

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE
ONE HUNDRED AND TWENTIETH LEGISLATURE
FIRST REGULAR SESSION
December 6, 2000 to June 22, 2001

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 21, 2001

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
2001

paragraphs C, D and E, other than those referred to in section 4 of this Part, and who must be given similar and equitable treatment on a pro rata basis similar to that treatment given employees covered by the collective bargaining agreements.

Sec. B-6. Costs to General Fund. Costs to the General Fund must be provided in the Salary Plan program, referred to in Part C, section 1 of this Act, in the amount of \$430,412 for the fiscal year ending June 30, 2002 and in the amount of \$925,565 for the fiscal year ending June 30, 2003 to implement the economic terms of the collective bargaining agreements made between the Judicial Department and the Maine State Employees Association for the administrative services bargaining unit, the supervisory bargaining unit and the professional bargaining unit and, notwithstanding the Maine Revised Statutes, Title 26, section 1285, subsection 1, paragraph E, for the costs of those Judicial Department employees excluded from collective bargaining pursuant to Title 26, section 1282, subsection 5, paragraphs C, D, E, F and G.

PART C

Sec. C-1. Transfer from Salary Plan and special account funding. The Salary Plan program in the Department of Administrative and Financial Services may be made available as needed in allotment by financial order upon the recommendation of the State Budget Officer and approval of the Governor to be used for the implementation of collective bargaining agreements for state employees and for other economic items contained in this Act in fiscal year 2001-02 and fiscal year 2002-03. Positions supported from sources of funding other than the General Fund and the Highway Fund must be funded whenever possible from those other sources.

Sec. C-2. Authorization for reimbursement of costs associated with contract resolution. The Department of Administrative and Financial Services may be reimbursed from the Salary Plan program for the costs of contract resolution, administration, implementation and other costs required by the process of collective bargaining and negotiation procedures.

PART D

Sec. D-1. 5 MRSA §8, as amended by PL 1999, c. 454, Pt. E, §1, is further amended to read:

§8. Mileage allowance

The State shall pay for the use of privately owned automobiles for travel by employees of the State in the business of the State such reimbursement as agreed to between the State and their certified or recognized bargaining agent. For employees and state

officers and officials not subject to any such agreement, the State shall pay ~~24¢ per mile effective July 1, 1998, 26¢ per mile effective January 1, 2000 and 28¢ per mile effective January 1, 2001~~ 30¢ per mile effective July 1, 2001 and 32¢ per mile effective July 1, 2002 for miles actually traveled on state business. The Governor may suspend the operation of this section and require state officials and employees to travel in automobiles owned or controlled by the State, if such automobiles are available.

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

Effective June 20, 2001.

CHAPTER 439

H.P. 655 - L.D. 855

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 Fiscal Years Ending June 30, 2002 and June 30, 2003

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

PART A

Sec. A-1. Supplemental appropriations and allocations. There are appropriated and allocated from various funds for the fiscal years ending June 30, 2002 and June 30, 2003, to the departments listed, the following amounts.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Central Motor Pool

New Initiative: Provides funding for 2 positions in Central Fleet Management. An Auto Mechanic II position and a Fleet Support Specialist position are required to prepare vehicles, manage maintenance and process new, used and surplus vehicles.

Central Motor Pool Fund	2001-02	2002-03
Positions - Legislative Count	(2,000)	(2,000)
Personal Services	\$62,158	\$64,992
All Other	8,966	8,357
Total	71,124	73,349

Central Services - Purchases

New Initiative: Provides for the deallocation of Personal Services funding for the transfer of the Director of Leased Space position to the Real Property Lease Fund account.

Postal, Printing and Supply Fund		
	2001-02	2002-03
Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(78,394)	(82,314)
Total	<u>(78,394)</u>	<u>(82,314)</u>

Buildings and Grounds Operations

New Initiative: Provides funding for 2 Custodian I positions and All Other to support operations at the Maine Criminal Justice Academy.

General Fund		
	2001-02	2002-03
Positions - Legislative Count	(2,000)	(2,000)
Personal Services	46,142	48,450
All Other	203,858	201,550
Total	<u>250,000</u>	<u>250,000</u>

New Initiative: Provides for the transfer of one Building Custodian position from the Maine Criminal Justice Academy account. The State Controller shall transfer \$39,706 in fiscal year 2001-02 and \$41,258 in fiscal year 2002-03 to General Fund unappropriate surplus from revenue derived from the academy.

General Fund		
	2001-02	2002-03
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	39,706	41,258
Total	<u>39,706</u>	<u>41,258</u>

New Initiative: Provides for an allocation to expand the H-Building Fund to encompass other available sites on the BMHI campus that may be used as office space. The allocation will be for normal operating costs.

Other Special Revenue Funds		
	2001-02	2002-03
All Other	300,000	300,000
Total	<u>300,000</u>	<u>300,000</u>

New Initiative: Provides for the increase in allocation to pay for the transfer of the Director of Leased Space position from the Postal, Printing and Supply Fund.

Real Property Lease Internal Service Fund		
	2001-02	2002-03
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	78,394	82,314
Total	<u>78,394</u>	<u>82,314</u>

Information Services

New Initiative: Provides an allocation for an additional 10 positions required by the Bureau of Information

Services to meet ongoing agency demands for information technology services. Position detail on file with the Bureau of the Budget.

Information Services Fund		
	2001-02	2002-03
Positions - Legislative Count	(10,000)	(10,000)
Personal Services	607,689	617,649
All Other	112,200	116,251
Total	<u>719,889</u>	<u>733,900</u>

Salary Plan

New Initiative: Provides funds for the Salary Plan to cover prospective salary cost increases associated with the collective bargaining process.

General Fund		
	2001-02	2002-03
Personal Services	7,500,000	7,390,275
Total	<u>7,500,000</u>	<u>7,390,275</u>

New Initiative: Deappropriates funds from projected savings in the Salary Plan.

General Fund		
	2001-02	2002-03
Personal Services		(267,179)
Total		<u>(267,179)</u>

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Department Totals	2001-02	2002-03
Department Summary - All Funds	8,880,719	8,521,603
Department Summary - General Fund	7,789,706	7,414,354
Department Summary - Other Special Revenue Funds	300,000	300,000
Department Summary - Central Motor Pool Fund	71,124	73,349
Department Summary - Printing, Postal and Supply Fund	(78,394)	(82,314)
Department Summary - Real Property Lease Internal Service Fund	78,394	82,314
Department Summary - Information Services Fund	719,889	733,900

AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF

Quality Assurance and Regulation, Division of

New Initiative: Transfers 1/2 of a Management Analyst position from the Quality Inspection program to better reflect program operations.

Other Special Revenue Funds		
	2001-02	2002-03
Positions - Legislative Count	(0,500)	(0,500)
Personal Services	20,664	21,756
All Other	645	678
Total	<u>21,309</u>	<u>22,434</u>

New Initiative: Increases allotment for 1/2 of a Management Analyst I position that was hired at a higher step than was budgeted.

Other Special Revenue Funds	2001-02	2002-03
Personal Services	3,374	3,553
All Other	105	111
Total	3,479	3,664

New Initiative: Establishes 2 Consumer Protection Inspector positions for conducting a feed, seed and fertilizer inspection, labeling and testing program. This initiative will increase General Fund undedicated revenues by \$256,530 annually in fiscal years 2001-02 and 2002-03 from the additional collection of registration fees.

General Fund	2001-02	2002-03
Positions - Legislative Count	(2,000)	(2,000)
Personal Services	108,686	111,342
All Other	68,272	60,000
Total	176,958	171,342

Harness Racing Commission

New Initiative: Increases hours of one intermittent Paddock Assistant position and one intermittent Parimutuel Supervisor position in order to meet the need of more racing days per year.

