$1,500,000 to renovate classroom space at the University College of Bangor for administrative and student uses; and \$250,000 to renovate and equip classroom space at the university's Calais facilities.

BOARD OF TRUSTEES OF THE UNIVERSITY OF MAINE SYSTEM

TOTAL		<u>22,400,000</u>
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SECTION TOTAL APPROPRIATIONS

	<u>45,399,430</u>	<u>245,117,868</u>
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Sec. A-2. Allocation. The following funds are allocated from the Federal Expenditures Fund for the fiscal years ending June 30, 2000 and June 30, 2001 to carry out the purposes of this Part.

	1999-00	2000-01
AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF		
Division of Quality Assurance and Regulation		
Personal Services	3,331	4,236
All Other	146	186

TOTAL	3,477	4,422
Provides for the allocation of funds to implement approved range changes.		
DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES		
TOTAL	3,477	4,422
ATTORNEY GENERAL, DEPARTMENT OF THE Administration - Attorney General		
All Other		150,000
Provides for the allocation of funds for information and technology to assist the prosecution initiatives to combat violent crimes against women.		
District Attorneys Salaries		
Personal Services		(57,860)
All Other		(1,927)
TOTAL		(59,787)
Provides for the deallocation of federal funds for 40% of 2 Assistant District Attorney positions in Aroostook County. Restoration funding has been requested from the General Fund for the 40% share of these 2 positions.		
District Attorneys Salaries		
Positions - Legislative Count		(-2,000)
Personal Services		(108,712)
All Other		(2,359)
TOTAL		(111,071)
Provides for the deallocation of funds and the transfer of 2 Assistant District Attorney positions to the General Fund. Federal funding is no longer available to continue these positions.		
Administration - Attorney General		
Positions - Legislative Count		(-1,000)
Provides for the elimination of one Assistant Attorney		

General position due to the projected unavailability of federal funds to continue this position.		
Human Services Division		
Positions - Legislative Count		(1,000)
Personal Services		53,259
All Other		3,427
TOTAL		56,686
Provides for the allocation of funds to establish one Assistant Attorney General position to handle child support and child protection cases in Aroostook County.		
DEPARTMENT OF THE ATTORNEY GENERAL		
TOTAL		35,828
CONSERVATION, DEPARTMENT OF Forest Health and Monitoring		
Positions - FTE Count	(5,889)	(5,889)
Personal Services	54,009	165,911
All Other	22,980	68,939
TOTAL	76,989	234,850
Provides for the allocation of funds for 4 35-week, seasonal Forest Survey Technician positions at 1,400 hours each, 4 35-week, seasonal Conservation Aide positions at 1,400 hours each and a seasonal, 35-week part-time Clerk position at 1,050 hours to assume the portion of Maine's annual forest inventory currently conducted by federal crews.		
Forest Health and Monitoring		
Positions - Legislative Count	(0.500)	(0.500)
Positions - FTE Count	(-0.550)	(-0.550)
Personal Services		192
All Other		(192)
TOTAL		0
Provides for the allocation of funds for a part-time Clerk Typist II position through the elimination of a 624-hour Laborer I		

position and the reclassification of a 520-hour Laborer I position through a transfer of funds from All Other to Personal Services.

Division of Forest Protection

Positions - FTE Count (0.115) (0.115)

Provides for an increase of 240 FTE hours to a Laborer I position to make use of available funding retained through the recent downgrade of position #017143489.

DEPARTMENT OF CONSERVATION TOTAL

76,989 234,850

CORRECTIONS, DEPARTMENT OF

Adult Community Corrections

Positions - Legislative Count (1.000) (1.000)
 Personal Services 16,392 62,496
 All Other 301 1,146

TOTAL 16,693 63,642

Provides for the allocation of funds for the transfer in of one Correctional Planning Analyst position.

Adult Community Corrections

Positions - Legislative Count (-1.000)

Provides for the elimination of one Probation Officer position, effective June 16, 2001, due to the projected unavailability of federal funding to continue this position.

Charleston Correctional Facility

Positions - Legislative Count (-1.000)

Provides for the elimination of one Correctional Trades Instructor position, effective June 16, 2001, due to the projected unavailability of federal funding to continue this position.

Correctional Services

Positions - Legislative Count (-1.000) (-1.000)
 Personal Services (11,833) (51,396)

All Other (239) (1,431)

TOTAL (12,072) (52,827)

Provides for the deallocation of funds for the transfer out of one Correctional Planning Analyst position.

Youth Center - Maine

Positions - Legislative Count (-2.000)

Provides for the elimination of 2 part-time Teacher positions and one Teacher Aide - Instructor position, effective June 16, 2001, due to the projected unavailability of federal funds to continue these positions.

Administration

Personal Services 537 2,172

Provides for the allocation of funds to reclassify one Accountant III position to a Senior Staff Accountant position as part of the reorganization within the department and to implement the change in the accountant position series.

Adult Community Corrections

All Other 347,475

Provides for the transfer of funds from the Correctional Services program. This transfer is requested to consolidate programs with common goals to align with the performance-based budgeting initiatives.

Correctional Services

All Other (347,475)

Provides for the transfer of funds from the Correctional Services program to the Adult Community Corrections program. This transfer is requested to consolidate programs with common goals to align with the performance-based budgeting initiatives.

DEPARTMENT OF CORRECTIONS
TOTAL

	5,158	12,987
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Personal Services	6,556	
All Other		92,984
TOTAL		99,540

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

Provides for the allocation of funds for the Refugee State School Impact grant.

Administration - Maine Emergency Management Agency

Learning Systems

Positions - Legislative Count	(-10,000)	(-10,000)
Personal Services	(103,113)	(226,229)

Personal Services	531	2,377
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Provides for the deallocation of funds from the transfer of 3 Planning and Research Associate I positions, one Planning and Research Associate II position, one Radiological Maintenance Officer position, one Technical Hazard Specialist position, one Staff Development Specialist IV position, one Engineer Technician IV position, one Planning and Research Assistant position and one Clerk Typist III position and operational costs due to the Federal Emergency Management Agency funding change to 50% federal and 50% state.

Provides for the allocation of funds for the reorganization of one Clerk Stenographer II position to a Clerk Typist III position.

Management Information Systems

Personal Services		13,067
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Provides for the allocation of funds to transfer 25% of one Education Specialist III position from the Departmental Services account.

Support Systems

Personal Services		(13,067)
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Provides for the deallocation of funds to transfer 25% of one Education Specialist III position to the Title III Technology Literacy account.

Loring Rebuild Facility

Positions - Legislative Count	(100,000)	
Personal Services	3,562,076	
All Other	101,996	

DEPARTMENT OF EDUCATION
TOTAL

	531	101,917
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TOTAL	3,664,072	
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ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Provides for the allocation of funds to establish 88 Auto Mechanic II positions, 6 Auto Mechanic Supervisor positions and 6 Mechanic Stores Clerk II positions to support increased operations at the Loring Rebuild Facility.

Land and Water Quality

Personal Services	19,192	85,142
All Other	390	1,728

TOTAL	19,582	86,870
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Provides for the allocation of funds to extend 2 limited-period Environmental Specialist II positions, established in Financial Order 3576, to June 8, 2001 for groundwater research.

DEPARTMENT OF DEFENSE, VETERANS AND EMERGENCY MANAGEMENT
TOTAL

	(103,113)	3,437,843
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Land and Water Quality

EDUCATION, DEPARTMENT OF
Leadership

Positions - Legislative Count	(1,000)		Provides for the		
Personal Services	55,651		deallocation of funds from		
All Other	236,637		the transfer of one		
			Environmental Specialist		
TOTAL		292,288	IV position to properly		
			align funding.		
Provides for the allocation					
of funds for the transfer of			Performance Partnership Grant		
one Environmental			Personal Services	10,200	47,550
Specialist III position			All Other	188	835
from Other Special					
Revenue funds and			TOTAL	10,388	48,385
establishes the boat pump-					
out program formerly			Provides for the allocation		
administered by the State			of funds to extend one		
Planning Office.			limited-period Planning		
			and Research Associate I		
			position through June 8,		
			2001.		
Performance Partnership Grant					
Positions - Legislative Count	(-2,000)	(-2,000)	Pollution Prevention		
Personal Services	(16,037)	(70,060)	All Other		(75,238)
All Other	(325)	(1,422)			
			Provides for the		
TOTAL	(16,362)	(71,482)	deallocation of funds from		
			the Office of Pollution		
Provides for the			Prevention to transfer and		
deallocation of funds from			combine the program		
the transfer of 2 positions			under the Remediation		
from the Performance			and Waste Management		
Partnership Grant to other			program.		
funding sources under the					
toxics use reduction			Remediation and Waste		
program.			Management		
			All Other		75,238
Performance Partnership Grant					
Personal Services		17,444	Provides for the allocation		
All Other		354	of funds for a transfer		
			from the Pollution		
TOTAL		17,798	Prevention program to		
			combine programs.		
Provides for the allocation					
of funds to extend one			Remediation and Waste		
project position, an Oil			Management		
and Hazardous Material			Positions - Legislative Count	(1,000)	(1,000)
Specialist II position,			Personal Services	8,859	39,256
through September 15,			All Other	180	797
2000.					
Performance Partnership Grant			TOTAL	9,039	40,053
Personal Services	10,361	46,102			
All Other	210	936	Provides for the allocation		
			of funds for the transfer of		
TOTAL	10,571	47,038	one Environmental		
			Specialist III position		
Provides for the allocation			from the Performance		
of funds to extend one			Partnership Grant.		
limited-period Planning					
and Research Associate II			Land Quality Control		
position, established in			Positions - Legislative Count	(-1,000)	(-1,000)
Financial Order 03577F,			Personal Services	(5,460)	(28,259)
to June 8, 2001.					
Performance Partnership Grant					
Positions - Legislative Count		(-1,000)	Provides for the transfer of		
Personal Services		(65,710)	one Clerk Typist II		
			position to the Maine		
			Environmental Protection		

Fund to place the position within the appropriate funding source.			Provides for the allocation of funds for the Rural Domestic Violence and Child Victimization Enforcement Grant Program to work with communities to develop education and prevention strategies directed toward such issues.		
Remediation and Waste Management					
Personal Services	12,400	55,800			
All Other	300	1,300			
TOTAL	<u>12,700</u>	<u>57,100</u>			
Provides funding for the establishment of one Environmental Specialist III project position to assist in carrying out pollution prevention projects. The position will be effective from April 15, 2000 through April 7, 2001.			Health - Bureau of		
			All Other		75,828
			Provides for the allocation of funds for an expanded dental sealant program and expanded access to dental services and development of a dental services network for children.		
DEPARTMENT OF ENVIRONMENTAL PROTECTION			Health - Bureau of		
TOTAL	<u>40,458</u>	<u>424,081</u>	Positions - Legislative Count	(1,000)	(1,000)
			Personal Services	8,370	43,522
EXECUTIVE DEPARTMENT			Provides for the allocation of funds to establish one Environmental Specialist II position in the Radon Indoor Grant Program for the inspection and certification of licensed radon testers and mitigators.		
Planning Office			Health - Bureau of		
Personal Services		(29,641)	Personal Services	815	1,630
Provides for the deallocation of funds in the flood plain management account resulting from the split of a Planner II position between the General Fund and the Federal Expenditures Fund.			Provides for the appropriation of funds for the upgrade of a Public Health Nurse II position to a Comprehensive Health Planner I position in the genetics birth defects program.		
EXECUTIVE DEPARTMENT			Health - Bureau of		
TOTAL		<u>(29,641)</u>	Positions - Legislative Count	(1,000)	(1,000)
			Personal Services	8,904	46,301
HUMAN SERVICES, DEPARTMENT OF			All Other	31,318	28,309
Bureau of Child and Family Services - Central			TOTAL	<u>40,222</u>	<u>74,610</u>
Positions - Legislative Count	(1,000)	(1,000)	Provides for the allocation of funds to establish one Case Manager position, Comprehensive Health Planner I, in the breast and cervical health program for case management.		
Personal Services	50,588	52,105	Health - Bureau of		
Provides for the allocation of funds to transfer one Social Services Program Specialist II position from the Social Services Block Grant to comply with a State Single Audit finding.					
Bureau of Child and Family Services - Central					
All Other		200,000			

All Other	44,001	66,886	Positions - Legislative Count	(-1,000)	(-2,000)
Capital Expenditures	4,900		Personal Services	(18,233)	(94,814)
TOTAL	48,901	66,886	Provides for the deallocation of funds to eliminate one Public Health Nurse II position in fiscal year 1999-00 and 2 Public Health Nurse II positions in fiscal year 2000-01 from the occupational health program.		
Provides for the allocation of funds to address the public health problems of arthritis in Maine by creating a strong synergistic partnership between the state health agency, the Arthritis Foundation and key stakeholders throughout the State.			Health - Bureau of		
Health - Bureau of			Personal Services	2,966	17,722
All Other	25,000	30,000	All Other	2,000	4,000
Provides for the allocation of funds to support program evaluation within the youth suicide prevention program.			TOTAL	4,966	21,722
Health - Bureau of			Provides for the allocation of funds to upgrade an Environmental Specialist III position to a Director, Drinking Water Program position funded by the Public Water Supply Supervision Grant PL-93-523.		
Positions - Legislative Count		(-1,000)	Health - Bureau of		
Personal Services		(42,282)	Positions - Legislative Count	(-0,500)	(-0,500)
Provides for the deallocation of funds to eliminate one Sanitarian II position in the childhood lead poisoning prevention program due to reductions in the federal categorical grant.			Personal Services	(2,620)	(13,663)
Health - Bureau of			Provides for the deallocation of funds to eliminate one 1/2-time Medical Care Coordinator position from the Federal Project Grants account.		
Positions - Legislative Count		(-1,000)	Maternal and Child Health		
Personal Services		(57,242)	Positions - Legislative Count		(-1,000)
Provides for the deallocation of funds to allow for the transfer of one Health Program Manager position from the federal categorical grant to the Maternal and Child Health Block Grant.			Personal Services		(45,903)
Health - Bureau of			Provides for the deallocation of funds to transfer one Comprehensive Health Planner II position from the federal categorical grant to the Maternal and Child Health Block Grant.		
Personal Services	770	1,540	Medical Care - Payments to Providers		
Provides for the allocation of funds for the reorganization of one Clerk Typist II position to a Medical Secretary position within the genetics birth defects program.			All Other	58,748,561	55,596,849
Health - Bureau of			Provides for the allocation of federal matching funds to cover an anticipated Medicaid shortfall that has resulted because actual fiscal year 1999-00 spending and updated		

fiscal year 2000-01 spending projections significantly exceed those used for the fiscal year 2000-01 biennial budget.

due to the reductions in the Social Services Block Grant.

Bureau of Medical Services

Positions - Legislative Count	(3,000)	(3,000)
Personal Services	18,164	103,733
All Other	10,500	6,000
TOTAL	28,664	109,733

Provides for the allocation of federal matching funds to establish 3 Senior Medical Claims Evaluator positions to provide improved customer service within the provider relations unit.

Bureau of Medical Services

All Other 12,071,402

Provides for the allocation of federal matching funds to purchase and develop software to enhance the department's Medicaid claims management system.

Medical Care - Payment to Providers

All Other 4,800,317 12,647,274

Provides for the allocation of funds for the federal match on Medicaid services funded by the Department of Mental Health, Mental Retardation and Substance Abuse Services.

Bureau of Medical Services

Personal Services	224	2,363
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Provides for the allocation of funds to cover a reorganization of a 1/2-time Comprehensive Health Planner II position to a Social Services Program Manager position.

DEPARTMENT OF HUMAN SERVICES

TOTAL 63,736,545 83,199,560

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF

Endangered Nongame Operations

Positions - Legislative Count	(2,000)	(2,000)
Personal Services	12,264	79,500
All Other	20,000	50,000
TOTAL	32,264	129,500

Provides for the allocation of funds for 2 Biologist I positions to carry out lynx research. The study will be concluded in 2003 and the positions will be abolished.

Office of Management and Budget

Personal Services	1,160,000
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Provides for the allocation of funds for the transfer of the federal share for the cost of the Office of Management and Budget from the Social Services Block Grant to allow for the equitable distribution of these costs to the benefiting programs. This transfer is necessary due to reductions in the Social Services Block Grant.

DEPARTMENT OF INLAND FISHERIES AND WILDLIFE

TOTAL 32,264 129,500

LABOR, DEPARTMENT OF

Administration - Bureau of Labor Standards

Positions - Legislative Count	(1,000)
Personal Services	41,937
All Other	56,070
Capital Expenditures	3,500

OMB Operations - Regional

All Other	1,298,000
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Provides for the allocation of funds for the transfer of federal matching costs to the OMB Operations - Regional from the Social Services Block Grant to allow for the equitable distribution of costs to the benefiting programs. This transfer is necessary

		101,507			
TOTAL			Blind and Visually Impaired program.		
Provides for the allocation of funds for one Statistician II position to conduct research into safety-related issues for teenage workers, particularly regarding exposure to carbon monoxide gas.			Employment Services Activity		
			Personal Services	(192,871)	(252,894)
Blind and Visually Impaired - Division for the			Provides for the deallocation of funds from the transfer of Personal Services allocation to the Welfare to Work program and the Governor's Training Initiative program to better serve Maine citizens.		
Positions - Legislative Count	(1,000)	(1,000)	Employment Services Activity		
Personal Services	6,026	44,891	Positions - Legislative Count		(-3,000)
Provides for the allocation of funds through the transfer of one Employment and Training Specialist I position from the Employment Services Activity program, Federal Expenditures Fund. The position will be used to continue a project position created by financial order that will expire April 15, 2000 and is related to the settlement of an employee relations matter.			Personal Services		(112,500)
			Provides for the deallocation of funds through the elimination of 3 vacant Employment and Training Specialist I positions.		
Employment Services Activity			Migrant and Immigrant Services		
Positions - Legislative Count		(-5,000)	Positions - Legislative Count		(5,000)
Personal Services		(259,441)	Personal Services		259,441
All Other		(69,475)	All Other		69,475
TOTAL		(328,916)	TOTAL		328,916
Provides for the deallocation of funds from the transfer of one Clerk Typist III position, one Employment and Training Specialist II position, 2 Employment and Training Specialist III positions and an Employment and Training Specialist IV position from the Bureau of Employment Services to the Bureau of Labor Standards.			Provides for the allocation of funds for establishment of the Migrant and Immigrant Services federal program under the Bureau of Labor Standards through the transfer of one Clerk Typist III position, one Employment and Training Specialist II position, 2 Employment and Training Specialist III positions and an Employment and Training Specialist IV position from the Employment Services Activity program.		
Employment Services Activity			Rehabilitation Services		
Positions - Legislative Count	(-1,000)	(-1,000)	Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(6,026)	(44,891)	Personal Services	(55,304)	(58,269)
Provides for the deallocation of funds from the transfer of an Employment and Training Specialist I position to the			Provides for the deallocation of funds through the transfer of a Rehabilitation Services Manager position to the General Fund of this same program.		

Rehabilitation Services

Positions - Legislative Count	(1,000)	(1,000)
Personal Services	54,459	54,961
All Other	845	3,308

TOTAL	<u>55,304</u>	<u>58,269</u>
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Provides for the allocation of funds for the transfer of a Casework Supervisor position from the General Fund of this same program.

Welfare to Work

Personal Services	128,588
All Other	571,412
Capital Expenditures	

TOTAL	<u>700,000</u>
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Provides for the allocation of funds for the Welfare to Work Program.

DEPARTMENT OF LABOR

TOTAL	<u>507,129</u>	<u>(263,887)</u>
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MARINE RESOURCES, DEPARTMENT OF

Division of Administrative Services

Positions - Legislative Count		(1,000)
Personal Services		44,970
All Other		900

TOTAL		<u>45,870</u>
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Provides for the allocation of funds to transfer in one Planning and Research Associate I position from the Bureau of Resource Management to more accurately reflect program expenditures.

Bureau of Resource Management

Positions - FTE Count	(0.500)	(0.500)
Personal Services	3,301	13,197
All Other	66	264

TOTAL	<u>3,367</u>	<u>13,461</u>
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Provides for the allocation of funds to transfer one seasonal Conservation Aide position from Other Special Revenue funds to provide research and monitoring assistance to federal grant programs. This transfer results in an

increase in FTE count of 0.058.

Bureau of Resource Management

Positions - Legislative Count	(-2,000)	(-2,000)
Personal Services	(21,523)	(86,089)
All Other	(431)	(1,722)

TOTAL	<u>(21,954)</u>	<u>(87,811)</u>
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Provides for the deallocation of funds through the transfer of one Marine Resource Scientist I position and one Scientist II position to the Eel and Elver Management Fund in order to provide research and management of the fishery.

Bureau of Resource Management

Positions - Legislative Count		(-1,000)
Personal Services		(44,970)
All Other		(900)

TOTAL		<u>(45,870)</u>
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Provides for the deallocation of funds through the transfer of one Planning and Research Associate I position to the Division of Administrative Services to more accurately reflect program expenditures.

DEPARTMENT OF MARINE RESOURCES

TOTAL	<u>(18,587)</u>	<u>(74,350)</u>
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MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES, DEPARTMENT OF

Mental Health Services - Children

Positions - Legislative Count	(-2,000)	(-2,000)
Personal Services	(118,394)	(122,010)

Provides for the deallocation of funds through the elimination of one Resource Development Manager position and one Social Services Manager I position due to the end of a grant.

Office of Substance Abuse		
All Other	150,420	209,580
Provides for the allocation of funds to continue the Office of Juvenile Justice and Delinquency Prevention, or OJJDP, program to reduce underage drinking.		
Office of Substance Abuse		
Personal Services	446	1,961
All Other	(446)	(1,961)
TOTAL	<u>0</u>	<u>0</u>

Provides for the transfer of All Other to Personal Services to upgrade one Clerk Stenographer II position to a Clerk Typist III position.

DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES		
TOTAL	<u>32,026</u>	<u>87,570</u>
SECTION		
TOTAL ALLOCATIONS	<u>64,312,877</u>	<u>87,300,680</u>

Sec. A-3. Allocation. The following funds are allocated from Other Special Revenue funds for the fiscal years ending June 30, 2000 and June 30, 2001 to carry out the purposes of this Part.

	1999-00	2000-01
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF		
Revenue Services - Bureau of		
All Other		2,750,000
Provides for the allocation of funds for a short-term contract to assist with accounts receivable collection of delinquent business taxes. The effort will pay for the cost of a reporting system for MATS that will aid the bureau's collection efforts. These efforts will generate net General Fund undedicated revenue of \$1,795,868 in fiscal year 2000-01.		

Accident, Sickness and Health Insurance

Positions - Legislative Count	(-11,000)
Positions - FTE Count	(-0,361)
Personal Services	(477,768)
All Other	(718,642)
TOTAL	<u>(1,196,410)</u>

Provides for the deallocation of funds through the transfer of the Accident, Sickness and Health Insurance dedicated revenue account to a new internal service fund.

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES	
TOTAL	<u>1,553,590</u>

AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF

Office of the Commissioner		
Personal Services	2,022	3,353
All Other	89	147
TOTAL	<u>2,111</u>	<u>3,500</u>

Provides for the allocation of funds to establish one split-funded Public Relations Representative position. Headcount and remaining funding will be in the General Fund account within the Office of the Commissioner.

Milk Commission		
All Other		(2,040,000)

Provides for the deallocation of funds through the transfer of the Maine Milk Pool funds into a separate account to facilitate automated calculation by the Office of the State Treasurer of the average daily cash balance.

Milk Commission		
All Other		2,040,000

Provides for the allocation of funds through the transfer of the Maine Milk Pool funds from the Maine Milk Commission account to allow for automated calculation of cash pool earnings.

Milk Commission

Personal Services 902 6,107
 Provides for the allocation of funds to reclassify one Senior Planner position to one Assistant to the Commissioner position in conjunction with a reorganization plan that establishes a public information outreach program in response to industry demand.

Other Special Revenue funding is no longer available to continue these positions.

Division of Plant Industry

Personal Services 776 5,914
 Provides for the allocation of funds to reclassify one departmental Information Systems Manager position to one agency Technology Officer position in conjunction with a reorganization plan that establishes a 2nd technology position to support the needs of the department.

DEPARTMENT OF THE ATTORNEY GENERAL

AUDIT, DEPARTMENT OF

Audit - Municipal Bureau

Positions - Legislative Count (-3,000)
 Personal Services (176,023)
 All Other (46,402)

TOTAL (222,425)

Audit - Departmental Bureau

Positions - Legislative Count (3,000)
 Personal Services 176,023
 All Other 15,000

TOTAL 191,023

DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES

3,789 15,521

Provides for the allocation of funds for transfer of 3 Auditor III positions from the Municipal Bureau into the departmental bureau to assist in completion of the State's Single Audit in accordance with the federal Single Audit Act Amendments of 1996.

DEPARTMENT OF AUDIT

BAXTER STATE PARK AUTHORITY

Baxter State Park Authority

Positions - FTE Count (1,000)
 Personal Services 32,177

Provides for the allocation of funds for 2 seasonal, 26-week Campground Ranger I positions.

Baxter State Park Authority

Positions - FTE Count (0,404)
 Personal Services 16,990

ATTORNEY GENERAL, DEPARTMENT OF THE

Administration - Attorney General

All Other 260,000
 Notwithstanding the Maine Revised Statutes, Title 22, section 1511, provides for the allocation of funds from the Fund for a Healthy Maine to be used for any administrative or program expenses.

District Attorneys Salaries

Positions - Legislative Count (-3,000)
 Personal Services (162,125)
 All Other (3,518)
 TOTAL (165,643)

Provides for the deallocation of funds and transfer of 3 Assistant District Attorney positions to the General Fund.

Provides for the allocation of funds for one seasonal Clerk II position for 21 weeks per year.

Baxter State Park Authority

Positions - FTE Count	(0.173)	(0.173)
Personal Services	6,947	7,249

Provides for the allocation of funds to extend one seasonal Alpine Ranger position for an additional 9 weeks per season.

Baxter State Park Authority

Positions - Legislative Count		(1,000)
Positions - FTE Count		(-0.769)
Personal Services		8,235

Provides for the allocation of funds to increase one seasonal Clerk II position to a full-time Clerk II position.

BAXTER STATE PARK AUTHORITY TOTAL

6,947	64,651
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CONSERVATION, DEPARTMENT OF

Boating Facilities Fund

Personal Services	6,769	16,817
All Other	(6,769)	(16,817)

0	0
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Provides for the allocation of funds for the establishment of one 36-week project Navigational Aides Assistant position, 10 weeks in fiscal year 1999-00, 26 weeks in fiscal year 2000-01.

DEPARTMENT OF CONSERVATION TOTAL

0	0
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CORRECTIONS, DEPARTMENT OF

Charleston Correctional Facility

Positions - Legislative Count		(1,000)
Personal Services		36,430
All Other		263

36,693

Provides for the allocation of funds to establish one Correctional Trades

Instructor position to assist with public restitution and the Sawyer industries program.

Correctional Center

Positions - Legislative Count	(2,000)
Personal Services	93,113
All Other	333,321
Capital Expenditures	38,900

TOTAL	465,334
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Provides for the allocation of funds through the transfer of 2 positions from the Vocational Training and Industries Program to the Maine Correctional Center. This transfer is being requested to consolidate programs with common goals to align with the performance-based budgeting initiatives.

State Prison

Personal Services	1,200
All Other	3,919

TOTAL	5,119
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Provides for the allocation of funds from a transfer from the State Prison - Farm Program to consolidate programs with common goals to align with performance-based budgeting initiatives.

State Prison - Farm Program

Personal Services	(1,200)
All Other	(3,919)

TOTAL	(5,119)
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Provides for the deallocation of funds through a transfer to the State Prison program to consolidate programs with common goals to align with performance-based budgeting initiatives.

Vocational Training and Industries Program

Positions - Legislative Count	(-2,000)
Personal Services	(93,113)
All Other	(333,321)
Capital Expenditures	(38,900)

		<u>(465,334)</u>			
TOTAL			Provides for the allocation of funds from reimbursements for targeted case management services under the Medicaid program. These funds will be used to expand services to juveniles in the department's care.		
Provides for the deallocation of funds through a transfer of 2 positions from the Vocational Training and Industries program account to the Maine Correctional Center program account to consolidate programs with common goals to better align with the performance-based budgeting initiatives.					
Charleston Correctional Facilities			DEPARTMENT OF CORRECTIONS	<u>281,321</u>	<u>439,829</u>
			TOTAL		
			ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
			Maine Environmental Protection Fund		
Personal Services	639	3,136	Positions - Legislative Count		(1,000)
Provides for the allocation of funds to reclassify one Industrial Shop Supervisor position to a Correctional Trades Shop Supervisor position in the Sawyer Industries program as part of the reorganization within the department.			Personal Services		65,710
			All Other		1,334
			TOTAL		<u>67,044</u>
			Provides for the allocation of funds for the transfer of one Environmental Specialist IV position to align with funding.		
Correctional Services			Maine Environmental Protection Fund		
All Other		(35,021)	Positions - Legislative Count		(-1,000)
Provides for the transfer of funds from the Correctional Services program to the Adult Community Corrections program. This transfer is requested to consolidate programs with common goals to align with the performance-based budgeting initiatives.			Personal Services		(55,651)
			Provides for the deallocation of funds from the transfer of one Environmental Specialist III position from Other Special Revenue funds to the Federal Expenditures Fund.		
Adult Community Corrections			Land and Water Quality		
All Other		35,021	Positions - Legislative Count		(8,000)
Provides for the transfer of funds from the Correctional Services program. This transfer is requested to consolidate programs with common goals to align with the performance-based budgeting initiatives.			Personal Services		460,418
			All Other		84,738
			TOTAL		<u>545,156</u>
			Provides for the allocation of funds from Municipal Sewage Construction to transfer and combine the program under the Land and Water Quality program.		
Juvenile Community Corrections			Municipal Sewerage Construction		
All Other	280,682	400,000	Positions - Legislative Count		(-8,000)

Personal Services	(460,418)	All Other	(188,380)
All Other	(84,738)		
TOTAL	<u>(545,156)</u>	TOTAL	<u>(1,350,128)</u>
Provides for the deallocation of funds from Municipal Sewage Construction to transfer and combine the program under the Land and Water Quality program.		Provides for the deallocation of funds through a transfer to the Remediation and Waste Management program to combine programs.	
Remediation and Waste Management		Maine Environmental Protection Fund	
Positions - Legislative Count	(1,000)	Positions - Legislative Count	(1,000)
Personal Services	7,178	Personal Services	5,460
All Other	146	Provides for the transfer of one Clerk Typist II position from the Land and Water Quality program to place the position within the appropriate funding source.	
TOTAL	<u>7,324</u>	Maine Environmental Protection Fund	
Provides for the allocation of funds for the transfer of one Environmental Technician position from the Performance Partnership Grant to the Toxics Use Reduction Program under the Hazardous Waste Fund.		Personal Services	20,400
		All Other	250
Remediation and Waste Management		TOTAL	<u>20,650</u>
All Other	1,511,500	Provides funding for the establishment of 2 Environmental Specialist II project positions to assist in dealing with the backlog of compliance review permit conditions and site inspections in the site location process. The positions will be effective from April 15, 2000 through April 7, 2001.	97,300
Provides for the allocation of funds for tire stockpile abatement, remediation and cleanup consistent with provisions for the Tire Management Fund in the Maine Revised Statutes, Title 38, section 1316-F.		Remediation and Waste Management	
		Personal Services	10,200
Remediation and Waste Management		All Other	120
Positions - Legislative Count	(22,000)	TOTAL	<u>10,320</u>
Personal Services	1,161,748	Provides funding for the establishment of one Environmental Specialist II project position to assist in review and evaluation of oil spill reports. The positions will be effective from April 15, 2000 through April 7, 2001.	
All Other	188,380	Remediation and Waste Management	
TOTAL	<u>1,350,128</u>	Positions - Legislative Count	(-1,000)
Provides for the allocation of funds through a transfer from the Solid Waste Management program to combine programs under the Remediation and Waste Management program.			
Solid Waste Management			
Positions - Legislative Count	(-22,000)		
Personal Services	(1,161,748)		

Personal Services	(41,800)	HOUSING AUTHORITY, MAINE STATE		
Provides for the transfer of one Environmental Specialist III position from an account within Remediation and Waste Management to another account to place the position within the appropriate funding source.		Maine State Housing Authority		
		All Other		1,742,963
		Provides for the allocation of funds due to the revenue reprojection in the Real Estate Transfer Tax program.		
Remediation and Waste Management		MAINE STATE HOUSING AUTHORITY TOTAL		<hr/> 1,742,963
Positions - Legislative Count	(1,000)	HUMAN SERVICES, DEPARTMENT OF		
Personal Services	41,800	Bureau of Family Independence - Central		
All Other	900			
TOTAL	<hr/> 42,700	Positions - Legislative Count	(-1,000)	(-1,000)
Provides for the transfer of one Environmental Specialist III position from an account within Remediation and Waste Management to another account to place the position within the appropriate funding source.		Personal Services	(2,808)	(14,602)
		Provides for the deallocation of funds to eliminate one Clerk Typist II position from the Support Enforcement and Location Unit.		
DEPARTMENT OF ENVIRONMENTAL PROTECTION TOTAL	<hr/> 43,754	Child Welfare Services		
EXECUTIVE DEPARTMENT		All Other	1,500,000	1,500,000
Land For Maine's Future Fund		Provides for the allocation of funds for the increased costs of services for children returned to facilities within the State.		
Positions - Legislative Count	(1,000)	Child Welfare Services		
Personal Services	49,608	All Other	1,500,000	
All Other	3,207	Provides for the allocation of funds to pay for the infrastructure to provide services in-state for children placed in out-of-state facilities.		
TOTAL	<hr/> 52,815	Drinking Water Enforcement		
Provides for the allocation of funds for the continued support of the Land for Maine's Future Program by creating one Senior Planner position.		Personal Services	3,473	5,428
Planning Office		Provides for the allocation of funds to upgrade one Engineer Technician IV position to an Environmental Specialist IV position to oversee the data transfer and technical oversight for the Public Water Supply Supervision Grant PL 93-523.		
All Other	438,000	Health - Bureau of		
Provides for the allocation of funds for recycling and hazardous waste grants administered by the State Planning Office.				
EXECUTIVE DEPARTMENT TOTAL	<hr/> 490,815			

<p>Positions - Legislative Count Personal Services</p> <p>Provides for the deallocation of funds to eliminate one Clerk Typist III position from the radiation control program.</p> <p>Bureau of Medical Services</p> <p>All Other</p> <p>Provides for the allocation of funds to cover an anticipated shortfall in the Medicaid Administration account.</p> <p>Purchased Social Services</p> <p>All Other</p> <p>Provides for the allocation of funds for the continuation of the Vista and Americorps projects in which up to 47 Americorps Vista members perform volunteer service to strengthen and supplement efforts to eliminate poverty and poverty-related social and environmental problems and help to meet the fundamental needs of children and youth.</p> <p>Child Support Collections</p> <p>All Other</p> <p>Provides for the allocation of funds to allow for the distribution of these funds to clients. The Division of Support Enforcement and Recovery Unit estimates that child support collections in fiscal year 1999-00 will be \$90,000,000. The present allocation of \$79,700,000 will not be sufficient to make the distribution.</p> <p>Medical Care - Payments to Providers</p> <p>All Other</p> <p>Provides funds generated by the fiscal year 1997-98 hospital tax for the Augusta Mental Health Institute and the Bangor Mental Health Institute to</p>	<p>(-1.000) (6,529)</p> <p>2,761,000</p> <p>10,300,000</p> <p>132,659</p>	<p>(-1.000) (35,650)</p> <p>185,905</p> <p>10,300,000</p>	<p>offset a General Fund appropriation.</p> <p>DEPARTMENT OF HUMAN SERVICES</p> <p>TOTAL</p> <p>LICENSURE OF WATER TREATMENT PLANT OPERATORS, ADVISORY BOARD FOR</p> <p>Water Treatment Plant Operators - Board of Certification</p> <p>All Other</p> <p>Provides for the allocation of funds to cover operating costs.</p> <p>ADVISORY BOARD FOR LICENSURE OF WATER TREATMENT PLANT OPERATORS</p> <p>TOTAL</p> <p>MARINE RESOURCES, DEPARTMENT OF</p> <p>Division of Administrative Services</p> <p>Positions - Legislative Count</p> <p>Provides for the deallocation of one legislative headcount authorization for one Senior Planner position in order to provide the headcount necessary to establish one Administrative Procedures Coordinator position in the Division of Administrative Services.</p> <p>Division of Administrative Services</p> <p>Positions - Legislative Count</p> <p>Personal Services</p> <p>All Other</p> <p>TOTAL</p> <p>Provides for the deallocation of funds through the transfer out of one Clerk Typist III position to more accurately reflect program expenditures.</p> <p>Division of Administrative Services</p> <p>Positions - Legislative Count</p>	<p>(-1.000) (36,989) (740)</p> <p>(-1.000)</p> <p>(-1.000)</p> <p>(37,729)</p> <p>(0.500)</p>	<p>16,187,795</p> <p>11,941,081</p> <p>8,735</p> <p>8,735</p>
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Personal Services	17,781	Personal Services	(34,868)
All Other	356	All Other	(698)
TOTAL	18,137	TOTAL	(35,566)
Provides for the allocation of funds to transfer in one part-time Clerk Typist III position from the Bureau of Marine Patrol to more accurately reflect program expenditures.		Provides for the deallocation of funds through the transfer out of one part-time Clerk Typist II position and one part-time Clerk Typist III position to more accurately reflect program expenditures.	
Division of Community Resource Development		Bureau of Resource Management	
Positions - Legislative Count	(1,000)	Positions - Legislative Count	(0,500)
Personal Services	36,989	Personal Services	17,087
All Other	740	All Other	342
TOTAL	37,729	TOTAL	17,429
Provides for the allocation of funds to transfer one Clerk Typist III position from the Division of Administrative Services to more accurately reflect program expenditures.		Provides for the allocation of funds to transfer in one part-time Clerk Typist II position from the Bureau of Marine Patrol to more accurately reflect program expenditures.	
Marine Patrol - Bureau of		Bureau of Resource Management	
Positions - Legislative Count	(1,000)	Positions - Legislative Count	(2,000)
Personal Services	37,269	Personal Services	21,523
All Other	631	All Other	431
TOTAL	37,900	TOTAL	21,954
Provides for the allocation of funds to transfer one Maintenance Mechanic position from the Watercraft Fund within the Bureau of Marine Patrol in order to more accurately reflect program expenditures.		Provides for the allocation of funds to transfer in one Marine Resource Scientist I position and one Scientist II position from the Federal Expenditures Fund to enable research and management of the fishery.	
Marine Patrol - Bureau of		Bureau of Resource Management	
Positions - Legislative Count	(-1,000)	Positions - FTE Count	(-0,442)
Personal Services	(37,269)	Personal Services	(3,068)
All Other	(631)	All Other	(62)
TOTAL	(37,900)	TOTAL	(3,130)
Provides for the deallocation of funds through the transfer of one Maintenance Mechanic position to the Watercraft Fund within the Bureau of Marine Patrol to more accurately reflect program expenditures.		Provides for the deallocation of funds to transfer one seasonal Conservation Aide position to the Federal Expenditures Fund to provide research and	
Marine Patrol - Bureau of			
Positions - Legislative Count	(-1,000)		

monitoring assistance to federal grant programs.