General Fund	2001-02	2002-03
Positions - FTE Count	(0,233)	(0,233)
Personal Services	6,211	6,211
All Other	(6,211)	(6,211)
Total	0	0

Pesticides Control, Board of

New Initiative: Continues a 20-hour-per-week Clerk Typist III position established by financial order to assist with clerical duties, data entry and report compilation.

Federal Expenditures Fund	2001-02	2002-03
Positions - Legislative Count	(0,500)	(0,500)
Personal Services	18,420	19,655
Total	18,420	19,655

Milk Commission

New Initiative: Transfer 312 hours of a split-funded Clerk Typist II position to the Office of the Commissioner to provide a departmental receptionist. Headcount is already authorized.

Other Special Revenue Funds	2001-02	2002-03
Personal Services	(5,970)	(6,168)
Total	(5,970)	(6,168)

Quality Inspection

New Initiative: Transfers 1/2 of a Management Analyst I position to the Division of Quality Assurance and Regulation to better reflect program operations. The receiving account has adequate revenue to support this change.

Other Special Revenue Funds	2001-02	2002-03
Positions - Legislative Count	(-0,500)	(-0,500)
Personal Services	(20,664)	(21,756)
All Other	(645)	(678)
Total	(21,309)	(22,434)

New Initiative: Increases allotment for 1/2 of a Management Analyst I position that was hired at a higher step than was budgeted.

Other Special Revenue Funds	2001-02	2002-03
Personal Services	3,374	3,553
All Other	105	111
Total	3,479	3,664

Market and Production Development, Division of

New Initiative: Upgrades one Planning and Research Associate I position to a Development Project Officer position.

General Fund	2001-02	2002-03
Personal Services	8,737	8,737
All Other	(8,737)	(8,737)
Total	0	0

Plant Industry, Division of

New Initiative: Transfers one 800-hour intermittent Entomologist I position to the Division of Plant Industry's General Fund to assist with inspection efforts. (840 hours in '02 and 1000 hours in '03).

General Fund	2001-02	2002-03
Positions - FTE Count	(0,404)	(0,481)
Personal Services	16,275	21,006
Total	16,275	21,006

Other Special Revenue Funds	2001-02	2002-03
Positions - FTE Count	(-0,385)	(-0,385)
Personal Services	(18,779)	(20,009)
All Other	(585)	(624)
Total	(19,364)	(20,633)

Animal Health and Industry, Division of

New Initiative: Eliminates a Lab Technician II position that no longer has funding.

Federal Expenditures Fund	2001-02	2002-03
Positions - Legislative Count	(-1,000)	(-1,000)

Commissioner, Office of the

New Initiative: Transfers 312 hours of a split-funded Clerk Typist II position from the Maine Milk Com-

mission to provide a departmental receptionist. The position has authorized headcount.

General Fund	2001-02	2002-03
Personal Services	5,970	6,168
Total	<u>5,970</u>	<u>6,168</u>

New Initiative: Establishes an allocation in the department's conference account pursuant to the Maine Revised Statutes, Title 5, section 1550 to be used to help to collect registrations fees to defray the cost of conferences.

Other Special Revenue Funds	2001-02	2002-03
All Other	6,000	6,000
Total	<u>6,000</u>	<u>6,000</u>

New Initiative: Increases the department's contribution to the ACE Service Center for funding of proposed reclasses.

General Fund	2001-02	2002-03
All Other	2,755	2,826
Total	<u>2,755</u>	<u>2,826</u>

Rural Rehabilitation

New Initiative: Increases funds for scholarships and grants due to higher interest earnings for these awards.

Other Special Revenue Funds	2001-02	2002-03
All Other	6,000	6,000
Total	<u>6,000</u>	<u>6,000</u>

Commissioner, Office of the

New Initiative: Provides funds for the department's share of the management initiated reclass of the Director of Administrative Services at the ACE Service Center as part of a planned reorganization.

General Fund	2001-02	2002-03
All Other	2,269	2,269
Total	<u>2,269</u>	<u>2,269</u>

Division of Animal Health and Industry

New Initiative: Provides 1/2 time Veterinarian position to staff foot and mouth disease prevention efforts.

General Fund	2001-02	2002-03
Positions - Legislative Count	(0,500)	(0,500)
Personal Services	42,578	43,118
All Other	9,749	14,896
Total	<u>52,327</u>	<u>58,014</u>

AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF

Department Totals	2001-02	2002-03
Department Summary - All Funds	268,598	273,807
Department Summary - General Fund	256,554	261,625
Department Summary - Federal Expenditures Fund	18,420	19,655
Department Summary - Other Special Revenue Funds	(6,376)	(7,473)

ATLANTIC SALMON COMMISSION

Atlantic Salmon Commission

New Initiative: Establishes one full-time Biology Specialist position and 2 9-month Conservation Aide positions to assist in salmon restoration efforts.

Federal Expenditures Fund	2001-02	2002-03
Positions - Legislative Count	(1,000)	(1,000)
Positions - FTE Count	(1,500)	(1,500)
Personal Services	76,697	82,064
All Other	15,500	15,500
Total	<u>92,197</u>	<u>97,564</u>

New Initiative: Establishes one seasonal Conservation Aide position, 1560 hours, to assist salmon biologists primarily along the Kennebec River.

Other Special Revenue Funds	2001-02	2002-03
Positions - FTE Count	(0,750)	(0,750)
Personal Services	19,989	21,440
All Other	9,500	9,500
Total	<u>29,489</u>	<u>30,940</u>

ATLANTIC SALMON COMMISSION

Department Totals	2001-02	2002-03
Department Summary - All Funds	121,686	128,504
Department Summary - Federal Expenditures Fund	92,197	97,564
Department Summary - Other Special Revenue Funds	29,489	30,940

ATTORNEY GENERAL, DEPARTMENT OF THE

Administration - Attorney General

New Initiative: Transfer one Assistant Attorney General position and related costs for cases of the Department of Labor, Bureau of Labor Standards from Other Special Revenue funds to the General Fund. This initiative will increase General Fund undedicated revenue by \$175,000 annually in fiscal year 2001-02 and fiscal year 2002-03.

General Fund	2001-02	2002-03
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	63,000	66,150
Total	<u>63,000</u>	<u>66,150</u>

Other Special Revenue Funds	2001-02	2002-03
Positions - Legislative Count	(-1,000)	(-1,000)

Personal Services	(63,000)	(66,150)
Total	<u>(63,000)</u>	<u>(66,150)</u>

New Initiative: Transfer one Research Assistant position to the General Fund in the new civil rights program project.

Other Special Revenue Funds	2001-02	2002-03
Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(50,000)	(50,000)
Total	<u>(50,000)</u>	<u>(50,000)</u>

Human Services Division

New Initiative: Establish one Assistant Attorney General position and related costs to handle legal issues associated with the Medicaid program.

Federal Expenditures Fund	2001-02	2002-03
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	51,950	54,547
All Other	6,219	3,109
Total	<u>58,169</u>	<u>57,656</u>

Civil Rights

New Initiative: Transfer one Research Assistant position from Other Special Revenue funds in the Admin. - Attorney General program and increase All Other funds for the civil rights team project.

General Fund	2001-02	2002-03
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	50,000	50,000
All Other	200,000	200,000
Total	<u>250,000</u>	<u>250,000</u>

Administration - Attorney General

New Initiative: Establish one Assistant Attorney General position and related costs to prosecute consumer law cases. The proposal will increase General Fund Undedicated Revenue by \$100,000 annually in fiscal years 2001-02 and 2002-03.

General Fund	2001-02	2002-03
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	51,950	54,547
All Other	5,094	1,994
Total	<u>57,044</u>	<u>56,541</u>

New Initiative: Establish one Assistant Attorney General position and related costs to handle matters related to charities.