Bureau of Resource Management

Personal Services 12,653
All Other 253

TOTAL 12,906

Provides for the allocation of funds and authority to extend a project Marine Resource Scientist II position through June 9, 2000.

DEPARTMENT OF MARINE RESOURCES

TOTAL 31,730 75,297

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

Augusta Mental Health Institute

Personal Services (10,926)
All Other (4,085)
Capital Expenditures (44)

TOTAL (15,055)

Provides for the deallocation of funds due to a change in the federal match rate for fiscal year 2000-01 from 66.22% to 66.12%.

Augusta Mental Health Institute

All Other 81,728

Provides for the allocation of funds for the purpose of increasing dentist hours in the department's 3 dental clinics.

Augusta Mental Health Institute

Positions - Legislative Count (13,000) (13,000)
Personal Services 78,432 319,484
All Other 408,365 463,691

TOTAL 486,797 783,175

Provides for the allocation of funds to continue 8 Nurse II positions and 5 Mental Health Worker I positions created by Financial Order 03352FO in order to meet requirements of the

Augusta Mental Health Consent Decree.

Augusta Mental Health Institute

All Other 135,301

Provides for the allocation of funds to pay the final gross patient services revenue limit for fiscal year 1997-98.

Augusta Mental Health Institute

Positions - Legislative Count (-8,000)
Personal Services (190,142)
All Other (273,798)

TOTAL (463,940)

Provides for the deallocation of funds through the transfer of management of facilities and grounds and one Laborer II position, one Heavy Equipment Operator position, one Building Maintenance Supervisor position and 5 Boiler Engineer positions from the Augusta Mental Health Institute to the Bureau of General Services.

Bangor Mental Health Institute

Personal Services (13,617)
All Other (2,647)
Capital Expenditures (24)

TOTAL (16,288)

Provides for the deallocation of funds due to a change in the federal match rate for fiscal year 2000-01 from 66.22% to 66.12%.

Bangor Mental Health Institute

Positions - Legislative Count (-17,500) (-17,500)
Personal Services (209,258) (372,170)
All Other (12,338) (24,817)

TOTAL (221,596) (396,987)

Provides for the deallocation of funds through the elimination of 3 full-time and one part-time Nurse II positions, one Nurse I position, 2 Licensed Practical Nurse positions, one Mental Health Worker II position,

<p>4 Mental Health Worker I positions, one Custodial Worker I position, one Storekeeper II position, one Clerk Typist II position, one Furniture Repairer position and 2 Food Service Worker positions as a result of a unit closing at the Bangor Mental Health Institute.</p>			<p>Administrative Services – Professional and Financial Regulation</p>		
			<p>Personal Services</p>	<p>2,625</p>	<p>5,300</p>
			<p>Provides for the allocation of funds to upgrade one Accountant II position to a Staff Accountant position to meet the needs of the Administrative Services Division.</p>		
Bangor Mental Health Institute			Banking - Bureau of		
All Other	69,254		Personal Services	5,850	7,800
Provides for the allocation of funds to pay the final gross patient services revenue limit for fiscal year 1997-98.			Provides for the allocation of funds for the range change of the Securities Division Administrator position from range 31, confidential, to range 34, confidential.		
Mental Health Services - Community			Administrative Services - Professional and Financial Regulation		
All Other	204,556		Personal Services	2,500	3,300
Provides for the allocation of funds to purchase hardware and software for management information systems.			Provides for the allocation of funds for the renaming of the classification of the Managing Insurance Examiner position in the Supervisory bargaining unit to Assistant Director of Fiscal Operations in the Confidential bargaining unit.		
Augusta Mental Health Institute			Banking - Bureau of		
Positions - Legislative Count		(-1,000)	Personal Services	1,450	1,450
Personal Services		(100,690)	Provides for the allocation of funds for the implementation of an agreement to reclassify all Staff Attorney positions and change their bargaining unit from Confidential to Professional and Technical.		
All Other		(3,968)	Insurance - Bureau of		
TOTAL		<u>(104,658)</u>	Personal Services	8,950	8,950
Provides for the deallocation of funds due to the elimination of one Physician III position.			Provides for the allocation of funds for the implementation of an agreement to reclassify all Staff Attorney positions and one Managing Insurance Examiner		
Augusta Mental Health Institute					
All Other	147,000				
Provides for the allocation of funds in order to fund necessary health and safety needs, such as an electrical infrastructure upgrade, air quality and sprinkler system.					
DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES					
TOTAL	<u>821,312</u>	<u>(132,025)</u>			
PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF					

position and change their bargaining unit from Confidential to Professional and Technical and for the reclassification of a Senior Staff Attorney position.

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION TOTAL

	21,375	26,800
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PUBLIC SAFETY, DEPARTMENT OF

Fire Marshal - Office of

Positions - Legislative Count	(1,000)	
Personal Services	69,953	
All Other	16,116	
Capital Expenditures	150,000	

TOTAL	236,069	
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Provides for the allocation of funds to establish one Chemist III position and for operational expenses and upgrade of the Crime Lab facility necessary to process fire evidence, which is required due to loss of services by closure of the private contract laboratory.

State Police

Personal Services	7,341	7,341
All Other	133	133

TOTAL	7,474	7,474
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Provides for the allocation of funds for the reclassification and range change for 2 Police Communication Operator positions as approved by the Bureau of Human Resources.

Turnpike Enforcement

Personal Services	8,170	7,341
All Other	147	133

TOTAL	8,317	7,474
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Provides for the allocation of funds for the reclassification and range change for 2 Police Communication Operator positions as approved by the Bureau of Human Resources.

Turnpike Enforcement

Positions - Legislative Count	(2,000)
Personal Services	71,511
All Other	31,207
Capital Expenditures	44,000

TOTAL	146,718
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Provides for the allocation of funds to establish 2 State Police Trooper positions and allocates funds for operational costs and for the purchase of vehicles for the troopers as requested by the Maine Turnpike Authority.

DEPARTMENT OF PUBLIC SAFETY TOTAL

	15,791	397,735
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SECRETARY OF STATE, DEPARTMENT OF

Administration - Archives

Personal Services	1,777	4,983
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Provides funding to continue a 36-week, part-time project Clerk Typist II position from April 15, 2000 until November 4, 2000. This position will perform extensive data entry needed in order to track boxes of archival documents that must be moved to accommodate the conversion of a part of the archives facility to mobile compact shelving.

DEPARTMENT OF SECRETARY OF STATE TOTAL

	1,777	4,983
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SECTION

TOTAL ALLOCATIONS

	17,675,591	18,162,361
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Sec. A-4. Allocation. The following funds are allocated from the Federal Block Grant Fund for the fiscal years ending June 30, 2000 and June 30, 2001 to carry out the purposes of this Part.

	1999-00	2000-01
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ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Community Development Block Grant Program

All Other	1,000,000
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Provides for the allocation of funds in the Community Development Block Grant Program.

DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT
TOTAL

1,000,000

EDUCATION, DEPARTMENT OF

Learning Systems

Personal Services 4,000
 All Other 160
TOTAL 4,160

Provides for the allocation of funds to meet a payroll shortfall resulting from a lack of attrition and unbudgeted salary and benefit increases in a 2-person account.

DEPARTMENT OF EDUCATION
TOTAL

4,160

HUMAN SERVICES, DEPARTMENT OF

Health - Bureau of

Positions - Legislative Count (-1,000)
 Personal Services (42,282)

Provides for the deallocation of funds to eliminate one Sanitarian II position in the childhood lead poisoning prevention program due to the reduction of federal funding.

Maternal and Child Health

Positions - Legislative Count (1,000)
 Personal Services 45,903

Provides for the allocation of funds for the transfer of one Comprehensive Health Planner II position from the federal categorical grant. The position will be reclassified to Public Health Nurse Consultant.

Maternal and Child Health

Positions - Legislative Count (1,000)
 Personal Services 57,242

Provides for the allocation of funds for the transfer of one Health Program Manager position from the federal categorical grant.

Maternal and Child Health

Personal Services 1,566

Provides for the allocation of funds to reorganize one Data Entry Specialist position to a Clerk Typist III position.

Purchased Social Services

Positions - Legislative Count (-1,000) (-1,000)
 Personal Services (50,588) (52,105)

Provides for the deallocation of funds to transfer one Social Services Program Specialist II position to the Bureau of Child and Family Services account to comply with the State's Single Audit finding.

Additional Support for Persons in Retraining and Employment

Positions - Legislative Count (-1,000) (-1,000)
 Personal Services (5,169) (26,139)

Provides for the deallocation of funds to eliminate one Human Services Aide III position.

Office of Management and Budget

Personal Services (2,079,083)
 All Other (30,128)

TOTAL (2,109,211)

Provides for the deallocation of funds to transfer the cost of the Office of Management and Budget from the Social Services Block Grant account to the Federal Expenditures Fund to allow for the equitable distribution of costs to the benefiting programs. This transfer is necessary due to reductions in the Social Services Block Grant.

OMB Operations - Regional

All Other (2,361,056)

Provides for the deallocation of funds to transfer the cost of the OMB Operations - Regional from the Social Services Block Grant account to the Federal Expenditures Fund to allow for the equitable distribution of costs to the benefiting programs. This transfer is necessary due to reductions in the Social Services Block Grant.

Community Services Block Grant

All Other	844,843	147,317
Provides for the allocation of federal Community Services Block Grant funds carried forward from state fiscal year 1999 of \$697,526 and from a grant award increase of \$147,317 received in March 2000. These funds will be contracted out in fiscal year 2000.		

Child Care Development Block Grant

All Other	1,717,066	1,234,475
Provides for the allocation of federal Child Care Development Block Grant funds carried forward from state fiscal year 1999 of \$482,591 and from a grant award of \$651,034 for matching increase and \$583,441 for discretionary funds received in March 2000. These funds will be contracted out in fiscal year 2000.		

**DEPARTMENT OF HUMAN SERVICES
TOTAL**

2,506,152	(3,104,290)
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MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES, DEPARTMENT OF

Office of Substance Abuse

All Other	500,000
Provides for the allocation of funds due to an increase	

in the Office of Substance Abuse federal block grant.

Mental Health Services - Children

All Other	117,221	117,221
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Provides for an allocation of funds due to an increase in the Community Mental Health Block Grant program.

Mental Health Services - Community

All Other	117,221	117,221
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Provides for the allocation of funds due to an increase in the Community Mental Health Block Grant program.

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

234,442	734,442
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PUBLIC SAFETY, DEPARTMENT OF

Emergency Medical Services

Positions - Legislative Count	(-1,000)
Personal Services	(79,235)
All Other	(28,362)

TOTAL	(107,597)
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Provides for the deallocation of funds and transfer of one Director, Office of Emergency Medical Services position to the Emergency Medical Services account in the General Fund due to the loss of Preventive Health Block Grant funds.

**DEPARTMENT OF PUBLIC SAFETY
TOTAL**

(107,597)

SECTION

TOTAL ALLOCATIONS	3,744,754	(2,477,445)
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Sec. A-5. Allocation. The following funds are allocated from the Bureau of Revenue Services Fund for the fiscal years ending June 30, 2000 and June 30, 2001 to carry out the purposes of this Part.

	1999-00	2000-01
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF		
Bureau of Revenue Services Fund		
All Other	750,000	750,000
Provides for the allocation of funds for the Bureau of Revenue Services Internal Services Fund. Funds will be collected from agencies for services rendered to them by the bureau.		
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES TOTAL	750,000	750,000
SECTION TOTAL ALLOCATIONS	750,000	750,000

Sec. A-6. Allocation. The following funds are allocated from the Alcoholic Beverage Fund for the fiscal years ending June 30, 2000 and June 30, 2001 to carry out the purposes of this Part.

	1999-00	2000-01
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF		
Alcoholic Beverages – General Operation		
All Other	16,566	34,115
Provides for the allocation of funds to continue maintenance and enhancement of the MIMS point of sale and inventory system.		
Alcoholic Beverages – General Operation		
All Other	207,000	(150,000)
Provides for the allocation of funds to complete the buyout of the former Kittery Liquor Store lease. This request was discussed with the Joint Standing Committee on Appropriations and Financial Affairs in November 1999.		

DEPARTMENT OF ADMINISTRATIVE AND

FINANCIAL SERVICES TOTAL	223,566	(115,885)
SECTION TOTAL ALLOCATIONS	223,566	(115,885)

Sec. A-7. Allocation. The following funds are allocated from the Prison Industries Fund for the fiscal year ending June 30, 2001 to carry out the purposes of this Part.

	2000-01
CORRECTIONS, DEPARTMENT OF	
State Prison	
Positions - Legislative Count	(2,000)
Personal Services	83,136
All Other	3,500
Provides for the allocation of funds to establish one Account Clerk II position and one Correctional Trades Instructor position and for various reclassifications to implement the Department of Corrections Master Plan for the industries component at the Maine State Prison.	

DEPARTMENT OF CORRECTIONS TOTAL	86,636
SECTION TOTAL ALLOCATIONS	86,636

Sec. A-8. Allocation. The following funds are allocated from the Seed Potato Board Fund for the fiscal years ending June 30, 2000 and June 30, 2001 to carry out the purposes of this Part.

	1999-00	2000-01
AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF		
Seed Potato Board		
Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(31,733)	(33,216)
All Other	(254)	(266)
TOTAL	(31,987)	(33,482)
Provides for the deallocation of funds through the elimination of one vacant Clerk Typist III position. The headcount only will be reallocated to the Office of the Commissioner in order		

to establish a Public Relations Representative position as part of a reorganization plan.

DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES		
TOTAL	(31,987)	(33,482)
SECTION		
TOTAL ALLOCATIONS	(31,987)	(33,482)

Sec. A-9. Allocation. The following funds are allocated from the State Lottery Fund for the fiscal years ending June 30, 2000 and June 30, 2001 to carry out the purposes of this Part.

	1999-00	2000-01
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF Lottery Operations		
All Other	46,000	46,000
Provides for the allocation of funds to bolster advertising efforts for the Heritage Fund instant ticket games.		
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES		
TOTAL	46,000	46,000
SECTION		
TOTAL ALLOCATIONS	46,000	46,000

Sec. A-10. Allocation. The following funds are allocated from the Accident, Sickness and Health Insurance Internal Service Fund for the fiscal year ending June 30, 2001 to carry out the purposes of this Part.

	2000-01
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF Accident, Sickness and Health Insurance Internal Service Fund	
Positions - Legislative Count	(11,000)
Positions - FTE Count	(0,361)
Personal Services	477,768
All Other	718,642
Provides for the allocation of positions and funding to support the operations of the Accident, Sickness and Health Insurance Internal Service Fund.	

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES	
TOTAL	1,196,410
SECTION	
TOTAL ALLOCATIONS	1,196,410

Sec. A-11. Allocation. The following funds are allocated from the Office of Information Services Fund for the fiscal years ending June 30, 2000 and June 30, 2001 to carry out the purposes of this Part.

	1999-00	2000-01
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF Information Services - Bureau of		
Personal Services	2,036	7,562
Provides for the allocation of funds to upgrade the Deputy Director of Information Services position to a Chief Information Officer position.		
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES		
TOTAL	2,036	7,562
SECTION		
TOTAL ALLOCATIONS	2,036	7,562

PART B

Sec. B-1. Appropriations. There are appropriated from the General Fund for the fiscal years ending June 30, 2000 and June 30, 2001 to the departments listed, the sums identified in the following in order to provide funding for approved reclassifications and range changes.

	1999-00	2000-01
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF Administration - Human Resources		
Personal Services	\$6,372	\$5,377
Buildings and Grounds Operations		
Personal Services	8,043	9,234
Financial and Personnel Services - Division of		
Personal Services	5,094	3,366

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES TOTAL	19,509	17,977	ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF		
ATLANTIC SALMON COMMISSION			Administration - Economic and Community Development		
Atlantic Salmon Commission			Personal Services	5,000	5,495
Personal Services	2,658	7,144	Business Development		
ATLANTIC SALMON COMMISSION TOTAL	2,658	7,144	Personal Services	9,704	5,495
AUDIT, DEPARTMENT OF			Maine State Film Commission		
Audit - Departmental Bureau			Personal Services	4,698	4,271
Personal Services		2,200	Office of Tourism		
DEPARTMENT OF AUDIT TOTAL		2,200	Personal Services	7,730	3,429
CONSERVATION, DEPARTMENT OF			DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TOTAL	27,132	18,690
Forest Health And Monitoring			EDUCATION, DEPARTMENT OF		
Personal Services	11,403	8,040	Leadership		
Forest Policy and Management - Division of			Personal Services	8,776	3,491
Personal Services	2,479	3,279	Learning Systems		
Parks - General Operations			Personal Services	7,984	4,752
Personal Services	8,424	24,260	Management Information Systems		
DEPARTMENT OF CONSERVATION TOTAL	22,306	35,579	Personal Services	2,063	2,053
CORRECTIONS, DEPARTMENT OF			Support Systems		
Administration - Corrections			Personal Services	5,517	5,240
Personal Services		19,786	DEPARTMENT OF EDUCATION TOTAL	24,340	15,536
Correctional Center			ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
Personal Services		15,395	Administration - Environmental Protection		
Downeast Correctional Facility			Personal Services	8,833	5,694
Personal Services		7,142	Land and Water Quality		
Northern Maine Juvenile Facility			Personal Services	7,509	8,354
Personal Services		10,642	DEPARTMENT OF ENVIRONMENTAL PROTECTION TOTAL	16,342	14,048
State Prison			HUMAN SERVICES, DEPARTMENT OF		
Personal Services		17,259			
DEPARTMENT OF CORRECTIONS TOTAL		70,224			

Bureau of Child and Family Services - Central			MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES, DEPARTMENT OF		
Personal Services	4,200	3,800			
Bureau of Medical Services			Mental Health Services - Community		
Personal Services	17,435		Personal Services	2,780	2,196
Elder and Adult Services - Bureau of			Mental Retardation Services - Community		
Personal Services	2,050		Personal Services		91,766
OMB Operations - Regional			Office of Substance Abuse		
Personal Services	2,300	1,100	Personal Services	2,692	1,176
DEPARTMENT OF HUMAN SERVICES			DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES		
TOTAL	<u>6,500</u>	<u>24,385</u>	TOTAL	<u>5,472</u>	<u>95,138</u>
INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF			MUSEUM, MAINE STATE		
Enforcement Operations - Inland Fisheries and Wildlife			Maine State Museum		
Personal Services		9,500	Personal Services	13,992	18,000
Fisheries and Hatcheries Operations			MAINE STATE MUSEUM TOTAL	<u>13,992</u>	<u>18,000</u>
Personal Services		22,500	PUBLIC SAFETY, DEPARTMENT OF		
Licensing Services - Inland Fisheries and Wildlife			Liquor Enforcement		
Personal Services		600	Personal Services	2,450	2,038
Office of the Commissioner - Inland Fisheries and Wildlife			State Police		
Personal Services	1,632	4,182	Personal Services	8,664	14,201
Public Information and Education - Division of			DEPARTMENT OF PUBLIC SAFETY		
Personal Services	6,110	4,202	TOTAL	<u>11,114</u>	<u>16,239</u>
Resource Management Services - Inland Fisheries and Wildlife			SECTION		
Personal Services		3,791	TOTAL APPROPRIATIONS	<u>\$157,107</u>	<u>\$396,416</u>
DEPARTMENT OF INLAND FISHERIES AND WILDLIFE					
TOTAL	<u>7,742</u>	<u>44,775</u>			
MARINE RESOURCES, DEPARTMENT OF					
Bureau of Resource Management				1999-00	2000-01
Personal Services		16,481	ATLANTIC SALMON COMMISSION		
DEPARTMENT OF MARINE RESOURCES			Atlantic Salmon Commission		
TOTAL		<u>16,481</u>	Personal Services	\$3,307	\$7,076

Sec. B-2. Allocations. There are allocated from the Federal Expenditures Fund for the fiscal years ending June 30, 2000 and June 30, 2001 to the departments listed, the sums identified in the following in order to provide funding for approved reclassifications and range changes.

ATLANTIC SALMON COMMISSION TOTAL	3,307	7,076
CONSERVATION, DEPARTMENT OF		
Forest Health and Monitoring		
Personal Services	3,177	2,227
Forest Policy and Management - Division of		
Personal Services	7,035	4,527
DEPARTMENT OF CONSERVATION TOTAL	10,212	6,754
EDUCATION, DEPARTMENT OF		
Learning Systems		
Personal Services	7,849	2,396
Learning Systems		
Personal Services	3,588	2,920
DEPARTMENT OF EDUCATION TOTAL	11,437	5,316
ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
Administration – Environmental Protection		
Personal Services	1,032	2,529
Land and Water Quality		
Personal Services	1,855	3,395
Performance Partnership Grant		
Personal Services	9,286	13,783
DEPARTMENT OF ENVIRONMENTAL PROTECTION TOTAL	12,173	19,707
EXECUTIVE DEPARTMENT		
Planning Office		
Personal Services	3,602	2,746
EXECUTIVE DEPARTMENT TOTAL	3,602	2,746
HUMAN SERVICES, DEPARTMENT OF		
Bureau of Family Independence - Central		
Personal Services	2,975	4,950

Health - Bureau of		
Personal Services	18,875	17,550
Bureau of Medical Services		
Personal Services	79,880	62,990
OMB Operations - Regional		
Personal Services	1,150	500
DEPARTMENT OF HUMAN SERVICES TOTAL	102,880	85,990
MARINE RESOURCES, DEPARTMENT OF		
Bureau of Resource Management		
Personal Services	1,950	2,329
DEPARTMENT OF MARINE RESOURCES TOTAL	1,950	2,329
SECTION TOTAL ALLOCATIONS	\$145,561	\$129,918

Sec. B-3. Allocations. There are allocated from Other Special Revenue funds for the fiscal years ending June 30, 2000 and June 30, 2001 to the departments listed, the sums identified in the following in order to provide funding for approved reclassifications and range changes.

	1999-00	2000-01
BAXTER STATE PARK AUTHORITY		
Baxter State Park Authority		
Personal Services	\$10,251	\$16,664
BAXTER STATE PARK AUTHORITY TOTAL	10,251	16,664
CONSERVATION, DEPARTMENT OF		
Boating Facilities Fund		
Personal Services	12,690	9,028
Off-road Recreational Vehicles Program		
Personal Services	5,344	5,142
DEPARTMENT OF CONSERVATION TOTAL	18,034	14,170
CORRECTIONS, DEPARTMENT OF		
Vocational Training and Industries Program		

Personal Services	2,460	2,490	Division of Administrative Services		
DEPARTMENT OF CORRECTIONS			Personal Services	3,547	2,226
TOTAL	<u>2,460</u>	<u>2,490</u>	Division of Administrative Services		
ENVIRONMENTAL PROTECTION, DEPARTMENT OF			Personal Services	725	3,144
Administration – Environmental Protection			Marine Patrol - Bureau of		
Personal Services	1,226	2,203	Personal Services	1,536	1,237
Maine Environmental Protection Fund			Bureau of Resource Management		
Personal Services	10,534	13,166	Personal Services	1,504	1,747
Municipal Sewerage Construction			DEPARTMENT OF MARINE RESOURCES		
Personal Services	1,760	3,492	TOTAL	<u>7,312</u>	<u>8,354</u>
Remediation and Waste Management			PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF		
Personal Services	12,278	6,107	Banking - Bureau of		
Remediation and Waste Management			Personal Services	4,875	2,750
Personal Services	3,766	2,488	Engineers - Board of Registration for Professional		
Remediation and Waste Management			Personal Services	4,100	3,100
Personal Services	3,105	5,594	Insurance - Bureau of		
Solid Waste Management			Personal Services	1,300	2,600
Personal Services	4,292	4,661	Licensure in Medicine - Board of		
DEPARTMENT OF ENVIRONMENTAL PROTECTION			Personal Services	8,200	3,800
TOTAL	<u>36,961</u>	<u>37,711</u>	Nursing - Board of		
HUMAN SERVICES, DEPARTMENT OF			Personal Services	3,150	2,150
Drinking Water Enforcement			DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION		
Personal Services	20,425	14,225	TOTAL	<u>21,625</u>	<u>14,400</u>
DEPARTMENT OF HUMAN SERVICES			PUBLIC SAFETY, DEPARTMENT OF		
TOTAL	<u>20,425</u>	<u>14,225</u>	Criminal Justice Academy		
LABOR, DEPARTMENT OF			Personal Services	1,270	2,561
Safety Education and Training Programs			Emergency Services Communication Bureau		
Personal Services	7,517	7,145	Personal Services	9,669	12,471
DEPARTMENT OF LABOR			Fire Marshal - Office of		
TOTAL	<u>7,517</u>	<u>7,145</u>	Personal Services	12,435	16,088
MARINE RESOURCES, DEPARTMENT OF			DEPARTMENT OF PUBLIC SAFETY		
			TOTAL	<u>23,374</u>	<u>31,120</u>

SECTION		
TOTAL ALLOCATIONS	\$147,959	\$146,279

Sec. B-4. Allocations. There are allocated from the Federal Block Grant Fund for the fiscal years ending June 30, 2000 and June 30, 2001 to the departments listed, the sums identified in the following in order to provide funding for approved reclassifications and range changes.

	1999-00	2000-01
HUMAN SERVICES, DEPARTMENT OF		
Dental Disease Prevention		
Personal Services	\$2,030	\$3,970
All Other	(2,030)	(3,970)
Special Children's Services		
Personal Services	3,300	1,950
All Other	(3,300)	(1,950)
DEPARTMENT OF HUMAN SERVICES TOTAL	0	0

SECTION		
TOTAL ALLOCATIONS	\$0	\$0

Sec. B-5. Allocations. There are allocated from the Internal Service Fund for the fiscal years ending June 30, 2000 and June 30, 2001 to the departments listed, the sums identified in the following in order to provide funding for approved reclassifications and range changes.

	1999-00	2000-01
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF		
Central Motor Pool		
Personal Services	\$1,334	\$2,579
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES TOTAL	1,334	2,579
SECTION		
TOTAL ALLOCATIONS	\$1,334	\$2,579

PART C

Sec. C-1. Appropriations. There are appropriated from the General Fund for the fiscal years ending June 30, 2000 and June 30, 2001 to the departments listed, the sums identified in the following in order to provide funding for approved reclassifications and range changes.

**ADMINISTRATIVE AND
FINANCIAL SERVICES,
DEPARTMENT OF**

**Buildings and Grounds
Operations**

All Other	(\$19,509)	(\$17,977)
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Provides funds for approved reclassifications and range changes in this program, the Administration - Human Resources Program and the Financial and Personnel Services - Division of program.

**DEPARTMENT OF
ADMINISTRATIVE AND
FINANCIAL SERVICES
TOTAL**

	(19,509)	(17,977)
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**ATLANTIC SALMON
COMMISSION**

Atlantic Salmon Commission

All Other	(2,658)	(7,144)
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Provides funds for an approved range change and a reclassification.

**ATLANTIC SALMON
COMMISSION
TOTAL**

	(2,658)	(7,144)
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AUDIT, DEPARTMENT OF

Audit - Departmental Bureau

All Other		(2,200)
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Provides funds for an approved reclassification.

**DEPARTMENT OF AUDIT
TOTAL**

		(2,200)
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**CONSERVATION,
DEPARTMENT OF**

Forest Health and Monitoring

All Other	(11,403)	(8,040)
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Provides funds for approved reclassifications.

**Forest Policy and Management -
Division of**

All Other	(2,479)	(3,279)
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Provides funds for an approved bargaining unit change.

Parks - General Operations			ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF		
Capital Expenditures	(8,424)	(24,260)	Administration - Economic and Community Development		
Provides funds for approved reclassifications and range changes.			Personal Services	(17,434)	0
			All Other	0	(5,495)
DEPARTMENT OF CONSERVATION TOTAL	<u>(22,306)</u>	<u>(35,579)</u>	Capital Expenditures	(5,000)	0
CORRECTIONS, DEPARTMENT OF			TOTAL	<u>(22,434)</u>	<u>(5,495)</u>
Administration - Corrections			Provides funds for an approved reclassification and range changes in this program, the Office of Tourism program and the Business Development program.		
All Other		(17,156)	Business Development		
Provides funds for an approved reclassification and range changes.			All Other		(5,495)
Charleston Correctional Facility			Provides funds for an approved range change.		
All Other		(10,642)	Office of Tourism		
Provides funds for an approved reclassification in the Northern Maine Juvenile Detention Facility program.			All Other	(4,698)	(7,700)
Correctional Center			Provides funds for an approved reclassification in this program and an approved reclassification in the Maine State Film Commission program.		
All Other		(15,395)	DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TOTAL	<u>(27,132)</u>	<u>(18,690)</u>
Provides funds for approved reclassifications and a range change.			EDUCATION, DEPARTMENT OF		
Downeast Correctional Facility			Leadership		
All Other		(7,142)	All Other		(3,491)
Provides funds for approved reclassifications.			Provides funds for an approved reclassification.		
Juvenile Community Corrections			Learning Systems		
All Other		(2,630)	All Other	(7,984)	(4,752)
Provides funds for an approved reclassification and range changes in the Administration - Corrections program.			Provides funds for an approved reclassification.		
State Prison			Management Information Systems		
All Other		(17,259)	All Other	(2,063)	(2,053)
Provides funds for approved reclassifications.			Provides funds for an approved reclassification.		
DEPARTMENT OF CORRECTIONS TOTAL		<u>(70,224)</u>	Regional Services		

Personal Services	(8,776)		Provides funds for approved reclassifications.		
Provides funds for an approved reclassification in the Leadership program.					
			DEPARTMENT OF HUMAN SERVICES		
			TOTAL	(6,500)	(24,385)
Support Systems			INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF		
All Other	(5,517)	(5,240)	Enforcement Operations – Inland Fisheries and Wildlife		
Provides funds for an approved reclassification.			All Other		(9,500)
			Provides funds for an approved reclassification.		
DEPARTMENT OF EDUCATION			Fisheries and Hatcheries Operations		
TOTAL	(24,340)	(15,536)	All Other		(22,500)
			Provides funds for approved reclassifications.		
ENVIRONMENTAL PROTECTION, DEPARTMENT OF			Licensing Services – Inland Fisheries and Wildlife		
Administration – Environmental Protection			All Other		(600)
All Other	(8,833)	(5,694)	Provides funds for approved reclassifications.		
Provides funds for an approved range change.			Office of the Commissioner - Inland Fisheries and Wildlife		
Land and Water Quality			All Other	(1,632)	(4,182)
All Other	(7,509)	(8,354)	Provides funds for an approved reclassification.		
Provides funds for an approved reclassification.			Public Information and Education - Division of		
DEPARTMENT OF ENVIRONMENTAL PROTECTION			All Other	(6,110)	(4,202)
TOTAL	(16,342)	(14,048)	Provides funds for approved reclassifications.		
			Resource Management Services - Inland Fisheries and Wildlife		
HUMAN SERVICES, DEPARTMENT OF			All Other		(3,791)
Bureau of Child and Family Services - Central			Provides funds for approved reclassifications.		
All Other	(4,200)	(3,800)	DEPARTMENT OF INLAND FISHERIES AND WILDLIFE		
Provides funds for an approved reclassification.			TOTAL	(7,742)	(44,775)
Bureau of Elder and Adult Services			MARINE RESOURCES, DEPARTMENT OF		
All Other		(2,050)	Bureau of Resource Management		
Provides funds for an approved reclassification.			All Other		(16,481)
Bureau of Medical Services					
All Other		(17,435)			
Provides funds for approved reclassifications and range changes.					
OMB Operations - Regional					
All Other	(2,300)	(1,100)			

Provides funds for approved reclassifications and a range change.		
DEPARTMENT OF MARINE RESOURCES		
TOTAL	(16,481)	
MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES, DEPARTMENT OF		
Mental Health Services - Community		
All Other	(2,780)	(2,196)
Provides funds for approved reclassification.		
Mental Retardation Services - Community		
All Other		(91,766)
Provides funds for approved reclassifications.		
Office of Substance Abuse		
All Other	(2,692)	(1,176)
Provides funds for approved reclassification.		
DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES		
TOTAL	(5,472)	(95,138)
MUSEUM, MAINE STATE		
Maine State Museum		
All Other	(13,992)	(18,000)
Provides funds for approved reclassifications.		
MAINE STATE MUSEUM		
TOTAL	(13,992)	(18,000)
PUBLIC SAFETY, DEPARTMENT OF		
Liquor Enforcement		
All Other	(2,450)	(2,038)
Provides funds for approved reclassification.		
State Police		
All Other	(8,664)	(14,201)
Provides funds for approved reclassifications.		

DEPARTMENT OF PUBLIC SAFETY		
TOTAL	(11,114)	(16,239)
SECTION		
TOTAL APPROPRIATIONS	(\$157,107)	(\$396,416)

PART D

Sec. D-1. 20-A MRSA §15602, sub-§14 is enacted to read:

14. Cushion provision in fiscal year 2000-01.
The following cushion is established for fiscal year 2000-01. The state share of subsidy for fiscal year 2000-01 for operating costs, program costs excluding the state share of bus purchases and minimum subsidy may not be less than the state share of subsidy for fiscal year 1999-00 for operating costs, program costs excluding the state share of bus purchases, minimum subsidy and the fiscal year 1999-00 hold harmless provision actually distributed in fiscal year 1999-00.

Sec. D-2. 20-A MRSA §15653, sub-§1, as amended by PL 1999, c. 401, Pt. GG, §6, is further amended to read:

1. Per pupil guarantee. The Legislature shall annually establish a per pupil guarantee. For fiscal year 1999-00, the per pupil guarantee is \$4,020 and, for fiscal year 2000-01, the per pupil guarantee is \$4,307. In the subsequent ~~3~~ 2 fiscal years, it is the intent of the Legislature to achieve the per pupil guarantee targets established in this subsection.

~~A. For fiscal year 2000-01 the per pupil guarantee target is \$4,307.~~

B. For fiscal year 2001-02 the per pupil guarantee target is \$4,687.

C. For fiscal year 2002-03 the per pupil guarantee target is \$5,204.

The intent of the Legislature is to achieve a per pupil guarantee that matches projected spending in fiscal year 2002-03. Beginning in fiscal year ~~2000-01~~ 2001-02, if the appropriation and any increase in the mill rate determined by the Legislature to be needed under this section are not sufficient to achieve both the targeted reduction percentage in section 15603, subsection 26-A, paragraph F and the targeted per pupil guarantee, then the per pupil guarantee must advance toward the targeted per pupil guarantee in the same proportion as the reduction percentage is lowered toward the targeted reduction percentage.

Sec. D-3. 20-A MRSA §15653, sub-§4, as repealed and replaced by PL 1999, c. 401, Pt. GG, §7, is amended to read:

4. Statewide local share. For fiscal year ~~1999-00~~ 2000-01, the statewide local share amount of the operating costs allocation is based on the sum of the amounts determined by multiplying for each unit ~~6.67~~ 7.02 mills times the unit's property fiscal capacity. In subsequent years the mill rate is ~~6.67~~ 7.02 mills, except that the Legislature shall determine if an increase is needed to achieve the targeted per pupil guarantee under this section.

Sec. D-4. Basic elementary and secondary per pupil operating rates. The basic elementary per pupil operating rate for the 2000-01 fiscal year is \$3,908 and the basic secondary per pupil operating rate for the 2000-01 fiscal year is \$4,664. The foundation per pupil operating rate for the 2000-01 fiscal year is \$4,138.

Sec. D-5. Per pupil guarantee and statewide factor. The per pupil guarantee for the 2000-01 fiscal year is \$4,307. The statewide factor for the 2000-01 fiscal year is 0.57186.

Sec. D-6. Foundation allocation. The foundation allocation of state and local funds for the 2000-01 fiscal year for the purposes listed in this section is as follows.

	2000-01
	TOTAL
OPERATING COSTS	
Per pupil guarantee pursuant to the Maine Revised Statutes, Title 20-A, section 15653	\$931,358,687
PROGRAM COSTS	
Early Childhood	563,978
Special Education (Local)	148,103,245
Special Education (Tuition and Board)	13,826,263
Vocational Education	27,318,717
Transportation Operating	63,741,907
Bus Purchases	5,000,000
PROGRAM COSTS TOTAL	<u>258,554,110</u>
Less Percentage Reduction pursuant to the Maine Revised Statutes, Title 20-A, section 15603, subsection 26-A, paragraph F	(25,777,845)

ADJUSTED PROGRAM COSTS	
TOTAL	<u>232,776,265</u>

FOUNDATION TOTAL - COMBINED ADJUSTED OPERATING AND PROGRAM COST	<u>\$1,164,134,952</u>
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Sec. D-7. Foundation subsidy indexes. This section establishes mill rates pursuant to the Maine Revised Statutes, Title 20-A, chapter 606 as follows: operating cost millage, 7.02 mills; program millage limit, 1.31 mills.

Sec. D-8. Foundation reduction percentages. This section establishes reduction percentages as follows: program cost reduction percentage - 9.97%; transportation operating reduction percentage - 9.97%.

Sec. D-9. Foundation Appropriation. The foundation appropriation provided for General Purpose Aid for Local Schools for the fiscal year beginning July 1, 2000 and ending June 30, 2001 is calculated as follows.

	2000-01	2000-01
	TOTAL	STATE
Foundation Total – Combined Adjusted Operating and Program Cost	\$1,164,134,952	\$569,005,583
Minimum State Subsidy	1,548,000	1,548,000
ADJUSTED STATE SHARE FOUNDATION ALLOCATION TOTAL	<u>\$1,165,682,952</u>	<u>\$570,553,583</u>

Sec. D-10. Debt service appropriation. The debt service appropriation of state funds for fiscal year 2000-01 for the purposes listed in this section is as follows.