Other Special Revenue Funds	2001-02	2002-03
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	51,950	54,547
All Other	5,094	1,994
Total	<u>57,044</u>	<u>56,541</u>

New Initiative: Allocation of funds for information and technology for prosecution initiatives to combat violent crimes against women.

Federal Expenditures Fund	2001-02	2002-03
All Other	150,000	150,000
Total	<u>150,000</u>	<u>150,000</u>

District Attorneys Salaries

New Initiative: Establish 7 Assistant District Attorney positions to assist in the area of juvenile prosecution.

Other Special Revenue Funds	2001-02	2002-03
Positions - Legislative Count	(7,000)	(7,000)
Personal Services	291,228	407,720
All Other	5,744	8,042
Total	<u>296,972</u>	<u>415,762</u>

New Initiative: Establish 2 Research Assistant positions to support the child protective and child support attorneys in Aroostook County.

Federal Expenditures Fund	2001-02	2002-03
Positions - Legislative Count	(2,000)	(2,000)
Personal Services	66,976	69,829
All Other	(66,976)	(69,829)
Total	<u>0</u>	<u>0</u>

Administration - Attorney General

New Initiative: Appropriates funds for one Research Assistant position to supervise and back up the technology and computer systems for the Department of the Attorney General.

General Fund	2001-02	2002-03
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	71,629	74,991
All Other	2,820	1,120
Total	<u>74,449</u>	<u>76,111</u>

ATTORNEY GENERAL, DEPARTMENT OF THE

Department Totals	2001-02	2002-03
Department Summary - All Funds	893,678	1,012,611
Department Summary - General Fund	444,493	448,802
Department Summary - Federal Expenditures Fund	208,169	207,656
Department Summary - Other Special Revenue Funds	241,016	356,153

BAXTER STATE PARK AUTHORITY

Baxter State Park Authority

New Initiative: Increase a Campground Ranger position from 18 to 52 weeks and reclassify to a full-time Interpretive Specialist position to support ADA mandates, technical development and user trends.

Other Special Revenue Funds	2001-02	2002-03
Positions - Legislative Count	(1,000)	(1,000)
Positions - FTE Count	(-0,346)	(-0,346)
Personal Services	36,437	37,438
Total	36,437	37,438

Baxter State Park Authority

New Initiative: Provides for the transfer of funds from Personal Services to All Other to accurately reflect costs associated with workers' compensation insurance for park employees.

Other Special Revenue Funds	2001-02	2002-03
Personal Services	(25,000)	(25,000)
All Other	25,000	25,000
Total	0	0

BAXTER STATE PARK AUTHORITY

Department Totals	2001-02	2002-03
Department Summary - All Funds	36,437	37,438
Department Summary - Other Special Revenue Funds	36,437	37,438

CONSERVATION, DEPARTMENT OF

Administrative Services, Conservation

New Initiative: Provide funds to lease office space for headquarters of DOC in a building free of environmental and physical hazards.

General Fund	2001-02	2002-03
All Other	306,131	311,160
Total	306,131	311,160

New Initiative: Fund 30% of the Director of Real Property Management position to account for the work that the position does for the department. This position will be split-funded with the Bureau of Parks and Lands.

Other Special Revenue Funds	2001-02	2002-03
Personal Services	23,187	23,786
Total	23,187	23,786

Boating Facilities Fund

New Initiative: Provides funds for one 16-week project Navigational Aids Assistant position in fiscal year 2001-02 and the extension of one seasonal Assistant Park Ranger position to full time.

Other Special Revenue Funds	2001-02	2002-03
Positions - Legislative Count	(1,000)	(1,000)
Positions - FTE Count	(-0,500)	(-0,500)
Personal Services	36,402	20,000
All Other	(36,402)	(20,000)
Total	0	0

Off-road Recreational Vehicles Program

New Initiative: Provides funds for the extension of 3 seasonal Heavy Equipment Operator positions (6463, 6498, 6459) from 16 weeks to 20 weeks each.

Other Special Revenue Funds	2001-02	2002-03
Positions - FTE Count	(0,231)	(0,231)
Personal Services	9,215	9,215
All Other	(9,215)	(9,215)
Total	0	0

Parks General Operations

New Initiative: Provides for the addition of 265 weeks to 47 existing positions at 24 parks, 5 new seasonal positions and related All Other expenses. This initiative will increase General Fund revenue by \$203,000 annually in fiscal year 2001-02 and fiscal year 2002-03.

General Fund	2001-02	2002-03
Positions - Legislative Count	(1,000)	(1,000)
Positions - FTE Count	(6,712)	(6,712)
Personal Services	241,120	241,120
All Other	14,835	14,835
Capital Expenditures	(33,000)	(33,000)
Total	222,955	222,955

New Initiative: Provides funds for an additional week for the Clerk Typist II position in the campsite reservation system.

General Fund	2001-02	2002-03
Positions - FTE Count	(0,038)	(0,038)

New Initiative: Deappropriates funds from the Director, Real Property Management position in order to split fund the position between Parks and General Services.

General Fund	2001-02	2002-03
Personal Services	(23,187)	(23,786)
Total	(23,187)	(23,786)

New Initiative: Deappropriates funds to reduce an Interpretive Specialist position from year-round to 26 weeks.

Other Special Revenue Funds	2001-02	2002-03
Positions - Legislative Count	(-1,000)	(-1,000)
Positions - FTE Count	(0,500)	(0,500)
Personal Services	(22,432)	(25,961)
Total	(22,432)	(25,961)

New Initiative: Provides funds and FTE count necessary to transfer a Radio Operator position from the Bureau of Parks and Lands to the Division of Forest Protection.

General Fund	2001-02	2002-03
Positions - FTE Count	(-0,346)	(-0,346)
Personal Services	(11,544)	(12,357)

Total	(11,544)	(12,357)
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Maine State Parks Development Fund

New Initiative: Provides funds for 6 seasonal and 2 year-round Park Ranger positions and 2 seasonal Assistant Park Ranger positions to improve security, safety, visitor assistance and maintenance at parks; and one Civil Engineer I position to assist with capital projects.

Other Special Revenue Funds	2001-02	2002-03
Positions - Legislative Count	(3,000)	(3,000)
Positions - FTE Count	(4,000)	(4,000)
Personal Services	220,695	228,657
All Other	9,265	9,265
Total	229,960	237,922

Land Management and Planning

New Initiative: Provides funds to increase 2 CT III positions from 30 to 40 hours a week; extend 2 seasonal Park Ranger positions; and add 3 new Park Ranger positions for 20 weeks, a new P and R Associate II position for 26 weeks, 6 new Forester I positions, one new Forester II position and one new Inter. Specialist position.

Other Special Revenue Funds	2001-02	2002-03
Positions - Legislative Count	(8,000)	(8,000)
Positions - FTE Count	(1,769)	(1,769)
Personal Services	509,718	531,287
All Other	65,450	65,450
Total	575,168	596,737

New Initiative: Provides funds for the extension of a seasonal Planning and Research Associate I position to full time.

Other Special Revenue Funds	2001-02	2002-03
Positions - Legislative Count	(1,000)	(1,000)
Positions - FTE Count	(-0.481)	(-0.481)
Personal Services	16,807	19,505
Total	16,807	19,505

Forestry Administration

New Initiative: Provides funds for split funding of an existing federally funded Resource Administrator position.

General Fund	2001-02	2002-03
Positions - Legislative Count	(0,500)	(0,500)
Personal Services	31,090	33,271
Total	31,090	33,271

New Initiative: Provides for the transfer of 1/2 of a Resource Administrator position.