	2000-01
	TOTAL
Debt Service Costs	
Principal and Interest	\$69,107,107
Approved Leases	6,861,468
Insured Value Factor	2,390,621
A. Debt Service Cost Total	<u>78,359,196</u>

Less Percentage Reduction of

Insured Value Factor pursuant to the Maine Revised Statutes, Title 20-A, section 15603, subsection 26-A, paragraph F (238,345)

Adjusted Debt Service Cost Total \$78,120,851

Sec. D-11. Debt service subsidy indexes. This section establishes mill rates pursuant to the Maine Revised Statutes, Title 20-A, chapter 606 as follows: operating cost millage, 7.02 mills; debt service millage limit, 0.50 mills.

Sec. D-12. Debt service reduction percentages. This section establishes reduction percentages as follows: Insured Value Factor Reduction percentage - 9.97%.

Sec. D-13. Debt service appropriation. The debt service appropriation provided for General Purpose Aid for Local Schools for the fiscal year beginning July 1, 2000 and ending June 30, 2001 is calculated as follows.

	2000-01	2000-01
	TOTAL	STATE
ADJUSTED DEBT SERVICE ALLOCATION TOTAL	\$78,120,851	\$56,346,234

Sec. D-14. Adjustments and miscellaneous costs appropriation. The adjustments and miscellaneous costs appropriation of state funds for the 2000-01 fiscal year for the purposes listed in this section is as follows.

	2000-01
	TOTAL
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 Tuition and Board for State Wards and Other Pupils Placed Directly by the State	8,806,800
State Agency Clients	19,439,400
English as a 2nd Language	1,600,000
Out-of-district Placements	2,592,120
Long-term Drug Treatment Centers	63,415
Contract for Cost-of-education and Income Data	0
Fiscal Year 2001 Cushion	4,309,294

Total Adjustments \$37,262,029

Sec. D-15. Adjustments and miscellaneous costs appropriation. The adjustments and miscellaneous costs appropriation provided for General Purpose Aid for Local Schools for the fiscal year beginning July 1, 2000 and ending June 30, 2001 is calculated as follows.

	2000-01	2000-01
	TOTAL	STATE

ADJUSTMENTS AND MISCELLANEOUS COSTS TOTAL \$37,262,029 \$37,262,029

FOUNDATION, DEBT SERVICE AND ADJUSTMENTS AND MISCELLANEOUS COSTS TOTAL \$1,281,065,832 \$664,161,846

Sec. D-16. Limit of State's obligation. If the State's continued obligation for any individual program contained in sections 6, 9, 10, 13, 14 and 15 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 6, 9, 10, 13, 14 and 15 of this Part may not lapse but must be carried forward for the same purpose.

Sec. D-17. Appropriations. Sections 1 to 15 of this Part may not be construed to require the State to provide payments that exceed the appropriation of funds for General Purpose Aid for Local Schools for the fiscal year beginning July 1, 2000 and ending June 30, 2001.

PART E

Sec. E-1. Implementation of modified accrual; corporate income tax, cigarette and tobacco tax, estate tax and real estate transfer tax. Notwithstanding the Maine Revised Statutes, Title 5, chapter 151-B, the Commissioner of Administrative and Financial Services shall recognize additional revenue in the General Fund as a result of administratively implementing the modified accrual method of accounting for revenue for the corporate income tax, the cigarette and tobacco tax, the estate tax and the real estate transfer tax.

Sec. E-2. Recognition of Estate Tax Suspense account as General Fund revenue. Notwithstanding the Maine Revised Statutes, Title 5, chapter 151-B, the Commissioner of Administrative and Financial Services shall implement the recognition of payments deposited into the Estate Tax Suspense

account as General Fund revenue as the deposits are made beginning in fiscal year 2000-01. In order to facilitate this change, the balance of the Estate Tax Suspend account at the end of fiscal year 1999-00 must be recognized as General Fund revenue at the end of fiscal year 1999-00. It is estimated that this will generate additional General Fund revenue of \$4,000,000 in fiscal year 1999-00.

PART F

Sec. F-1. 2 MRSA §6, sub-§2, as amended by PL 1999, c. 259, §1, is further amended to read:

2. Range 90. The salaries of the following state officials and employees are within salary range 90:

Superintendent of Banking;

State Tax Assessor;

Superintendent of Insurance;

Associate Commissioner for Programs, Department of Mental Health, Mental Retardation and Substance Abuse Services;

Associate Commissioner of Administration, Department of Mental Health, Mental Retardation and Substance Abuse Services;

Associate Commissioner for Systems Operations, Department of Mental Health, Mental Retardation and Substance Abuse Services;

Deputy Commissioner, Department of Administrative and Financial Services;

Associate Commissioner for Adult Services, Department of Corrections;

Associate ~~Commissioner~~ Commissioner for Juvenile Services, Department of Corrections; ~~and~~

Public Advocate;

Chief Information Officer; and

Associate Commissioner for Legislative and Program Services, Department of Corrections.

Sec. F-2. 5 MRSA §947-B, sub-§1, ¶¶H and I, as enacted by PL 1991, c. 780, Pt. Y, §37, are amended to read:

H. State Tax Assessor; ~~and~~

I. State Budget Officer; ~~and~~

Sec. F-3. 5 MRSA §947-B, sub-§1, ¶J is enacted to read:

J. Chief Information Officer.

Sec. F-4. PL 1999, c. 401, Pt. E, §5 is amended to read:

Sec. E-5. Position authorization. Notwithstanding any other provision of law, the Department of Administrative and Financial Services, Bureau of the Budget is authorized to establish one limited-period Senior Budget Analyst position for backup for an existing position assigned full time to the design and implementation of the new Budget Management System and one limited-period Management Analyst II position to provide project management support to the Budget Management System project team. These positions must be funded from the Budget Management System project budget provided for in Public Law 1999, chapter 4 and must end on ~~August 31, 2000~~ June 30, 2001.

Sec. F-5. Telecommunications Personal Property Tax Reserve. On or before June 30, 2000, the State Controller shall transfer \$14,662,083 from the Telecommunications Personal Property Tax Reserve of the General Fund to the unappropriated surplus of the General Fund. This transfer must be made available to offset the fiscal impact of applying the estimated prepayment of the telecommunications property tax made for the 2000 tax year to the 1999 gross tax assessment due August 15, 1999.

Sec. F-6. Transportation Funding Reserve. On or before June 30, 2001, the State Controller shall transfer an amount not to exceed \$4,044,139 from the Transportation Funding Reserve in the General Fund to the unallocated surplus of the Highway Fund to meet the quarterly cash payment requirements of the Department of Transportation for highway capital projects authorized by the Legislature. Any balances remaining on June 30th of each fiscal year in the Transportation Funding Reserve in the General Fund carry forward to be used for the same purposes.

Sec. F-7. Transfer to Highway Fund unallocated surplus. On or before June 30, 2001, the State Controller shall transfer an amount not to exceed \$20,650,000 from the unappropriated surplus of the General Fund to the unallocated surplus of the Highway Fund. Any balances remaining on June 30th of each fiscal year in the unappropriated surplus of the General Fund that, when added to transfers already made under this section, do not exceed \$20,650,000 carry forward to be used for the same purposes.

Sec. F-8. Position authorization. Notwithstanding any other provision of law, the Department of Administrative and Financial Services, Bureau of Information Services may establish 3 limited-period Cartographer positions to assist with the implementation of the E-9-1-1 system. These positions must end on April 15, 2001.

Sec. F-9. Position authorization. Notwithstanding any other provision of law, the Department of Administrative and Financial Services, Bureau of Accounts and Control may establish one limited-period Accounting Systems Analyst position assigned full time to the design and implementation of the new automated time and attendance system. This position must be funded from the MFASIS System Account and must end on December 31, 2000.

PART G

Sec. G-1. 5 MRSA §936, sub-§1, ¶C, as enacted by PL 1995, c. 502, Pt. F, §2, is amended to read:

~~C. Director, Policy, Legislative and Information Services~~ Associate Commissioner for Legislative and Program Services.

Sec. G-2. 34-A MRSA §1403, sub-§2, ¶¶B and C, as amended by PL 1995, c. 502, Pt. F, §18, are further amended to read:

B. The commissioner may appoint and set the salary for ~~2~~ 3 associate commissioners to assist in carrying out the responsibilities of the department.

(1) An appointment is for an indeterminate term and until a successor is appointed and qualified or during the pleasure of the commissioner.

(2) To be eligible for appointment as an associate commissioner, a person must have training and experience in general management.

C. The commissioner shall appoint the following officials to serve at the pleasure of the commissioner:

(1) Associate Commissioner for Adult Services;

(1-A) Associate Commissioner for Juvenile Services;

(2) Assistant to the Commissioner; and

(3) ~~Director, Policy, Legislative and Information Services~~ Associate Commissioner for Legislative and Program Services.

Sec. G-3. Intermittent positions. Notwithstanding the Maine Revised Statutes, Title 5, section 1583-A or any other provision of law, the Department of Corrections may establish, if funds are available, intermittent positions for the purpose of performing

duties for which unbudgeted overtime would otherwise be incurred.

Notwithstanding any other restriction of funds appropriated or allocated to the Department of Corrections, the State Budget Office, may, after determining that funds are available, either approve the use of the funds or recommend appropriate action to the Governor when the Governor's approval is required.

Available funds may include amounts appropriated or allocated to the Department of Corrections for Personal Services, All Other and Capital Expenditures or unallocated funds.

PART H

Sec. H-1. 5 MRSA §6211, sub-§3, as amended by PL 1995, c. 516, §1, is further amended to read:

3. Distribution of proceeds. Funds received by the Land for Maine's Future Board under the agreement with the financial institution, credit union or other credit card issuer must be deposited in a separate, interest-bearing account within the Land for Maine's Future Fund. The account must be held separate and apart from all other money, funds and accounts. Eligible investment earnings credited to the assets of the account become part of the assets of the account. Any balance remaining in the account at the end of any fiscal year must be carried forward to the next fiscal year. Notwithstanding section 6203, subsection 3, the board may expend funds deposited in the account pursuant to this section to cover administrative costs and for staff support and consulting services, as determined necessary by the board to carry out its duties under this chapter.

PART I

Sec. I-1. Legislative intent. It is the intent of the Legislature that any unallocated funds in the Disaster Assistance - MEMA General Fund account within the Department of Defense, Veterans and Emergency Management may be used as the State's matching share of payments for claims associated with Hurricane Floyd and for any other federally approved disasters in Maine. The funds may be allotted by financial order in the All Other line category upon recommendation of the State Budget Officer and approval of the Governor.

PART J

Sec. J-1. Carrying Balance - Inland Fisheries and Wildlife program; lapsed balances. Notwithstanding any other provision of law, \$411,276 in fiscal year 1999-00 in the Carrying Balances -

Inland Fisheries and Wildlife program and \$651,496 in fiscal year 2000-01 lapse to the General Fund. These funds are a result of the cost of collective bargaining to Inland Fisheries and Wildlife. An adjustment must be made during fiscal year 1999-00 and fiscal year 2000-01 to reconcile these amounts to the actual amounts in the 2000-2001 biennium.

Sec. J-2. Savings Fund - Inland Fisheries and Wildlife program; lapsed balances. Notwithstanding any other provision of law, \$39,000 in fiscal year 1999-00 in the Savings Fund - Inland Fisheries and Wildlife program and \$50,000 in fiscal year 2000-01 lapse to the General Fund. These funds are needed to cover the cost of conversion to Micro-soft.

Sec. J-3. Carrying Balances - Inland Fisheries and Wildlife program; lapsed balances. Notwithstanding any other provision of law, \$78,751 in fiscal year 2000-01 in the Carrying Balances - Inland Fisheries and Wildlife program lapse to the General Fund.

PART K

Sec. K-1. 26 MRSA c. 5, sub-cc. I, I-A and I-B, as amended, are repealed.

Sec. K-2. 26 MRSA §2031, sub-§11 is enacted to read:

11. Nonlapsing funds. Any unencumbered balance of General Fund appropriations remaining at the end of each fiscal year in this program may not lapse but must be carried forward to be used for the same purposes.

Sec. K-3. Effective date. That section of this Part that repeals the Maine Revised Statutes, Title 26, chapter 5, subchapters I, I-A and I-B, takes effect June 30, 2001.

PART L

Sec. L-1. 5 MRSA §12004-I, sub-§§59-B and 59-C, as enacted by PL 1991, c. 316, §1, are repealed.

Sec. L-2. 34-B MRSA §1204, sub-§10 is enacted to read:

10. Ad hoc committee compensation. The commissioner is authorized to provide compensation to persons who are consumers or family members of consumers of departmental services who are members of ad hoc committees. The compensation may not exceed \$25 per day and payment of expenses. Total compensation expenses in any fiscal year may not exceed \$7,500.

Sec. L-3. 34-B MRSA §1803, as amended by PL 1995, c. 560, Pt. K, §29, is repealed.

Sec. L-4. 34-B MRSA §§1804 and 1805, as enacted by PL 1991, c. 316, §2, are repealed.

Sec. L-5. PL 1999, c. 401, Pt. P, §3 is amended to read:

Sec. P-3. Department of Mental Health, Mental Retardation and Substance Abuse Services; cost settlements. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, the Department of Mental Health, Mental Retardation and Substance Abuse Services shall seek reimbursement of expenditures under Medicaid Title XIX for cost settlements due the department from private nonmedical institutions. Revenue from any such reimbursement must be deposited in Mental Health Services - Community or Mental Health Services - Children Other Special Revenue accounts for the purpose of community development. The allotment of available funds 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. The financial order must include a plan outlining how these funds will be expended and what effect, if any, such expenditure would have on future appropriations. This financial order takes effect upon approval by the Governor. The authority granted in this section terminates on January 31, ~~2000~~ 2001 unless specifically extended by the Legislature. The Department of Mental Health, Mental Retardation and Substance Abuse Services shall submit a report to the ~~Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Health and Human Services~~ joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over human services matters by January 14, ~~2000~~ 2001 that summarizes cost settlement payments that have occurred prior to that date along with an estimate of payments projected through June 30, ~~2000~~ 2001.

Sec. L-6. PL 1999, c. 401, Pt. P, §5 is amended to read:

Sec. P-5. Appropriation and position transfer. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services, as an interim strategy to reduce the size of the Augusta Mental Health Institute and the Bangor Mental Health Institute, is authorized by financial order to transfer positions to the Mental Health Services - Community program and to transfer available balances of appro-

priations and allocations between line categories and accounts within Augusta Mental Health Institute, Disproportionate Share - Augusta Mental Health Institute; Bangor Mental Health Institute, Disproportionate Share - Bangor Mental Health Institute; and Mental Health Services - Community programs as the positions and funds become available through the reduction in size of the Augusta Mental Health Institute and the Bangor Mental Health Institute. ~~The net amount to be transferred from the Augusta Mental Health Institute to the Mental Health Services - Community program in fiscal years 1999-00 and 2000-01 may not be less than \$300,000 per year to be used for the purpose of funding a safe house for trauma victims in southern Maine.~~ Positions and funding from the Augusta Mental Health Institute budget must be transferred as needed for reassignment to support services consistent with the Augusta Mental Health Institute Consent Decree Plan. Positions transferred by financial order during fiscal year 1999-00 terminate on March 31, 2000 unless extended through legislative approval. Positions transferred by financial order during fiscal year 2000-01 terminate on May 31, 2001 unless extended through legislative approval. The Department of Mental Health, Mental Retardation and Substance Abuse Services shall report to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Health and Human Services by January 14, 2000 summarizing the financial transactions taken to implement this section along with the department's assessment of the effectiveness of the safe house.

Sec. L-7. Department of Mental Health, Mental Retardation and Substance Abuse Services; revenue. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, the Department of Mental Health, Mental Retardation and Substance Abuse Services shall seek reimbursement of expenditures under Medicaid Title XIX for targeted case management and administrative cost reimbursement. Revenue in the amount of \$2,053,919 in fiscal year 1999-00 and \$1,223,271 in fiscal year 2000-01 must be deposited in the General Fund as undedicated revenue.

Sec. L-8. Bangor Mental Health Institute positions. The Department of Mental Health, Mental Retardation and Substance Abuse Services may substitute a vacant position for a filled position on the listing of positions at the Bangor Mental Health Institute 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 if such an action will avoid 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 this proposed change. All

changes must generate savings equal to or greater than the savings from the position listed for elimination.

PART M

Sec. M-1. 5 MRS §286, 4th ¶, as enacted by PL 1987, c. 731, §7, is amended to read:

The commissioner shall establish ~~a fund~~ the Accident, Sickness and Health Insurance Internal Service Fund through the ~~Treasurer of State in which Controller~~ in which health insurance and dental insurance premiums collected from state departments and agencies and other plan participants, premium dividends, return of premiums resulting from risk reduction programs and any other receipts ~~shall~~ must be deposited to be used for the purposes of the state employee health insurance program ~~as determined by the commission.~~ The fund is a continuing fund and may not lapse. Interest earned from investment of the fund shall be credited to the fund.

Sec. M-2. Transition. The operations of the Accident, Sickness and Health Insurance Dedicated Revenue Account including all positions, Personal Services, All Other, Capital Expenditures funding, cash balances and other assets and liabilities may be transferred on July 1, 2000 to the Accident, Sickness and Health Insurance Internal Service Fund. Once the transfer has taken place and the internal service fund implemented, the Accident, Sickness and Health Insurance Dedicated Revenue Account may be abolished.

PART N

Sec. N-1. Position authorization. Notwithstanding any other provision of law, the Department of Education, Governor Baxter School for the Deaf is authorized to extend one limited-period Program Director of the Deaf position from the previously authorized end date of April 15, 2000 to June 30, 2001. This position is necessary for the continued development and implementation of Residential Services, Health Services and a Guidance Program at the Governor Baxter School for the Deaf. This position must be funded from the Governor Baxter School for the Deaf budget and must end on June 30, 2001.

PART O

Sec. O-1. Legislative intent and authorization. It is the intent and authorization of the Legislature that the balance of funds held in the accounts of the Maine Sludge and Residuals Research Foundation, as established in the Maine Revised Statutes, Title 38, chapter 13-C, be transferred to the BioResource Engineering Department, University of Maine at Orono, to be used under the General Policy

for State/University Cooperative Projects for the University - Department of Environmental Protection Cooperative Project "Characterizing Flow of Effluent and Movement of Nutrients from Stockpiled Biosolids."

PART P

Sec. P-1. Carrying balances. Notwithstanding the Maine Revised Statutes, Title 35-A, section 116, subsection 8, paragraph C-1, or any other provision of law, any funds carried forward in the Public Advocate Program, from fiscal year 1999-00 only, may be expended for purposes consistent with the purposes established in Title 35-A, section 1702.

PART Q

Sec. Q-1. 22 MRSA §1313, sub-§3, as enacted by PL 1993, c. 468, §23, is amended to read:

3. Costs associated with transportation, quarantine, testing and euthanasia. The Department of Inland Fisheries and Wildlife shall ~~provide for or pay~~ all necessary costs for transportation, ~~quarantine, and euthanasia and testing~~ of an undomesticated animal suspected of having rabies. The owner of a domesticated animal suspected of having rabies shall pay all costs for transportation, quarantine, euthanasia and testing of the animal. If a domesticated animal is a stray or the owner is unknown, the municipality in which the animal was apprehended is responsible for transportation, quarantine, euthanasia and testing costs. Cost of testing animals judged by the department to have created a public health risk of rabies must be borne by the department, through its General Fund appropriations.

Sec. Q-2. Transfer. Notwithstanding any other provision of law, the State Controller may transfer \$2,013,000 in fiscal year 2000-01 in the Medicaid Program from Targeted Case Management - Child Welfare recoveries in the Federal Expenditures Fund account in the Department of Human Services to General Fund undedicated revenue no later than June 30, 2001.

PART R

Sec. R-1. PL 1999, c. 698, §3 is enacted to read:

Sec. 3. Effective date. This Act takes effect January 1, 2001.

PART S

Sec. S-1. 36 MRSA §5122, sub-§2, ¶K, as amended by PL 1999, c. 521, Pt. C, §5 and affected by §9, is further amended to read:

K. For income tax years beginning on or after January 1, 1997, all items of income, gain, interest, dividends, royalties and other income of a financial institution subject to the tax imposed by section 5206, to the extent that those items are passed through to the taxpayer for federal income tax purposes, including, if the financial institution is an S corporation, the taxpayer's pro rata share and, if the financial institution is a partnership or limited liability company, the taxpayer's distributive share. A subtraction may not be made under this paragraph for:

- (1) Income of the taxpayer earned on interest-bearing or similar accounts of the taxpayer at a financial institution as a customer of that financial institution;
- (2) Any dividends or other distributions with respect to a taxpayer's ownership interest in a financial institution; and
- (3) Any gain recognized on the disposition by the taxpayer of an ownership interest in a financial institution; ~~and~~

Sec. S-2. 36 MRSA §5122, sub-§2, ¶L, as enacted by PL 1999, c. 521, Pt. C, §6 and affected by §9, is amended to read:

L. For income tax years beginning on or after January 1, 2000, an amount equal to the total premiums spent for qualified long-term care insurance contracts as defined in the Code, Section 7702B(b), as long as the amount subtracted is reduced by the long-term care premiums claimed as an itemized deduction pursuant to ~~Section~~ section 5125; and

Sec. S-3. 36 MRSA §5122, sub-§2, ¶M is enacted to read:

M. An amount, for each recipient of benefits under an employee retirement plan, that is the lesser of:

- (1) Six thousand dollars reduced by the total amount of social security benefits and railroad retirement benefits paid by the United States, but not less than \$0; or
- (2) The aggregate of benefits received under employee retirement plans and included in federal adjusted gross income. For purposes of this paragraph, "employee retirement plan" means a state, federal or military retirement plan or any other retirement benefit plan established and maintained by an employer for the benefit of its employees under Section 401(a), Section 403 or Section 457(b) of the Code. "Em-

ployee retirement plan" does not include an individual retirement account under Section 408 of the Code, a Roth IRA under Section 408A of the Code, a rollover individual retirement account, a simplified employee pension under Section 408(k) of the Code or an ineligible deferred compensation plan under Section 457(f) of the Code.

Sec. S-4. Application. This Part applies to tax years beginning on or after January 1, 2000.

Sec. S-5. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

2000-01

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Bureau of Revenue Services

Positions - Legislative Count	(1,000)
Personal Services	\$16,565
All Other	6,725

Provides funds for a Tax Examiner position, effective January 1, 2001, and related expenses to audit affected tax returns.

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES

TOTAL	<u>\$23,290</u>
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PART T

Sec. T-1. 36 MRSA §5111, first ¶, as repealed and replaced by PL 1989, c. 495, §1 and affected by c. 596, Pt. J, §7, is amended to read:

A tax is imposed for each taxable year beginning on or after January 1, ~~1989~~ 2000, on the Maine taxable income of every resident individual of this State. The amount of the tax is ~~to be~~ determined as follows provided in this section.

Sec. T-2. 36 MRSA §5111, sub-§1-A, as enacted by PL 1991, c. 591, Pt. YY, §2 and affected by §7, is repealed and the following enacted in its place:

1-A. Single individuals and married persons filing separate returns; tax years beginning 2000, 2001. For tax years beginning in 2000 or 2001, for

single individuals and married persons filing separate returns:

<u>If Maine taxable income is:</u>	<u>The tax is:</u>
<u>Less than \$4,150</u>	<u>2% of the Maine taxable income</u>
<u>At least \$4,150 but less than \$8,250</u>	<u>\$83 plus 4.5% of the excess over \$4,150</u>
<u>At least \$8,250 but less than \$16,500</u>	<u>\$268 plus 7% of the excess over \$8,250</u>
<u>\$16,500 or more</u>	<u>\$846 plus 8.5% of the excess over \$16,500</u>

Sec. T-3. 36 MRSA §5111, sub-§1-B is enacted to read:

1-B. Single individuals and married persons filing separate returns; tax years beginning 2002. For tax years beginning on or after January 1, 2002, for single individuals and married persons filing separate returns:

<u>If Maine Taxable income is:</u>	<u>The tax is:</u>
<u>Less than \$4,200</u>	<u>2% of the Maine taxable income</u>
<u>At least \$4,200 but less than \$8,350</u>	<u>\$84 plus 4.5% of the excess over \$4,200</u>
<u>At least \$8,350 but less than \$16,700</u>	<u>\$271 plus 7% of the excess over \$8,350</u>
<u>\$16,700 or more</u>	<u>\$856 plus 8.5% of the excess over \$16,700</u>

Sec. T-4. 36 MRSA §5111, sub-§2-A, as enacted by PL 1991, c. 591, Pt. YY, §4 and affected by §7, is repealed and the following enacted in its place:

2-A. Heads of households; tax years beginning 2000, 2001. For tax years beginning in 2000 or 2001, for unmarried individuals or legally separated individuals who qualify as heads of households:

<u>If Maine taxable income is:</u>	<u>The tax is:</u>
<u>Less than \$6,200</u>	<u>2% of the Maine taxable income</u>
<u>At least \$6,200 but less than \$12,400</u>	<u>\$124 plus 4.5% of the excess over \$6,200</u>

<u>At least \$12,400 but less than \$24,750</u>	<u>\$403 plus 7% of the excess over \$12,400</u>
<u>\$24,750 or more</u>	<u>\$1,268 plus 8.5% of the excess over \$24,750</u>

Sec. T-5. 36 MRSA §5111, sub-§2-B is enacted to read:

2-B. Heads of households; tax years beginning 2002. For tax years beginning on or after January 1, 2002, for unmarried individuals or legally separated individuals who qualify as heads of households:

<u>If Maine Taxable income is:</u>	<u>The tax is:</u>
<u>Less than \$6,300</u>	<u>2% of the Maine taxable income</u>
<u>At least \$6,300 but less than \$12,500</u>	<u>\$126 plus 4.5% of the excess over \$6,300</u>
<u>At least \$12,500 but less than \$25,050</u>	<u>\$405 plus 7% of the excess over \$12,500</u>
<u>\$25,050 or more</u>	<u>\$1,284 plus 8.5% of the excess over \$25,050</u>

Sec. T-6. 36 MRSA §5111, sub-§3-A, as enacted by PL 1991, c. 591, Pt. YY, §6 and affected by §7, is repealed and the following enacted in its place:

3-A. Individuals filing married joint return or surviving spouses; tax years beginning 2000, 2001. For tax years beginning in 2000 or 2001, for individuals filing married joint returns or surviving spouses permitted to file a joint return:

<u>If Maine taxable income is:</u>	<u>The tax is:</u>
<u>Less than \$8,250</u>	<u>2% of the Maine taxable income</u>
<u>At least \$8,250 but less than \$16,500</u>	<u>\$165 plus 4.5% of the excess over \$8,250</u>
<u>At least \$16,500 but less than \$33,000</u>	<u>\$536 plus 7% of the excess over \$16,500</u>
<u>\$33,000 or more</u>	<u>\$1,691 plus 8.5% of the excess over \$33,000</u>

Sec. T-7. 36 MRSA §5111, sub-§3-B is enacted to read:

3-B. Individuals filing married joint return or surviving spouses; tax years beginning 2002. For

tax years beginning on or after January 1, 2002, for individuals filing married joint returns or surviving spouses permitted to file a joint return:

<u>If Maine Taxable income is:</u>	<u>The tax is:</u>
<u>Less than \$8,400</u>	<u>2% of the Maine taxable income</u>
<u>At least \$8,400 but less than \$16,700</u>	<u>\$168 plus 4.5% of the excess over \$8,400</u>
<u>At least \$16,700 but less than \$33,400</u>	<u>\$542 plus 7% of the excess over \$16,700</u>
<u>\$33,400 or more</u>	<u>\$1,711 plus 8.5% of the excess over \$33,400</u>

Sec. T-8. 36 MRSA §5402, sub-§1-B is enacted to read:

1-B. Cost-of-living adjustment. The "cost-of-living adjustment" for any calendar year is the Consumer Price Index for the 12-month period ending June 30th of the preceding calendar year divided by the Consumer Price Index for the 12-month period ending June 30, 2001.

Sec. T-9. 36 MRSA §5402, sub-§§2 and 3, as amended by PL 1989, c. 495, §6, are repealed.

Sec. T-10. 36 MRSA §5403, as amended by PL 1991, c. 591, Pt. CCC, is repealed and the following enacted in its place:

§5403. Annual adjustments for inflation

Beginning in 2002, and each subsequent calendar year thereafter, on or about September 15th, the State Tax Assessor shall multiply the cost-of-living adjustment for taxable years beginning in the succeeding calendar year by the dollar amounts of the tax rate tables specified in section 5111, subsections 1-B, 2-B and 3-B. If the dollar amounts of each rate bracket, adjusted by application of the cost-of-living adjustment, are not multiples of \$50, any increase must be rounded to the next lowest multiple of \$50. If the cost-of-living adjustment for any taxable year is 1.000 or less, no adjustment may be made for that taxable year in the dollar bracket amounts of the tax rate tables. The assessor shall incorporate such changes into the income tax forms, instructions and withholding tables for the taxable year.

Sec. T-11. Application. That section of this Part that enacts the Maine Revised Statutes, Title 36, section 5402, subsection 1-B; that section that repeals section 5402, subsections 2 and 3; and that section that repeals and replaces section 5403 apply to tax years beginning on or after January 1, 2003.

PART U

Sec. U-1. 30-A MRSA §5681, sub-§2, ¶¶C to E are enacted to read:

C. "Annual growth ceiling" for fiscal year 2000-01 means the amount certified by the Treasurer of State by September 1, 2000 as the amount transferred to the Local Government Fund in fiscal year 1999-00. For subsequent fiscal years, "annual growth ceiling" must be determined by the State Tax Assessor by September 1st annually and means the annual growth ceiling adjusted by the lower of the increase for the previous fiscal year in the Consumer Price Index or the increase in receipts from the taxes imposed under Title 36, Parts 3 and 8. The annual growth ceiling may not be less than the annual growth ceiling for the previous year.

D. "Consumer Price Index" means the average over a 12-month period ending June 30th annually of the National Consumer Price Index, not seasonally adjusted, published monthly by the United States Department of Labor, Bureau of Labor Statistics designated as the "National Consumer Price Index for All Urban Consumers - United States City Average."

E. "Disproportionate tax burden" means the total real and personal property taxes assessed in the most recently completed municipal fiscal year, except the taxes assessed on captured value within a tax increment financing district, divided by the latest state valuation certified to the Secretary of State and reduced by .01.

Sec. U-2. 30-A MRSA §5681, sub-§3, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is further amended to read:

3. Revenue-sharing funds. To strengthen the state-municipal fiscal relationship pursuant to the findings and objectives of subsection 1, there is established the Local Government Fund. To provide additional support for municipalities experiencing a higher-than-average property tax burden, there is established the Disproportionate Tax Burden Fund.

Sec. U-3. 30-A MRSA §5681, sub-§4, as amended by PL 1989, c. 104, Pt. C, §§8 and 10, is repealed.

Sec. U-4. 30-A MRSA §5681, sub-§§4-A and 4-B are enacted to read:

4-A. Distribution of Local Government Fund. The Treasurer of State shall transfer the balance in the Local Government Fund on the 20th day of each month. Money in the Local Government Fund must

be distributed to each municipality in proportion to the product of the population of the municipality multiplied by the property tax burden of the municipality.

4-B. Distribution of Disproportionate Tax Burden Fund. The Treasurer of State shall transfer the balance in the Disproportionate Tax Burden Fund on the 20th day of each month. Money in the Disproportionate Tax Burden Fund must be distributed to each municipality in proportion to the product of the population of the municipality multiplied by the disproportionate tax burden of the municipality.

Sec. U-5. 30-A MRSA §5681, sub-§5, as amended by PL 1999, c. 528, §1, is repealed and the following enacted in its place:

5. Transfers to funds. On the last day of each month, beginning July 31, 2000, the Treasurer of State shall transfer to the Local Government Fund an amount equal to 5.1% of the receipts from the taxes imposed under Title 36, Parts 3 and 8 and credited to the General Fund without any reduction. Any amounts transferred to the Local Government Fund in excess of the annual growth ceiling must be transferred to the Disproportionate Tax Burden Fund.

Sec. U-6. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

2000-01

**TREASURER OF STATE,
OFFICE OF**

**Disproportionate Tax Burden
Fund**

All Other	\$3,600,000
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Provides one-time funds for a new state-municipal revenue-sharing fund. The amount appropriated must be distributed by the Treasurer of State in June 2001 using the formula specified in the Maine Revised Statutes, Title 30-A, section 5681, subsection 4-B.

PART V

Sec. V-1. 36 MRSA §5219-S is enacted to read:

§5219-S. Earned income credit

A taxpayer is allowed a credit against the taxes otherwise due under this Part equal to 5% of the

federal earned income credit for the same taxable year. The credit may not reduce the state income tax to less than zero.

Sec. V-2. Application. This Part applies to tax years beginning on or after January 1, 2000.

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

2000-01

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Bureau of Revenue Services

Positions - Legislative Count	(1,000)
Personal Services	\$16,041
All Other	36,725

Provides funds for computer programming costs associated with modifications to the Maine Automated Tax System and for one Tax Examiner position and related costs to audit the eligibility of taxpayers for the earned income credit.

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES

TOTAL \$52,766

PART W

Sec. W-1. 36 MRSA §457, sub-§2, as amended by PL 1991, c. 121, Pt. B, §2 and affected by §18, is further amended to read:

2. Tax imposed. A state tax is imposed on telecommunications personal property at the rate of 27 mills times the just value of the property for assessments made before December 31, 2002. Just value and ownership of the property must be determined as of the April 1st preceding the assessment. For assessments made after December 31, 2002, the rate of tax is:

- A. For assessments made in 2003, 26 mills;
- B. For assessments made in 2004, 25 mills;
- C. For assessments made in 2005, 24 mills;

D. For assessments made in 2006, 23 mills;

E. For assessments made in 2007, 22 mills;

F. For assessments made in 2008, 21 mills; and

G. For assessments made in 2009 and subsequent years, 20 mills.

Sec. W-2. 36 MRSA §457, sub-§5-A, as amended by PL 1991, c. 846, §7, is repealed.

Sec. W-3. 36 MRSA §457, sub-§5-B is enacted to read:

5-B. Procedure. The tax on telecommunications personal property of a telecommunications business must be assessed and paid in accordance with this subsection.

A. The State Tax Assessor shall make the assessment by May 30th of each year.

B. For the 1999 tax year, a payment must be made no later than August 15, 1999 equal to the amount by which the 1999 gross tax assessment exceeds the estimated tax paid for that tax year.

C. For tax years subsequent to 1999, the tax assessment must be paid no later than the August 15th following the date of assessment.

D. The estimated prepayment made for the 2000 tax year must be applied to the 1999 gross tax assessment that must be made by August 15, 1999.

Sec. W-4. Retroactivity. Those sections of this Part that repeal the Maine Revised Statutes, Title 36, section 457, subsection 5-A and that enact section 457, subsection 5-B apply retroactively to tax payments due on August 15, 1999.

PART X

Sec. X-1. 36 MRSA §5122, sub-§1, ¶J, as amended by PL 1999, c. 520, §2 and affected by §5, is further amended to read:

J. The amount claimed as a business expense that is included in the investment credit for the high-technology investment tax credit; and

Sec. X-2. 36 MRSA §5122, sub-§1, ¶K, as amended by PL 1999, c. 520, §3 and affected by §5, is further amended to read:

K. For income tax years beginning on or after January 1, 1997, all items of loss, deduction and other expense of a financial institution subject to the tax imposed by section 5206, to the extent that those items are passed through to the tax-

payer for federal income tax purposes, including, if the financial institution is an S corporation, the taxpayer's pro rata share and, if the financial institution is a partnership or limited liability company, the taxpayer's distributive share. An addition may not be made under this paragraph for any losses recognized on the disposition by a taxpayer of an ownership interest in a financial institution; and.

Sec. X-3. 36 MRSA §5122, sub-§1, ¶L, as enacted by PL 1999, c. 520, §4 and affected by §5, is repealed.

Sec. X-4. Application. This Part applies to tax years beginning on or after January 1, 1998.

Sec. X-5. Retroactivity. This Part applies retroactively to June 17, 1999.

PART Y

Sec. Y-1. 36 MRSA §1102, sub-§4, as amended by PL 1999, c. 449, §1, is further amended to read:

4. Farmland. "Farmland" means any tract or tracts of land, including woodland and wasteland, of at least 5 contiguous acres on which farming or agricultural activities, ~~either by the owner or a lessee, have produced~~ contributed to a gross annual farming income of at least \$2,000 per year in one of the 2, or 3 of the 5, calendar years preceding the date of application for classification. The farming or agricultural activity and income derived from that activity may be achieved by either the owner or a lessee of the land.

Gross income as used in this section includes the value of commodities produced for consumption by the farm household. Any applicant for assessment under this subchapter bears the burden of proof as to the applicant's qualification.

Sec. Y-2. 36 MRSA §1105, first ¶, as amended by PL 1993, c. 452, §7, is further amended to read:

The municipal assessor, chief assessor or State Tax Assessor for the unorganized territory shall establish the 100% valuation per acre based on the current use value of farmland used for agricultural or horticultural purposes. The values established must be ~~based~~ guided by the Department of Agriculture, Food and Rural Resources as provided in section 1119 and adjusted by the assessor if determined necessary on the basis of such considerations as farmland rentals, farmer-to-farmer sales, soil types and quality, commodity values, topography and other relevant ~~considerations~~ factors. These values may not reflect development or market value purposes other than agricultural or horticultural use. The values may not

reflect value attributable to road frontage or shore frontage. ~~In developing these values, local assessors may be guided by the Department of Agriculture, Food and Rural Resources as provided in section 1119.~~

Sec. Y-3. 36 MRSA §1108, sub-§1, as amended by PL 1987, c. 728, §5, is further amended to read:

1. Organized areas. The municipal assessors shall adjust the 100% valuations per acre for farmland for their jurisdiction by whatever ratio or percentage of current just value; is then being applied to other property within the municipality to obtain the assessed values. For any tax year, the classified farmland value must reflect only the current use value for farm or open space purposes and ~~shall~~ may not include any increment of value reflecting development pressure. Commencing April 1, 1978, land in the organized areas subject to taxation under this subchapter ~~shall~~ must be taxed at the property tax rate applicable to other property in the municipality, which rate ~~shall~~ must be applied to the assessed values so determined.

Sec. Y-4. 36 MRSA §1109, sub-§2, as amended by PL 1987, c. 728, §7, is further amended to read:

2. Provisional classification. The owner of a parcel of land, ~~including woodland and wasteland~~ of at least 5 contiguous acres on which farming or agricultural activities have not produced the gross income required in section 1102, subsection 4, per year for one of the 2 or 3 of the 5 preceding calendar years, may apply for a 2-year provisional classification as farmland by submitting a signed schedule in duplicate, on or before April 1st of the year for which provisional classification is requested, identifying the land to be taxed ~~hereunder~~ under this subsection, listing the number of acres of each farmland classification, showing the location of the land in each classification and representing that the applicant intends to conduct farming or agricultural activities upon that parcel. Upon receipt of the schedule, the land ~~shall~~ must be provisionally classified as farmland and subjected to taxation under this subchapter. If, at the end of the 2-year period, the land does not qualify as farmland under section 1102, subsection 4, the owner shall pay a penalty ~~which shall be~~ that is an amount equal to the taxes ~~which that~~ that would have been assessed had the property been assessed at its fair market value on the first day of April for the 2 preceding tax years less the taxes paid on the property over the 2 preceding years and interest at the legal rate from the dates on which those amounts would have been payable.

Sec. Y-5. 36 MRSA §1112, 2nd ¶, as amended by PL 1995, c. 603, §2, is further amended to read:

For land classified as farmland under this subchapter for less than 5 full years, the penalty is equal to the greater of 20% of its assessed fair market value at the time the land is removed from the program or the amount necessary to meet the requirements of the Constitution of Maine, Article IX, Section 8. For land that has been classified as farmland under this subchapter for 5 full years or more, the penalty is the recapture of the taxes that would have been paid on the land for the past 5 years if it had not been classified under this subchapter, less all taxes that were actually paid during those 5 years and interest at the rate set by the town during those 5 years on delinquent taxes. An owner of farmland that has been classified under this subchapter for 5 full years or more may pay any penalty owed under this paragraph in up to 5 equal annual installments with interest at the rate set by the town to begin 60 days after the date of assessment. Notwithstanding section 943, for an owner paying a penalty under this procedure, the period during which the tax lien mortgage, including interest and costs, must be paid to avoid foreclosure, and expiration of the right of redemption is 48 months from the date of the filing of the tax lien certificate instead of 18 months.

Sec. Y-6. 36 MRSA §1119, as amended by PL 1997, c. 526, §14, is further amended to read:

§1119. Valuation guidelines

By ~~February 1, 1992~~ December 31, 2000 and biennially thereafter, the Department of Agriculture, Food and Rural Resources working with the Bureau of Revenue Services, representatives of municipal assessors and farmers shall prepare and report to the joint standing committee of the Legislature having jurisdiction over taxation matters guidelines to assist local assessors in the valuation of farmland. The department shall also deliver these guidelines in training sessions for local assessors throughout the State. These guidelines must include ~~suggested recommended~~ values for cropland, orchard land, pastureland and horticultural land, differentiated by region where justified. Any variation in assessment of farmland from the recommended values must be substantiated by the local assessor within the parameters allowed within this subchapter.

PART Z

Sec. Z-1. 38 MRSA §352, sub-§5-A, as amended by PL 1999, c. 385, §§1 and 2 and c. 468, §3, is further amended by amending the first paragraph to read:

5-A. Accounting system. In order to determine the extent to which the functions set out in this section are necessary for the licensing process or are being performed in an efficient and expeditious manner, the

commissioner shall require that all employees of the department involved in any aspect of these functions keep accurate and regular daily time records. These records must describe the matters worked on, services performed and the amount of time devoted to those matters and services, as well as amounts of money expended in performing those functions. Records must be kept for a sufficient duration of time as determined by the commissioner to establish to the commissioner's satisfaction that the fees are appropriate. ~~This subsection is repealed 90 days after adjournment of the Second Regular Session of the 119th Legislature.~~

PART AA

Sec. AA-1. 22 MRSA §3174-B, sub-§2, as enacted by PL 1985, c. 392, is amended to read:

2. Submission to Legislature. The Medicaid report prepared pursuant to subsection 1 ~~shall~~ must be submitted to the Legislature prior to January 15th of each year. The report submitted under this section ~~shall~~ must be transmitted to the joint standing committees of the Legislature having jurisdiction over appropriations and financial affairs and ~~human resources~~ health and human services matters.

Sec. AA-2. 22 MRSA §3174-B, sub-§3 is enacted to read:

3. Monthly expenditure projections. The commissioner shall prepare a monthly report detailing all expenditures in the Medical Care - Payments to Providers program for each month of every fiscal year. This document must include sufficient detail, including expenditures by fund and category of service, for the month as well as historical data, fiscal year-to-date amounts and projections for the remainder of the biennium and the ensuing biennium. The report also must include monthly statistics on the number of individuals eligible for Medicaid and Cub Care benefits. The report must be submitted to the joint standing committees of the Legislature having jurisdiction over appropriations and financial affairs and health and human services matters no later than 15 days following the end of each month.

Sec. AA-3. 22 MRSA §4003, sub-§3, as amended by PL 1985, c. 739, §4, is further amended to read:

3. Reunification as a priority. Give family rehabilitation and reunification priority as a means for protecting the welfare of children, but prevent needless delay for permanent plans for children when rehabilitation and reunification is not possible; ~~and~~

Sec. AA-4. 22 MRSA §4003, sub-§4, as amended by PL 1981, c. 698, §96, is further amended to read:

4. Permanent plans for care and custody.

Promote the early establishment of permanent plans for the care and custody of children who cannot be returned to their family. It is the intent of the Legislature that the department reduce the number of children receiving assistance under the United States Social Security Act, Title IV-E, who have been in foster care more than 24 months, by 10% each year beginning with the federal fiscal year that starts on October 1, 1983; and

Sec. AA-5. 22 MRSA §4003, sub-§5 is enacted to read:

5. Report. Require the department to report monthly to the joint standing committees of the Legislature having jurisdiction over appropriations and financial affairs and health and human services matters, beginning in July 2000, on the status of children served by the Bureau of Child and Family Services. The report must include, at a minimum, information on the department's caseload, the location of the children in the department's custody and the number of cases of abuse and neglect that were not opened for assessment. This information must be identified by program and funding source.

PART BB

Sec. BB-1. 5 MRSA §1585, as amended by PL 1991, c. 9, Pt. E, §6, is further amended to read:

§1585. Transfer of unexpended appropriations

1. Transfer procedures. Any balance of any appropriation or subdivision of an appropriation made by the Legislature for any state department or agency, which at any time may not be required for the purpose named in such appropriations or subdivision, may be transferred at any time prior to the closing of the books to any other appropriation or subdivision of an appropriation made by the Legislature for the use of the same department or agency for the same fiscal year subject to review by the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs. Financial orders describing such transfers must be submitted by the Bureau of the Budget to the Office of Fiscal and Program Review 30 days before the transfer is to be implemented. In case of extraordinary emergency transfers, the 30-day prior submission requirement may be waived by vote of the committee. Positions, or funding for those positions, that are currently funded with federal or other funds may not be transferred by financial order to the General Fund. Financial orders proposing to transfer 4th or 3rd quarter allotments to the 3rd, 2nd or 1st quarters that result from trends that will cause financial commitments to exceed current appropriations or allocations are subject to the provisions of this section.

Sec. BB-2. PL 1999, c. 16, Pt. A, §24, last ¶ is amended to read:

In case of extraordinary emergency situations, the 30-day wait beyond approval by the Governor may be waived by vote of the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs upon written recommendation of the State Budget Officer. Dedicated revenue and internal service fund accounts authorized by law to carry unused allocations forward are not subject to the conditions of this section if the request for allotment increase is within the legislatively authorized allocations as defined in this section. It is the intent of the Legislature that authority for unused allocations to carry forward in Other Special Revenue funds and internal service fund accounts be limited to only specific, extraordinary circumstances. Financial orders proposing to transfer 4th or 3rd quarter allotments to the 3rd, 2nd or 1st quarters that result from trends that will cause financial commitments to exceed current allocations are subject to the provisions of this section.

PART CC

Sec. CC-1. 5 MRSA §17001, sub-§23, as enacted by PL 1985, c. 801, §§5 and 7, is amended to read:

23. Normal retirement age. "Normal retirement age" means the specified age, the years of service requirement or any combination of age and years of service requirements at which a member becomes eligible for retirement benefits and at which those benefits may not be reduced under section 17852, subsection 3; ~~section 17852, subsection 4, paragraph C;~~ section 17852, subsection 10, paragraph C; and section 18452, subsection 3.

Sec. CC-2. 5 MRSA §17159, sub-§1, ¶A, as enacted by PL 1995, c. 541, §3, is amended to read:

A. "Early retirement" means retirement before normal retirement age with a reduced retirement benefit as provided by section 17852, subsection 3 or 3-A; ~~subsection 4, paragraph C or C-1~~ or subsection 10, paragraph C or C-1; section 17857, subsection 3-A; section 18452, subsection 3; or section 18462, subsection 3.

Sec. CC-3. 5 MRSA §17851, sub-§4, as amended by PL 1999, c. 127, Pt. B, §1, is further amended to read:

4. State police. A state police officer or other employee of the Bureau of State Police qualifies for a service retirement benefit if that state police officer or employee:

A. Became a state police officer after July 9, 1943, but before September 16, 1984, and retires after completing 20 years of creditable service as a state police officer, which may include creditable service under section 17760, subsection 1, but may not include creditable service under section 17760, subsection 2; or

B. ~~Except as provided in section 17851-A, became~~ Became a state police officer after September 15, 1984 or a special agent investigator before June 21, 1982 and completed 25 years of creditable service as a state police officer or special agent investigator.

Sec. CC-4. 5 MRSA §17851-A, sub-§1, ~~¶D~~, as enacted by PL 1997, c. 769, §11, is repealed.

Sec. CC-5. 5 MRSA §17851-A, sub-§4, ~~¶B~~, as repealed and replaced by PL 1999, c. 489, §14 and amended by c. 493, §9, is repealed and the following enacted in its place:

B. Except as provided in paragraph D, if some part of the member's creditable service in any one or a combination of the capacities specified in subsection 1 was earned before July 1, 1998 for employees identified in subsection 1, paragraphs A to H and before January 1, 2000 for employees identified in subsection 1, paragraphs I to K and some part of the member's creditable service in any one or a combination of the capacities specified in subsection 1 was earned after June 30, 1998 for employees identified in subsection 1, paragraphs A to H and after December 31, 1999 for employees identified in subsection 1, paragraphs I to K, then the member's service retirement benefit must be computed in segments and the amount of the member's service retirement benefit is the sum of the segments. The segments must be computed as follows:

(1) The segment or, if the member served in more than one of the capacities specified in subsection 1 and the benefits related to the capacities are not interchangeable under section 17856, segments that reflect creditable service earned before July 1, 1998 for employees identified in subsection 1, paragraphs A to H and before January 1, 2000 for employees identified in subsection 1, paragraphs I to K or purchased by repayment of an earlier refund of accumulated contributions for service before July 1, 1998 for employees identified in subsection 1, paragraphs A to H and before January 1, 2000 for employees identified in subsection 1, paragraphs I to K in a capacity or capacities specified in subsection 1, or purchased by other than the repayment of a

refund and eligibility to make the purchase of the service credit, including, but not limited to, service credit for military service, was achieved before July 1, 1998 for employees identified in subsection 1, paragraphs A to H and before January 1, 2000 for employees identified in subsection 1, paragraphs I to K, must be computed under section 17852, subsection 1, paragraph A. If the member is qualified under subsection 2, paragraph B and:

(a) Had 10 years of creditable service on July 1, 1993, the amount of the segment or segments must be reduced as provided in section 17852, subsection 3, paragraphs A and B; or

(b) Had fewer than 10 years of creditable service on July 1, 1993, the amount of the segment or segments must be reduced as provided in section 17852, subsection 3-A; and

(2) The segment that reflects creditable service earned after June 30, 1998 for employees identified in subsection 1, paragraphs A to H and after December 31, 1999 for employees identified in subsection 1, paragraphs I to K or purchased by repayment of an earlier refund of accumulated contributions for service after June 30, 1998 for employees identified in subsection 1, paragraphs A to H and after December 31, 1999 for employees identified in subsection 1, paragraphs I to K in any one or a combination of the capacities specified in subsection 1, or purchased by other than the repayment of a refund and eligibility to make the purchase of the service credit, including, but not limited to, service credit for military service, was achieved after June 30, 1998 for employees identified in subsection 1, paragraphs A to H and after December 31, 1999 for employees identified in subsection 1, paragraphs I to K, must be computed under section 17852, subsection 1, paragraph A. If the member is qualified under subsection 2, paragraph B and:

(a) Had 10 years of creditable service on July 1, 1993, the segment amount must be reduced in the manner provided in section 17852, subsection 3, paragraphs A and B for each year that the member's age precedes 55 years of age; or

(b) Had fewer than 10 years of creditable service on July 1, 1993, the seg-

ment amount must be reduced by 6% for each year that the member's age precedes 55 years of age.

Sec. CC-6. 5 MRSA §17851-A, sub-§4, ¶C, as repealed and replaced by PL 1999, c. 489, §14 and amended by c. 493, §9, is repealed.

Sec. CC-7. 5 MRSA §17852, sub-§4, ¶B, as enacted by PL 1985, c. 801, §§5 and 7, is amended to read:

B. For persons qualifying under section 17851, subsection 4, paragraph B, ~~and who retire upon or after reaching the age of 55,~~ the retirement benefit ~~shall~~ must be computed in accordance with subsection 1.

Sec. CC-8. 5 MRSA §17852, sub-§4, ¶C, as amended by PL 1993, c. 410, Pt. L, §38, is repealed.

Sec. CC-9. 5 MRSA §17852, sub-§4, ¶C-1, as repealed and replaced by PL 1993, c. 410, Pt. L, §39, is repealed.

Sec. CC-10. 5 MRSA §17852, sub-§4, ¶C-2, as amended by PL 1995, c. 367, §1, is repealed.

Sec. CC-11. 5 MRSA §17857, sub-§3, ¶¶A, B and D, as amended by PL 1997, c. 769, §19, are further amended to read:

A. If the member transferred under the provisions of subsection 2, paragraph A:

(1) If applicable, the portion of the retirement benefit based upon creditable service earned before being transferred must be reduced in accordance with ~~section 17852, subsection 4, paragraph C~~ or section 17852, subsection 10, paragraph C or, if the member was covered under section 17851-A, the portion of the retirement benefit based upon creditable service earned before being transferred must be reduced as provided in that section; and

(2) The portion of the retirement benefit based upon creditable service earned after being transferred must be reduced in accordance with section 17852, subsection 3.

B. If the member was a retiree restored to service subject to subsection 2, paragraph B:

(1) If applicable, the portion of the retirement benefit based upon creditable service earned before the member's initial retirement must be reduced in accordance with ~~section 17852, subsection 4, paragraph C~~ or section 17852, subsection 10, paragraph C

or, if the member was covered under section 17851-A, the portion of the retirement benefit based upon creditable service earned before the member's initial retirement must be reduced as provided in that section; and

(2) The portion of the retirement benefit based upon creditable service earned after being restored to service must be reduced in accordance with section 17852, subsection 3.

D. If the member was transferred subject to subsection 2, paragraph D, and:

(1) If the member completes the service or service and age requirements for retirement under the special plan that the member was under previously, if applicable, the retirement benefit must be reduced in accordance with ~~section 17852, subsection 4, paragraph C~~ or section 17852, subsection 10, paragraph C or, if the member was covered under section 17851-A, the retirement benefit must be reduced as provided in that section; or

(2) If the member does not complete the service or service and age requirements for retirement under the special plan that the member was under previously, the retirement benefit must be reduced in accordance with section 17852, subsection 3.

Sec. CC-12. 5 MRSA §17857, sub-§3-A, ¶¶A, B and D, as amended by PL 1997, c. 769, §19, are further amended to read:

A. If the member transferred under the provisions of subsection 2, paragraph A:

(1) If applicable, the portion of the retirement benefit based upon creditable service earned before being transferred must be reduced in accordance with ~~section 17852, subsection 4, paragraph C-1~~ or section 17852, subsection 10, paragraph C-1 or, if the member was covered under section 17851-A, the portion of the retirement benefit based upon creditable service earned before being transferred must be reduced as provided in that section; and

(2) The portion of the retirement benefit based upon creditable service earned after being transferred must be reduced in accordance with section 17852, subsection 3-A.

B. If the member was a retiree restored to service subject to subsection 2, paragraph B:

(1) If applicable, the portion of the retirement benefit based upon creditable service earned before the member's initial retirement must be reduced in accordance with ~~section 17852, subsection 4, paragraph C-1~~ or section 17852, subsection 10, paragraph C-1 or, if the member was covered under section 17851-A, the portion of the retirement benefit based upon creditable service earned before the member's initial retirement must be reduced as provided in that section; and

(2) The portion of the retirement benefit based upon creditable service earned after being restored to service must be reduced in accordance with section 17852, subsection 3-A.

D. If the member was transferred subject to subsection 2, paragraph D and:

(1) If the member completes the service or service and age requirements for retirement under the special plan that the member was under previously, if applicable, the retirement benefit must be reduced in accordance with ~~section 17852, subsection 4, paragraph C-1~~ or section 17852, subsection 10, paragraph C-1 or, if the member was covered under section 17851-A, the retirement benefit must be reduced as provided in that section; or

(2) If the member does not complete the service or service and age requirements for retirement under the special plan that the member was under previously, the retirement benefit must be reduced in accordance with section 17852, subsection 3-A.

Sec. CC-13. Effect on state police officers who previously elected to self-fund an early retirement option. The Maine State Retirement System shall refund the additional amount paid above the normal contribution rate plus interest on that amount from the date of payment to a person who is employed as a state police officer on the effective date of this Act and who elected to pay the full actuarial costs of retirement before age 55 under the Maine Revised Statutes, Title 5, section 17852, subsection 4, paragraph C-2 before it was repealed by this Act by paying an increased employee contribution to the Maine State Retirement System. The employee contribution rate from the effective date of this Act for a member who previously made the election under

Title 5, section 17852, subsection 4, paragraph C-2 is as provided in Title 5, section 17708-B.

Sec. CC-14. Expenditures in excess of allocations. Expenditures of funds required by this Part other than the General Fund and the Highway Fund are authorized to exceed legislative allocations during the fiscal year ending June 30, 2001. Appropriate adjustments to basic work programs facilitating these expenditures in excess of allocations must be recommended by the State Budget Officer and approved by the Governor.

Sec. CC-15. Adjustment of rates. After consultation with the Maine State Retirement System, the State Budget Officer shall adjust the normal cost component of the employer contribution rates on the effective date of this Part to fully fund this Part on an actuarially sound basis. In addition, the State Budget Officer shall assess the accounts in other funds for their share of the unfunded liability costs based on total salaries in those accounts in fiscal year 2000-01.

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

2000-01

**MAINE STATE
RETIREMENT SYSTEM
Retirement Allowance Fund**

All Other	\$2,740,880
Provides funds for the unfunded liability costs of the General Fund, the Highway Fund and other funds related to the establishment of a new special retirement plan for state police officers hired after September 15, 1984 and special agent investigators hired before June 21, 1982 that enables them to retire after 25 years of service in such a capacity, regardless of age.	

**MAINE STATE
RETIREMENT SYSTEM
TOTAL** \$2,740,880

**ADMINISTRATIVE AND
FINANCIAL SERVICES,
DEPARTMENT OF**

Salary Plan

Personal Services \$124,475

Provides funds to be held in reserve in the event that costs associated with the increase in the normal cost component of the employer contribution rate for retirement costs of the General Fund and, in fiscal year 2000-01 only, the Highway Fund related to the establishment of a new special retirement plan for state police officers hired after September 15, 1984 and special agent investigators hired before June 21, 1982 that enables them to retire after 25 years of service in such a capacity, regardless of age exceed the amounts available for the Department of Public Safety. Because the normal cost component of the employer contribution rate for state employees is actuarially established based on projected salaries as a rate that must be applied to actual salaries, the funds resulting from the application of the actuarially established rate constitute appropriated funds. The funds here specified constitute estimates and not appropriated funds.

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
TOTAL \$124,475

TOTAL APPROPRIATIONS \$2,865,355

PART DD

Sec. DD-1. 5 MRSA §1519 is enacted to read:

§1519. Retiree Health Insurance Internal Service Fund

1. Established. The Retiree Health Insurance Internal Service Fund is established within the

Department of Administrative and Financial Services to accumulate funds to pay the health insurance premiums for retired state employees and teachers.

2. Funding. At the close of each fiscal year, the State Controller shall transfer from the unappropriated surplus of the General Fund to the Retiree Health Insurance Internal Service Fund an amount equal to the balance remaining of the excess of total General Fund revenues received over accepted estimates in that fiscal year that would have been transferred to the Maine Rainy Day Fund had the Maine Rainy Day Fund not been at its statutory limit of 6% of total General Fund revenues received in the immediately preceding fiscal year. Funds may also include appropriations and allocations of the Legislature and direct billing rates charged to state departments and agencies and other participating jurisdictions.

Sec. DD-2. Effective date. This Part takes effect June 30, 2001.

PART EE

Sec. EE-1. Transfer of hospital assessment reserve. On or before June 30, 2000, the State Controller shall lapse \$719,935 from Other Special Revenue funds within the Department of Administrative and Financial Services, Bureau of Revenue Services to the General Fund. This amount equals the reserve for the hospital assessment repealed June 30, 1998.

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

1999-00

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Bureau of Revenue Services

Personal Services (\$130,065)

Deappropriates funds no longer required to partially offset an appropriation to the Maine Residents Property Tax Program.

Maine Residents Property Tax Program

All Other \$850,000

Provides funds to pay for the additional claims received by

the Bureau of Revenue Services as a result of a public service announcement campaign.

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
TOTAL

\$719,935

PART FF

Sec. FF-1. 5 MRSA §12004-G, sub-§10-A, as enacted by PL 1995, c. 322, §1, is amended to read:

10-A. Kim Wallace Expenses 10 MRSA
 Education Adaptive Only §373
 Equipment Loan Program Fund Board

Sec. FF-2. 10 MRSA c. 11 is amended by repealing the chapter headnote and enacting the following in its place:

CHAPTER 11

KIM WALLACE ADAPTIVE EQUIPMENT LOAN PROGRAM

Sec. FF-3. 10 MRSA §371, sub-§§1 and 2, as enacted by PL 1987, c. 817, §2, are amended to read:

1. Board. "Board" means the Kim Wallace Adaptive Equipment Loan Program Fund Board.

2. Fund. "Fund" means the Kim Wallace Adaptive Equipment Loan Program Fund.

Sec. FF-4. 10 MRSA §372, as enacted by PL 1987, c. 817, §2, is amended to read:

§372. Fund established

1. Creation of fund. There is established ~~an~~ the Kim Wallace Adaptive Equipment Loan Program Fund, which ~~shall~~ must be used to provide funding for adaptive equipment loans to qualified borrowers within the State in order to acquire equipment designed to assist the borrower in becoming independent. The fund ~~shall~~ must be deposited with, maintained and administered by the Finance Authority of Maine and ~~shall~~ contain appropriations provided for that purpose, interest accrued on the fund balance, funds received by the board to be applied to the fund and funds received in repayment of loans. This fund ~~shall be~~ is a nonlapsing revolving fund. All money in

the fund ~~shall~~ must be continuously applied to carry out the purposes of this chapter.

2. Administrative expenses. Costs and expenses of maintaining, servicing and administering the Kim Wallace Adaptive Equipment Loan Program Fund established by this chapter may be paid out of amounts in the fund.

Sec. FF-5. 10 MRSA §373, sub-§1, as amended by PL 1997, c. 489, §1, is further amended to read:

1. Establishment; membership. There is established the Kim Wallace Adaptive Equipment Loan Program Fund Board that consists of 9 members as follows: the Director of the Bureau of Rehabilitation Services or the director's designee; the Treasurer of State or the Treasurer of State's designee; an experienced consumer lender; a certified public accountant; and 5 persons with a range of disabilities, all non-designated members to be appointed by the Governor. The board shall annually elect a chair from among its members.

Sec. FF-6. 10 MRSA §374, sub-§3, as enacted by PL 1987, c. 817, §2, is amended to read:

3. Administer loan program. The board shall administer the Kim Wallace Adaptive Equipment Loan Program Fund established by this chapter and may contract with the Finance Authority of Maine and state or community-based groups dealing with disabled persons for such assistance in administering the program as the board may require.

PART GG

Sec. GG-1. PL 1999, c. 401, Pt. U, §3, Pt. HH, §2 and Pt. KKK, §8 are repealed.

Sec. GG-2. PL 1999, c. 515, Pt. A, §2, Pt. B, §§2 and 3 and Pt. C, §§3 and 4 are repealed.

PART HH

Sec. HH-1. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Part.

2000-01

HUMAN SERVICES, DEPARTMENT OF

Bureau of Health

All Other	\$8,350,000
Provides funds from the Fund for a Healthy Maine for grants	

to communities and schools with statewide coordination to achieve the goal of reducing tobacco addiction and use and resulting disease in all populations throughout the State, with a focus on those at highest risk such as youth and disadvantaged populations.

Bureau of Health

All Other \$1,200,000

Provides funds from the Fund for a Healthy Maine for independent program evaluation, research and outcomes monitoring.

Bureau of Health

All Other \$6,750,000

Provides funds from the Fund for a Healthy Maine for statewide tobacco cessation and prevention through the operation of a statewide toll-free telephone support line, training and certification of tobacco cessation specialists, direct assistance for smoking cessation services and pharmaceuticals as well as a statewide multimedia campaign.

Bureau of Health

Positions - Legislative Count (5,000)
 Personal Services \$201,011
 All Other 25,000

TOTAL \$226,011

Provides funds from the Fund for a Healthy Maine for 5 positions to the Bureau of Health for administering the programs funded in this Part: one Comprehensive Health Planner II position; 3 Public Health Educator III positions; and one Accountant I position.

**DEPARTMENT OF HUMAN SERVICES
 TOTAL**

\$16,526,011

Sec. HH-2. Grants provided. Grants provided pursuant to this Part must be equitably distributed across the major geographical areas of the State. Effective interventions must be implemented using research and best practices from the federal Centers for Disease Control and Prevention and other recognized authorities. All grantees must coordinate with the local health care delivery system, education system and other appropriate community members and community organizations. Funds may also be used to reduce physical inactivity, poor nutrition and other risk factors in order to reduce tobacco-related diseases. School programs funded by grants provided pursuant to this Part must be used to reduce tobacco use through coordinated school health programs. These school health programs should focus on comprehensive school health education that includes tobacco prevention education. Support may be provided for school health services that include tobacco cessation and prevention services.

PART II

Sec. II-1. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Part.

2000-01

**ATTORNEY GENERAL,
 DEPARTMENT OF THE**

Administration – Attorney General

Positions - Legislative Count (1,000)
 Personal Services \$37,669
 All Other 2,320

Provides funds from the Fund for a Healthy Maine for one Research Assistant position and related expenses to enforce escrow payments required by nonparticipating manufacturers.

**DEPARTMENT OF THE ATTORNEY GENERAL
 TOTAL**

\$39,989

PART JJ

Sec. JJ-1. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Part.

2000-01

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

Office of Substance Abuse

All Other	\$5,000,000
Provides funds from the Fund for a Healthy Maine to help implement the November 18, 1998 recommendations of the Task Force on Substance Abuse.	

**Office of Substance Abuse -
Court-related**

All Other	\$745,005
Provides funds from the Fund for a Healthy Maine to provide substance abuse testing and treatment to adults with substance abuse problems who have been referred by the State's courts. The department must consult with the judicial branch so as to expend these funds in a manner consistent with rules developed by the Judicial Department.	

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

TOTAL \$5,745,005

PART KK

Sec. KK-1. 22 MRSA §3174-G, sub-§1-B, as enacted by PL 1999, c. 401, Pt. KKK, §3 and affected by §10, is amended to read:

1-B. Funding. State funds necessary to implement subsection 1-A must include ~~state funds appropriated~~ General Fund appropriations and Other Special Revenue allocations from the Fund for a Healthy Maine to the elderly low-cost drug program operated pursuant to section 254, including rebates received in that program from pharmaceutical manufacturers, that are no longer needed in that program as a result of the Medicaid waiver obtained pursuant to subsection 1-A; ~~and, effective in fiscal year 2000-01, no less than \$5,000,000 received from the tobacco settlement in State of Maine, v. Philip Morris, et al., Kennebec County Superior Court, Docket No. CV 97-134.~~

PART LL

Sec. LL-1. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Part.

2000-01

**HUMAN SERVICES,
DEPARTMENT OF**

Bureau of Health

All Other	\$4,800,000
Provides funds from the Fund for a Healthy Maine to expand home-visiting services to the parents of newborn children.	

**DEPARTMENT OF HUMAN
SERVICES**

TOTAL \$4,800,000

PART MM

Sec. MM-1. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Part.

2000-01

**HUMAN SERVICES,
DEPARTMENT OF**

Purchased Social Services

All Other	\$48,452
Provides funds from the Fund for a Healthy Maine to support collaboration grants as recommended by the Business Advisory Commission on Quality Child Care Financing	

established in Resolve 1999,
chapter 66.

training and facilities
improvements.

Purchased Social Services

All Other \$2,600,944

Provides funds from the Fund for a Healthy Maine for additional infant, toddler and preschool child care subsidies.

Head Start

All Other \$450,000

Provides funds from the Fund for a Healthy Maine to support full-day, year-round Head Start programs, including children up to 5 years of age.

Purchased Social Services

All Other \$1,196,422

Provides funds from the Fund for a Healthy Maine for additional school-aged child care subsidies.

Community Services Center

Positions - Legislative Count (10,000)
Personal Services \$372,921
All Other 71,680

TOTAL \$444,601

Purchased Social Services

All Other \$652,357

Provides funds from the Fund for a Healthy Maine for after-school services to the 12-to-15-year age group.

Provides funds from the Fund for a Healthy Maine for 5 Community Care Worker positions, one Licensing Manager position, 2 Institutional-abuse Worker positions and 2 Human Services Case Aide positions to provide additional support to the Community Services Center.

Purchased Social Services

All Other \$1,792,873

Provides funds from the Fund for a Healthy Maine to support incentives for child care providers to offer care during odd hours, in underserved geographic areas, to at-risk children or to children with special needs.

DEPARTMENT OF HUMAN SERVICES

TOTAL \$7,953,675

Purchased Social Services

All Other \$489,268

Provides funds from the Fund for a Healthy Maine to support child care resource development centers.

PUBLIC SAFETY, DEPARTMENT OF

Fire Marshal - Office of

Positions - Legislative Count (3,500)
Personal Services \$131,968
All Other 19,000

Purchased Social Services

All Other \$278,758

Provides funds from the Fund for a Healthy Maine to support systemic quality improvements such as increased wages,

Provides funds from the Fund for a Healthy Maine for 3 additional Fire Inspector positions and a 1/2-time Clerk Typist II position for the purpose of conducting mandatory inspections of facilities that provide services to children.

DEPARTMENT OF PUBLIC SAFETY	
TOTAL	\$150,968
SECTION	
TOTAL ALLOCATIONS	\$8,104,643

PART NN

Sec. NN-1. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Part.

2000-01

FINANCE AUTHORITY OF MAINE

Quality Child Care Education Scholarship Fund

All Other	\$145,356
Provides funds from the Fund for a Healthy Maine for scholarships under the Quality Child Care Education Scholarship Fund pursuant to the Maine Revised Statutes, Title 20-A, chapter 419-D.	

PART OO

Sec. OO-1. 22 MRSA §3174-G, sub-§1, as amended by PL 1997, c. 777, Pt. A, §1, is repealed and the following enacted in its place:

1. Delivery of services. The department shall provide for the delivery of federally approved Medicaid services to the following persons:

- A. A qualified woman during her pregnancy and up to 60 days following delivery when the woman's family income is equal to or below 200% of the nonfarm income official poverty line;
- B. An infant under one year of age when the infant's family income is equal to or below 185% of the nonfarm income official poverty line;
- C. A qualified elderly or disabled person when the person's family income is equal to or below 100% of the nonfarm income official poverty line;
- D. A child one year of age or older and under 19 years of age when the child's family income is equal to or below 150% of the nonfarm income official poverty line; and

E. The parent or caretaker relative of a child described in paragraph B or D when the child's family income is equal to or below 150% of the nonfarm income official poverty line, subject to adjustment by the commissioner under this paragraph. Medicaid services provided under this paragraph must be provided within the limits of the program budget. Funds appropriated for services under this paragraph must include an annual inflationary adjustment equivalent to the rate of inflation in the Medicaid program. On a quarterly basis, the commissioner shall determine the fiscal status of program expenditures under this paragraph. If the commissioner determines that expenditures will exceed the funds available to provide Medicaid coverage pursuant to this paragraph, the commissioner must adjust the income eligibility limit for new applicants to the extent necessary to operate the program within the program budget. If, after an adjustment has occurred pursuant to this paragraph, expenditures fall below the program budget, the commissioner must raise the income eligibility limit to the extent necessary to provide services to as many eligible persons as possible within the fiscal constraints of the program budget, as long as the income limit does not exceed 150% of the nonfarm income official poverty line.

For the purposes of this subsection, the "nonfarm income official poverty line" is that applicable to a family of the size involved, as defined by the federal Department of Health and Human Services and updated annually in the Federal Register under authority of 42 United States Code, Section 9902(2). For purposes of this subsection, "program budget" means the amounts available from both federal and state sources to provide federally approved Medicaid services.

Sec. OO-2. 22 MRSA §3762, sub-§8, ¶A, as amended by PL 1997, c. 795, §7, is further amended to read:

- A. The department shall administer a program of transitional Medicaid to families receiving benefits under Section 1931 of the federal Social Security Act in accordance with this paragraph.
 - (1) The department shall provide transitional Medicaid to families whose average gross monthly earnings, less costs to the family for child care necessary for employment, do not exceed 185% of the federal poverty guidelines in accordance with PRWORA and this subsection. In order to receive transitional Medicaid as the result of increased earnings or number of hours worked, a family must have received ~~TANF~~ Medicaid assistance for at least 3 of the last

6 months, except as provided in subparagraph ~~2~~ (2).

(2) The department shall provide transitional Medicaid for families whose eligibility for ~~TANF~~ Medicaid assistance terminated due to employment obtained through work search activities pursuant to this chapter, in which case the family must have received ~~TANF~~ Medicaid assistance for at least one of the last 3 months.

(3) To continue to receive transitional Medicaid assistance following the first 6 months of coverage, a family entering the transitional Medicaid program ~~prior to federal approval or waiver under subparagraph 4~~ with income above 133% of the federal poverty guidelines must pay premiums in accordance with rules adopted by the department. ~~If a family entering the transitional Medicaid program after federal approval or waiver has average gross monthly earnings, less average monthly costs for such child care as is necessary for employment, that are above 100% of the federal poverty guidelines, then that family shall pay, beginning in their 7th month of receiving transitional Medicaid, monthly premiums, copayments or other methods of cost sharing equal to no more than 3% of that family's average gross monthly earnings, less the average monthly costs for such child care as is necessary for employment.~~

~~(4) By October 1, 1997, the department shall have taken reasonable steps to seek a federal waiver, approval of a state plan modification under Section 114 of PRWORA or any other appropriate action to secure federal approval to use federal matching funds to extend transitional Medicaid assistance for 2 years beyond the families' initial 1 year period of eligibility. Beginning on February 1, 1998, or at the time that the department receives the federal approval or waiver, whichever is later, the department shall provide extended benefits under this subparagraph to families that qualify under subparagraph (1) or (2) and that meet the requirements of the transitional Medicaid program.~~

(5) The department shall provide transitional Medicaid for 4 months to families whose eligibility for ~~TANF~~ Medicaid assistance terminated due to an increase in the amount of child support received by the family.

(6) The department shall require reporting of income or circumstances for the purpose of determining eligibility and premium payments, copayments or other methods of cost sharing for benefits under this paragraph in accordance with rules adopted by the department.

(7) The scope of services provided under this paragraph must be the same as the scope of services provided when a family received ~~TANF~~ Medicaid assistance.

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

2000-01

**HUMAN SERVICES,
DEPARTMENT OF**

Bureau of Medical Services

Positions - Legislative Count	(1,000)
Personal Services	\$21,544
All Other	2,250
	<hr/>
TOTAL	\$23,794

Provides funds from the Fund for a Healthy Maine for the state share of a Management Analyst II position and related operating costs to aid in managing Medicaid coverage.

Medical Care – Payments to Providers

All Other	\$3,645,925
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Provides funds from the Fund for a Healthy Maine for the state share of the cost of expanding Medicaid coverage and for modifying transitional Medicaid assistance.

DEPARTMENT OF HUMAN SERVICES

TOTAL	<hr/>
	\$3,669,719

Sec. OO-4. Allocation. The following funds are allocated from the Federal Expenditures Fund to carry out the purposes of this Part.

2000-01

costs to provide access to Medicaid for pregnant women.

**HUMAN SERVICES,
DEPARTMENT OF**

PART PP

Bureau of Medical Services

Personal Services	\$21,544
All Other	2,250
TOTAL	<u>23,794</u>

Provides funds for the federal share of a Management Analyst II position and related operating costs to aid in managing Medicaid coverage.

Sec. PP-1. 22 MRSA §3174-T, sub-§2, as amended by PL 1999, c. 401, Pt. QQ, §1 and affected by §5, is further amended by amending the first paragraph to read:

2. Eligibility; enrollment. Health coverage under the Cub Care program is available to children ~~one year of age or older and~~ under 19 years of age whose family income is above the eligibility level for Medicaid under section 3174-G and below the maximum eligibility level established under paragraphs A and B, who meet the requirements set forth in paragraph C and for whom premiums are paid under subsection 5.

Medical Care - Payments to Providers

All Other	7,146,021
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Provides funds for the federal share of expanding Medicaid coverage and for modifying transitional Medicaid assistance.

Sec. PP-2. 22 MRSA §3174-T, sub-§5, ¶A, as reallocated by RR 1997, c. 2, §46, is amended to read:

A. Premiums must be paid at the beginning of each month for coverage for that month according to the following scale:

(1) Families with incomes between 150% and 160% of the nonfarm income official poverty line pay premiums of 5% of the benefit cost per child, but not more than 5% of the cost for 2 children;

(2) Families with incomes between 160% and 170% of the nonfarm income official poverty line pay premiums of 10% of the benefit cost per child, but not more than 10% of the cost for 2 children; ~~and~~

(3) Families with incomes between 170% and 185% of the nonfarm income official poverty line must pay premiums of 15% of the benefit cost per child, but not more than 15% of the cost for 2 children; ~~and~~

(4) Families with incomes between 185% and 200% of the nonfarm income official poverty line must pay premiums of 20% of the benefit cost per child, but not more than 20% of the cost for 2 children.