Federal Expenditures Fund	2001-02	2002-03
Positions - Legislative Count	(-0,500)	(-0,500)

Personal Services	(31,090)	(33,271)
Total	(31,090)	(33,271)

Forest Protection, Division of

New Initiative: Provides funds and FTE count necessary to transfer a Radio Operator position from the Bureau of Parks and Lands to the Division of Forest Protection.

General Fund	2001-02	2002-03
Positions - FTE Count	(0,346)	(0,346)
Personal Services	11,544	12,357
Total	11,544	12,357

Forest Practices

New Initiative: Provides funds for split funding of an existing federally funded Resource Administrator position.

General Fund	2001-02	2002-03
Personal Services	(31,090)	(33,271)
Total	(31,090)	(33,271)

Forest Policy and Management, Division of

New Initiative: Provides funds for the reclassification of a Planning and Research Associate I position to a Planning and Research Associate II position.

General Fund	2001-02	2002-03
Personal Services	6,263	6,340
All Other	(6,263)	(6,340)
Total	0	0

Forest Fire Control

New Initiative: Provides funds for the range change of 7 Radio Operator positions. This employee-initiated request was approved by the Bureau of Human Resources.

General Fund	2001-02	2002-03
Personal Services	35,457	16,372
Total	35,457	16,372

CONSERVATION, DEPARTMENT OF

Department Totals	2001-02	2002-03
Department Summary - All Funds	1,332,956	1,345,419
Department Summary - General Fund	541,356	526,701
Department Summary - Federal Expenditures Fund	(31,090)	(33,271)
Department Summary - Other Special Revenue Funds	822,690	851,989

CORRECTIONS, DEPARTMENT OF

Administration - Corrections

New Initiative: Transfer one Victim Services Coordinator position and one Account Clerk II position to the Office of Victim Services program.

General Fund	2001-02	2002-03
Positions - Legislative Count	(-2,000)	(-2,000)
Personal Services	(89,198)	(93,240)
All Other	(24,232)	(24,232)
Total	(113,430)	(117,472)

New Initiative: Provides funds from the DI-CAP to establish one Staff Accountant position, one Clerk Typist II position and one Personnel Specialist position and transfers one Senior Staff Accountant position from the Federal Expenditures Fund program.

Federal Expenditures Fund	2001-02	2002-03
Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(52,693)	(55,850)
Total	(52,693)	(55,850)

Other Special Revenue Funds	2001-02	2002-03
Positions - Legislative Count	(4,000)	(4,000)
Personal Services	189,201	184,043
All Other	38,541	41,951
Total	227,742	225,994

New Initiative: Provides funds to implement the new classifications and pay ranges for security staff and other staff having inmate contact.

General Fund	2001-02	2002-03
Personal Services	7,664	7,775
Total	7,664	7,775

Office of Victim Services

New Initiative: Transfers one Victim Services Coordinator position and one Account Clerk II position from Administration and an Advocate position from Juvenile Community Corrections.

General Fund	2001-02	2002-03
Positions - Legislative Count	(3,000)	(3,000)
Personal Services	137,264	144,484
All Other	29,704	29,704
Total	166,968	174,188

Other Special Revenue Funds	2001-02	2002-03
All Other	13,115	13,115
Total	13,115	13,115

Correctional Program Improvement

New Initiative: Provides, from the transfer of funds, a centralized account in which to manage the medical contract and establishes one Business Manager II position.

General Fund	2001-02	2002-03
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	54,444	57,926
All Other	5,778,336	5,798,409
Total	5,832,780	5,856,335

Adult Community Corrections

New Initiative: Transfer 6 Probation Officer positions and one Correctional Planning Analyst position from federal funds and establish 2 Assistant Regional Correctional Administrator positions.

General Fund	2001-02	2002-03
Positions - Legislative Count	(9,000)	(9,000)
Personal Services	487,434	575,348
All Other	(357,250)	(390,975)
Total	130,184	184,373

Federal Expenditures Fund	2001-02	2002-03
Positions - Legislative Count	(-7,000)	(-7,000)
Personal Services	(391,172)	(408,800)
All Other	(55,287)	(56,066)
Total	(446,459)	(464,866)

Juvenile Community Corrections

New Initiative: To transfer one Advocate position to the Office of Victim Services.

General Fund	2001-02	2002-03
Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(48,066)	(51,244)
All Other	(5,472)	(5,472)
Total	(53,538)	(56,716)

New Initiative: Provides federal funds for multi-systemic therapy, foster care and day reporting.

Federal Expenditures Fund	2001-02	2002-03
All Other	337,904	337,904
Total	337,904	337,904

Maine State Prison

New Initiative: To transfer MSP'S portion of the medical contract to a centralized account.

General Fund	2001-02	2002-03
All Other	(2,025,598)	(2,482,394)
Total	(2,025,598)	(2,482,394)

New Initiative: Provides funds to implement the new classifications and pay ranges for security staff and other staff having inmate contact.

General Fund	2001-02	2002-03
Personal Services	812,377	722,799
Total	812,377	722,799

Other Special Revenue Funds	2001-02	2002-03
Personal Services	3,226	6,532
Total	<u>3,226</u>	<u>6,532</u>

Prison Industries	2001-02	2002-03
Personal Services	11,001	11,074
Total	<u>11,001</u>	<u>11,074</u>

New Initiative: Elimination of 2 Correctional Officer I positions and one Correctional Officer II position and transfer of one Correctional Officer to the canteen in fiscal year 2002-03.

General Fund	2001-02	2002-03
Positions - Legislative Count	(-3,000)	(-4,000)
Personal Services	(130,184)	(184,373)
Total	<u>(130,184)</u>	<u>(184,373)</u>

Other Special Revenue Funds	2001-02	2002-03
Positions - Legislative Count		(1,000)
Personal Services		46,093
All Other		1,000
Total		<u>47,093</u>

Central Maine Pre-Release Center

New Initiative: To transfer CMPRC portion of the medical contract to a centralized account.

General Fund	2001-02	2002-03
All Other	(103,447)	(107,585)
Total	<u>(103,447)</u>	<u>(107,585)</u>

New Initiative: Provides funds to implement the new classifications and pay ranges for security staff and other staff having inmate contact.

General Fund	2001-02	2002-03
Personal Services	48,573	49,225
Total	<u>48,573</u>	<u>49,225</u>

Maine Correctional Center

New Initiative: To transfer MCC portion of the medical contract to a centralized account.

General Fund	2001-02	2002-03
All Other	(1,971,748)	(1,848,514)
Total	<u>(1,971,748)</u>	<u>(1,848,514)</u>

New Initiative: Provides funds to implement the new classifications and pay ranges for security staff and other staff having inmate contact.

General Fund	2001-02	2002-03
Personal Services	414,183	392,385
Total	<u>414,183</u>	<u>392,385</u>

Other Special Revenue Funds	2001-02	2002-03
Personal Services	775	829
Total	<u>775</u>	<u>829</u>

New Initiative: To exchange 2 Correctional Officer positions for one Chaplain I position and one Psychiatric Social Worker II position.

General Fund	2001-02	2002-03
Personal Services	(488)	(53)
Total	<u>(488)</u>	<u>(53)</u>

New Initiative: Delayed hiring certain positions until new women's unit nears completion.

General Fund	2001-02	2002-03
Personal Services	(284,084)	
Total	<u>(284,084)</u>	

Downeast Correctional Facility

New Initiative: To transfer DCF portion of the medical contract to a centralized account.

General Fund	2001-02	2002-03
All Other	(244,000)	(188,515)
Total	<u>(244,000)</u>	<u>(188,515)</u>

New Initiative: Provides funds to implement the new classifications and pay ranges for security staff and other staff having inmate contact.