Medical Care - Payments to Providers

All Other	1,164,449
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Provides funds for the federal share of the costs to provide Medicaid access to pregnant women.

DEPARTMENT OF HUMAN SERVICES

TOTAL	<u>\$8,334,264</u>
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Sec. OO-5. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Part.

2000-01

**HUMAN SERVICES,
DEPARTMENT OF**

Medical Care – Payments to Providers

All Other	\$596,000
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Provides funds from the Fund for a Healthy Maine for the

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

2000-01

**HUMAN SERVICES,
DEPARTMENT OF**

Medical Care - Payments to Providers

All Other \$303,323

Provides funds from the Fund for a Healthy Maine for the state share of the costs to expand eligibility of the Cub Care program to children who have not attained one year of age.

Sec. PP-4. Allocation. The following funds are allocated from the Federal Block Grant Fund to carry out the purposes of this Part.

2000-01

HUMAN SERVICES, DEPARTMENT OF

Medical Care - Payments to Providers

All Other \$979,773

Provides funds for the federal share of the costs to expand eligibility of the Cub Care program to children who have not attained one year of age.

PART QQ

Sec. QQ-1. 22 MRSA c. 408-A is enacted to read:

CHAPTER 408-A

SCHOOL NURSE CONSULTANT

§1971. School nurse consultant position

1. Establishment. The position of school nurse consultant is established jointly within the department and the Department of Education. The Director of the Bureau of Health within the department and the Director of Special Projects and External Affairs within the Department of Education shall jointly supervise the school nurse consultant.

2. Qualifications. The school nurse consultant must be licensed as a registered professional nurse in the State and have a master's degree in nursing or a related field and experience in school health care or community nursing.

§1972. Duties

The school nurse consultant shall provide state-wide nursing leadership, consultation and direction for coordinated school health care programs. The school nurse consultant shall:

1. Liaison. Serve as a liaison and resource expert in school nursing and school health care program areas for local, regional, state and national school health care provider and policy-setting groups;

2. Information. Monitor, interpret, synthesize and disseminate relevant information related to school health care trends, school nursing practice, health-related policy changes, legal issues in school nursing and school health care program implementation and professional development;

3. Staff development. Foster and promote staff development for school nurses by planning and providing orientation, educational offerings and networking with universities and other providers of continuing education to meet identified needs; and

4. Standards. Gather and analyze data relevant to the school health care program and monitor standards to promote school nursing excellence and optimal health of school children.

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

2000-01

EDUCATION, DEPARTMENT OF

Learning Systems

Positions - Legislative Count	(1,000)
Personal Services	\$46,468
All Other	7,500
Capital Expenditures	3,500

Provides funds from the Fund for a Healthy Maine for the salary, benefits, operating and start-up costs of an Education Specialist III position to function as a school nurse consultant.

DEPARTMENT OF EDUCATION TOTAL

\$57,468

PART RR

Sec. RR-1. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Part.

2000-01

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Biennial Reserve Account

All Other \$25,540,000

Provides for the allocation of funds from the Fund for a Healthy Maine to be used in future biennia. These funds do not lapse but must be carried forward until reallocated by a subsequent Legislature.

Trust Fund for a Healthy Maine

All Other \$11,094,848

Provides for the allocation of funds from the Fund for a Healthy Maine to the Trust Fund for a Healthy Maine in accordance with the provisions of the Maine Revised Statutes, Title 22, section 1511, subsection 3, paragraph A and section 1512, subsection 2, paragraph A. This allocation represents the fiscal year 1999-00 and fiscal year 2000-01 payments.

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES TOTAL

\$36,634,848

PART SS

Sec. SS-1. 22 MRSA c. 250-A is enacted to read:

CHAPTER 250-A

HUMAN LEUKOCYTE ANTIGEN SCREENING FUND

§851. Human Leukocyte Antigen Screening Fund

1. Creation of fund. The Human Leukocyte Antigen Screening Fund, referred to in this section as the "fund," is established as a nonlapsing fund to support bone marrow screening by individuals and organizations determined to be eligible according to rules adopted by the department under subsection 2. Money in the fund must be expended as allocated by the Legislature for the purposes of the fund and may be invested as provided by law. Interest on these investments must be credited to the fund.

2. Administration. The department shall administer the fund and shall adopt rules as necessary to administer the fund and to determine the criteria for eligible recipients. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter II-A.

3. Income tax checkoff funding. Revenue collected from the income tax checkoff pursuant to Title 36, section 5285-A must be credited to the fund.

4. Other funds. The fund may receive money from any source, including grants, gifts, bequests and donations.

Sec. SS-2. 36 MRSA §5285-A is enacted to read:

§5285-A. Human Leukocyte Antigen Screening Fund checkoff

1. Human Leukocyte Antigen Screening Fund. When filing a return, a taxpayer entitled to a refund under this Part may designate that a portion of that refund be paid into the Human Leukocyte Antigen Screening Fund established in Title 22, chapter 250-A. A taxpayer who is not entitled to a refund under this Part may contribute to the Human Leukocyte Antigen Screening Fund by including with that taxpayer's return sufficient funds to make the contribution. Each individual income tax return form must contain a designation in substantially the following form: "Human Leukocyte Antigen Screening Fund: () \$5, () \$10, () \$25 or () Other \$."

2. Contributions credited to the Human Leukocyte Antigen Screening Fund. The State Tax Assessor shall determine annually the total amount contributed pursuant to subsection 1. Prior to the beginning of the next year, the State Tax Assessor shall deduct the cost of administering the Human Leukocyte Antigen Screening Fund checkoff, but not exceeding \$2,000 annually, and report the remainder to the Treasurer of State, who shall forward that amount to the Human Leukocyte Antigen Screening Fund.

3. Effective date. This section applies to tax years beginning on and after January 1, 2000.

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

2000-01

**HUMAN SERVICES,
DEPARTMENT OF**

**Human Leukocyte Antigen
Screening Fund**

All Other \$250,000

Provides for a one-time allocation of funds from the Fund for a Healthy Maine for the first-year funding of the Human Leukocyte Antigen Screening Fund.

PART TT

Sec. TT-1. 22 MRSA §14, sub-§1, as amended by PL 1999, c. 668, §94, is further amended to read:

1. Recovery procedures. When benefits are provided or will be provided to a beneficiary under the Medicaid program administered by the department pursuant to the United States Social Security Act, Title XIX; or under the elderly low-cost drug program under section 254 for the medical costs of injury, disease, disability or similar occurrence for which a 3rd party is, or may be, liable, the commissioner may recover from that party the reasonable value of the benefits provided. This right of recovery is separate and independent from any rights or causes of action belonging to a beneficiary under the Medicaid program or under the elderly low-cost drug program under section 254. For Medicaid recipients who participated in the Medicaid managed care program, "reasonable value" means the total value of coverable medical services provided measured by the amount that Medicaid would have paid to providers directly for such services, were it not for the managed care system. The Medicaid program ~~is~~ and the elderly low-cost drug program under section 254 are the ~~payor~~ payors of last resort and ~~should~~ shall provide medical coverage only when there are no other available resources. The Attorney General, or counsel appointed by the Attorney General, may, to enforce this right, institute and prosecute legal proceedings directly against the 3rd party in the appropriate court in the name of the commissioner.

In addition to the right of recovery set forth in this subsection, the commissioner must also be subrogated, to the extent of any benefits provided under the Medicaid program or under the elderly low-cost drug program under section 254, to any cause of action or claim that a beneficiary has against a 3rd party who is or may be liable for medical costs incurred by or on behalf of the beneficiary. The Attorney General, or counsel appointed by the Attorney General, to enforce this right may institute and prosecute legal proceedings in the name of the injured person, beneficiary, guardian, personal representative, estate or survivor. If necessary to enforce the commissioner's right of recovery, the Attorney General, or counsel appointed by the Attorney General, may institute legal proceedings against any beneficiary who has received a settlement or award from a 3rd party.

The commissioner's right to recover the reasonable value of benefits provided constitutes a statutory lien on the proceeds of an award or settlement from a 3rd party if recovery for Medicaid costs was or could have been included in the recipient's claim for damages from the 3rd party. The commissioner is entitled to recover the amount of the benefits actually paid out or, with regard to Medicaid recipients who participated in the managed care program when the commissioner has determined that collection will be cost-effective, the reasonable value of benefits provided to the extent that there are proceeds available for such recovery after the deduction of reasonable attorney's fees and litigation costs from the gross award or settlement. In determining whether collection will be cost-effective, the commissioner shall consider all factors that diminish potential recovery by the department, including but not limited to questions of liability and comparative negligence or other legal defenses, exigencies of trial that reduce a settlement or award in order to resolve the recipient's claim and limits on the amount of applicable insurance coverage that reduce the claim to the amount recoverable by the recipient. The department's statutory lien may not be reduced to reflect an assessment of a pro rata share of the recipient's attorney's fees or litigation costs. The commissioner may compromise, or settle and execute a release of, any claim or waive any claim, in whole or in part, if the commissioner determines the collection will not be cost-effective or that the best possible outcome requires compromise, release or settlement.

Sec. TT-2. 22 MRSA §14, sub-§2-A, as amended by PL 1999, c. 668, §95, is further amended to read:

2-A. Assignment of rights of recovery. The receipt of benefits under the Medicaid program administered by the department pursuant to the United States Social Security Act, Title XIX or under the elderly low-cost drug program under section 254 constitutes an assignment by the recipient or any

legally liable relative to the department of the right to recover from 3rd parties for the medical cost of injury, disease, disability or similar occurrence for which the recipient receives medical benefits. The department's assigned right to recover is limited to the amount of medical benefits received by the recipient and does not operate as a waiver by the recipient of any other right of recovery against a 3rd party that a recipient may have.

The recipient is also deemed to have appointed the commissioner as the recipient's attorney in fact to perform the specific act of submitting claims to insurance carriers or endorsing over to the department any and all drafts, checks, money orders or any other negotiable instruments connected with the payment of 3rd-party medical claims.

Sec. TT-3. 22 MRSA §14, sub-§§2-B and 2-C, as amended by PL 1999, c. 668, §96, are further amended to read:

2-B. Direct reimbursement to health care provider. When an insured is eligible under the Medicaid program administered by the Department of Human Services, pursuant to the United States Social Security Act, Title XIX, or under the elderly low-cost drug program under section 254 for the medical costs ~~or~~ of injury, disease, disability or similar occurrence for which an insurer is liable, and the insured's claim is payable to a health care provider as provided or permitted by the terms of a health insurance policy or pursuant to an assignment of rights by an insured, the insurer shall directly reimburse the health care provider to the extent that the claim is honored.

2-C. Direct reimbursement to Department of Human Services. When an insured is eligible under the Medicaid program administered by the Department of Human Services, pursuant to the United States Social Security Act, Title XIX, or under the elderly low-cost drug program under section 254 for the medical costs of injury, disease, disability or similar occurrence for which an insurer is liable, and the claim is not payable to a health care provider under the terms of the health insurance policy, the insurer shall directly reimburse the Department of Human Services, upon request, for any medical services paid by the department on behalf of a recipient under Medicaid recipient or the elderly low-cost drug program under section 254 to the extent that those medical services are payable under the terms of the health insurance policy.

Sec. TT-4. 22 MRSA §14, sub-§§2-D and 2-E, as amended by PL 1999, c. 668, §97, are further amended to read:

2-D. Notification of claim. A recipient under Medicaid recipient or the elderly low-cost drug program under section 254, or any attorney represent-

ing a recipient under Medicaid recipient or the elderly low-cost drug program under section 254, who makes a claim to recover the medical cost of injury, disease, disability or similar occurrence for which the party received medical benefits under the Medicaid program, pursuant to the United States Social Security Act, Title XIX, or the elderly low-cost drug program under section 254 shall advise the department in writing with information as required by the department of the existence of the claim.

2-E. Notification of pleading. In any action to recover the medical cost of injury, disease, disability or similar occurrence for which the party received medical benefits under the Medicaid program or the elderly low-cost drug program under section 254, the party bringing the action shall notify the department of that action at least 10 days prior to filing the pleadings. Department records indicating medical benefits paid by the department on behalf of the recipient are prima facie evidence of the medical expenses incurred by the recipient for the related medical services.

Sec. TT-5. 22 MRSA §14, sub-§2-H, ¶¶A and B, as amended by PL 1999, c. 668, §98, are further amended to read:

A. Whenever a participating health care provider or the department submits claims to an insurer, as defined in Title 24-A, section 4, or to a health maintenance organization on behalf of a recipient under Medicaid recipient or the elderly low-cost drug program under section 254 for whom an assignment of rights has been received, or whose rights have been assigned by the operation of law, the insurer or health maintenance organization doing business in the State must respond within 60 days of receipt of a claim by forwarding payment or issuing a notice of denial directly to the submitter of the claim.

B. Whenever a nonparticipating health care provider or the department on behalf of a nonparticipating provider submits claims to an insurer, as defined in Title 24-A, section 4, or a health maintenance organization that operates through a series of participation agreements on behalf of a recipient under Medicaid recipient or the elderly low-cost drug program under section 254 for whom an assignment of rights has been received or whose rights have been assigned by the operation of law, the insurer or health maintenance organization doing business in the State must respond within 60 days of receipt of a claim by forwarding payment, issuing a notice of denial or issuing a copy of the explanation of benefits directly to the submitter of the claim.

Sec. TT-6. 22 MRSA §14, sub-§3, as amended by PL 1999, c. 668, §99, is further amended to read:

3. Definitions. For purposes of this section, "3rd party" or "liable party" or "potentially liable party" means any entity, including, but not limited to, an insurance carrier that may be liable under a contract to provide health, automobile, workers' compensation or other insurance coverage that is or may be liable to pay all or part of the medical cost of injury, disease, disability or similar occurrence of an applicant or recipient of benefits under Medicaid benefits or the elderly low-cost drug program under section 254. For purposes of this section and sections 18 and 19, an "insurance carrier" includes health insurers, group health plans as defined in 29 United States Code, Section 1167(1), service benefit plans and health maintenance organizations.

"Liable party," "potentially liable party" or "3rd party" also includes the trustee or trustees of any mortuary trust established by the recipient or on the recipient's behalf in which there is money remaining after the actual costs of the funeral and burial have been paid in accordance with the terms of the trust and in which there is no provision that the excess be paid to the decedent's estate. "Liable party," "potentially liable party" or "3rd party" may also include the recipient of the benefits under Medicaid benefits or the elderly low-cost drug program under section 254.

Sec. TT-7. 22 MRSA §254, sub-§4-A, as amended by PL 1999, c. 401, Pt. KKK, §1 and affected by §10 and c. 531, Pt. F, §2, is further amended to read:

4-A. Payment for drugs provided. The commissioner may establish the amount of payment to be made by recipients toward the cost of prescription or nonprescription drugs, medication and medical supplies furnished under this program provided that, for persons at or below 185% of the federal poverty line, the total cost for any covered purchase of a prescription or nonprescription drug or medication provided under the basic component of the program or the total cost of any covered purchase of a generic prescription drug or medication under the supplemental component of the program does not exceed 20% of the price allowed for that prescription under program rules or \$2, whichever is greater. ~~For the supplemental component of the program, the total cost paid by the program for any covered purchase of a prescription drug or medication may not exceed \$2.~~ For the supplemental component of the program except as otherwise provided in this subsection, the total cost paid by the individual for any covered purchase of a prescription drug or medication may not exceed the cost of the program for that drug or medication minus the \$2 paid by the program. The commissioner shall

establish annual limits on the costs incurred by eligible household members for covered prescriptions or nonprescription drugs or medications, after which the program must pay 80% of the cost of all prescriptions or nonprescription drugs or medications covered by the supplemental component of the program. The limits must be set by the commissioner by rule as necessary to operate the program within the program budget;

Sec. TT-8. 22 MRSA §254, sub-§10, as amended by PL 1999, c. 551, §1, is further amended to read:

10. Eligible individuals. To be eligible for the program, an individual must be:

- A. At least 62 years of age; or
- B. Nineteen years of age or older and determined to be disabled by the standards of the federal social security program; ~~and~~

Sec. TT-9. 22 MRSA §254, sub-§11, as enacted by PL 1999, c. 551, §2, is amended to read:

11. Retention of eligibility. A person who was eligible for the program at any time from August 1, 1998 to July 31, 1999 and who does not meet the requirements of subsection 10 retains eligibility for the program ~~until February 28, 2001~~ if that person is a member of a household of an eligible person; and

Sec. TT-10. 22 MRSA §254, sub-§12 is enacted to read:

12. Funds not to lapse. Funds appropriated from the General Fund to carry out the purpose of this section may not lapse but must carry from year to year.

Sec. TT-11. PL 1999, c. 401, Pt. KKK, §9 is repealed.

Sec. TT-12. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Part.

2000-01

**HUMAN SERVICES,
DEPARTMENT OF**

**Low-cost Drugs to Maine's
Elderly**

All Other	\$10,000,000
Provides for the allocation of funds from the Fund for a Healthy Maine to expand the	

supplemental program to cover 80% of the cost of generic drugs not covered in the basic program and to institute a catastrophic component whereby the department would establish an annual limit on the total costs to be paid by eligible persons in the program.

PART UU

Sec. UU-1. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Part.

2000-01

**HUMAN SERVICES,
DEPARTMENT OF**

**Medical Care - Payments to
Providers**

All Other	\$1,800,000
Provides for the allocation of funds from the Fund for a Healthy Maine to improve the delivery of and access to tobacco-related chronic disease prevention services by providing financial incentives to Medicaid health care providers whose practices involve an excellent level of preventive services, thereby decreasing rates of tobacco-related chronic diseases. Preventive services include screening for and treating high blood pressure and high cholesterol, offering effective tobacco-cessation services and providing certain vaccines, such as influenza and pneumococcal vaccines, in order to reduce the impact of certain infectious diseases on people with tobacco-related chronic diseases.	

Sec. UU-2. Allocation. The following funds are allocated from the Federal Expenditures Fund to carry out the purposes of this Part.

2000-01

**HUMAN SERVICES,
DEPARTMENT OF**

**Medical Care - Payments to
Providers**

All Other		\$3,516,792
Provides funds for the federal share of the costs to improve the delivery of and access to tobacco-related chronic disease prevention services.		

PART VV

Sec. VV-1. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Part.

2000-01

JUDICIAL DEPARTMENT

**Courts - Supreme, Superior,
District and Administrative**

Positions - Legislative Count		(1,000)
Personal Services		\$53,495
All Other		1,500
Provides funds from the Fund for a Healthy Maine for one Drug Court Coordinator position, effective September 1, 2000, and related expenses including funds for training.		

JUDICIAL DEPARTMENT

TOTAL		\$54,995
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PART WW

Sec. WW-1. Transfer of funds. Notwithstanding the Maine Revised Statutes, Title 22, section 1511, the State Controller shall transfer \$15,000,000 from the Fund for a Healthy Maine to the General Fund on or before June 30, 2001.

PART XX

Sec. XX-1. 5 MRSA §17151, sub-§2, as amended by PL 1997, c. 643, Pt. R, §1, is further amended to read:

2. Intent. It is the intent of the Legislature that there must be appropriated and transferred annually to

the retirement system the funds necessary to meet the system's long-term and short-term financial obligations based on the actuarial assumptions established by the board upon the advice of the actuary. The amount of the unfunded liability attributable to state employees and teachers as of July 1, ~~1996~~ 1999, as certified by the board or as that amount may be revised in accordance with the terms of the certification, must be retired in no more than ~~25~~ 19 years from June 30, ~~1998~~ 2000. For fiscal year ~~1998-99~~ 2000-01, the Legislature must appropriate or allocate and there must be transferred to the retirement system funds necessary to institute, as of July 1, ~~1998~~ 2000, the ~~25-year~~ 19-year amortization schedule. For each fiscal year starting with the fiscal year that begins July 1, ~~1998~~ 2001, the Legislature shall appropriate or allocate and transfer to the retirement system the funds necessary to meet the ~~25-year~~ 19-year requirement set forth in this subsection, unless the Legislature establishes a different amortization period. Funds that have been appropriated must be considered assets of the retirement system.

A. The goal of the actuarial assumptions is to achieve a fully funded retirement system.

B. The retirement system's unfunded liability for persons formerly subject to the Maine Revised Statutes of 1944, chapter 37, sections 212 to 220 must be repaid to the system from annual appropriations over the funding period of the retirement system.

C. This section may not be construed to require the State to appropriate and transfer funds to meet the obligations of participating local districts to the retirement system.

PART YY

Sec. YY-1. 13 MRSA §3167-A is enacted to read:

§3167-A. Expenditure of ministerial funds

A municipality may expend funds held in its ministerial trust for school construction or renovation if the expenditure is approved by the voters of the municipality at an election.

Sec. YY-2. 20-A MRSA §15607, sub-§3, as repealed and replaced by PL 1999, c. 401, Pt. GG, §3, is amended to read:

3. Appropriation for the state share of adjustments, debt service and foundation; single account. Appropriate the necessary funds for the State's share for general purpose aid for local schools with a separate amount for each of the following components:

A. Adjustments described in section 15602, subsection 13; section 15612; and section 15613, except section 15613, subsection 13, including an appropriation for special education pupils placed directly by the State for:

(1) Tuition and board for pupils placed directly by the State in accordance with rules adopted or amended by the commissioner; and

(2) Special educational tuition and other tuition for residents of state-operated institutions attending programs in school administrative units or private schools in accordance with rules adopted or amended by the commissioner;

B. Debt service subsidies described in section 15611. If the appropriation for debt service differs from the amount determined in accordance with section 15611, subsection 2, then the debt service millage limit specified in section 15611, subsection 1 may be adjusted up or down as necessary; and

C. Foundation subsidies described in section 15610 and section 15613, subsection 13 and in chapter 606-A.

Sec. YY-3. 20-A MRSA §15905, sub-§1, ¶A, as repealed and replaced by PL 1997, c. 469, §2, is amended to read:

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

Table 1

Fiscal year	Maximum Debt Service Limit
1990	\$ 48,000,000
1991	\$ 57,000,000
1992	\$ 65,000,000
1993	\$ 67,000,000
1994	\$ 67,000,000
1995	\$ 67,000,000
1996	\$ 67,000,000
1997	\$ 67,000,000
1998	\$ 67,000,000

1999	\$ 69,000,000
2000	\$ 72,000,000
2001	\$ 74,000,000
<u>2002</u>	<u>\$ 74,000,000</u>
<u>2003</u>	<u>\$ 80,000,000</u>
<u>2004</u>	<u>\$ 80,000,000</u>
<u>2005</u>	<u>\$ 84,000,000</u>

Sec. YY-4. 20-A MRSA §15905, sub-§1, ¶A-1, as repealed and replaced by PL 1987, c. 803, §§2 and 5, is amended to read:

A-1. Beginning with the second regular session of the Legislature in fiscal year 1990 and every other year thereafter, on or before March 1st, the commissioner shall recommend to the Legislature and the Legislature shall establish maximum debt service limits for the next ~~biennium~~ 2 biennia for which debt service limits have not been set.

Sec. YY-5. State Board of Education study of "debt service circuit breaker." The State Board of Education shall study the so-called "debt service circuit breaker" and report back to the joint standing committee of the Legislature having jurisdiction over education matters by December 14, 2001 with findings and policy recommendations regarding the most equitable manner to calculate the debt service circuit breaker. In studying this matter, the State Board of Education shall address the following issues:

1. Whether the current millage limit established for the debt service circuit breaker is a reasonable limit;
2. Whether a school administrative unit that is involved with more than one school construction project may have additional school construction projects considered as part of the calculation of the local school administrative unit's debt service for the purpose of the debt service circuit breaker; and
3. Whether a school administrative unit that is involved in a locally financed school construction project may have the locally financed school construction project and any additional school construction projects that are financed with state support considered as part of the calculation of the local school administrative unit's debt service for the purpose of the debt service circuit breaker.

Sec. YY-6. Creation of plan. The State Board of Education and the Department of Education

shall adopt rules to create a plan to address the needs beyond Project #22 on the major capital improvement priority list and include in the plan a review of rules related to protected status of projects in the 2-year cycle. The plan must include immediate and ongoing community outreach and forums in the affected school administrative units to build support for and confidence in the proposed changes. Rules adopted pursuant to this section are major substantive rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A.

PART ZZ

Sec. ZZ-1. Implementation of performance budgeting for the 2002-2003 biennium. The Governor shall implement performance budgeting for the 2002-03 biennium in the same form as the prototype budget bills and budget document presented to the Second Regular Session of the 119th Legislature in accordance with the Maine Revised Statutes, Title 5, section 1710-P, subsection 9.

PART AAA

Sec. AAA-1. Resolve 1999, c. 56, §7 is amended to read:

Sec. 7. Proceeds. Resolved: That any proceeds from the sale of property currently located at the Maine Youth Center in South Portland must be deposited in the Bureau of General Services - Capital Construction and Improvements Reserve Fund to be used for the renovation, construction and expansion of facilities at the South Portland Campus. Any proceeds from the sale of the property currently located at the Maine Criminal Justice Academy in Waterville must be deposited in the ~~General Services - Capital Construction and Improvements Reserve Fund to be used for the renovation, construction and expansion of the facilities at the Oak Grove Campus~~ Fund as undedicated revenue. The Commissioner of Administrative and Financial Services must attempt to sell or lease the property currently located at the Maine Criminal Justice Academy in Waterville at its fair market value. These funds must be carried forward until expended; and be it further

PART BBB

Sec. BBB-1. Payment of recruitment and retention adjustment. Notwithstanding the provisions of the Maine Revised Statutes, Title 2, section 6, the Director of the Bureau of Human Resources may approve payment of recruitment and retention adjustments pursuant to Title 5, section 7065 for the positions of Director, Bureau of Information Services and Chief Information Officer.

PART CCC

Sec. CCC-1. 5 MRSA §17851, sub-§11, as amended by PL 1999, c. 493, §1, is further amended to read:

11. Maine State Prison employees. Except as provided in section 17851-A, the warden or deputy warden of the Maine State Prison, any officer or employee of the Maine State Prison employed as a guard or in the management of prisoners or any person employed as the supervising officer of those officers or employees or as an advocate at the Maine State Prison qualifies for a service retirement benefit if that person:

A. Was employed in one of those capacities before September 1, 1984 and:

- (1) Completes 20 years of creditable service in one or more of those capacities; and
- (2) Retires upon or after reaching the age of 50 years; or

B. Was employed in one of those capacities after August 31, 1984 and before January 1, 2000 and completed 25 years of creditable service in one or more of those capacities.

Notwithstanding any other provision in this section, no person in the employ of the Bangor Pre-Release Center on August 4, 1988 who would have qualified for a service retirement benefit if the Bangor Pre-Release Center had remained the administrative responsibility of the Maine State Prison may be denied such a benefit by virtue of the transfer of that responsibility to the Charleston Correctional Facility.

A person in the employ of the Bangor Pre-Release Center to whom paragraph A applies and who is employed at the Bangor Pre-Release Center on June 30, 2000 remains covered under paragraph A notwithstanding the closing of the Bangor Pre-Release Center if the person is thereafter and without a break in service employed in a capacity to which this subsection or section 17851-A, subsection 1, paragraph 1 applies or if not thereafter employed in such a capacity but having qualified at the time of the closing of the Bangor Pre-Release Center for retirement under paragraph A, retires then or at a later time.

PART DDD

Sec. DDD-1. Working capital advance.

The State Controller is authorized to advance to the Veterans Services program, General Fund account in the Department of Defense, Veterans and Emergency Management an amount not to exceed \$100,000 from the General Fund unappropriated surplus on July 1, 2000 to be allotted by financial order upon the

recommendation of the State Budget Officer and approval of the Governor for the purpose of establishing the Northern Maine Veterans' Cemetery. Any funds transferred for this purpose must be returned to the General Fund no later than June 30, 2001.

PART EEE

Sec. EEE-1. Allocation. The following funds are allocated from the Federal Expenditures Fund to carry out the purposes of this Part.

	1999-00	2000-01
CORRECTIONS, DEPARTMENT OF		
Youth Center - Maine		
Positions - Legislative Count	(1.000)	(1.000)
Provides for the creation of one Special Education Teacher position to be funded using existing federal funds.		
DEPARTMENT OF CORRECTIONS TOTAL	\$0	\$0

PART FFF

Sec. FFF-1. 20-A MRSA Pt. 9 is enacted to read:

PART 9

LEARNING TECHNOLOGY

CHAPTER 801

**MAINE LEARNING TECHNOLOGY
ENDOWMENT**

§19101. Establishment of the Maine Learning Technology Endowment; source of funds

The Maine Learning Technology Endowment, referred to in this chapter as the "endowment," is established. The endowment consists of certain funds dedicated by the Legislature and by other private and public sources for the advancement of learning technology in Maine.

§19102. Purpose

1. Generally. The endowment must be used to enable the full integration of appropriate learning technologies into teaching and learning for the State's elementary and secondary students. The endowment must be managed and governed in a manner that provides for the financially sustainable support, use

and integration of learning technology in Maine schools as determined by the Legislature.

2. Learning technology plan. The use of the endowment must be based on a state learning technology plan adopted by the Legislature.

§19103. Finances of the endowment

The endowment includes all assets, funds and holdings held in the name of, on behalf of or for the benefit of the endowment. This is a nonlapsing fund the sources of which include all appropriations and allocations by the Legislature to the endowment; money from any other source, whether public or private, designated for deposit into or credited to the endowment; and interest or other income or assets of the endowment.

§19104. Fiduciary roles and responsibilities

The Commissioner of Administrative and Financial Services, referred to in this section as the "commissioner," shall act as fiduciary with respect to the management and administration of the endowment. The commissioner shall ensure that deposits into the endowment are segregated and separately accounted for as funds held in trust on behalf of the State for the purposes specified in this chapter and for no other purpose.

1. Investment of the endowment. The Board of Trustees of the Maine State Retirement System shall invest the endowment in the same manner and according to the same investment policy and practices by which the board invests the assets of the Maine State Retirement System. The board shall treat the endowment as held in trust on behalf of the State for the purposes specified in this chapter and no other and shall separately account for the endowment as investment assets, attributing to the endowment its proportional share of investment returns and of investment management costs and expenses, including costs and expenses of the retirement system arising because of its investment of the endowment. The commissioner and the board shall develop jointly a memorandum of understanding, setting out their mutual understanding of the investment of the endowment, the related investment accounting and investment return and expense attribution.

2. Audit of the endowment. The commissioner shall ensure adequate audit of the investment management of the endowment and the expenditures of the endowment each state fiscal year within the scope of the annual audit of the Maine State Retirement System or through separate audit as considered appropriate by the Board of Trustees of the Maine State Retirement System. Any separate audit must be reported to the Governor, the Legislature, the commissioner and the

State Controller in as timely a manner as possible after the close of each state fiscal year.

3. Use of the endowment. Until otherwise provided by the Legislature, in accordance with a state learning technology plan, the endowment may be used for necessary audit services, legal expenses, investment management fees and services and general administrative expenses related to the management and administration of the endowment.

Sec. FFF-2. Task Force on the Maine Learning Technology Endowment. The Task Force on the Maine Learning Technology Endowment, referred to in this section as the "task force," is established.

1. Task force membership; chair. The task force consists of 16 voting members and one nonvoting member as follows. The members shall select a chair at the first meeting of the task force.

A. The President of the Senate shall appoint 4 members, including at least one public member and at least one member who is not a member of the majority party.

B. The Speaker of the House shall appoint 4 members, including at least one public member and at least one member who is not a member of the majority party.

C. The Governor shall appoint 6 members, including individuals with expertise in education, business and finance and technology.

D. The Commissioner of Education, or the commissioner's designee, is a member.

E. The Commissioner of Administrative and Financial Services, or the commissioner's designee, is a member.

F. The chair of the Public Utilities Commission, or the chair's designee, is a nonvoting member.

2. Appointment of members. All members must be appointed no later than August 15, 2000. The Executive Director of the Legislative Council must be notified by all appointing authorities once the selections have been made. When the appointment of all members has been completed, the chair of the Legislative Council shall call and convene the first meeting of the task force no later than August 31, 2000.

3. Duties. The task force shall consider issues pertaining to and make recommendations to the Legislature on the structure, oversight and operation of the Maine Learning Technology Endowment established in the Maine Revised Statutes, Title 20-A,

section 19101 and the implementation of a state learning technology plan. The task force shall create a state learning technology plan to prepare students for a future economy that will rely heavily on technology and innovation. Based on a review of the current condition of technology in the classrooms of the State, the task force shall plan to transform Maine into the premier state for utilizing technology in kindergarten to grade 12 education. The task force shall:

- A. Recommend the ongoing structure, governance and oversight of the Maine Learning Technology Endowment;
- B. Assess the current use of technology in the classrooms of the State;
- C. Assess the current readiness of staff to teach using technology in the classroom and determine the need for professional development in the integration of technology in teaching;
- D. Recommend strategy and goals for the integration of technology in the teaching of content areas and in the achievement of the learning results established in the Maine Revised Statutes, Title 20-A, section 6209;
- E. Recommend strategy and goals for improving and equalizing access to and use of technology in all school systems across the State, including state-run schools;
- F. Recommend a phased plan for the implementation of a state learning technology plan;
- G. Recommend strategies that coordinate the resources and goals of the Maine Learning Technology Endowment with the Maine School and Library Network and the telecommunications education access fund established in the Maine Revised Statutes, Title 35-A, section 7104-B, including policies to maximize the capability of all student and teachers to access the Maine School and Library Network or the Internet;
- H. Coordinate strategies for kindergarten to grade 12 learning technology with technology initiatives and resources of Maine's public higher education institutions; and
- I. Recommend a plan to track and assess progress in the implementation of goals set forth in the state learning technology plan.

The state learning technology plan funded by the Maine Learning Technology Endowment must be designed to take effect no later than the start of the 2002-03 school year.

4. Staffing assistance. The task force may request staffing assistance from the Legislative Council. The task force may also request additional staffing and other assistance, as appropriate, from the Department of Education, the Department of Administrative and Financial Services and other appropriate state agencies and educational institutions.

5. Compensation. The members of the task force who are Legislators are entitled to the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, and reimbursement for necessary expenses incurred for their attendance at authorized meetings of the task force. Other members of the task force who are not otherwise compensated by their employers or other entities that they represent are entitled to receive reimbursement of necessary expenses incurred for their attendance at authorized meetings of the task force.

6. Report. No later than December 15, 2000, the task force shall submit a proposed state learning technology plan, along with its recommendations to the Legislature. The joint standing committee of the Legislature having jurisdiction over education and cultural affairs may report out in the First Regular Session of the 120th Legislature any legislation necessary to implement the recommendations of the task force.

7. Budget. The chair of the task force, with assistance from the task force staff, shall administer the task force's budget. Within 10 days after its first meeting, the task force shall present a work plan and proposed budget to the Legislative Council for approval. The task force may not incur expenses that would result in the task force's exceeding its approved budget. Upon request from the task force, the Executive Director of the Legislative Council shall promptly provide the task force chair and staff with a status report on the task force's budget, expenditures incurred and paid and available funds.

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

2000-01

LEGISLATURE

Task Force on the Maine Learning Technology Endowment

Personal Services	\$2,310
All Other	5,400
TOTAL	\$7,710

Provides funds for the per diem and expenses of legislative members and the expenses of other eligible members of the Task Force on the Maine Learning Technology Endowment and to print the required report.

PART GGG

Sec. GGG-1. Maine Learning Technology Reserve; established. The Maine Learning Technology Reserve is established for the fiscal year ending June 30, 2000 in the General Fund for the purpose of accumulating funds to provide for education technology. Funds in the Maine Learning Technology Reserve may be made available in fiscal year 2000-01 to the General Fund Maine Learning Technology Endowment program in the Department of Education through allotment by financial order, upon the recommendation of the State Budget Officer and approval of the Governor, to be used for education technology pursuant to the Maine Revised Statutes, Title 20-A, chapter 801.

Sec. GGG-2. Excess General Fund revenue; transfer of funds. Notwithstanding any other provision of law, as the first priority before any other transfer, at the close of fiscal year 1999-00 following the end of that fiscal year, the State Controller shall transfer any excess General Fund revenue in an amount not to exceed \$15,000,000 over accepted revenue estimates for fiscal year 1999-00 to the Maine Learning Technology Reserve.

Sec. GGG-3. Transfer to the Maine Learning Technology Reserve. Notwithstanding any other provision of law, as the next priority after any transfer pursuant to section 2 of this Part, at the close of fiscal year 1999-00 following the end of that fiscal year, the State Controller shall transfer to the Maine Learning Technology Reserve the available balance remaining from the unappropriated surplus of the General Fund.

Sec. GGG-4. Limitation of General Fund transfers. The aggregate amount of transfer of General Fund available balances in sections 2 and 3 of this Part may not exceed \$20,000,000.

Sec. GGG-5. Transfer from the General Fund Salary Plan. The General Fund Salary Plan program in the Department of Administrative and Financial Services may be made available in fiscal year 2000-01 as needed through allotment by financial order, upon the recommendation of the State Budget Officer and approval of the Governor, to be used for the retroactive payment of approved reclassifications and range changes in this Act.

Sec. GGG-6. State Controller; post closing. The State Controller is authorized to keep open the official system of general accounts of State Government for fiscal year 1999-00 in order to make post closing entries and adjustments to carry out the provisions of sections 1, 2 and 3 of this Part.

Sec. GGG-7. Retroactivity. Sections 1, 2 and 3 of this Part apply retroactively to June 30, 2000.

PART HHH

Sec. HHH-1. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Part.

2000-01

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Board of Environmental Protection Fund

Positions - Legislative Count	(-1,000)
Personal Services	(\$90,287)
All Other	(5,400)
	<hr/>
TOTAL	(\$95,687)

Provides for the deallocation of funds through the transfer of one Deputy Commissioner, Department of Environmental Protection position to the Administration - Environmental Protection program, Other Special Revenue funds.

Administration - Environmental Protection

Positions - Legislative Count	(1,000)
Personal Services	\$90,287
All Other	5,400
	<hr/>
TOTAL	\$95,687

Allocates funds from the Administration - Special Revenue Overhead account to establish one Deputy Commissioner, Department of Environmental Protection position.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
TOTAL _____ \$0

PART III

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

2000-01

PUBLIC SAFETY, DEPARTMENT OF
Bureau of State Police

Personal Services (\$2,037)
 Deappropriates funds to eliminate one vacant Police Communications Operator position and to establish one Building Custodian position.

Sec. III-2. Allocation. The following funds are allocated from the Highway Fund to carry out the purposes of this Part.

2000-01

PUBLIC SAFETY, DEPARTMENT OF
Bureau of State Police

Personal Services (\$3,055)
 Deallocates funds to eliminate one Police Communications Operator position and to establish one Building Custodian position.

PART JJJ

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

2000-01

CONSERVATION, DEPARTMENT OF
Forest Protection - Division of

Positions - FTE Count (0.154)

Personal Services \$10,718
 All Other (8,681)

Appropriates funds to increase a Laborer II position from 24 to 32 weeks and deappropriates All Other operational costs. The net effect of these appropriations will result in an increase of undedicated General Fund revenue of \$815 in fiscal year 2000-01.

DEPARTMENT OF CONSERVATION
TOTAL _____ \$2,037

PART KKK

Sec. KKK-1. PL 1999, c. 401, Pt. VV, §1 is amended to read:

Sec. VV-1. University of Maine System. Pursuant to the Maine Revised Statutes, Title 20-A, section 10952, subsection 7, the University of Maine System shall borrow money and issue evidences of indebtedness in an amount up to \$25,000,000 to fund capital improvements to support research and development in the system. The financing agreement may not exceed 15 years in duration and the interest rate may not exceed ~~6~~ 6.5%.

Sec. KKK-2. PL 1999, c. 401, Pt. VV, §2, under the caption "UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE," in that part relating to "Debt Service - University of Maine System", is amended by amending the blocked paragraph to read:

Provides funds for the first of an estimated 15 years of debt service payments on \$25,000,000 of university bonds to be issued in fiscal year 2000-01 for capital improvements to support research and development in the University of Maine System. The financing agreement may not exceed 15 years in duration and the interest rate may not exceed ~~6%~~ 6.5%. It is the intent of the Legislature that the University of Maine System absorb the additional debt service costs associated with an increase in

the interest rate within its existing resources if the costs exceed the amounts appropriated for this purpose.

PART LLL

Sec. LLL-1. University of Maine School of Law funding. By June 30, 2006, and every fiscal year thereafter, the share of the University of Maine School of Law's annual operating budget that is supported by the State's General Fund must be equivalent to the share of the University of Maine System's annual operating budget that is supported by the State's General Fund.

PART MMM

Sec. MMM-1. 5 MRSA §13063-D is enacted to read:

§13063-D. Grants to municipalities to retain mature or dominant employers

The commissioner shall authorize grants to municipalities for the purpose of assisting those municipalities to retain mature or dominant employers, as defined in rules adopted by the commissioner, especially manufacturing firms presently located in the State. In awarding grants under this section, the commissioner shall consider the economic health of the region in which the municipality is located, the economic and social impacts that would be or have been created by the loss of the mature or dominant employer and the likelihood of returning that employer to a financially viable condition. In awarding any grant under this section, the commissioner shall take appropriate measures to ensure accountability and a positive return on the public's investment.

Sec. MMM-2. Transfer of funds. Notwithstanding the Maine Revised Statutes, Title 5, section 13063-C, the State Controller is authorized to transfer \$345,000 on a one-time basis from the Job Retention Program to the Department of Economic and Community Development's "Administration - Economic and Community Development" program in fiscal year 2000-01 to carry out the purposes of section 1 of this Part. These funds must be allotted by financial order upon the recommendation of the State Budget Officer and approval of the Governor to carry out the purposes of section 1 of this Part.

PART NNN

Sec. NNN-1. 4 MRSA §1610-B is enacted to read:

§1610-B. Additional securities

Notwithstanding any limitation on the amount of securities that may be issued pursuant to section 1606, subsection 2, the authority may issue additional securities in an amount not to exceed \$33,000,000 outstanding at any one time for a psychiatric treatment facility.

Sec. NNN-2. Maine Governmental Facilities Authority; resolution for issuance of securities. Pursuant to the Maine Revised Statutes, Title 4, section 1606, subsection 2 and section 1610-B, and notwithstanding the limitation contained in Title 4, section 1606, subsection 2 regarding the amount of securities that may be issued, the Maine Governmental Facilities Authority is authorized to issue securities in its own name in an amount up to \$33,000,000 for the purpose of paying the cost associated with the psychiatric treatment facility located in Augusta.

Sec. NNN-3. Allocation. The proceeds from the sale of the securities issued by the Maine Governmental Facilities Authority pursuant to this Part must be expended as follows:

Psychiatric Treatment Facility	\$33,000,000
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PART OOO

Sec. OOO-1. Use of federal reimbursement funds. All federal funding received by the Department of Mental Health, Mental Retardation and Substance Abuse Services related to the construction of the new psychiatric treatment center in Augusta must be deposited in the Maine State Retirement System - Retirement Allowance Fund established under the Maine Revised Statutes, Title 5, section 17251. These funds must be used to reduce the unfunded actuarial liability.

Sec. OOO-2. Report. No later than October 1st of each year, the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services shall report to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs regarding the aggregate amount transferred to the Retirement Allowance Fund pursuant to section 1 of this Part.

PART PPP

Sec. PPP-1. 20-A MRSA §7412 is enacted to read:

§7412. Governor Baxter School for the Deaf Student Trust Fund established

1. Fund established. Notwithstanding the provisions of Title 5, section 135-A, the Governor Baxter School for the Deaf Student Trust Fund, referred to in this section as the "fund," is established.

2. Investment of funds. The money in the fund may be invested by the Treasurer of State with the assistance of one or more fiduciaries or registered investment advisors. The duties and expenses of the fiduciaries or registered investment advisors must be handled in a manner consistent with Title 5, section 17108, subsections 2 and 3. All earnings must be credited to the fund.

3. Nonlapsing fund. Any unexpended funds remaining in the fund may not lapse but must be carried forward for the benefit of the fund.

4. Expenditures from the fund. Expenditures may be made from the fund only by the Legislature.

Sec. PPP-2. Transfer to Governor Baxter School for the Deaf Student Trust Fund. Notwithstanding the provisions of the Maine Revised Statutes, Title 5, chapter 316-A, the State Controller shall credit to the Governor Baxter School for the Deaf Student Trust Fund, established in Title 20-A, section 7412, a transfer of \$1,000,000 from the Victim's Compensation Fund no later than June 30, 2001.

PART QQQ

Sec. QQQ-1. 5 MRSA §3360-E, first ¶, as amended by PL 1999, c. 360, §7 and affected by §9, is further amended to read:

The board may award compensation to a claimant of up to ~~\$7,500~~ \$15,000 for actual and unreimbursed losses and eligible expenses of any person who is sexually assaulted or who suffers personal injury or death as the result of a crime specified in section 3360, subsection 3.

Sec. QQQ-2. 5 MRSA §3360-E, 2nd ¶, as enacted by PL 1997, c. 378, §9, is amended to read:

An award of compensation for the benefit of a family or household member is derivative of the claim of the victim. The total compensation paid for all claims arising from the crime against the victim may not exceed ~~\$7,500~~ \$15,000.

PART RRR

Sec. RRR-1. 5 MRSA §1547, as amended by P&SL 1969, c. 236, §C, is repealed and the following enacted in its place:

§1547. Annual financial report of the State

The State Controller shall prepare a comprehensive annual financial report in accordance with standards established by a governmental accounting standards board. This report is the official annual financial report of the State Government as defined in section 1541, subsection 11.

1. Bureau of Accounts and Control shall complete financial statements, notes and other documentation. Following the official close of the State's fiscal year ending on June 30th, the Department of Administrative and Financial Services, Bureau of Accounts and Control, under the direction of the State Controller, shall prepare and complete all financial statements, notes and other documentation as considered necessary by the State Controller in accordance with all governing rules, statutes and generally accepted accounting principles. This information must be made available to the Department of Audit no later than November 1st of that year.

2. State agencies shall adhere to guidelines and procedures. In order to ensure compliance with subsection 1, all state departments, agencies and component units as described in subsection 3 shall adhere to all established guidelines and procedures set forth by the State Controller to ensure the accurate reporting of the State's financial condition to the Department of Audit.

3. Component units. Component units of the State include, but are not limited to, the following organizations: the Loring Development Authority of Maine; the Finance Authority of Maine; the Maine Educational Loan Authority; the Maine Municipal Bond Bank; the Maine Health and Higher Education Facilities Authority; the Maine Governmental Facilities Authority; the Maine Maritime Academy; the Maine State Housing Authority; the University of Maine System; the Maine Technical College System; and the Maine State Retirement System. The State Controller may identify additional component units in accordance with standards established by a governmental accounting standards board.

4. State departments and agencies shall submit financial statements. All state departments and agencies shall submit to the Department of Administrative and Financial Services, Bureau of Accounts and Control, no later than September 1st following the official close of the State's fiscal year, all financial statements and schedules of expenditures of federal awards and any other materials considered necessary by the State Controller.

5. Component units shall submit audited financial statements. All component units, as described in subsection 3, shall submit audited financial statements to the Department of Administrative and Financial Services, Bureau of Accounts and Control no later than October 15th following the official close of the State's fiscal year.

6. Maine Turnpike Authority. Notwithstanding any other provision of law, the Maine Turnpike Authority, beginning on July 1, 2012 and every July 1st thereafter, is directed to submit its annual financial

report to the Department of Administrative and Financial Services, Bureau of Accounts and Control, the Department of Audit and 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 transportation matters in accordance with all governing rules, statutes and generally accepted accounting principles.

PART SSS

Sec. SSS-1. 5 MRSA c. 383, sub-c. V-A is enacted to read:

SUBCHAPTER V-A

RESEARCH

§13103. Maine Biomedical Research Program

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

A. "Biennium" means that period of time encompassed by the state budget fiscal biennium.

B. "Eligible institution" means any Maine-based nonprofit institution that:

(1) Performs competitive biomedical research, as evidenced by publication in recognized peer review journals; and

(2) Receives or expends funds to perform biomedical research from federal agencies or private foundations.

C. "Fund" means the Maine Biomedical Research Fund established in subsection 3.

D. "Program" means the Maine Biomedical Research Program established in subsection 2.

2. Program established. The Maine Biomedical Research Program is established to disburse program funds from the Maine Biomedical Research Fund to eligible institutions pursuant to this section. The department shall administer the program. The department shall:

A. Develop and modify detailed program guidelines consistent with this section in consultation as needed with members of the biomedical community;

B. Review and if necessary verify applications for funds from eligible institutions;

C. Determine whether the institution is an eligible institution;

D. Verify that the proposed use of program funds is consistent with subsection 4;

E. Determine the allocation that each eligible institution will receive in a given biennium;

F. Advertise the availability of funds each biennium; and

G. Submit each biennium a summary report to the Governor and the Legislature that compiles information reported to the department as required by subsection 8 by all the institutions that receive program funding.

3. Fund established. The Maine Biomedical Research Fund is established as an Other Special Revenue fund for the purposes specified in this section. Funds appropriated for this purpose may be transferred on a one-time basis to the Other Special Revenue fund in fiscal year 2000-01. Any unexpended balance in the fund may not lapse, but must be carried forward for the benefit of the fund.

4. Use of funds. Program funds are intended to support biomedical research in this State, with priority given to research and research technologies with the potential to affect diseases, biomedical mechanisms or conditions that are either caused by or related to tobacco use, such as, but not limited to, cancer, heart disease, diabetes, asthma, emphysema and stroke.

An eligible institution receiving program funds under this section may use those funds for any of the following purposes:

A. Project funding;

B. Facilities funding, including debt service;

C. Equipment used in research, including debt service; or

D. Ancillary support.

An eligible institution that receives funds under this section may charge overhead expenses consistent with federal research granting criteria. The institution may utilize up to 2% of the program funds it receives to evaluate the impact of the research it is conducting. An institution is not obligated to expend program funds during the period in which those funds are received, but may carry over funding for up to 5 years.

5. Application procedure. In order to receive program funds, an eligible institution must submit to the program:

A. A preliminary plan describing how the institution would utilize program funds and what research and economic benefits it anticipates as a result of this funding;

B. Citations of articles from peer review journals published within the previous 2 years that show the institution is engaged in competitive biomedical research;

C. Copies of the institution's Internal Revenue Service form 990, showing the amount of funding from outside sources;

D. A breakdown and explanation of all funding from federal agencies and private foundations for biomedical research, listing each specific source of funding and its use; and

E. A statement signed by the institution's chief executive officer asserting that all the submitted materials are accurate.

6. Allocation of funds to eligible institutions.

The department shall allocate funds from the fund to eligible institutions biennially, based on a formula to be developed by rule of the department. The formula must be designed both to provide an ongoing incentive to leverage outside funding and to make it easier for smaller institutions to grow.

A. The formula must link the amount of the program funds to be received by an eligible institution to the total amount of funding that the institution has received or expended to perform biomedical research from federal agencies and private foundations during the previous 2 years. In general, an institution receiving more funding from federal agencies and private foundations will receive more program funds under the formula.

B. The formula must be weighted to provide smaller eligible institutions with a proportionally larger share of program funds.

C. The formula must guarantee a certain minimum allocation to any eligible institution, regardless of size, that applies for program funds and has attracted a minimum of \$1,000,000 over the previous 2 years from federal or foundation sources to perform biomedical research or is involved as a participating institution that has attracted a minimum of \$1,000,000 in biomedical research grant funding over the previous 2 years from federal or foundation sources either directly to that institution or in combination with other in-state or out-of-state institutions. That minimum must be expressed as a percentage of the total pool of funds to be allocated from the fund.

7. Final plan. Once funding decisions are made according to the formula established pursuant to subsection 6, each eligible institution shall revise its preliminary plan into a final plan that reflects the actual amount of funding allocated. A final plan must

describe how the institution would utilize the allocated program funds and what research and economic benefits it anticipates as a result of this funding. An institution must submit a final plan to the department prior to disbursement of funding.

8. Accounting, evaluation and reporting requirements. Each institution receiving funding shall:

A. Maintain an accurate accounting of the use of all program funds as required by state procedures and program guidelines;

B. Undertake an ongoing process to evaluate the impact of the research undertaken with program funds. At a minimum, the evaluation process must be designed to provide the following:

(1) An assessment of the direct and indirect economic impact of the funded research; and

(2) An assessment of the contribution of the funded research to scientific advancement and the institution's competitive position; and

C. Each biennium, submit a report to the department. The report must include:

(1) An accounting of the use of all program funds received in the previous 2 years, prepared by a certified public accountant;

(2) A summary of the status of any ongoing research;

(3) A summary of the results of any completed research;

(4) Evaluation data and assessment; and

(5) Information required to be submitted under a comprehensive research and development evaluation pursuant to section 13122-J.

9. Rulemaking. The department shall adopt major substantive rules pursuant to Title 5, chapter 375, subchapter II-A to implement this section.

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

2000-01

**ECONOMIC AND
COMMUNITY
DEVELOPMENT,
DEPARTMENT OF**

Maine Biomedical Research Fund

All Other \$10,000,000
 Provides for the appropriation of funds to support biomedical research in Maine.

PART TTT

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

2000-01

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Forum Francophone

All Other \$75,000
 Provides funds to support an office for the national headquarters of the American Association of the Forum Francophone Des Affaires located in Lewiston, Maine. These funds must be used for expenses incurred in sharing an office with the Maine International Trade Center.

International Commerce

All Other \$75,000
 Provides funds to support an office for the Maine International Trade Center located in Lewiston, Maine. These funds must be used for expenses incurred in sharing an office with the American Association of the Forum Francophone Des Affaires organization.

DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TOTAL

\$150,000

PART UUU

Sec. UUU-1. 5 MRSA §12004-G, sub-§33-E is enacted to read:

33-E. Applied Technology Development Center System Coordinating Board Not Authorized 5 MRSA §15321

Sec. UUU-2. 5 MRSA c. 407 is amended by inserting before §15301 the following:

SUBCHAPTER I

MAINE TECHNOLOGY INSTITUTE

Sec. UUU-3. 5 MRSA c. 407, sub-c. II is enacted to read:

SUBCHAPTER II

APPLIED TECHNOLOGY DEVELOPMENT CENTER SYSTEM

§15321. Applied Technology Development Center System

1. Establishment; purpose. The Applied Technology Development Center System, referred to in this section as the "system," is established. The purpose of the system is to permit early-stage development of technology-based businesses while minimizing or eliminating debilitating overhead expenses. The system is an integral component of the State's efforts to foster new technology-based businesses and consists of a network of self-managed, state-coordinated centers strategically placed throughout the State. The goals of the system include the following:

- A. The retention of successful start-up businesses in the State;
- B. The improvement of opportunities for workers through the creation of technologically advanced jobs;
- C. The encouragement of private-sector initiatives;
- D. The renovation and utilization of vacant commercial real estate; and
- E. The generation of new sources of revenue for local and state tax bases.

2. Administration. The following provisions govern the administration of the system.

A. The system is administered by the Applied Technology Development Center System Director, referred to in this section as the "director," who is appointed by the Commissioner of Economic and Community Development. The director shall report to the Commissioner of Economic and Community Development in the execution of the director's responsibilities. The duties of the director include, but are not limited to:

- (1) Assisting in the recruitment of tenants for the system;
- (2) Providing marketing services for the system; and
- (3) Providing business training for tenants of the system, including:
 - (a) Developing a business plan; and
 - (b) Providing information and assistance regarding legal issues and financing.

B. The Department of Economic and Community Development shall establish an Applied Technology Development Center System Coordinating Board that consists of interested parties in the State to coordinate system activities. The Applied Technology Development Center System Coordinating Board consists of at least the following members:

- (1) The Commissioner of Economic and Community Development or the commissioner's designee;
- (2) The director;
- (3) A representative from each applied technology development center, chosen by that center;
- (4) A representative from the University of Maine System, chosen by the Chancellor of the University of Maine System;
- (5) A representative of the Maine Technical College System, chosen by the President of the Maine Technical College System;
- (6) A representative of a nonprofit organization that is funded by the State and promotes the State to business entities, chosen by that organization;

(7) An attorney, chosen by the Commissioner of Economic and Community Development;

(8) A financial expert, chosen by the Commissioner of Economic and Community Development; and

(9) A representative of the institute.

C. Each applied technology development center is governed by its own board of directors. Each board of directors shall establish standards for the selection of tenants.

D. The Department of Economic and Community Development shall determine where the applied technology development centers are to be located. The Center for Environmental Enterprise in South Portland, the Thomas M. Teague Biotechnology Park in Fairfield and the Loring Biotechnology Incubator in Limestone are exempt from a determination made under this paragraph.

3. Applied technology development centers.

The following provisions govern applied technology development centers.

A. An applied technology development center may be incorporated as a nonprofit organization, be part of a nonprofit organization, be incorporated as a for-profit organization or be part of a for-profit organization. The following provisions govern a for-profit applied technology development center.

(1) Services made available to an applied technology development center by the director must be made available to all tenants of a for-profit center.

(2) A for-profit center in a targeted technology may apply for available funding. A for-profit center selected for funding shall accept the funding as a loan that may be paid back in the form of cash, equity or royalties as agreed upon by the for-profit center and the Department of Economic and Community Development.

B. The Department of Economic and Community Development and the director shall assist in the recruitment of tenants for the applied technology development centers that are representative of the targeted technologies. Sources of tenant recruitment may include nonprofit and academic institutions, entrepreneurial start-up companies referred to the system by a technology-based trade organization or economic devel-

opment organization and system-recruited and self-referred start-up companies.

C. Each applied technology development center shall provide shared, low-cost space to selected tenants and be designed to be self-sufficient with regard to operational costs and structural maintenance. Existing real estate must be considered where suitable. Specific business support tailored to each tenant must be provided by existing organizations such as the small business development centers and regional economic development districts. Each applied technology development center must have simultaneous-broadcast or interactive-television capability or access to these capabilities nearby to facilitate common training for the system.

4. Funding. The following provisions govern funding for applied technology development centers.

A. An applicant may not receive more than \$750,000 from the system for an applied technology development center.

B. An entity that requests initial funding for an applied technology development center shall obtain or must have obtained at least 25% of the funding from nonstate sources. These sources may include in-kind donations, federal grants, federal funding, local funding initiatives and private foundation grants. The Applied Technology Development Center System Coordinating Board shall determine whether the matching funds meet this requirement. The Center for Environmental Enterprise in South Portland, the Thomas M. Teague Biotechnology Park in Fairfield and the Loring Biotechnology Incubator in Limestone must meet this requirement in order to receive funding under this subsection.

5. Relationship with academic institution. An applied technology development center shall establish a relationship with at least one academic institution in this State. The Applied Technology Development Center System Coordinating Board shall establish guidelines for such a relationship and determine whether an applied technology development center has met the requirements of this subsection.

6. Rule-making authority. The Department of Economic and Community Development may adopt rules to carry out the purposes of this section. Rules adopted pursuant to this section are routine technical rules as defined in chapter 375, subchapter II-A.

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

2000-01

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Administration - Economic and Community Development

Positions - Legislative Count	(1,000)
Personal Services	\$73,400

Provides for the appropriation of funds for one Applied Technology Development Center System Director position.

Administration - Economic and Community Development

All Other	\$450,000
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Provides for the appropriation of funds for the Center for Environmental Enterprise in South Portland. This funding may be provided only if that applied technology development center raises or has raised at least 25% of the cost of the project from nonstate sources.

Administration - Economic and Community Development

All Other	\$950,000
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Provides for the appropriation of funds for the Thomas M. Teague Biotechnology Park in Fairfield. This funding may be provided only if that applied technology development center raises or has raised at least 25% of the costs of the project from nonstate sources. This funding is not subject to the \$750,000 limitation set forth in the Maine Revised Statutes, Title 5, section 15321, subsection 4, paragraph A.

Administration - Economic and Community Development

All Other \$550,000

Provides for the appropriation of funds for the Loring Biotechnology Incubator in Limestone. This funding may be provided only if that applied technology development center raises or has raised at least 25% of the cost of the project from nonstate sources.

**DEPARTMENT OF
ECONOMIC AND
COMMUNITY
DEVELOPMENT
TOTAL**

\$5,500,000

PART VVV

Sec. VVV-1. 5 MRSA c. 383, sub-c. II, art. 2-A is enacted to read:

Article 2-A

MAINE MICROENTERPRISE INITIATIVE

Administration - Economic and Community Development

All Other \$750,000

Provides for the appropriation of funds for the Target Technology Center at Orono. This funding may be provided only if that applied technology development center raises or has raised at least 25% of the cost of the project from nonstate sources.

§13063-D. Definitions

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

1. Community-based organization. "Community-based organization" means a nonprofit organization that has:

A. A viable plan for providing training and technical assistance to microenterprises;

B. Broad-based community support;

C. An adequate source of operating capital; and

D. A demonstrated need for funding to provide training and technical assistance to microenterprises.

2. Fund. "Fund" means the Maine Microenterprise Initiative Fund established in section 13063-E.

3. Microenterprise. "Microenterprise" means a business located in the State that produces goods or provides services and has fewer than 10 full-time equivalent employees.

Administration - Economic and Community Development

All Other \$420,000

Provides for the appropriation of funds for managerial expenses for the Applied Technology Development Center System.

§13063-E. Maine Microenterprise Initiative Fund

Applied Technology Development Center System

All Other \$2,306,600

Provides for the appropriation of funds for applied technology development centers. Applicants for this funding must raise 25% of the cost of the project from nonstate sources. These funds do not lapse and must be carried forward.

1. Fund established. The Maine Microenterprise Initiative Fund is established as a nonlapsing fund administered by the department. The fund consists of money appropriated to it by the Legislature from the General Fund and eligible investment earnings from fund assets. The fund must be held separate from all other money, funds and accounts, and all eligible investment earnings from fund assets must be credited to the fund.

2. Fund purposes. The department shall administer the fund to provide grants to community-based organizations to aid them in providing technical assistance and training to microenterprises.

§13063-F. Application process

1. Process established. The department shall adopt rules establishing an application process for fund grants for the purposes set forth in section 13063-E, subsection 2. In establishing the application process, the department shall consult with business experts involved with microenterprises in the State.

2. Process requirements. The application process must be competitive. An applicant shall specify whether a grant is sought for microenterprise technical assistance or training or a combination thereof. In making grants, the department shall give priority to applications that:

A. Are joint applications by 2 or more community-based organizations or otherwise provide for cooperation among community-based organizations;

B. Target aid to low-income individuals; or

C. Target aid to areas of high unemployment or to underserved areas of the State.

The department may establish additional criteria for assessing applications for fund grants.

§13063-G. Rules

The department shall adopt rules necessary to carry out this article. Rules adopted pursuant to this article are routine technical rules as defined in chapter 375, subchapter II-A.

§13063-H. Report

The department shall submit to the joint standing committee of the Legislature having jurisdiction over business and economic development matters an update on the fund by January 1, 2001 and every year thereafter.

Sec. VVV-2. 5 MRSA §13073-A is enacted to read:

§13073-A. Regional Economic Development Assistance Fund

The Director of the Office of Tourism and Community Development shall administer the Regional Economic Development Assistance Fund, referred to in this section as the "fund."

1. Fund established. The fund is established as a nonlapsing fund within the Office of Tourism and Community Development.

2. Fund purpose. The purpose of the fund is to provide funding to develop effective local and regional economic development programs. The department

shall administer the fund to award start-up grants to nonprofit local or regional community organizations that are providing local or regional economic development programs.

3. Application process. The department shall adopt rules establishing an application process for fund grants for the purposes set forth in this section.

4. Competitive procedure. Funds must be dispersed in accordance with a competitive, quality-based selection procedure as established and administered by the department.

5. Preference in awards. In awarding grants, the department shall give preference to those projects or programs that will benefit economically distressed communities and regions. In determining preference, the department shall consider such factors as unemployment rates, per capita income, educational attainment, business failures and dependence upon mature or dominant industries.

6. Local match requirements. All funds awarded must be matched by local funds on a minimum one-to-one basis.

7. Rules. The department shall adopt rules necessary to carry out this section. Rules adopted pursuant to this section are routine technical rules as defined in chapter 375, subchapter II-A.

Sec. VVV-3. 10 MRSA §997-B, as enacted by PL 1999, c. 474, §2, is amended to read:

§997-B. Agricultural Products Utilization Commission

The Agricultural Products Utilization Commission, as established in Title 5, section 12004-I, subsection 6-F, referred to in this section as the "commission," shall advise the members of the authority on the adoption, amendment or repeal of rules, policies or administrative procedures for carrying out section 997-A. The commission shall work with state departments and agencies to identify issues related to the development of agriculturally derived fuel industries in the State. In addition, the commission shall advise the members of the authority on environmental impact considerations, including the impact that agriculturally derived fuels may have on ground water. The commission may also identify agriculturally derived fuel development programs, including incentives, financing and other market and infrastructure issues, and analyze the potential for agriculturally derived fuel production in the State.

1. Membership. The commission consists of ~~11~~ 12 members. Five members must be appointed by the Governor for terms of 2 years each, arranged so that 2 terms expire in odd-numbered years and 3 terms

expire in even-numbered years; 3 of these must be actively engaged in farming in this State and 2 members appointed by the Governor must be actively engaged in business in this State. The Commissioner of Agriculture, Food and Rural Resources shall appoint one member for a term of 2 years, which expires in odd-numbered years. The member appointed by the Commissioner of Agriculture, Food and Rural Resources must be actively engaged in farming in this State. The Commissioner of Environmental Protection shall appoint one member for a term of 2 years, which expires in even-numbered years. Commission members may be reappointed to the commission. Terms of members run from the first day of July. The ~~Director~~ Commissioner of Economic and Community Development, the President of the University of Maine, the Commissioner of Environmental Protection, the chief executive officer of the authority and the Commissioner of Agriculture, Food and Rural Resources, or their designees, are members of the commission. The commission shall elect one of its members as chair.

2. Commission meetings; staff. The commission shall meet as necessary and shall report annually to the joint standing committee of the Legislature having jurisdiction over natural resources matters ~~and~~ the joint standing committee of the Legislature having jurisdiction over agriculture, food and rural resources matters and the joint standing committee of the Legislature having jurisdiction over business and economic development matters on the commission's activities and deposits and expenditures from the Agriculturally Derived Fuel Fund. The authority shall provide staff and support services to the commission.

Sec. VVV-4. 10 MRSA §1026-J, first ¶, as enacted by PL 1991, c. 849, §1 and affected by §7, is amended to read:

The Economic Recovery Program, referred to in this section as the "program," is established to provide loans to businesses that do not have sufficient access to credit but demonstrate the ability to survive, preserve and create jobs, and repay the ~~loans~~ obligations.

Sec. VVV-5. 10 MRSA §1026-J, sub-§1, ¶D, as amended by PL 1997, c. 563, Pt. A, §1, is repealed.

Sec. VVV-6. 10 MRSA §1026-J, sub-§2, as enacted by PL 1991, c. 849, §1 and affected by §7, is amended to read:

2. Loan terms and conditions. Loans may not exceed \$1,000,000 per project. The authority may establish prudent terms and conditions for loans, including limits on the amount of loans for any one project and requiring adequate collateral for the loans.

Loan terms may not exceed 20 years in the case of loans primarily secured by real estate, 10 years in the case of loans secured primarily by machinery and equipment and 7 years for other loans. The interest rate charged on each loan may not exceed the prime rate for interest plus 4%, as determined by the authority. The authority may establish conditions, such as balloon payments, to encourage borrowers to make the transition to conventional financing as soon as they are reasonably able to do so. The authority may further assist the borrower by allowing for the deferral of interest or principal payments for a period of time. Loans may be subject to conditions that allow the authority to make a reasonable return based on the risk of the investment, which may include royalties or additional payments based on sales, net cash flow or other financial measures and rights to equity in the company.

Sec. VVV-7. 10 MRSA §1026-N, sub-§§1 and 2, as enacted by PL 1995, c. 424, §1, are amended to read:

1. Established. The Maine Economic Development Venture Capital Revolving Investment Program, referred to in this section as the "program," is established to provide venture capital to businesses that need assistance in order to create or retain jobs. The Maine Economic Development Venture Capital Revolving Investment Program Fund, referred to in this section as the "fund," is established as a revolving fund, into which must be deposited all amounts appropriated to the program or allocated for inclusion in the fund, from whatever source, interest and investment earnings on the fund and any amounts repaid to the program by participating venture capital funds.

2. Eligible venture capital funds. Money in the fund may be invested in one or more private, professionally managed venture capital funds located in the State capable of providing venture capital to businesses in order to create and protect jobs and ~~with an established track record of that provide evidence of past or potential~~ management success and risk diversification. To be eligible for investments from the fund, a private venture capital fund must:

A. Apply to the authority. The application must describe the private venture capital fund and its funding sources, the region it serves, its methods and criteria for qualifying investments, including any targeted investing and economic development strategy, its expertise in venture capital assistance and investing in small and emerging businesses, the method by which it will leverage funds from other sources than those received from the fund and other information the authority determines necessary;

B. Have a strategy for the creation and retention of jobs, an effective small business marketing and technical assistance plan and enough expert assistance available to it to underwrite, document and service investments and to assist the businesses in which it invests;

C. Be determined by the authority to be able to prudently and effectively administer venture capital investments; and

D. Propose performance standards and goals and a process for monitoring compliance with proposed measurement and goals.

Sec. VVV-8. 10 MRSA §1026-N, sub-§4, ¶A, as enacted by PL 1995, c. 424, §1, is amended to read:

A. The private venture capital fund shall certify that it will use funds only for eligible purposes and that it will make best efforts to invest an amount equal to the authority's investment in the fund in businesses that meet all eligibility requirements for a tax credit certificate pursuant to section 1100-T, subsection 2, paragraph B;

Sec. VVV-9. 10 MRSA §1026-N, sub-§4, ¶B, as enacted by PL 1995, c. 424, §1, is repealed.

Sec. VVV-10. 10 MRSA §1026-N, sub-§4, ¶B-1 is enacted to read:

B-1. The authority has rights equal to those of all other investors in the private venture capital fund;

Sec. VVV-11. 10 MRSA §1026-N, sub-§5, as enacted by PL 1995, c. 424, §1, is amended to read:

5. Administrative costs. A private venture capital fund may not use any money disbursed more than 4% annually of the amount invested from the fund by the authority for administrative expenses or load charges. The authority shall review and approve a private venture capital fund's administrative expenses on an annual basis. The authority may establish by rule reasonable administrative fees for its administration of the fund.

Sec. VVV-12. 10 MRSA §1026-N, sub-§6, as enacted by PL 1995, c. 424, §1, is repealed.

Sec. VVV-13. 10 MRSA §1026-N, sub-§7, as enacted by PL 1995, c. 424, §1, is amended to read:

7. Reports. A private venture capital fund shall report at least semiannually to the authority on the businesses in which the private venture capital fund invests and the administration of the program. The report must include a description of each business, the amount, type and terms of assistance the business

received, the amount of funds invested in businesses that meet the criteria of section 1100-T, subsection 2, paragraph B, the number of jobs that were created or retained and other information the authority requires. The report must contain an accounting of the investment portfolio and any investments that are in default, as well as an accounting of the private venture capital fund's administrative and technical assistance expenses incurred and charged.

Sec. VVV-14. Transfer to the Maine Economic Development Venture Capital Revolving Investment Program Fund. On the effective date of this Part, the Finance Authority of Maine shall transfer up to \$3,000,000 from the Economic Recovery Program Fund to the Maine Economic Development Venture Capital Revolving Investment Program Fund.

Sec. VVV-15. Stimulate rural development. The Maine Rural Development Council, a quasi-independent agency of the State, shall:

1. Provide advocacy for the social and economic needs and issues of rural Maine communities, particularly in the most distressed counties of the State;
2. Coordinate the development of "community capacity building" projects and demonstrate innovative approaches to achieving growth in these distressed counties through locally developed strategies that are driven by civic vision, grounded in communal assets and commanded by local leadership;
3. Stimulate rural development innovation and foster the flow of information on "best practices" to these communities; and
4. Report annually to the Governor and the Legislature on the effectiveness of these community capacity building projects and recommendations for future action regarding conditions in the rural areas of the State.

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

2000-01

**ECONOMIC AND
COMMUNITY
DEVELOPMENT,
DEPARTMENT OF**

Business Development

Positions - Legislative Count	(1,000)
Personal Services	\$80,000

Provides for the appropriation of funds for one Information Technology Manager position to serve as network manager administrator for the Maine Business Works program.

Sec. VVV-17. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

2000-01

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Business Development

All Other \$60,000

Provides funds to enter into a contract for a person to serve as field representative in a currently underserved and economically depressed area. In determining the service area, the department will consider unemployment rates, per capita income, educational attainment, business failures and dependence upon mature or dominant industries.

Sec. VVV-18. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

2000-01

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Maine Microenterprise Initiative Fund

All Other \$850,000

Provides funds on a one-time basis for grants to community-based organizations for training and technical assistance to microenterprises.

Sec. VVV-19. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

2000-01

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Regional Economic Development Assistance Fund

All Other \$350,000

Provides funds on a one-time basis for grants to nonprofit local or regional community organizations to provide seed funds to develop effective economic development programs.

Sec. VVV-20. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

2000-01

MAINE RURAL DEVELOPMENT COUNCIL

Maine Rural Development Council

All Other \$100,000

Provides funds on a one-time basis for the Maine Rural Development Council for development of community capacity building projects and for provision of advocacy for social and economic needs in rural Maine.

Sec. VVV-21. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

2000-01

MAINE TECHNICAL COLLEGE SYSTEM, BOARD OF TRUSTEES OF THE

Maine Technical College System - Board of Trustees

All Other \$60,000

Provides funds on a one-time basis for a pilot program proposal for the Aroostook County Machine Tool Program. The pilot program will enroll 10 students in a machine tool program to be offered jointly by Northern Maine Technical College in Presque Isle and Eastern Maine Technical College in Bangor. The majority of the program will be delivered at Northern Maine Technical College with lab instruction delivered in daylong classes on Saturdays at Eastern Maine Technical College.

PART WWW

Sec. WWW-1. 10 MRSA c. 317 is enacted to read:

CHAPTER 317

MAINE PATENT PROGRAM

§1921. Maine Patent Program

The Maine Patent Program, referred to in this chapter as the "program," is administered by the University of Maine System, Center for Advanced Technology Law and Management. The program's purpose is to support the commercialization and manufacturing of innovations in the State by providing education and assistance with the patent process of the United States Patent and Trademark Office to companies, inventors and entrepreneurs in the State.

1. Program components. The program must:

- A. Provide at least 4 workshops each year on general topics concerning the patent process of the United States Patent and Trademark Office;
- B. Provide at least 4 workshops each year on focused topics and specific training concerning the patent process of the United States Patent and Trademark Office;
- C. Conduct innovation screening of 50 to 100 preliminary potential patent applications and pat-

ent searches on 25 to 50 potential patent applications each year;

D. Prepare 10 to 20 patent applications per year;

E. Provide licensing assistance; and

F. Provide other assistance concerning the patent process of the United States Patent and Trademark Office as needed.

2. Applicant's costs and duties. An applicant accepted by the program shall pay the costs of the patent search and opinion and for patent prosecution if the final product is manufactured or licensed out of state. An applicant shall pay to the program a reasonable percentage of the royalties for any successful innovation patented through the program.

3. Staffing. The University of Maine System, Center for Advanced Technology Law and Management shall hire a director for the program. The director must be a professional who:

- A. Is a registered patent attorney or patent agent;
- B. Has experience in commercialization, such as working as an in-house patent professional for a large company or an academic or nonprofit technology transfer operation;
- C. Has relevant experience working directly with manufacturers;
- D. Has relevant experience working directly with entrepreneurial startups;
- E. Has relevant experience working directly with independent inventors;
- F. Has experience with equity and royalty offerings;
- G. Has experience with successful licensing; and
- H. Has experience in educating the general public through workshops, seminars and continuing education courses.

4. Fund. The Maine Patent Fund, referred to in this chapter as the "fund," is established as a revolving, nonlapsing fund to supplement the Maine Patent Program. All money from royalties received from applicants pursuant to this chapter must be credited to the fund. Money in the fund not currently needed to meet expenses of the program must be deposited with the Treasurer of State to the credit of the fund and may be invested as provided by law. Interest on these investments must be credited to the fund. Money in the fund may only be expended in accordance with allocations approved by the Legislature.

Sec. WWW-2. Report. By December 1, 2001, the University of Maine System, Center for Advanced Technology Law and Management shall submit to the joint standing committee or joint select committee of the Legislature having jurisdiction over research and development matters a report on the performance of the Maine Patent Program established in the Maine Revised Statutes, Title 10, chapter 317.

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

2000-01

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

Maine Patent Program

All Other \$300,000

Provides funds for staff and related operational costs for the Maine Patent Program to be administered by the Center for Advanced Technology Law and Management at the University of Southern Maine, including funds to conduct workshops and provide technical assistance to help state inventors.

Sec. WWW-4. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Part.