General Fund	2001-02	2002-03
Personal Services	118,081	120,703
Total	<u>118,081</u>	<u>120,703</u>

Other Special Revenue Funds	2001-02	2002-03
Personal Services	14,331	14,955
All Other	74	77
Total	<u>14,405</u>	<u>15,032</u>

New Initiative: Provides funds for one Correctional Trades Shop Supervisor position for a new garment industries program at DCF.

Other Special Revenue Funds	2001-02	2002-03
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	37,979	38,992
All Other	15,550	13,425
Total	<u>53,529</u>	<u>52,417</u>

Charleston Correctional Center

New Initiative: To transfer CCF portion of the medical contract to a centralized account.

General Fund	2001-02	2002-03
All Other	(209,418)	(217,795)
Total	<u>(209,418)</u>	<u>(217,795)</u>

New Initiative: Provides funds to implement the new classifications and pay ranges for security staff and other staff having inmate contact.

General Fund	2001-02	2002-03
Personal Services	51,362	53,787
Total	<u>51,362</u>	<u>53,787</u>
Federal Expenditures Fund	2001-02	2002-03
Personal Services	5,330	5,619
All Other	28	29
Total	<u>5,358</u>	<u>5,648</u>
Other Special Revenue Funds	2001-02	2002-03
Personal Services	14,331	14,955
All Other	74	77
Total	<u>14,405</u>	<u>15,032</u>

Northern Maine Juvenile Facility

New Initiative: Provides the necessary operating expenses to operate the Northern Maine Juvenile Facility.

General Fund	2001-02	2002-03
All Other	859,015	863,995
Capital Expenditures	25,333	
Total	<u>884,348</u>	<u>863,995</u>

New Initiative: Provides funds to implement the new classifications and pay ranges for security staff and other staff having offender contact.

General Fund	2001-02	2002-03
Personal Services	69,414	72,257
Total	<u>69,414</u>	<u>72,257</u>

New Initiative: To transfer NMJF portion of the medical contract to a centralized account.

General Fund	2001-02	2002-03
All Other	(438,708)	(499,641)
Total	<u>(438,708)</u>	<u>(499,641)</u>

New Initiative: Establishes 3 Juvenile Program Worker positions.

General Fund	2001-02	2002-03
Positions - Legislative Count	(3,000)	(3,000)
Personal Services	134,933	144,430
All Other	(43,933)	(53,430)
Total	<u>91,000</u>	<u>91,000</u>

New Initiative: Provides allocation in the event NMJF is able to secure other funding.

Federal Expenditures Fund	2001-02	2002-03
All Other	58,572	58,572
Capital Expenditures	10,000	10,000

Total	<u>68,572</u>	<u>68,572</u>
Other Special Revenue Funds	2001-02	2002-03
All Other	1,218,125	1,218,125
Capital Expenditures	30,000	30,000
Total	<u>1,248,125</u>	<u>1,248,125</u>

Maine Youth Center

New Initiative: To transfer SMJF portion of the medical contract to a centralized account.

General Fund	2001-02	2002-03
All Other	(555,777)	(511,891)
Total	<u>(555,777)</u>	<u>(511,891)</u>

New Initiative: Provides funds to implement the new classifications and pay ranges for security staff and other staff having inmate contact.

General Fund	2001-02	2002-03
Personal Services	23,974	23,974
Total	<u>23,974</u>	<u>23,974</u>

New Initiative: Elimination of 7 Juvenile Program Worker positions that no longer have funding.

Other Special Revenue Funds	2001-02	2002-03
Positions - Legislative Count	(-7,000)	(-7,000)
Personal Services	(294,117)	(314,955)
Total	<u>(294,117)</u>	<u>(314,955)</u>

New Initiative: Deappropriation in All Other to support NMJF.

General Fund	2001-02	2002-03
All Other	(91,000)	(91,000)
Total	<u>(91,000)</u>	<u>(91,000)</u>

Administration - Corrections

New Initiative: Reorganize 3 positions with the Management Information Services Division.

General Fund	2001-02	2002-03
Personal Services	17,425	21,100
All Other	(17,425)	(21,100)
Total	<u>0</u>	<u>0</u>

Northern Maine Juvenile Facility

New Initiative: Provides the necessary operating expenses to implement the Learning for Life task force recommendations and the Jobs for Maine's Graduates Program. This initiative funds 506 hours in fiscal year 2001-02 and 674 hours in fiscal year 2002-03 for substitute teachers.

General Fund	2001-02	2002-03
Positions - FTE Count	(0.268)	(0.268)

Personal Services	7,950	10,600
All Other	97,146	84,646
Total	<u>105,096</u>	<u>95,246</u>

Maine Youth Center

New Initiative: Provides the necessary operating expenses to implement the Learning for Life task force recommendations. This initiative funds 506 hours in fiscal year 2001-02 and 674 hours in fiscal year 2002-03 for substitute teachers.

General Fund	2001-02	2002-03
Positions - FTE Count	(0,268)	(0,268)
Personal Services	7,950	10,600
All Other	97,146	84,646
Total	<u>105,096</u>	<u>95,246</u>

Juvenile Community Corrections

New Initiative: Provides funds to support the building alternatives program.

General Fund	2001-02	2002-03
All Other	45,000	45,000
Total	<u>45,000</u>	<u>45,000</u>

New Initiative: Provides funds to support the building alternatives program.

General Fund	2001-02	2002-03
All Other	205,000	105,000
Total	<u>205,000</u>	<u>105,000</u>

New Initiative: Deappropriates funds to reallocate resources from other community-based programs to support the building alternative program.

General Fund	2001-02	2002-03
All Other	(205,000)	(105,000)
Total	<u>(205,000)</u>	<u>(105,000)</u>

Maine Youth Center

New Initiative: Transfer of All Other to Personal Services to have a Clinical Director on staff rather than contract. The Clinical Director position will utilize Legislative Count designated for a Teacher Aide position that will not be filled.

General Fund	2001-02	2002-03
Personal Services	115,907	122,148
All Other	(115,907)	(122,148)
Total	<u>0</u>	<u>0</u>

CORRECTIONS, DEPARTMENT OF

Department Totals	2001-02	2002-03
Department Summary - All Funds	3,889,568	3,754,035

Department Summary - General Fund	2,684,680	2,542,339
Department Summary - Federal Expenditures Fund	(87,318)	(108,592)
Department Summary - Other Special Revenue Funds	1,281,205	1,309,214
Department Summary - Prison Industries Fund	11,001	11,074

CULTURAL AFFAIRS COUNCIL, MAINE STATE

New Century Program Fund

New Initiative: Establishes funds for the continuation of the New Community Century Program for supplies, travel, etc., as well as for the part-time services of an existing staff member at one of the collaborating agencies.

Other Special Revenue Funds	2001-02	2002-03
All Other	59,500	59,500
Total	<u>59,500</u>	<u>59,500</u>

CULTURAL AFFAIRS COUNCIL, MAINE STATE

Department Totals	2001-02	2002-03
Department Summary - All Funds	59,500	59,500
Department Summary - Other Special Revenue Funds	59,500	59,500

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

Military Training and Operations

New Initiative: Transfer 4 and upgrade 2 positions from the General Fund to the Federal Expenditures Fund to reflect proper funding and adjust for a required federal match.

General Fund	2001-02	2002-03
Positions - Legislative Count	(-4,000)	(-4,000)
Personal Services	(282,156)	(284,702)
Total	<u>(282,156)</u>	<u>(284,702)</u>

Federal Expenditures Fund	2001-02	2002-03
Positions - Legislative Count	(4,000)	(4,000)
Personal Services	289,661	293,860
All Other	1,714	1,729
Total	<u>291,375</u>	<u>295,589</u>

New Initiative: Transfer 4 positions from the Federal Expenditures Fund to the General Fund to reflect proper funding and adjust for a required federal match.