2000-01

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

Maine Patent Program

All Other \$500

Provides for the allocation of funds to authorize initial expenditures from the Maine Patent Fund to be administered by the Center for Advanced Technology Law and Management at the University of Southern Maine.

PART XXX

Sec. XXX-1. 5 MRSA §13122-J, first ¶, as enacted by PL 1999, c. 401, Pt. BBB, §1, is amended to read:

The foundation shall develop and submit to the Governor and the Legislature by ~~December 31, 1999~~ July 1, 2006 and on ~~the first day of each legislative session~~ July 1st every 5 years thereafter an evaluation of state investments in research and development. The evaluation must:

Sec. XXX-2. 5 MRSA §13122-K is enacted to read:

§13122-K. Reporting requirements of recipients of research and development funding

To assist the foundation in preparing a comprehensive research and development evaluation, a recipient of state funding for research and development shall, in addition to any other reporting requirements required by law:

1. Data. Collect, maintain and provide to the foundation data relating to each investment's performance, outputs and outcomes;

2. Report card indicators. Identify the indicators in the report card developed by the foundation that will be affected as a result of the proposed research and development activity; and

3. Action plan goals. Identify the goals in the action plan developed by the foundation that will be advanced by the recipient's research and development activity.

Sec. XXX-3. Initial evaluation of research and development. The Maine Science and Technology Foundation shall develop and submit to the Governor and the Legislature by July 1, 2001 an initial evaluation of the State's public investments in research and development that provides a composite overview of the State's long-standing research and development investments using existing data and qualitative evaluation methods and that includes no fewer than 5 case studies.

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

2000-01

**MAINE SCIENCE AND
TECHNOLOGY
FOUNDATION**

Maine Science and Technology Foundation

2000-01

All Other \$145,000

Provides funds for the Maine Science and Technology Foundation to develop, prepare and submit to the Governor and the Legislature the initial evaluation of the State's public investments in research and development.

PART YYY

Sec. YYY-1. 22 MRSA c. 252-B is enacted to read:

CHAPTER 252-B

POISON CONTROL CENTER

§1346. Official poison control center

1. Designation. The Maine Poison Center, located at the Maine Medical Center, is the official state poison control center.

2. Services. The Maine Poison Center shall provide clinical toxicology services through critical expertise and assistance in the diagnosis and management of poisonings.

3. Certification. The Maine Poison Center is encouraged to achieve certification from a national association of poison control centers by May 1, 2003. The Maine Poison Center shall achieve certification from a national association of poison control centers not later than December 1, 2004.

4. Alternative funding sources. The Maine Poison Center shall seek funding from other sources to fully support the level of services it offers.

Sec. YYY-2. Report. The Maine Poison Center shall report its progress in pursuing alternative funding sources and the status of its efforts to achieve certification to the joint standing committees of the Legislature having jurisdiction over appropriations and financial affairs and health and human services matters no later than February 15, 2001.

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

HUMAN SERVICES, DEPARTMENT OF

Bureau of Health

All Other \$255,000

Provides funds for poison control services.

PART ZZZ

Sec. ZZZ-1. 4 MRSA c. 1, sub-c. I-F is enacted to read:

SUBCHAPTER I-F

COURT UNIFICATION OVERSIGHT COMMITTEE

§41. Court Unification Oversight Committee

The Court Unification Oversight Committee is established to supervise and monitor all the parts of the unification program recommended by the court unification task force pursuant to Resolve 1997, chapter 107.

1. Membership. The Chief Justice of the Supreme Judicial Court may appoint judges, clerks, attorneys and members of the public to serve as members of the Court Unification Oversight Committee.

2. Ongoing goals. The Court Unification Oversight Committee shall identify from time to time additional ongoing goals for unifying the District Court and Superior Court.

3. Workload. The Court Unification Oversight Committee shall monitor the workload of judges and clerks, paying particular attention to the workload in the District Court clerks' offices.

4. Annual report. The Court Unification Oversight Committee shall report by January 15, 2001 and annually thereafter to the Supreme Judicial Court and the joint standing committee of the Legislature having jurisdiction over judiciary matters on:

A. The implementation of the recommendations of the court unification task force;

B. The identification and implementation of additional ongoing goals;

C. The degree to which the implementation of each of the court unification task force's recommendations has achieved the intended purpose of better service to the public;

D. How the implementation has affected the workload of the courts, including the effects on the clerks' offices; and

E. Any other information the committee determines appropriate.

Sec. ZZZ-2. 4 MRSA §57, as amended by PL 1979, c. 540, §2, is further amended to read:

§57. Jurisdiction; disposition of cases; technical errors in pleading and procedure

The following cases only come before the court as a court of law: Cases on appeal from the District Court, the Superior Court or a single Justice of the Supreme Judicial Court or from the probate courts; questions of law arising on reports of cases, including interlocutory orders or rulings of such importance as to require, in the opinion of the justice, review by the ~~law court~~ Law Court before any further proceedings in the action; agreed statement of facts; cases presenting a question of law; all questions arising in cases in which equitable relief is sought; motions to dissolve injunctions issued after notice and hearing or continued after a hearing; questions arising on habeas corpus, mandamus and certiorari and questions of state law certified by the federal courts. They ~~shall~~ must be marked "law" on the docket of the county or district where they are pending, and there continued until their determination is certified by the ~~clerk~~ Clerk of the ~~law court~~ Law Court to the clerk of courts of the county and the court shall immediately after the decision of the question submitted to it make such order, direction, judgment or decree as is fit and proper for the disposal of the case, and cause a rescript in all civil actions, briefly stating the points therein decided, to be filed therein, which rescript ~~shall~~ must be certified by the ~~clerk~~ Clerk of the ~~law court~~ Law Court to the clerk of courts of the county or district where the action is pending and to the Reporter of Decisions. If no further opinion is written out, the reporter shall publish in the next volume of reports thereafter issued the case, together with such rescript, if the reporter deems the same of sufficient importance for ~~publication~~ publication.

When the issues of law presented in any case before the ~~law court~~ Law Court can be clearly understood, they ~~shall~~ must be decided, and ~~no a case shall~~ may not be dismissed by the ~~law court~~ Law Court for technical errors in pleading alone or for want of proper procedure if the record of the case presents the merits of the controversy between the parties. Whenever, in the opinion of the ~~law court~~ Law Court, the ends of justice require, it may remand any case to the court below or to any justice or judge thereof for the correction of any errors in pleading or procedure. In remanding said case, the ~~law court~~ Law Court may set the time within which said correction ~~shall~~ must be

made and said case reentered in the ~~law court~~ Law Court.

When it ~~shall appear~~ appears to the Supreme Court of the United States, or to any court of appeals or district court of the United States, that there ~~are~~ is involved in any proceeding before it one or more questions of law of this State, which may be determinative of the cause, and there are no clear controlling precedents in the decisions of the Supreme Judicial Court, such federal court may certify any such questions of law of this State to the Supreme Judicial Court for instructions concerning such questions of state law, which certificate the Supreme Judicial Court sitting as a ~~law court~~ the Law Court may, by written opinion, answer.

Sec. ZZZ-3. 4 MRSA §105, as amended by PL 1979, c. 540, §3, is repealed and the following enacted in its place:

§105. Superior Court; civil jurisdiction

1. Jurisdiction. Except as provided in subsection 2, the Superior Court has and shall exercise exclusive jurisdiction and has and shall exercise all of the powers, duties and authority necessary for exercising the jurisdiction in any and all matters that were, prior to January 1, 1930, within the jurisdiction of the Supreme Judicial Court or any of the Superior Courts, whether cognizable at law or in equity.

2. Exceptions to Superior Court's exclusive jurisdiction. The Superior Court does not have exclusive jurisdiction over matters for which:

A. Concurrent or exclusive jurisdiction is vested in the District Court; or

B. Concurrent jurisdiction is vested in the Supreme Judicial Court as provided in Title 14, section 5301.

3. Appellate jurisdiction. The Superior Court shall hear appeals as follows:

A. Administrative appeals brought pursuant to Title 5, chapter 375, subchapter VII and the Maine Rules of Civil Procedure, Rules 80B and 80C; and

B. Appeals from the District Court:

(1) Brought pursuant to Title 14, section 6008;

(2) Brought pursuant to Title 14, chapter 738; and

(3) As provided in Title 15, section 1.

4. No jurisdiction, powers, duties or authority of the Law Court. The Superior Court does not have and may not exercise the jurisdiction, powers, duties and authority of the Supreme Judicial Court sitting as the Law Court.

Sec. ZZZ-4. 4 MRSA §152, as amended by PL 1999, c. 547, Pt. A, §1 and Pt. B, §§5 and 6 and affected by §80, is further amended to read:

§152. District Court; civil jurisdiction

The District Court ~~shall have~~ has jurisdiction in the following civil matters:

1. Jurisdiction exercised by trial justices and municipal courts. The civil jurisdiction exercised by all trial justices and municipal courts in the State on September 16, 1961;

2. Civil actions for money damages. Original jurisdiction, concurrent with that of the Superior Court, of all civil actions when no equitable relief is demanded ~~and the damages claimed do not exceed \$30,000, except those actions for which exclusive jurisdiction is vested in the Superior Court by statute;~~

3. Civil actions to enforce liens. Original jurisdiction, concurrent with the Superior Court, of all civil actions to enforce liens under Title 10, chapter 603 and under Title ~~35~~ 35-A, section ~~346~~ 706, and the court shall determine the amount pursuant to Title 10, section 3258;

4. Exclusive jurisdiction. Original jurisdiction, not concurrent with that of the Superior Court, of mental health commitment hearings under Title ~~34~~ 34-B, chapter ~~229~~ 3, subchapter IV, mental retardation certification hearings under Title ~~34~~ 34-B, chapter ~~229~~ 5, habitual truancy actions under Title 20-A, chapters 119 and 211 under which equitable relief may be granted and small claims actions under Title 14, chapter 738; ~~and~~

5. Other actions. Original jurisdiction, concurrent with that of the Superior Court, of the following types of actions, and in these actions the District Court may grant equitable relief:

~~A. Actions for divorce, annulment of marriage or judicial separation and proceedings under Title 19-A;~~

B. Actions to quiet title to real estate under Title 14, sections 6651 to 6658;

C. Actions to quiet title to real estate under Title 36, section 946;

D. Actions for breach of implied warranty and covenant of habitability under Title 14, section 6021;

E. Actions to foreclose mortgages under Title 14, chapter 713, subchapter VI;

F. Actions for restitution under Title 5, section 213;

G. Actions for illegal evictions under Title 14, section 6014;

H. Actions for the foreclosure of mortgages of real and personal property and for redemption of estates mortgaged;

I. Actions to compel the specific performance of written contracts and to cancel and compel the discharge of written contracts, whether under seal or otherwise, when full performance or payment has been made to the contracting party;

J. Actions for relief in cases of fraud, duress, unjust enrichment, trust, accident or mistake;

K. Actions concerning nuisance and waste;

L. Actions concerning partnership, and between partners or part owners of vessels and of other real and personal property to adjust all matters of the partnership and between the part owners, compel contribution, make final decrees and enforce their decrees by proper process in cases where all interested persons within the jurisdiction of the court are made parties;

~~M. Actions to hear and determine property matters between spouses as provided in Title 19-A, section 806 and to make all necessary orders and decrees relating to these matters, to issue all necessary process to enforce the orders and decrees and to cause all the orders and decrees to be enforced;~~

N. Civil actions for redelivery of goods or chattels taken or detained from the owner and sequestered or withheld so that the goods or chattels cannot be replevied, and in civil actions by creditors to reach and apply in payment of a debt any property, right, title or interest, legal or equitable, of a debtor or debtors, which cannot be attached on writ or taken on execution in a civil action, and any property or interest conveyed in fraud of creditors;

O. Actions in which the pleading demands a judgment:

(1) To exclude a person from a vested or contingent interest in or lien upon specific property within the State;

(2) That a vested or contingent interest in or lien upon specific property within the State be enforced;

(2-A) That real property be partitioned by sale; or

(3) Otherwise affecting title to any real property;

P. Actions to compel the compliance with court orders including the right to appoint persons to sign instruments as provided for in the Maine Rules of Civil Procedure;

Q. Actions in which the equitable relief is sought through an equitable defense, a counterclaim, a cross-claim or other responsive pleading or reply permitted by the Maine Rules of Civil Procedure; and

R. Actions to enforce access to health care under Title 22, section 1715.

Nothing in this subsection may be construed to affect the right of any party to remove an action to the Superior Court in accordance with the Maine Rules of Civil Procedure;

6-A. Environmental laws. Original jurisdiction, concurrent with that of the Superior Court, to grant equitable relief and impose penalties in proceedings involving alleged violations of a local environmental ordinance or regulation or a state environmental law or rule, including, but not limited to, the following:

A. The laws pertaining to the Maine Land Use Regulation Commission, Title 12, chapter 206-A;

B. The minimum lot size law, Title 12, sections 4807 to 4807-G;

C. Shoreland zoning ordinances enacted under Title 30-A, section 3001, and in accordance with Title 38, sections 435 to 446 and section 449;

D. The plumbing and subsurface waste water disposal rules adopted by the Department of Human Services under Title 22, section 42;

E. Laws pertaining to public water supplies, Title 22, ~~sections 2642, 2647 and 2648~~ chapter 601, subchapter IV;

F. Local ordinances enacted under Title 22, section 2642, and in accordance with Title 30-A, section 3001;

G. Local land use ordinances enacted under Title 30-A, section 3001;

H. Local building codes adopted pursuant to Title 30-A, section 3001, and in accordance with Title 30-A, chapter 185, subchapter I;

I. Automobile junkyards, Title 30-A, chapter 183, subchapter I;

J. Regulation and inspection of plumbing, Title 30-A, chapter 185, subchapter III;

K. Malfunctioning domestic waste water disposal units, Title 30-A, section 3428;

L. The subdivision law, Title 30-A, chapter 187, subchapter IV; local subdivision ordinances enacted under Title 30-A, section 3001; and subdivision regulations adopted under Title 30-A, section 4403;

M. Local zoning ordinances enacted under Title 30-A, section 3001, and in accordance with Title 30-A, section 4352;

N. All laws administered by the Department of Environmental Protection, Title 38, chapters 2 to 16;

O. Local ordinances regarding air pollution control enacted pursuant to Title 38, section 597; and

P. The laws pertaining to harbors in Title 38, chapter 1, subchapter I; local harbor ordinances adopted in accordance with Title 38, section 7 and regulations adopted by municipal officers pursuant to Title 38, section 2;

8. Consent to minor's abortion. Original jurisdiction, concurrent with that of the Probate Court, to grant equitable relief in proceedings brought under Title 22, section 1597-A;

9. Licensing jurisdiction. Except as provided in Title 5, section 10004; Title 8, section 279-B; Title 10, section 8003, subsection 5; Title 20-A, sections 10712 and 10713; Title 29-A; Title 32, chapters 105 and 114; and Title 35-A, section 3132, exclusive jurisdiction upon complaint of an agency or, if the licensing agency fails or refuses to act within a reasonable time, upon complaint of the Attorney General to revoke or suspend licenses issued by the agency. The District Court has original jurisdiction upon complaint of a licensing agency to determine whether renewal or reissuance of a license of that agency may be refused. The District Court has original concurrent jurisdiction to grant equitable relief in proceedings initiated by an agency or the Department of the Attorney General alleging any violation of a license or licensing laws or rules.

Notwithstanding any other provisions of law, a licensing agency may not reinstate or otherwise affect a license suspended, revoked or modified by the District Court pursuant to a complaint filed by the

Attorney General without the approval of the Attorney General; and

10. Appellate jurisdiction. Exclusive jurisdiction to review disciplinary decisions of occupational licensing boards and commissions taken pursuant to Title 10, section 8003. Title 5, chapter 375, subchapter VII governs this procedure as far as applicable, substituting "District Court" for "Superior Court";

11. Actions for divorce, separation or annulment. Original jurisdiction, not concurrent with the Superior Court, of actions for divorce, annulment of marriage or judicial separation and proceedings under Title 19-A, except as otherwise specifically provided.

Actions for divorce, annulment or separation pending in the Superior Court may be transferred, upon agreement of the parties, from the Superior Court to the District Court in accordance with rules adopted by the Supreme Judicial Court. An action so transferred remains in the District Court, which has exclusive jurisdiction thereafter, subject to the rights of appeal to the Law Court as to matters of law;

12. Property matters between spouses. Original jurisdiction, not concurrent with the Superior Court, of actions to hear and determine property matters between spouses as provided in Title 19-A, section 806 and to make all necessary orders and decrees relating to these matters, to issue all necessary process to enforce the orders and decrees and to cause all the orders and decrees to be enforced. This subsection does not apply to or affect actions initiated in the Superior Court before the effective date of this subsection;

13. Desertion and nonsupport. Jurisdiction over complaints for desertion and nonsupport or nonsupport of dependents in the district where either the spouse, the dependent or the respondent resides; and

14. Civil violations. Jurisdiction over all civil violations, as provided in Title 17-A, section 9, and traffic infractions.

~~Actions for divorce, annulment or separation may be remanded, upon agreement of the parties, from the Superior Court to the District Court in accordance with rules promulgated by the Supreme Judicial Court. An action so remanded shall remain in the District Court, which shall have exclusive jurisdiction thereafter, subject to the rights of appeal to the Superior Court as to matters of law.~~

~~The District Court possesses the criminal jurisdiction exercised by all trial justices and municipal courts in the State on September 16, 1961, except as provided in Title 29-A, section 2602.~~

~~The District Court shall also possess, concurrent with the Superior Court, original jurisdiction to receive pleas of guilty in criminal cases in which the maximum term of imprisonment to which the defendant may be sentenced upon conviction of that crime is one year or more in which the defendant has in writing waived the defendant's right to indictment by grand jury and the defendant's right to appearance and trial in the Superior Court and has indicated the defendant's intention to enter a plea of guilty to the charges pending against the defendant. When exercising such jurisdiction, the District Court shall possess all of the powers of the Superior Court. That jurisdiction shall be exercised in the manner which the Supreme Judicial Court shall by rule provide. Any person sentenced under this section shall be entitled to the rights provided by Title 15, chapter 306.~~

Sec. ZZZ-5. 4 MRSA §155, sub-§3 is amended to read:

3. Divorce, separation, annulment, support. An action or proceeding for divorce, separation, annulment of marriage or for support may be brought in the division where either the plaintiff or the defendant resides. ~~Such action or proceeding may be removed to the Superior Court by the defendant. The rules of municipal courts now in effect for removal of actions to the Superior Court shall apply.~~

Sec. ZZZ-6. 4 MRSA §165, as amended by PL 1995, c. 388, §2 and affected by §8, is repealed and the following enacted in its place:

§165. District Court; jurisdiction over crimes and juvenile offenses

1. Crimes; under one year imprisonment. The District Court has jurisdiction and, except as provided in Title 29-A, section 2602, concurrent jurisdiction with the Superior Court of all crimes, including violation of any statute or a bylaw of a town, village corporation or local health officer and breach of the peace, for which the maximum term of imprisonment to which the defendant may be sentenced upon conviction of that crime is less than one year.

2. Juvenile Court. The District Court has jurisdiction over juvenile offenses pursuant to Title 15, Part 6.

3. Crimes; one year or more imprisonment. The District Court has, concurrent with the Superior Court, original jurisdiction to receive pleas of guilty in criminal cases, other than murder, in which:

A. The maximum term of imprisonment to which the defendant may be sentenced upon conviction of that crime is one year or more;

B. The defendant has in writing waived the defendant's right to indictment by grand jury and the defendant's right to a jury trial; and

C. The defendant has indicated the defendant's intention to enter a plea of guilty to the charges pending against the defendant.

When exercising such jurisdiction, the District Court possesses all of the powers of the Superior Court. The District Court shall exercise that jurisdiction in the manner that the Supreme Judicial Court by rule provides. Any person sentenced under this subsection is entitled to the rights provided by Title 15, chapter 306-A.

The District Court has jurisdiction to bind over for the grand jury all other crimes.

4. Issue process. The District Court has jurisdiction to issue process with respect to any violation over which the Passamaquoddy Tribe or the Penobscot Nation exercises exclusive jurisdiction under Title 30, section 6209-A or 6209-B.

5. Power to sentence. The District Court may impose any authorized sentencing alternative.

Sec. ZZZ-7. 14 MRSA §1901, as repealed and replaced by PL 1993, c. 675, Pt. B, §10, is amended to read:

§1901. Supreme Judicial Court; exceptions

1. Appeals from District Court. Except as provided in subsection 2 3 or by court rule, an appeal may be taken from the District Court to the ~~Superior~~ Supreme Judicial Court sitting as the Law Court ~~for the county embracing the division in which the judgment was rendered~~ within 30 days after judgment. Within those 30 days, the appellant must pay to the court the required fees for the appeal and in that case no execution issues and the clerk may enter the appeal in the ~~Superior~~ Law Court as a new entry.

2. Exceptions. ~~The following requirements apply to appeals from the District Court.~~

~~A. A party must appeal from a District Court judgment in an action of foreclosure and sale directly to the Supreme Judicial Court within 30 days of the judgment.~~

~~B. If all parties agree, a final appeal from civil matters, including family matters, originating in the District Court may be made to the Superior Court in lieu of a 2nd appeal to the Supreme Judicial Court.~~

3. Exceptions. An appeal from the District Court is to the Superior Court in the case of:

A. An appeal in a forcible entry and detainer case, pursuant to section 6008 and the Maine Rules of Civil Procedure, Rule 80D(f); and

B. An appeal in a small claims case brought pursuant to chapter 738 and the Maine Rules of Civil Procedure, Rule 80L.

Sec. ZZZ-8. 14 MRSA §6051, sub-§9, as amended by PL 1995, c. 694, Pt. D, §21 and affected by Pt. E, §2, is repealed.

Sec. ZZZ-9. 15 MRSA §1, as amended by PL 1985, c. 179, is repealed and the following enacted in its place:

§1. Superior Court; criminal jurisdiction

1. Jurisdiction. The Superior Court has original jurisdiction, exclusive or concurrent, of all crimes.

2. Appellate and review jurisdiction. The Superior Court has jurisdiction to hear appeals and petitions of only the following:

A. Petitions pursuant to section 1028;

B. Petitions pursuant to section 1029;

C. Appeals pursuant to section 1097;

D. Appeals pursuant to section 3402;

E. Appeals pursuant to section 2111 and Maine Rules of Criminal Procedure, Rule 35(f); and

F. Appeals pursuant to Title 17-A, section 1207 and Maine Rules of Criminal Procedure, Rule 37F.

3. Location of post-arraignment proceedings. The Supreme Judicial Court may by rule provide that, with the consent of the defendant, post-arraignment proceedings in criminal cases may be conducted at locations other than those provided by statute. The Supreme Judicial Court may by rule provide that, without the consent of the defendant, post-arraignment proceedings in criminal cases may be conducted at locations other than those provided by statute, provided that the location is in an adjoining county and that it is in the vicinity of where the offense was committed.

4. No jurisdiction, powers, duties or authority of Law Court. The Superior Court does not have and may not exercise the jurisdiction, powers, duties or authority of the Supreme Judicial Court sitting as the Law Court.

Sec. ZZZ-10. 15 MRSA §1028, sub-§3 is enacted to read:

3. No further relief. The determination by the Superior Court under this section is final and no further relief is available.

Sec. ZZZ-11. 15 MRSA §1029, sub-§4 is enacted to read:

4. No further relief. The review under this section is final and no further relief is available.

Sec. ZZZ-12. 15 MRSA §1051, sub-§§5 and 6, as enacted by PL 1987, c. 758, §20, are amended to read:

5. Appeal by defendant. A defendant may appeal to a single Justice of the Supreme Judicial Court a denial of bail, the kind or amount of bail set or the conditions of release imposed by which the defendant is aggrieved. The single justice ~~shall~~ may not conduct a hearing de novo respecting bail, but shall review the lower court's order. The defendant has the burden of showing that there is no rational basis in the record for the lower court's denial of bail, the kind or amount of bail set or the conditions of release imposed of which the defendant complains. The determination by the single justice is final and no further relief is available.

6. Appeal by State. The State may appeal to a single Justice of the Supreme Judicial Court the granting of bail, the kind or amount of bail set or the lower court's failure to impose a condition of release. The single justice ~~shall~~ may not conduct a hearing de novo respecting bail, but shall review the lower court's order. The State has the burden of showing that there is no rational basis in the record for the lower court's granting of bail, the kind or amount of bail set or the omission of the conditions of which the State complains. The determination by the single justice is final and no further relief is available.

Sec. ZZZ-13. 15 MRSA §1097, sub-§3, as enacted by PL 1995, c. 356, §19, is amended to read:

3. Appeal. A defendant in custody as a result of an order issued under this section by the District Court may appeal to the Superior Court and a defendant in custody as a result of an order issued under this section by the Superior Court may appeal to a single Justice of the Supreme Judicial Court. The appeal must be in accordance with the procedures set forth in section 1028, as far as applicable, except that the review is limited to a review of the record to determine whether the order was rationally supported by the evidence. The determination by the court or single justice is final and no further relief is available.

Sec. ZZZ-14. 15 MRSA §1099-A, sub-§2, as enacted by PL 1995, c. 356, §19, is amended to read:

2. Appeal. A defendant in custody as a result of an order issued under this section may appeal to a single Justice of the Supreme Judicial Court who shall review the revocation pursuant to the procedures set forth in section 1051, subsection 5. The determination by the single justice is final and no further relief is available.

Sec. ZZZ-15. 15 MRSA §2111, as repealed and replaced by PL 1987, c. 166, §1, is repealed and the following enacted in its place:

§2111. Appeals from the District Court

1. Appeal of judgment of conviction or order to the Law Court. Except as otherwise specifically provided, in any criminal proceeding in the District Court, a defendant aggrieved by a judgment of conviction or order may appeal to the Supreme Judicial Court sitting as the Law Court.

2. Appeal to the Superior Court. If an appeal from the District Court must be taken to the Superior Court, the appeal must be to the Superior Court in the county where the offense on which the judgment of conviction or order was rendered is alleged to have been committed. Venue may be transferred at the discretion of the Chief Justice of the Superior Court.

3. Time for taking of appeal. The Supreme Judicial Court shall provide by rule the time for taking the appeal and the manner and any conditions for the taking of the appeal.

Sec. ZZZ-16. 15 MRSA §2114, as repealed and replaced by PL 1981, c. 487, §1, is amended to read:

§2114. Defendant may make election of trial

In all Class D and E criminal proceedings, the defendant may waive ~~his~~ the defendant's right to jury trial and elect to be tried in the District Court, as provided by rule of the Supreme Judicial Court. ~~An appeal to the Superior Court following trial and conviction in the District Court shall be only on questions of law.~~

Sec. ZZZ-17. 15 MRSA §2115, first ¶, as repealed and replaced by PL 1987, c. 166, §3, is amended to read:

In any criminal proceeding in the Superior Court, any defendant aggrieved by a judgment of conviction, ruling or order may appeal to the Supreme Judicial Court, sitting as the Law Court. ~~The time for taking the appeal and the manner and any conditions for the taking of the appeal shall be as the Supreme Judicial Court provides by rule.~~ The Supreme Judicial Court shall provide by rule the time for taking the appeal and

the manner and any conditions for the taking of the appeal.

Sec. ZZZ-18. 15 MRSA §2115-A, sub-§§1 and 2, as amended by PL 1979, c. 541, Pt. B, §22, are further amended to read:

1. Appeals prior to trial. An appeal may be taken by the State in criminal cases on questions of law from the District Court and from the Superior Court to the ~~law court~~ Supreme Judicial Court sitting as the Law Court: From an order of the court prior to trial which suppresses any evidence, including, but not limited to, physical or identification evidence or evidence of a confession or admission; from an order which prevents the prosecution from obtaining evidence; from a pretrial dismissal of an indictment, information or complaint; or from any other order of the court prior to trial which, either under the particular circumstances of the case or generally for the type of order in question, has a reasonable likelihood of causing either serious impairment to or termination of the prosecution.

2. Appeals after trial. An appeal may be taken by the State from the Superior Court or the District Court to the ~~law court~~ Supreme Judicial Court sitting as the Law Court after trial and after a finding of guilty by a jury or the court from the granting of a motion for a new trial, from arrest of judgment, from dismissal or from other orders requiring a new trial or resulting in termination of the prosecution in favor of the accused, when an appeal of the order would be permitted by the double jeopardy provisions of the Constitution of the United States and the Constitution of Maine.

Sec. ZZZ-19. 15 MRSA §2115-A, sub-§2-A, as enacted by PL 1987, c. 234, §1, is repealed and the following enacted in its place:

2-A. Appeal from adverse decision of the Superior Court sitting as an appellate court relative to an aggrieved defendant's appeal from the denial of a Rule 35 motion in District Court. If a defendant's appeal to the Superior Court sitting as an appellate court relative to a motion for correction or reduction of a sentence brought in District Court under Rule 35 of the Maine Rules of Criminal Procedure is granted in whole or in part, an appeal may be taken by the State from the adverse decision of the Superior Court to the Law Court.

Sec. ZZZ-20. 15 MRSA §2115-A, sub-§2-B, as enacted by PL 1995, c. 47, §1, is amended to read:

2-B. Appeal from the denial of a Rule 35 motion. If a motion for correction or reduction of a sentence brought by the attorney for the State under Rule 35 of the Maine Rules of Criminal Procedure is

denied in whole or in part, an appeal may be taken by the State from the adverse order of the trial court to the Supreme Judicial Court sitting as the Law Court.

Sec. ZZZ-21. 15 MRSA §2115-A, sub-§3, as amended by PL 1991, c. 223, is further amended to read:

3. When defendant appeals. When the defendant appeals from a judgment of conviction, it is not necessary for the State to appeal. It may argue that error in the proceedings at trial in fact supports the judgment. The State may also establish that error harmful to it was committed prior to trial or in the trial resulting in the conviction from which the defendant has appealed, which error should be corrected in the event that the ~~law court~~ Law Court reverses on a claim of error by the defendant and remands the case for a new trial. If the case is so reversed and remanded, the ~~law court~~ Law Court shall also order correction of the error established by the State.

Sec. ZZZ-22. 15 MRSA §2115-B, as enacted by PL 1997, c. 317, Pt. B, §1, is amended to read:

§2115-B. Appeal by aggrieved contemnor

1. Summary contempt proceedings involving punitive sanctions. In a summary contempt proceeding involving punitive sanctions, accompanied or unaccompanied by remedial sanctions, instituted under either the Maine Rules of Criminal Procedure, Rule 42 or the Maine Rules of Civil Procedure, Rule 66, before a Judge of the District Court, Probate Court or Administrative Court or a Justice of the Superior Court or the Supreme Judicial Court, a contemnor who is aggrieved by an order and imposition of a punitive sanction may appeal, ~~as provided under section 2111 and the applicable Maine Rules of Criminal Procedure, to the Superior Court and, if unsuccessful, to the Supreme Judicial Court, sitting as the Law Court, as provided under section 2111 or 2115 and the applicable Maine Rules of Criminal Procedure. In a like proceeding, instituted under either the Maine Rules of Criminal Procedure, Rule 42 or the Maine Rules of Civil Procedure, Rule 66, before a Justice of the Superior Court or a Justice of the Supreme Judicial Court, any contemnor aggrieved by an order and imposition of a punitive sanction may appeal to the Supreme Judicial Court, sitting as the Law Court, as provided under section 2115 and the applicable Maine Rules of Criminal Procedure.~~

2. Plenary contempt proceedings involving punitive sanctions. In a plenary contempt proceeding involving punitive sanctions, accompanied or unaccompanied by remedial sanctions, instituted under either the Maine Rules of Criminal Procedure, Rule 42 or the Maine Rules of Civil Procedure, Rule 66, any

contemnor aggrieved by an adjudication and imposition of a punitive sanction ~~tried other than in the Superior Court or Supreme Judicial Court may appeal, as provided under section 2111 and the applicable Maine Rules of Criminal Procedure, to the Superior Court, and if unsuccessful, to the Supreme Judicial Court, sitting as the Law Court, as provided under section 2111 or 2115 and the applicable Maine Rules of Criminal Procedure. In a like proceeding instituted under either the Maine Rules of Criminal Procedure, Rule 42 or the Maine Rules of Civil Procedure, Rule 66, any contemnor aggrieved by an adjudication and imposition of a punitive sanction tried in the Superior Court or Supreme Judicial Court, may appeal to the Supreme Judicial Court, sitting as the Law Court, as provided under section 2115 and the applicable Maine Rules of Criminal Procedure.~~

Sec. ZZZ-23. 15 MRSA §2151, sub-§§1 and 2, as enacted by PL 1997, c. 354, §1, are amended to read:

1. Different term could not be imposed. In any case in which a different term of imprisonment could not have been imposed; ~~or~~

2. Plea agreements. In any case in which the particular disposition involving imprisonment was imposed as a result of a court accepting a recommendation of the type specified in the Maine Rules of Criminal Procedure, Rule 11A, subsection (a)(2) or (a)(4); ~~or~~

Sec. ZZZ-24. 15 MRSA §2151, sub-§3 is enacted to read:

3. Restitution. As limited by Title 17-A, section 1330-A.

Sec. ZZZ-25. 17-A MRSA §1207, sub-§1, as enacted by PL 1997, c. 273, §3, is amended to read:

1. District Court proceeding. In a probation revocation proceeding in the District Court, a person whose probation is revoked may appeal to the Superior Court under Title 15, section 2111 and the applicable Maine Rules of Criminal Procedure. ~~An appeal to the Law Court, from an adverse decision of the Superior Court sitting as an intermediate appellate court, is not an appeal of right. The time, manner and specific conditions for taking that appeal to the Law Court are as the Supreme Judicial Court provides in the Maine Rules of Criminal Procedure. The determination by the Superior Court is final and no further relief is available.~~

Sec. ZZZ-26. 19-A MRSA §103, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

§103. Jurisdiction

Except as otherwise expressly provided, the District Court has original jurisdiction, ~~concurrent with the Superior Court,~~ of all actions under this Title.

Sec. ZZZ-27. 19-A MRSA §851, sub-§1-A, as enacted by PL 1997, c. 224, §2 and affected by §5, is amended to read:

1-A. Jurisdiction. The District Court ~~and the Superior Court have~~ has jurisdiction to enter a separation decree:

A. Upon the petition of a married person who lives apart or who desires to live apart from that person's spouse for a period in excess of 60 continuous days; or

B. Upon joint petition of a married couple who live apart or who desire to live apart for a period in excess of 60 continuous days.

Sec. ZZZ-28. 19-A MRSA §852, sub-§1, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended by amending the first paragraph to read:

1. Issue of preliminary injunction. In all actions for judicial separation the clerk of the court, pursuant to order of the District Court ~~or Superior Court,~~ shall issue a preliminary injunction in the following manner.

Sec. ZZZ-29. 19-A MRSA §901, sub-§1, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

1. Filing of complaint; grounds. A person seeking a divorce may file a complaint for divorce in the ~~Superior Court or the~~ District Court if:

A. The plaintiff has resided in good faith in this State for 6 months prior to the commencement of the action;

B. The plaintiff is a resident of this State and the parties were married in this State;

C. The plaintiff is a resident of this State and the parties resided in this State when the cause of divorce accrued; or

D. The defendant is a resident of this State.

The complaint must state one or more grounds listed in section 902, subsection 1.

Sec. ZZZ-30. 19-A MRSA §903, sub-§1, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended by amending the first paragraph to read:

1. Issue of preliminary injunction. In all actions for divorce or for spousal or child support following divorce by a court that lacked personal jurisdiction over the absent spouse, the clerk of the court, pursuant to order of the District Court ~~or Superior Court~~, shall issue a preliminary injunction in the following manner.

Sec. ZZZ-31. 19-A MRSA §1510, as enacted by PL 1997, c. 537, §15 and affected by §62, is amended to read:

§1510. Statewide jurisdiction

In child support and paternity cases, the jurisdiction of the District Court, ~~the Superior Court~~ and the department extends to all parts of the State. Once an action has been commenced, a case may be transferred between local jurisdictions in the State without need for an additional filing by the petitioner or service of process on the respondent to retain jurisdiction over the parties.

Sec. ZZZ-32. 19-A MRSA §1556, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

§1556. Remedies

The ~~Superior Court or~~ District Court has jurisdiction over an action under this subchapter and all remedies for the enforcement of judgments for expenses of pregnancy and confinement for a wife or for education, support or funeral expenses for legitimate children apply. The court has continuing jurisdiction to modify or revoke a judgment for future education and support. All remedies under the Uniform Interstate Family Support Act are available for enforcement of duties of support under this subchapter.

Sec. ZZZ-33. 19-A MRSA §1652, sub-§1, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

1. Petition. If a parent, spouse or child resides in this State, a parent, a spouse, a guardian or a municipality providing maintenance may petition the ~~Superior Court~~, District Court or Probate Court to order a nonsupporting parent or spouse to contribute to the support of the nonsupporting person's spouse or child. The petition may be brought in the court in the ~~county or district or county~~ where the parent, spouse or child resides or in the ~~county or district or county~~ in which the nonsupporting person may be found.

Sec. ZZZ-34. 19-A MRSA §1654, first ¶, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

If the father and mother of a minor child are living apart, the Probate Court, ~~Superior Court~~ or District Court in the county or division where either resides, upon complaint of either and after notice to the other as the court may order, may make an order awarding parental rights and responsibilities with respect to the child in accordance with this chapter.

Sec. ZZZ-35. 19-A MRSA §1805, first ¶, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

An action may be commenced in the ~~Superior Court or the~~ District Court for the district in which the minor child resides. If a child protective proceeding pursuant to Title 22, chapter 1071 that involves the minor child is under the jurisdiction of the District Court pending, an action filed under this chapter must be brought in the District Court and the court may consolidate the ~~proceedings~~ action filed under this chapter with that child protection proceeding.

Sec. ZZZ-36. 19-A MRSA §2802, sub-§24, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

24. Tribunal of this State. A "tribunal of this State" means the District Court, ~~the Superior Court~~ or the Department of Human Services.

Sec. ZZZ-37. 19-A MRSA §3502, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

§3502. Jurisdiction

The ~~Superior Court and the~~ District Court have jurisdiction over all proceedings brought under this chapter.

Sec. ZZZ-38. 29-A MRSA §2602, sub-§3, as enacted by PL 1993, c. 683, Pt. A, §2 and affected by Pt. B, §5, is amended to read:

3. Class C or greater. For Class C or greater crimes, the District Court jurisdiction is subject to Title 4, section ~~452~~ 165 and Title 17-A, section 9.

Sec. ZZZ-39. Application. The Superior Court continues to have jurisdiction over actions properly filed in the Superior Court prior to the effective date of this Part.

Sec. ZZZ-40. Court Unification Oversight Committee; initial assessments and recommendations. The Court Unification Oversight Committee shall report by January 15, 2001 to the Supreme Judicial Court and the joint standing committee of the Legislature having jurisdiction over judiciary matters with assessments of and recommendations concerning the following:

1. **Abbreviated and expedited appeal.** Reporting progress on implementing an abbreviated and expedited appeal from the District Court to the Law Court in appropriate cases;

2. **Shared docket.** Operation of the shared docket; and

3. **Workload.** Workload of the District Court and Superior Court clerks, judges and justices.

Sec. ZZZ-41. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

2000-01

JUDICIAL DEPARTMENT

Courts - Supreme, Superior, District and Administrative

Positions - Legislative Count	(9,000)
Personal Services	\$311,488
All Other	56,512

Provides funds for 5 Law Clerk positions, one Staff Attorney position and 3 Judicial Secretary positions and related expenses to implement the recommendations of the court unification task force.

JUDICIAL DEPARTMENT

TOTAL	\$368,000
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Sec. ZZZ-42. Effective date. This Part takes effect January 1, 2001, except that:

1. That section of this Part that amends the Maine Revised Statutes, Title 4, section 152, subsections 9 and 10 takes effect March 15, 2001;

2. That section of this Part that enacts the Maine Revised Statutes, Title 4, chapter 1, subchapter 1-F takes effect 90 days after adjournment of the Second Regular Session of the 119th Legislature;

3. That section of this Part that charges the Court Unification Oversight Committee with making initial assessments and recommendations takes effect 90 days after adjournment of the Second Regular Session of the 119th Legislature; and

4. That section of this Part that appropriates funds from the General Fund takes effect on October 1, 2000.

PART AAAAA

Sec. AAAAA-1. 5 MRSA c. 319 is enacted to read:

CHAPTER 319

MAINE FIRE PROTECTION SERVICES COMMISSION

§3371. Maine Fire Protection Services Commission

1. Commission established. The Maine Fire Protection Services Commission, referred to in this chapter as the "commission," is established to monitor and evaluate the State's fire protection services system on a continuing basis and to provide recommendations to the appropriate state agencies and to the Legislature regarding necessary changes in the fire protection services system. The commission is established pursuant to section 12004-J, subsection 12.

2. Membership. The commission consists of 21 members appointed as follows:

A. Two members of the Senate who sit on the joint standing committee of the Legislature having jurisdiction over fire protection matters, appointed by the President of the Senate;

B. Three members of the House of Representatives who sit on the joint standing committee of the Legislature having jurisdiction over fire protection matters, appointed by the Speaker of the House of Representatives;

C. The State Fire Marshal or the fire marshal's designee;

D. The Supervisor of the Forest Fire Control Division of the Maine Forest Service or the supervisor's designee;

E. The Director of the Bureau of Labor Standards or the director's designee;

F. One municipal fire chief who is a full-time fire chief and a member of the Maine Fire Chiefs Association, appointed by the Governor;

G. One municipal fire chief who is a volunteer fire chief and a member of the Maine Fire Chiefs Association, appointed by the Governor;

H. One municipal fire chief who is paid on call and a member of the Maine Fire Chiefs Association, appointed by the Governor;

I. Six firefighters appointed as follows:

(1) Two career firefighters who are members of the Professional Fire Fighters of Maine, appointed by the Governor;

(2) Two call firefighters who are members of the Maine State Federation of Fire Fighters, appointed by the Governor; and

(3) Two volunteer firefighters who are members of the Maine State Federation of Fire Fighters, appointed by the Governor;

J. The administrator of the Maine Fire Training and Education Program within the Maine Technical College System, or the administrator's designee; and

K. Three persons appointed by the Governor, including:

(1) One member representing the Governor's office;

(2) One public member; and

(3) One member representing the insurance industry.

The Governor shall request a list of names from the organizations covered under paragraphs F to I from which to make appointments.

3. Chair. The Governor shall designate the first chair from among the appointees. The first chair shall call the first meeting of the commission as soon as funding permits. At the first meeting, the commission shall select a chair, a vice-chair, a secretary and a treasurer from among its members. The commission may select new officers annually.

4. Terms of appointment. The terms of appointment are as follows.

A. Of the initial gubernatorial appointments, 4 must be for terms of 3 years, 4 must be for terms of 2 years and 4 must be for terms of one year.

B. Subsequent gubernatorial appointments are for terms of 3 years. Members may serve beyond their designated terms until their successors are appointed.

C. Terms of appointment for Legislators coincide with their respective legislative terms of office.

D. Other appointed members who are neither Legislators nor gubernatorial appointees serve for terms of 3 years.

5. Meetings. The commission may meet as often as necessary but must meet at least quarterly. A

meeting may be called by the chair or by any 4 members. The commission shall take and maintain minutes of all meetings.

6. Staffing. If funding permits, the commission may employ staff as needed. The staffs of the members represented on the commission may assist the commission in carrying out its functions and duties within their existing resources. The commission may contract for administrative, professional and clerical services if funding permits.

7. Funding. The commission may seek, accept and expend outside funding to carry out its duties.

8. Duties. The commission shall:

A. Regularly advise the Governor and executive officers, the Legislature, the Maine Forest Service, municipal fire departments and any other parties affected by its recommendations regarding fire protection services;

B. Submit a report containing the results of its studies, findings and recommendations to the Governor and to the joint standing committee of the Legislature having jurisdiction over fire protection services matters by December 31st of each year. As resources permit, the report must include:

(1) A detailed assessment of existing and needed resources within the State's fire protection services system, including capital needs for training facilities, funding options for facilities and oversight and administration of any training facilities funds;

(2) A detailed assessment of expected resource needs in the State's fire protection services system and recommendations for funding those needs, including an evaluation of the appropriate level for the fire premium tax and bond initiative proposals;

(3) An evaluation of existing fire prevention, fire suppression, fire safety and fire training strategies and programs, including recommendations for improvements, new programs and strategies, funding options for training and oversight and administration of any training funds;

(4) Recommendations for effective management of resources within the State's fire protection services system;

(5) Recommendations for enhancing the collection and distribution of fire data, particularly as these data relate to increasing

the fire protection services' capacity to fight fires and to save lives;

(6) Recommendations regarding evaluation methodology for the State's fire protection services system;

(7) Recommendations for recruitment and retention of volunteers, including a length-of-service incentive program for volunteer firefighters;

(8) Recommendations for creating a health insurance bridge for retired career firefighters;

(9) Recommendations for creating a fund to be used to provide a death benefit for firefighters and emergency medical services persons who die in the line of duty;

(10) Recommendations regarding fire investigation and inspection service needs of the Department of Public Safety, Office of the State Fire Marshal; and

(11) Recommendations regarding grants available for fire training and fire protection needs;

C. Develop rules of procedure necessary to carry out its duties. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter II-A;

D. Adopt rules to carry out the purposes of Title 30-A, chapter 154, Maine Firefighter Training Fund. Rules adopted pursuant to this paragraph are routine technical rules as defined in Title 5, chapter 375, subchapter II-A;

E. Conduct public hearings, conferences, workshops and other meetings to obtain information about and discuss and publicize the needs of and solutions to problems concerning the State's fire protection services;

F. Assist all governmental agencies with firefighter training and education responsibilities to enhance their delivery of services to fire prevention, protection and life safety professionals, including paid, call and volunteer fire service members; and

G. Submit proposed legislation to the Legislature to implement any recommendations of the commission.

Sec. AAAA-2. 5 MRSA §12004-J, sub-§12
is enacted to read:

12. <u>Fire Protection Services</u>	<u>Maine Fire Protection Services Commission</u>	<u>Legislative Per Diem and Expenses</u>	<u>5 MRSA §3371</u>
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Sec. AAAA-3. Implementation of firefighter training component of strategic plan of the Maine Fire Training and Education Program, Maine Technical College System.
The Legislature shall appropriate funds to continue the implementation of the firefighter training component of the strategic plan of the Maine Fire Training and Education Program within the Maine Technical College System, which includes the following:

1. Increasing from 125 to 250 free firefighter training courses taught in communities statewide;
2. Providing firefighters with the opportunity to participate in fire science and leadership education; and
3. Providing current training and education materials for volunteer fire associations, municipal fire departments and citizens.

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

2000-01

LEGISLATURE

Legislature

Personal Services	\$1,100
All Other	1,000
Provides funds for the per diem and expenses of legislative members of the Maine Fire Protection Services Commission.	

LEGISLATURE

TOTAL 2,100

MAINE FIRE PROTECTION SERVICES COMMISSION

Maine Fire Protection Services Commission

Personal Services	2,640
All Other	17,360
TOTAL	20,000

Provides initial operating funds for the Maine Fire Protection Services Commission.

Maine Fire Protection Services Commission

All Other 30,000

Provides one-time funds to contract for actuarial and other planning services to create plans for a health insurance bridge for retired career firefighters and for a length-of-service incentive program for volunteer firefighters.

MAINE FIRE PROTECTION SERVICES COMMISSION TOTAL

50,000

MAINE TECHNICAL COLLEGE SYSTEM - BOARD OF TRUSTEES OF THE

Maine Technical College System - Board of Trustees

All Other \$323,900

Appropriates additional funds for 3 full-time and 32 part-time positions to be established by the Maine Fire Training and Education Program to develop and deliver standardized firefighter training in local communities throughout the State.

MAINE TECHNICAL COLLEGE SYSTEM - BOARD OF TRUSTEES OF THE

TOTAL

\$323,900

SECTION

TOTAL APPROPRIATIONS

\$376,000

PART BBBB

Sec. BBBB-1. Rule amendment regarding Medicaid long-term care policy and the home care program. The Department of Human Services shall review and amend its rules regarding Medicaid

long-term care policy in order to enhance the flexibility of Medicaid benefits to the extent possible under federal law. The department shall consider the report of the Joint Advisory Committee on Select Services for Older Persons dated January 2000. The review must include but is not limited to the feasibility of amending Medicaid rules to ensure that consumers do not lose critical benefits when they make a transition from the state-funded home care program to the Medicaid program. Rules adopted pursuant to this section take effect January 1, 2001. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A.

Sec. BBBB-2. Rule amendment regarding consumers of long-term care services who have chronic conditions that change. The Department of Human Services shall amend its rules regarding eligibility for nursing facility services to allow for increased eligibility for consumers of long-term care services who have chronic conditions that change enough to qualify and disqualify them for services on a cyclical basis. Rules adopted pursuant to this section take effect October 1, 2000. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A.

Sec. BBBB-3. Labor force initiatives. The Department of Human Services and the State Board of Nursing, in consultation with consumers, providers and other interested parties, shall adopt or amend rules and propose such legislation to the Legislature as may be required to create career ladders and address labor shortage issues. By August 1, 2000, the Department of Human Services shall amend its rules to provide for continuing certification on the Maine Registry of Certified Nursing Assistants of a certified nursing assistant who, over a 24-month period, performs for 8 hours nursing or nursing-related services that are supervised by a registered nurse. The rules may not require that nursing or nursing-related services be performed in a nursing facility or hospital. The rules must be retroactive for 2 years. Rules adopted pursuant to this provision are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A.

Sec. BBBB-4. Provision of best practices forums. The Department of Human Services shall participate in a series of best practices forums to provide educational workshops and opportunities to providers of long-term care services. Workshops and forums may be cosponsored by entities other than the department.

Sec. BBBB-5. Development of standardized contracts and rule adoption. The Department of Human Services shall develop and adopt rules

to require the use of standardized contracts to be used for long-term care services between the service provider and the consumer when appropriate to the service and setting. Rules adopted pursuant to this section take effect January 1, 2001. Rules adopted or amended pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A.

Sec. BBBB-6. Rule amendment regarding default licensing. The Department of Human Services and the Department of Public Safety shall amend their rules regarding licensing for long-term care facilities and services to provide for default licensing for new applicants. The rules must provide that default licensing takes effect when a new applicant has filed a completed application, has not been provided the necessary notifications, inspections or services from state agencies and a period of more than 90 days has elapsed since notification that the application is complete. The Department of Human Services and the Department of Public Safety and persons or entities performing functions for those departments shall notify a new applicant within 2 weeks of filing by the applicant on whether the application is complete. The Department of Human Services and the Department of Public Safety shall provide necessary services and inspections within 90 days of the filing of the completed application. Rules adopted pursuant to this section take effect January 1, 2001. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A.

Sec. BBBB-7. Expansion of the National Fire Protection Association Life Safety Code inspection capacity. The Department of Human Services, the Department of Public Safety and municipal fire officials shall work together to devise ways to expand the delegation of the National Fire Protection Association Life Safety Code inspections. The Department of Human Services and the Department of Public Safety shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters by January 1, 2001 on their progress under this section. The joint standing committee of the Legislature having jurisdiction over health and human services matters has authority to report out legislation on life safety code inspections.

Sec. BBBB-8. Rule amendment regarding the principles of reimbursement for nursing facilities. The Department of Human Services shall amend the principles of reimbursement for nursing facilities to ensure that reimbursement reflects the current cost of providing services in an efficient manner. The department shall reconsider the provision that allows retention of 25% of cost savings in the direct cost component. The revised principles of

reimbursement must merge routine and indirect cost components into a single routine cost component category; must include medical supplies as a direct cost component; must incorporate the most recent time-study information; must rebase to the most recent audited year; must contain an annual inflation adjustment appropriate to the industry; must include performance standards, measurable outcomes and satisfaction surveys of consumers and family members; must utilize cost caps, including, but not limited to, cost caps for facilities based on size; and must recognize regional variations in labor costs. Rules amended pursuant to this section take effect September 1, 2000. Rules amended pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A.

Sec. BBBB-9. Report on long-term care insurance. The Department of Human Services, the Maine State Retirement System and the State Employee Health Insurance Program shall work together to study the provision of group long-term care insurance to employees of the State and other public sector employees and retirees and to their family members and to the citizens of the State. The study must consider the CalPERS system operating in California, other models used in other states and the feasibility of regional cooperation among states. The State Employee Health Insurance Program is the lead agency in the study and shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters by April 1, 2001 regarding the study and any recommendations.

Sec. BBBB-10. Development of a public awareness campaign. The Department of Human Services, Bureau of Elder and Adult Services shall coordinate with the Bureau of Health a public awareness campaign that focuses on the benefits of a healthy lifestyle and the need to plan for long-term care. The department shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters by January 1, 2001 on its progress on the campaign.

Sec. BBBB-11. Staffing ratios. By October 1, 2000, the Department of Human Services shall amend the rules on minimum staffing ratios in long-term care facilities to provide for ratios in accordance with this provision.

1. The minimum staffing ratios may not be less than the following:

- A. On the day shift, one direct-care provider for every 5 residents;
- B. On the evening shift, one direct-care provider for every 10 residents; and

C. On the night shift, one direct-care provider for every 18 residents.

2. The minimum staffing ratio rule must provide definitions for "direct-care providers" and "direct care" as follows:

A. "Direct-care providers" means registered nurses, licensed practical nurses and certified nursing assistants who provide direct care to nursing facility residents; and

B. "Direct care" means hands-on care provided to residents, including, but not limited to, feeding, bathing, toileting, dressing, lifting and moving residents. "Direct care" does not include food preparation, housekeeping or laundry services except in circumstances when such services are required to meet the needs of an individual resident on a given occasion.

The Department of Human Services shall undertake pilot projects to determine appropriate staffing ratios for mealtimes and shall report on progress on the pilot projects to the joint standing committee of the Legislature having jurisdiction over health and human services matters by January 1, 2001.

The Department of Human Services shall begin work to develop staffing ratios based on resident acuity level. In developing the new staffing ratios, the department shall contract with one or more experts in nurse staffing research and long-term care who shall recommend a methodology for determining appropriate ratios. By May 1, 2001, the Commissioner of Human Services shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters regarding the progress of the department in developing acuity-based staffing ratios, a proposal for adopting acuity-based staffing ratios and any required legislation.

Sec. BBBB-12. Rule amendment regarding licensing and surveys of providers of long-term care services. Consistent with the requirements of the federal Medicaid and Medicare programs, the Department of Human Services shall amend its rules regarding the duration of licenses for providers of long-term care services and the surveys required of those providers. In preparing the amendments, the department shall consider performance standards, recognized standards of best practice, desired and measurable outcomes and satisfaction surveys of consumers and their families. To the extent not in conflict with the requirements of applicable federal programs, the rules must provide for the reasonable lengthening of license periods and some relaxation of survey requirements for providers of services with a documented track record of consistently high-quality service delivery as measured by performance stan-

dards and other appropriate criteria. Rules adopted pursuant to this section take effect July 1, 2001. Rules adopted or amended pursuant to this section are major substantive rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A.

Sec. BBBB-13. Rule amendment regarding assessment for eligibility for reimbursement under the Medicaid program for long-term care services. The Department of Human Services shall review its rules for determining eligibility for reimbursement under the Medicaid program for long-term care. The review process must include consumers, providers and other interested persons. It must identify ways to make the process of assessment of medical condition and cognitive function more flexible without undermining its objectivity. The review must include, but is not limited to, providing the nurse assessor authority to utilize professional skills and to consider input from the consumer's family and physician. The review should include the establishment of guidelines to provide to the nurse assessor standards with regard to consumer need and care plan development. The rules must eliminate the requirement of automatic annual assessments of the medical condition of consumers whose medical conditions are unlikely to improve sufficiently to cause a change in their eligibility for services. The review process must also include verification of financial information in the process of determining financial eligibility and cost-sharing for state-funded services. By January 15, 2001, the department shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters its recommendation and any necessary legislation on assessment for eligibility.

Sec. BBBB-14. Review of reimbursement under the Medicaid program. The Department of Human Services shall review its rules on reimbursement for assisted living and home care services and shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters by January 1, 2001 its recommendations for including in the reimbursement formulas for those services, factors for acuity of consumer condition, level of need for services, performance standards and consumer satisfaction surveys.

Sec. BBBB-15. Establishment of the Long-term Care Implementation Committee. There is established the Long-term Care Implementation Committee, referred to in this section as the "committee," to monitor the progress of state departments and offices in implementing the provisions of this Part. The committee shall review the adoption and amendment of rules performed in response to this Part and may make recommendations to the Department of Human Services and to the joint standing committee of the Legislature having jurisdiction over

health and human services matters for amendments to those rules. The committee shall review the quality of care in the long-term care system.

1. Membership. The committee consists of 13 members. The President of the Senate shall appoint 5 members as follows: one member representing providers; one member representing the Long-term Care Steering Committee; one member representing consumers of long-term care services; and 2 Legislators, one representing the joint standing committee of the Legislature having jurisdiction over health and human services matters and one representing the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs. One Legislator must represent the majority party and one Legislator must represent the minority party. The Speaker of the House of Representatives shall appoint 5 members follows: one person representing providers; one member representing the long-term care ombudsman program; one member representing consumers of long-term care services; and 2 Legislators, one representing the joint standing committee of the Legislature having jurisdiction over health and human services matters and one representing the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs. One Legislator must represent the majority party and one Legislator must represent the minority party. The Commissioner of Human Services or the commissioner's designee and 2 other persons representing the Department of Human Services, appointed by the commissioner, are ex officio members of the committee. All appointments must be complete by January 1, 2001.

2. Meetings. The committee may meet up to 9 times per year. The committee members shall select 2 persons from among the members to serve as cochairs. Persons serving as cochairs may serve in that capacity for a maximum of 12 months. The Department of Human Services shall provide staff and support services. Committee members not otherwise reimbursed for expenses of attending meetings are entitled to reimbursement.

3. Duties. The committee shall report by February 1, 2001; February 1, 2002; and December 31, 2002 to the joint standing committee of the Legislature having jurisdiction over health and human services matters. The report must include activities of the committee in the prior year, the opinion of the committee on the progress being made to implement this Part and any recommendations for action, including recommending necessary legislation to the Legislature. This section is repealed January 1, 2003.

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

2000-01

**HUMAN SERVICES,
DEPARTMENT OF**

**Medical Care - Payments to
Providers**

All Other \$273,000
Provides for the appropriation of funds to increase wages for home-care workers.

Nursing Facilities

All Other 300,000
Provides for the appropriation of funds to provide increased eligibility for consumers of long-term care services who have chronic conditions that change.

Nursing Facilities

All Other 1,600,000
Provides for the appropriation of funds to ensure that the principles of reimbursement for nursing facilities reflect the current cost of providing services in an efficient manner.

Nursing Facilities

All Other 1,336,000
Provides for the appropriation of funds to increase the minimum staffing ratios in long-term care facilities.

**Long-term Care - Human
Services**

All Other 1,074,000
Provides for the appropriation of funds to provide services to persons on waiting lists for home-based care.

**Long-term Care - Human
Services**

All Other 327,000

Provides for the appropriation of funds to increase wages for home-care workers.

Long-term Care - Human Services

All Other 90,000

Provides for the appropriation of funds for increased costs of home-care programs due to changes in the cost-sharing formula.

DEPARTMENT OF HUMAN SERVICES

TOTAL \$5,000,000

Sec. BBBB-17. Allocation. The following funds are allocated from the Federal Expenditures Fund to carry out the purposes of this Part.

2000-01

HUMAN SERVICES, DEPARTMENT OF

Medical Care - Payments to Providers

All Other \$533,380

Provides for the allocation of funds for the federal match to increase wages for home-care workers.

Nursing Facilities

All Other 586,132

Provides for the allocation of funds for the federal match to provide continuing eligibility for consumers of long-term care services who have chronic conditions that change.

Nursing Facilities

All Other 3,126,038

Provides for the allocation of funds for the federal match to ensure that the principles of reimbursement for nursing facilities reflect the current cost

of providing services in an efficient manner.

Nursing Facilities

All Other 2,610,241

Provides for the allocation of funds for the federal match to increase the minimum staffing ratios at long-term care facilities.

DEPARTMENT OF HUMAN SERVICES

TOTAL \$6,855,791

PART CCCC

Sec. CCCC-1. 4 MRSA §173, sub-§4-A, ¶¶A and B, as enacted by PL 1997, c. 750, Pt. A, §2, are amended to read:

A. The court shall reimburse the municipality or county that employs the law enforcement officer a flat fee of ~~\$25~~ \$50 for each day or part of a day that a law enforcement officer is physically present for a scheduled trial in District Court, whether or not the officer is called upon to give testimony.

B. The court shall pay a municipality or county a flat fee of ~~\$25~~ \$50 for each day or part of a day that a municipal or county law enforcement officer, designated by the municipality or county as its court officer, is physically present in a District Court in order to adequately handle that municipality's or county's case load.

The court officer required to be present at an arraignment may be an officer other than the arresting officer if the municipality or county has designated the officer to handle the arraignment case load of that municipality or county. In addition, one or more municipalities may designate either a municipal law enforcement officer or a county law enforcement officer to represent the municipalities at arraignments.

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

2000-01

JUDICIAL DEPARTMENT

Courts - Supreme, Superior, District and Administrative

All Other \$109,270
 Allocates funds to authorize expenditures in excess of current allocations from the Law Enforcement Agency Reimbursement Fund to reflect the increase of the reimbursement amount paid to municipal and county law enforcement agencies from \$25 a day to \$50 a day.

All Other \$400,000
 Provides additional funds for automating Inland Fisheries and Wildlife's licensing, registration and permitting processes. Any balance remaining at the end of the fiscal year may not lapse but must be carried forward to be used for the same purpose.

PART DDDD

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

1999-00

**EDUCATION,
DEPARTMENT OF**

Magnet Schools

All Other \$171,000
 Provides funds on a one-time basis to be applied toward a principal payment remaining on a \$3,000,000 dormitory at the Maine School of Science and Mathematics.

PART EEEE

Sec. EEEE-1. Carrying Balance - Inland Fisheries and Wildlife program; lapsed balances. Notwithstanding any other provision of law, \$400,000 in fiscal year 2000-01 in the Carrying Balances - Inland Fisheries and Wildlife program lapse to the General Fund. These funds are needed to partially cover the costs of automating Inland Fisheries and Wildlife's licensing, registration and permitting processes.

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

2000-01

**INLAND FISHERIES AND
WILDLIFE, DEPARTMENT
OF**

**Licensing Services - Inland
Fisheries and Wildlife**

PART FFFF

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

2000-01

**EDUCATION,
DEPARTMENT OF**

Learning Systems

All Other (\$163,939)
 Deappropriates funds provided in Part A, section 1.

Learning Systems

All Other (4,297,366)
 Deappropriates funds no longer required as a result of establishing Adult Education as a separate program within the Department of Education's budget.

Adult Education

All Other 4,461,305
 Provides funds to establish Adult Education as a separate program within the Department of Education's budget.

**DEPARTMENT OF
EDUCATION
TOTAL**

0

Sec. FFFF-2. Allocation. The following funds are allocated from the Federal Expenditures Fund to carry out the purposes of this Part.

**EDUCATION,
DEPARTMENT OF**

Learning Systems

Positions - Legislative Count	(-1.000)
Personal Services	(\$66,594)
All Other	(1,622,246)
TOTAL	(1,688,840)

Deallocates funds no longer required as a result of establishing Adult Education as a separate program.

Adult Education

Positions - Legislative Count	(1.000)
Personal Services	66,594
All Other	1,622,246
TOTAL	1,688,840

Allocates funds to establish Adult Education as a separate program within the Department of Education's budget.

**DEPARTMENT OF
EDUCATION**

TOTAL 0

PART GGGG

Sec. GGGG-1. Nonlapsing funds. Notwithstanding the Maine Revised Statutes, Title 5, section 1585, or any other provision of law, an amount not to exceed \$100,000 in the Personal Services line category remaining on June 30, 2000 in the General Fund, Governor Baxter School for the Deaf program in the Department of Education may not lapse but must be carried forward to fiscal year 2000-01 to be transferred by the State Controller to the General Fund, Bureau of Human Resources program in the Department of Administrative and Financial Services as unallocated resources. These funds may be allotted by financial order in the Personal Services, All Other or Capital Expenditures line categories upon the recommendation of the State Budget Officer and approval of the Governor to support initiatives for approval and improvement of the Governor Baxter School for the Deaf.

Sec. GGGG-2. State Controller; post closing. The State Controller is authorized to keep open the official system of general accounts of State

2000-01

Government for fiscal year 1999-00 in order to make post closing entries and adjustments to carry out the provisions of section 1 of this Part.

Sec. GGGG-3. Retroactivity. Section 1 of this Part applies retroactively to June 30, 2000.

PART HHHH

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

2000-01

**ADMINISTRATIVE AND
FINANCIAL SERVICES,
DEPARTMENT OF**

**Capital Construction/Repairs/
Improvements - Administration**

All Other	\$2,861,000
Capital Expenditures	285,000
TOTAL	3,146,000

Provides for the appropriation of funds for the Bucks Harbor sewer separator, emergency repairs of electrical systems at Augusta Mental Health Institute, plumbing repairs at the H - Building in Bangor, completion of the Houlton barracks and repairs at the Bureau of Health laboratory in Augusta.

**Bureau of General Services -
Capital Construction and
Improvement Reserve Fund**

Capital Expenditures	2,000,000
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Provides for the appropriation of funds for the completion of the Maine Criminal Justice Academy.

**DEPARTMENT OF
ADMINISTRATIVE AND
FINANCIAL SERVICES**

TOTAL 5,146,000

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

Food Assistance Program		All Other	10,000
Capital Expenditures	45,000	Provides for the appropriation of funds to support the new veterans cemetery in northern Maine necessary to pay for contract burials, which will be less costly than hiring employees and purchasing burial equipment.	
Provides for the appropriation of funds for the purchase of a truck with an insulated refrigerator box and a power lift gate.			
DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES		DEPARTMENT OF DEFENSE, VETERANS AND EMERGENCY MANAGEMENT	
TOTAL	<hr/> 45,000	TOTAL	<hr/> 10,000
CORRECTIONS, DEPARTMENT OF Correctional Center		EDUCATION, DEPARTMENT OF Support Systems	
Personal Services	95,506	All Other	250,000
Provides for the appropriation of funds for overtime to develop policies and procedures and train the entire staff for transition into unit management.		Provides for the appropriation of funds to be held in reserve to help offset certain fingerprinting and criminal history records checks expenses. Expenditures may be made from this appropriation as determined by separate legislation pending in the Second Regular Session of the 119th Legislature. Any balance remaining at the end of each fiscal year may not lapse but must be carried forward.	
State Prison		DEPARTMENT OF EDUCATION	
Personal Services	64,510	TOTAL	<hr/> 250,000
Provides for the appropriation of funds for overtime expenses related to transition of the Maine State Prison at Thomaston to the new Maine State Prison at Warren.		HUMAN SERVICES, DEPARTMENT OF Health - Bureau of	
Youth Center - Maine		Capital Expenditures	136,000
Personal Services	81,228	Provides for the appropriation of funds to purchase critical safety and disinfection equipment for the Health and Environmental Testing Laboratory to ensure adequate preparedness to safely identify emerging infectious diseases and meet bioterrorism events.	
Provides for the appropriation of funds for overtime related to transition training to move the Maine Youth Center to the new Southern Maine Juvenile Facility.			
DEPARTMENT OF CORRECTIONS			
TOTAL	<hr/> 241,244		
DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF Veterans Services			

Purchased Social Services		Personal Services	21,018
All Other	803,000	Provides for the appropriation of funds to implement the provisions of the collective bargaining agreements.	
Provides for the appropriation of funds to offset congressional reductions in the Social Services Block Grant.			
State Supplement to Federal Supplemental Security Income		Fisheries and Hatcheries Operations	
All Other	(939,000)	All Other	250,000
Provides for the deappropriation of funds based on the balances brought forward from fiscal year 1997-98 of \$577,000 and fiscal year 1998-99 of \$362,000.		Provides for the appropriation of funds for engineering design for the Embden Hatchery and a statewide assessment of all other hatchery facilities.	
DEPARTMENT OF HUMAN SERVICES		Licensing Services - Inland Fisheries and Wildlife	
TOTAL	<hr/> 0	Personal Services	8,542
INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF		Provides for the appropriation of funds to implement the provisions of the collective bargaining agreements.	
Office of the Commissioner - Inland Fisheries and Wildlife		Public Information and Education - Division of	
Personal Services	5,399	Personal Services	5,399
Provides for the appropriation of funds to implement the provisions of the collective bargaining agreements.		Provides for the appropriation of funds to implement the provisions of the collective bargaining agreements.	
Administrative Services - Inland Fisheries and Wildlife		Resource Management Services - Inland Fisheries and Wildlife	
Personal Services	9,729	Personal Services	12,110
Provides for the appropriation of funds to implement the provisions of the collective bargaining agreements.		Provides for the appropriation of funds to implement the provisions of the collective bargaining agreements.	
Enforcement Operations - Inland Fisheries and Wildlife		DEPARTMENT OF INLAND FISHERIES AND WILDLIFE	
Personal Services	349,079	TOTAL	<hr/> 661,276
Provides for the appropriation of funds to implement the provisions of the collective bargaining agreements.		LABOR, DEPARTMENT OF	
Fisheries and Hatcheries Operations		Welfare to Work	
		Personal Services	64,283
		All Other	285,717
		Provides for the appropriation of matching funds for the	

Welfare to Work Program.
 These funds may not lapse but must be carried forward to June 30, 2002 to be used for the same purposes.

DEPARTMENT OF LABOR
TOTAL 350,000

**MARINE RESOURCES,
 DEPARTMENT OF**

Bureau of Resource Management
 All Other 300,000

Provides for the appropriation of funds to design and implement a fisheries statistics database system.

Bureau of Resource Management
 Capital Expenditures 20,000

Provides for the appropriation of funds to properly dispose of toxic substances in the environmental control system at the Boothbay Harbor lab.

Bureau of Resource Management
 All Other 448,000

Provides for the appropriation of funds to fully fund long-term plans to restore the Kennebec River fishery.

DEPARTMENT OF MARINE RESOURCES
TOTAL 768,000

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

Mental Health Services – Child Medicaid
 All Other 19,569

Provides for the appropriation of state matching funds for case management services for children with mental retardation.

DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES
TOTAL 19,569

PUBLIC SAFETY, DEPARTMENT OF
State Police

Capital Expenditures 131,500

Provides for the appropriation of funds for equipment at the Houlton barracks.

DEPARTMENT OF PUBLIC SAFETY
TOTAL 131,500

TRANSPORTATION, DEPARTMENT OF
Railroad Assistance Program

All Other 2,500,000
 Capital Expenditures 1,000,000

Provides for the appropriation of funds for railroad improvement projects.

DEPARTMENT OF TRANSPORTATION
TOTAL 3,500,000

TREASURER OF STATE (OFFICE OF)
Administration - Treasury
 All Other 17,368

Provides for the appropriation of funds for an ongoing service level agreement with the Bureau of Information Services.

(OFFICE OF) TREASURER OF STATE
TOTAL 17,368

SECTION
TOTAL APPROPRIATIONS \$11,139,957

Sec. HHHH-2. Allocation. The following funds are allocated from the Federal Expenditures Fund to carry out the purposes of this Part.

	2000-01
LABOR, DEPARTMENT OF	
Welfare to Work	
Personal Services	128,588
All Other	571,412
Provides for the allocation of funds for the Welfare to Work Program.	
DEPARTMENT OF LABOR	
TOTAL	<u>700,000</u>
SECTION	
TOTAL ALLOCATIONS	<u>\$700,000</u>

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

	2000-01
ATTORNEY GENERAL, DEPARTMENT OF THE	
Administration - Attorney General	
All Other	260,000
Notwithstanding the Maine Revised Statutes, Title 22, section 1511, provides for the allocation of funds from the Fund for a Healthy Maine to be used for any administrative or program expenses.	
DEPARTMENT OF THE ATTORNEY GENERAL	
TOTAL	<u>260,000</u>
HUMAN SERVICES, DEPARTMENT OF	
Child Welfare Services	
All Other	1,500,000
Provides for the allocation of funds for the increased costs of services for children returned to facilities within the State.	
Child Welfare Services	

All Other	1,500,000
Provides for the allocation of funds to pay for the infrastructure to provide services in-state for children placed in out-of-state facilities.	

DEPARTMENT OF HUMAN SERVICES	
TOTAL	<u>3,000,000</u>

MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES, DEPARTMENT OF	
Mental Health Services - Community	
All Other	204,556
Provides for the allocation of funds to purchase hardware and software for management information systems.	

DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES	
TOTAL	<u>204,556</u>
SECTION	
TOTAL ALLOCATIONS	<u>\$3,464,556</u>

Sec. HHHH-4. Allocation. The following funds are allocated from the Bureau of Revenue Services Fund to carry out the purposes of this Part.

	2000-01
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF	
Bureau of Revenue Services Fund	
All Other	750,000
Provides for the allocation of funds for the Bureau of Revenue Services Internal Services Fund. Funds will be collected from agencies for services rendered to them by the bureau.	

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
TOTAL 750,000

SECTION TOTAL ALLOCATIONS \$750,000

Sec. HHHH-5. Allocation. The following funds are allocated from the Alcoholic Beverage Fund to carry out the purposes of this Part.

2000-01

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Alcoholic Beverages – General Operation

All Other \$16,566

Provides for the allocation of funds to continue maintenance and enhancement of the MIMS point-of-sale and inventory system.

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
TOTAL 16,566

SECTION TOTAL ALLOCATIONS \$16,566

Sec. HHHH-6. Allocation. The following funds are allocated from the State Lottery Fund to carry out the purposes of this Part.

2000-01

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Lottery Operations

All Other 46,000

Provides for the allocation of funds to bolster advertising efforts for the Heritage Fund instant ticket games.

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
TOTAL 46,000

SECTION TOTAL ALLOCATIONS \$46,000

PART III

Sec. III-1. Carrying Balance - Inland Fisheries and Wildlife program; lapsed balances. Notwithstanding any other provision of law, \$411,276 in fiscal year 2000-01 in the Carrying Balances - Inland Fisheries and Wildlife program lapse to the General Fund. These funds are a result of the cost of collective bargaining to Inland Fisheries and Wildlife. An adjustment must be made during fiscal year 2000-01 to reconcile these amounts to the actual amounts in the 2000-2001 biennium.

PART JJJ

Sec. JJJ-1. Department of Mental Health, Mental Retardation and Substance Abuse Services; revenue. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, the Department of Mental Health, Mental Retardation and Substance Abuse Services shall seek reimbursement of expenditures under Medicaid Title XIX for targeted case management and administrative cost reimbursement. Revenue in the amount of \$2,053,919 in fiscal year 2000-01 must be deposited in the General Fund as undedicated revenue.

PART KKKK

Sec. KKKK-1. Allocation. The following funds are allocated from the Federal Block Grant Fund to carry out the purposes of this Part.

2000-01

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Community Development Block Grant Program

All Other 1,000,000

Provides for the allocation of funds in the Community Development Block Grant Program.

DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT
TOTAL 1,000,000

EDUCATION, DEPARTMENT OF

Learning Systems

Personal Services	4,000
All Other	160
TOTAL	4,160

Provides for the allocation of funds to meet a payroll shortfall resulting from a lack of attrition and unbudgeted salary and benefit increases in a 2-person account.

DEPARTMENT OF EDUCATION TOTAL

4,160

HUMAN SERVICES, DEPARTMENT OF

Community Services Block Grant

All Other	844,843
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Provides for the allocation of federal Community Services Block Grant funds carried forward from state fiscal year 1998-99 of \$697,526 and from a grant award increase of \$147,317 received in March 2000. The funds will be contracted out in fiscal year 1999-00.

Child Care Development Block Grant

All Other	1,717,066
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Provides for the allocation of federal Child Care Development Block Grant funds carried forward from state fiscal year 1998-99 of \$482,591 and from a grant award of \$651,034 for matching increase, and \$583,441 for discretionary funds received in March 2000. The funds will be contracted out in fiscal year 1999-00.

DEPARTMENT OF HUMAN SERVICES

TOTAL	2,561,909
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MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES, DEPARTMENT OF

Mental Health Services - Children

All Other	117,221
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Provides for the allocation of funds due to an increase in the Community Mental Health Block Grant program.

Mental Health Services - Community

All Other	117,221
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Provides for the allocation of funds due to an increase in the Community Mental Health Block Grant program.

DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES

TOTAL	234,442
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SECTION

TOTAL ALLOCATIONS	3,800,511
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See title page for effective date, unless otherwise indicated.

CHAPTER 732

H.P. 1953 - L.D. 2692

An Act to Make Emergency Appropriations or Allocations in Fiscal Year 1999-00 only for the Emergency Items

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 incident to the operation of state departments and