General Fund	2001-02	2002-03
Positions - Legislative Count	(4,000)	(4,000)
Personal Services	230,282	231,043
Total	<u>230,282</u>	<u>231,043</u>

Federal Expenditures Fund	2001-02	2002-03
Positions - Legislative Count	(-4,000)	(-4,000)

Personal Services	(230,282)	(231,043)
All Other	(1,399)	(1,403)
Total	<u>(231,681)</u>	<u>(232,446)</u>

Veterans' Services

New Initiative: To fund employee-initiated and approved range changes.

General Fund	2001-02	2002-03
Personal Services	48,478	25,660
Total	<u>48,478</u>	<u>25,660</u>

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

Department Totals	2001-02	2002-03
Department Summary - All Funds	56,298	35,144
Department Summary - General Fund	(3,396)	(27,999)
Department Summary - Federal Expenditures Fund	59,694	63,143

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Energy Resources, Office of

New Initiative: Transfers in Personal Services and All Other funds and one Energy Specialist position from the Energy Conservation Program account to consolidate program functions and facilitate performance budgeting.

General Fund	2001-02	2002-03
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	47,733	49,118
All Other	1,000	1,000
Total	<u>48,733</u>	<u>50,118</u>

Energy Conservation Division

New Initiative: Transfers out Personal Services and All Other funds and one Energy Specialist position to the Energy Resources Office account to consolidate program functions and facilitate performance budgeting.

General Fund	2001-02	2002-03
Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(47,733)	(49,118)
All Other	(1,000)	(1,000)
Total	<u>(48,733)</u>	<u>(50,118)</u>

Applied Technology Development Center System

New Initiative: Provides grant funds to continue the operation of the 7 technology-based incubation centers.

General Fund	2001-02	2002-03
All Other		300,000
Total		<u>300,000</u>

Maine Biomedical Research Fund

New Initiative: Provides grant funds to continue biomedical research in the State.

General Fund	2001-02	2002-03
All Other	2,000,000	
Total	<u>2,000,000</u>	

Maine Biomedical Research Fund

New Initiative: To allocate an estimated unobligated balance of prior-year funds that were not disbursed in fiscal year 2000-01 due to a delay in the implementation of the program.

Other Special Revenue Funds	2001-02	2002-03
All Other	10,000,000	
Total	<u>10,000,000</u>	

Community Development Block Grant Program

New Initiative: Allocates federal funds recently awarded by the United States Department of Housing and Urban Development to implement a project supporting housing and economic development in rural areas of the State.

Federal Expenditures Fund	2001-02	2002-03
All Other	425,000	
Total	<u>425,000</u>	

Regional Development - SCEDC

New Initiative: Appropriates funds to support economic development initiatives in Somerset County. The Somerset County Economic Development Corporation will assist existing businesses to sustain current operations and stimulate the growth of new business enterprises within its service area.

General Fund	2001-02	2002-03
All Other	50,000	50,000
Total	<u>50,000</u>	<u>50,000</u>

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Department Totals	2001-02	2002-03
Department Summary - All Funds	12,475,000	350,000
Department Summary - General Fund	2,050,000	350,000
Department Summary - Other Special Revenue Funds	10,000,000	
Department Summary - Federal Expenditures Fund	425,000	

EDUCATION, DEPARTMENT OF

Education in Unorganized Territory

New Initiative: Transfers the IASA - Title VI grant program funds from the Federal Block Grant Fund to the Federal Expenditures Fund.

Federal Expenditures Fund	2001-02	2002-03
All Other	5,000	6,000
Total	<u>5,000</u>	<u>6,000</u>
Federal Block Grant Fund	2001-02	2002-03
All Other	(5,000)	(6,000)
Total	<u>(5,000)</u>	<u>(6,000)</u>

Leadership

New Initiative: Provides funding for the Partnerships in Character Education federal grant program addressing student behavioral issues and development of character education.

Federal Expenditures Fund	2001-02	2002-03
All Other	250,000	250,000
Total	<u>250,000</u>	<u>250,000</u>

New Initiative: Transfer one Administrative Secretary position to support systems.

General Fund	2001-02	2002-03
Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(39,803)	(42,283)
Total	<u>(39,803)</u>	<u>(42,283)</u>

Support Systems

New Initiative: To establish a new Administrative Secretary position in the School Renovation Admin. unit to provide support for a greatly increased workload in the areas of school construction and renovation.

Other Special Revenue Funds	2001-02	2002-03
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	38,220	38,990
Total	<u>38,220</u>	<u>38,990</u>

New Initiative: Transfer one Administrative Secretary position from Leadership.

General Fund	2001-02	2002-03
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	39,803	42,283
Total	<u>39,803</u>	<u>42,283</u>

Management Information Systems

New Initiative: Provides funding for the federal Title VI Class-Size Reduction grant program assisting in

recruiting and training additional teachers to reduce class size in the early grades.

Federal Expenditures Fund	2001-02	2002-03
All Other	640,648	656,664
Total	<u>640,648</u>	<u>656,664</u>

New Initiative: Provides funding for maintenance and network management for additional sites established in the ATM distance learning network. The Department of Education must report back to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Education by January 15, 2002 on the status of the ATM distance learning network initiative.

General Fund	2001-02	2002-03
All Other	525,000	525,000
Total	<u>525,000</u>	<u>525,000</u>

New Initiative: Transfer IASA-Title VI program allocation from the Federal Block Grant Fund to the Federal Expenditures Fund.

Federal Expenditures Fund	2001-02	2002-03
Positions - Legislative Count	(4,000)	(4,000)
Personal Services	239,991	245,999
All Other	2,872,827	2,944,650
Total	<u>3,112,818</u>	<u>3,190,649</u>

Federal Block Grant Fund	2001-02	2002-03
Positions - Legislative Count	(-4,000)	(-4,000)
Personal Services	(239,991)	(245,999)
All Other	(2,872,827)	(2,944,650)
Total	<u>(3,112,818)</u>	<u>(3,190,649)</u>

Learning Systems

New Initiative: Increase one Clerk-Typist II position from 32 hours to 40 hours per week.

Federal Expenditures Fund	2001-02	2002-03
Personal Services	6,820	7,030
Total	<u>6,820</u>	<u>7,030</u>

Regional Services

New Initiative: Establishes the federal advanced placement grant program to enhance student aspirations and postsecondary placement.

Federal Expenditures Fund	2001-02	2002-03
All Other	535,959	549,358
Total	<u>535,959</u>	<u>549,358</u>

Support Systems

New Initiative: Provides funding for the reorganization of Position #01400-2621 from an Accountant I position to an Accounting Technician position.

Federal Expenditures Fund	2001-02	2002-03
Personal Services	1,099	1,099
Total	<u>1,099</u>	<u>1,099</u>

Management Information Systems

New Initiative: Increases funding for the federal Title VI Class-size Reduction grant program to the actual amount of the anticipated grant.

Federal Expenditures Fund	2001-02	2002-03
All Other	6,965,132	7,139,261
Total	<u>6,965,132</u>	<u>7,139,261</u>

Learning Systems

New Initiative: Provides increased allocation from the Fund for a Healthy Maine for personal services in the School Nurse Consultant program due to the hiring of an Education Specialist III at a higher step than budgeted.

Other Special Revenue Funds	2001-02	2002-03
Personal Services	14,794	15,221
All Other	345	355
Total	<u>15,139</u>	<u>15,576</u>

Leadership

New Initiative: Reclassifies Position #01400-6071 from a Federal-State Program Coordinator position to an Education Team Leader and Policy Director position through All Other funding reductions in other accounts.

General Fund	2001-02	2002-03
Personal Services	21,066	16,961
Total	<u>21,066</u>	<u>16,961</u>

Management Information Systems

New Initiative: Provides funding for the reclassification of Position #01400-6071 in the Leadership program through the deferral of routine replacement of department equipment.

General Fund	2001-02	2002-03
All Other	(7,000)	(5,000)
Total	<u>(7,000)</u>	<u>(5,000)</u>

Learning Systems

New Initiative: Provides funding for the reclassification of Position #01400-6071 in the Leadership program by savings in in-state travel and publication and printing costs through distance learning and electronic transmission.

General Fund	2001-02	2002-03
All Other	(14,066)	(11,961)
Total	<u>(14,066)</u>	<u>(11,961)</u>

General Purpose Aid for Local Schools

New Initiative: Appropriates funds in fiscal year 2002-03 to provide a 3% increase in General Purpose Aid for Local Schools.

General Fund	2001-02	2002-03
All Other		13,420,153
Total		<u>13,420,153</u>

Magnet School

New Initiative: Appropriates funds for a cost-of-living adjustment of 5% the first year and 3% the 2nd year over the fiscal year 2000-01 base funding level for the Maine School of Science and Mathematics.

General Fund	2001-02	2002-03
All Other	74,147	120,859
Total	<u>74,147</u>	<u>120,859</u>

EDUCATION, DEPARTMENT OF

Department Totals	2001-02	2002-03
Department Summary - All Funds	9,052,164	22,723,990
Department Summary - General Fund	599,147	14,066,012
Department Summary - Federal Expenditures Fund	11,517,476	11,800,061
Department Summary - Other Special Revenue Funds	53,359	54,566
Department Summary - Federal Block Grant Fund	(3,117,818)	(3,196,649)

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Remediation and Waste Management

New Initiative: Transfers out one Clerk Typist II position to the Dedicated Overhead Account - DEP Administration to align function with funding.

Other Special Revenue Funds	2001-02	2002-03
Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(29,559)	(31,427)
All Other	(550)	(585)
Total	<u>(30,109)</u>	<u>(32,012)</u>

New Initiative: Transfers in a GIS Coordinator position from the Federal Expenditures Fund to the Groundwater Oil Clean-up Fund for alignment of function with funding.

Other Special Revenue Funds	2001-02	2002-03
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	46,326	49,880
All Other	862	929
Total	<u>47,188</u>	<u>50,809</u>

New Initiative: Transfers in 2 ES III positions and associated All Other to the solid waste account, consistent with prior program mergers.

Other Special Revenue Funds	2001-02	2002-03
Positions - Legislative Count	(2,000)	(2,000)
Personal Services	99,142	106,309
All Other	10,711	11,065
Unallocated	184,660	189,277
Total	294,513	306,651

New Initiative: Allocates funds from the Maine Solid Waste Management Fund for sampling and analytical work and other program activities.

Other Special Revenue Funds	2001-02	2002-03
All Other	203,723	203,723
Capital Expenditures	28,000	28,000
Total	231,723	231,723

New Initiative: Allocates funds for analytical and diagnostic equipment used in remedial activities.

Federal Expenditures Fund	2001-02	2002-03
Capital Expenditures	15,000	
Total	15,000	

New Initiative: Allocates funds for Capital Expenditures to ensure proper storage, transport, safety, sampling and response clean-up capacity.

Other Special Revenue Funds	2001-02	2002-03
Capital Expenditures	57,834	9,500
Total	57,834	9,500

New Initiative: Allocates funds for analytical and diagnostic equipment used in remedial activities.

Other Special Revenue Funds	2001-02	2002-03
Capital Expenditures	25,000	
Total	25,000	

New Initiative: Allocates funds for Capital Expenditures to ensure safety, proper storage, sampling and response clean-up capacity.

Other Special Revenue Funds	2001-02	2002-03
Capital Expenditures	421,834	241,700
Total	421,834	241,700

New Initiative: Allocates funds for Capital Expenditures to ensure proper storage, safety, sampling and response clean-up capacity.

Other Special Revenue Funds	2001-02	2002-03
Capital Expenditures	68,434	25,500
Total	68,434	25,500

New Initiative: Allocates funds for one Senior Geologist position and one Environmental Specialist III position to oversee groundwater contamination remediation in the eastern region of the State.

Other Special Revenue Funds	2001-02	2002-03
Positions - Legislative Count	(2,000)	(2,000)
Personal Services	113,214	121,427
All Other	2,108	2,260
Total	115,322	123,687

Solid Waste Management

New Initiative: Transfers out 2 positions and associated All Other to the Solid Waste account, consistent with prior program mergers.

Other Special Revenue Funds	2001-02	2002-03
Positions - Legislative Count	(-2,000)	(-2,000)
Personal Services	(99,142)	(106,309)
All Other	(10,711)	(11,065)
Unallocated	(184,660)	(189,277)
Total	(294,513)	(306,651)

Performance Partnership Grant

New Initiative: Transfers out 2 Central Service positions to the Dedicated Overhead Account - DEP Administration to align function with funding.

Federal Expenditures Fund	2001-02	2002-03
Positions - Legislative Count	(-2,000)	(-2,000)
Personal Services	(113,579)	(120,481)
All Other	(2,114)	(2,243)
Total	(115,693)	(122,724)

New Initiative: Allocates funds for the continuation of one limited-period Environmental Specialist III position until June 7, 2003 to support groundwater supply database development and management.

Federal Expenditures Fund	2001-02	2002-03
Personal Services	49,884	53,485
All Other	929	996
Total	50,813	54,481

New Initiative: Allocates funds for the purchase of 2 portable video projection units for the Non Point Source Training Center and decreases the All Other.

Federal Expenditures Fund	2001-02	2002-03
All Other	(10,000)	
Capital Expenditures	10,000	
Total	0	

New Initiative: Transfers one Biologist I position from the Maine Environmental Protection Fund to the Federal Expenditures Fund to align function with funding.

Federal Expenditures Fund	2001-02	2002-03
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	54,540	55,844
All Other	1,015	1,040
Total	55,555	56,884

New Initiative: Funds one Biologist II position and lab costs to fulfill federal responsibilities to produce total maximum daily loads for lakes and associated streams.

Federal Expenditures Fund	2001-02	2002-03
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	62,546	66,586
All Other	57,188	57,263
Total	119,734	123,849

New Initiative: Funds the continuation of one limited-period Environmental Specialist II position until June 7, 2003 for groundwater database quality assurance.

Federal Expenditures Fund	2001-02	2002-03
Personal Services	44,890	48,072
All Other	3,382	3,441
Total	48,272	51,513

New Initiative: Transfers a GIS Coordinator position from the Federal Expenditures Fund to the Groundwater Oil Clean-Up Fund for alignment of function with funding.

Federal Expenditures Fund	2001-02	2002-03
Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(46,326)	(49,880)
All Other	(862)	(929)
Total	(47,188)	(50,809)

New Initiative: Funds one ES III position for watershed management efforts and nonpoint source pollution prevention projects in Atlantic salmon watersheds in the eastern portion of the State.

Federal Expenditures Fund	2001-02	2002-03
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	59,545	61,453
All Other	6,202	6,237
Total	65,747	67,690

Maine Environmental Protection Fund

New Initiative: Transfers out one Biologist I position from the Maine Environmental Protection Fund to the Performance Partnership Grant to align function with funding.

Other Special Revenue Funds	2001-02	2002-03
Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(54,540)	(55,844)
All Other	(1,015)	(1,040)
Total	(55,555)	(56,884)

Administration, Environmental Protection

New Initiative: Transfers in 2 Central Service positions from the Federal Expenditures Fund and one from the Groundwater Oil Clean-up Fund to align function with funding.

Other Special Revenue Funds	2001-02	2002-03
Positions - Legislative Count	(3,000)	(3,000)
Personal Services	143,138	151,908
All Other	2,664	2,828
Total	145,802	154,736

Administrative Service Center

New Initiative: Allocates funds for the reorganization of the accounting staff at ACE Service Center.

Other Special Revenue Funds	2001-02	2002-03
Personal Services	11,181	11,471
All Other	591	606
Total	11,772	12,077

Land and Water Quality

New Initiative: Allocates All Other funds in the Coastal Zone Management Grant account to align expenditures with grant funding resources.

Federal Expenditures Fund	2001-02	2002-03
All Other	49,999	49,999
Total	49,999	49,999

New Initiative: Allocates funds for the continuation of 2 Environmental Specialist II positions until December 31, 2001 as project positions to complete field work in the DHS/DEP Groundwater GIS field location study.

Federal Expenditures Fund	2001-02	2002-03
Personal Services	47,463	
All Other	884	
Total	48,347	

New Initiative: Allocates funds for the Stormwater Compensation Fund.

Federal Expenditures Fund	2001-02	2002-03
All Other	50,000	
Total	50,000	

Remediation and Waste Management

New Initiative: Reorganizes a Planning and Research Associate I position to a Management Analyst II position.

General Fund	2001-02	2002-03
Personal Services	1,423	2,949
All Other	(1,423)	(2,949)
Total	0	0

New Initiative: Deallocates funds for a transfer of a Conservation Aide position from the Remediation program to the Maine Environmental Protection Fund program to align function with funding.

Federal Expenditures Fund	2001-02	2002-03
Positions - Other Count	(-0,500)	(-0,500)
Personal Services	(16,185)	(17,303)
All Other	(301)	(322)
Total	(16,486)	(17,625)

New Initiative: Allocates Personal Services funds to establish a Project Environmental Specialist II position through June 8, 2002.

Other Special Revenue Funds	2001-02	2002-03
Personal Services	44,890	
All Other	836	
Total	45,726	

Performance Partnership Grant

New Initiative: Allocates funds from the EPA One-Stop Program providing improvements on integrated workflow and data management. A limited-period Natural Resource Program Manager position is authorized until June 7, 2003.

Federal Expenditures Fund	2001-02	2002-03
Personal Services	68,307	73,243
All Other	316,171	1,363
Total	384,478	74,606

New Initiative: Allocates funds for the establishment of one limited-period Environmental Specialist III position until June 7, 2003 to take corrective action on clean-up sites.

Federal Expenditures Fund	2001-02	2002-03
Personal Services	51,674	55,451
All Other	962	1,032
Total	52,636	56,483

New Initiative: Allocates funds for the continuation of one limited-period Environmental Specialist III position until June 7, 2003 to support groundwater supply database development and management.

Federal Expenditures Fund	2001-02	2002-03
Personal Services	49,884	53,485
All Other	929	996
Total	50,813	54,481

Maine Environmental Protection Fund

New Initiative: Allocates funds for the transfer of a Conservation Aide position from the Remediation program to the Maine Environmental Protection Fund program to align function with funding.

Other Special Revenue Funds	2001-02	2002-03
Positions - Other Count	(0,500)	(0,500)
Personal Services	16,185	17,303
All Other	301	322
Total	16,486	17,625

New Initiative: Allocates funds for the transfer of an Environmental Specialist IV position from the Administrative Overhead program to the Maine Environmental Protection Fund program to align function with funding.

Other Special Revenue Funds	2001-02	2002-03
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	64,885	69,591
All Other	1,208	1,296
Total	66,093	70,887

Administration - Environmental Protection

New Initiative: Deallocates funds for the transfer of an Environmental Specialist IV position from the Administrative Overhead program to the Maine Environmental Protection Fund program to align function with funding.

Federal Expenditures Fund	2001-02	2002-03
Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(64,885)	(69,591)
All Other	(1,208)	(1,296)
Total	(66,093)	(70,887)

Administrative Service Center

New Initiative: Allocates funds for the Department of Environmental Protection's share of the management-initiated reclassification of the Director of Administrative Services position at the ACE Service Center as part of a planned reorganization.

Other Special Revenue Funds	2001-02	2002-03
Personal Services	9,210	9,320
All Other	486	492
Total	9,696	9,812

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Department Totals	2001-02	2002-03
Department Summary - All Funds	1,923,180	1,187,101
Department Summary - General Fund	0	0
Department Summary - Federal Expenditures Fund	745,934	327,941
Department Summary - Other Special Revenue Funds	1,177,246	859,160

EXECUTIVE DEPARTMENT - STATE PLANNING OFFICE

Planning Office - Smart Growth Initiative

New Initiative: Establishes a limited-period Senior Planner position to assist in managing increased grant and planning activities under the smart growth initiative.

General Fund	2001-02	2002-03
Personal Services	65,170	21,196

All Other	(65,170)	(21,196)
Total	<u>0</u>	<u>0</u>

State Planning Office

New Initiative: Provides an allocation for approved reclassifications of an Accountant I position and an Account Clerk II position to Senior Staff Accountant and Staff Accountant.

Federal Expenditures Fund	2001-02	2002-03
Personal Services	2,312	4,624
Total	<u>2,312</u>	<u>4,624</u>

EXECUTIVE DEPARTMENT - STATE PLANNING OFFICE

Department Totals	2001-02	2002-03
Department Summary - All Funds	2,312	4,624
Department Summary - General Fund	0	0
Department Summary - Federal Expenditures Fund	2,312	4,624

GOVERNOR BAXTER SCHOOL

Governor Baxter School for the Deaf

New Initiative: Establishes one Literacy Teacher position, full time; 8 seasonal Teaching Assistant for the Deaf positions; one seasonal Information System Support Specialist position; and adds 484 hours to an existing seasonal Information System Support Specialist position.

General Fund	2001-02	2002-03
Positions - Legislative Count	(1,000)	
Positions - FTE Count	(7,675)	
Personal Services	263,172	
All Other		272,338
Total	<u>263,172</u>	<u>272,338</u>

GOVERNOR BAXTER SCHOOL

Department Totals	2001-02	2002-03
Department Summary - All Funds	263,172	272,338
Department Summary - General Fund	263,172	272,338

MAINE HEALTH DATA ORGANIZATION

Maine Health Data Organization

New Initiative: Link maternal and child health national core performance and outcomes data with hospital clinical data of the State.

Federal Expenditures Fund	2001-02	2002-03
All Other	58,300	58,300
Total	<u>58,300</u>	<u>58,300</u>

MAINE HEALTH DATA ORGANIZATION

Department Totals	2001-02	2002-03
Department Summary - All Funds	58,300	58,300
Department Summary - Federal Expenditures Fund	58,300	58,300

HUMAN SERVICES, DEPARTMENT OF

Office of Management and Budget

New Initiative: Transfers one Information System Support Specialist position and one Information System Support Specialist II position from the Federal Project Grants account.

Federal Expenditures Fund	2001-02	2002-03
Positions - Legislative Count	(2,000)	(2,000)
Personal Services	91,090	93,822
Total	<u>91,090</u>	<u>93,822</u>

New Initiative: Transfers one Clerk Typist II position from the Statistics Project Federal Grant to the Vital Records account.

Other Special Revenue Funds	2001-02	2002-03
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	37,285	39,150
Total	<u>37,285</u>	<u>39,150</u>

OMB Operations - Regional

New Initiative: Installs foreign language computer kiosks in public reception areas in Portland, Biddeford and Lewiston offices to facilitate communications with non-English speaking clients.

Federal Expenditures Fund	2001-02	2002-03
All Other	50,000	
Total	<u>50,000</u>	

New Initiative: Replaces outdated technology equipment in support of services and programs in client service offices.

Federal Expenditures Fund	2001-02	2002-03
All Other	43,160	
Total	<u>43,160</u>	

Purchased Social Services

New Initiative: Transfers the Community Intervention program to Child Welfare Services.

General Fund	2001-02	2002-03
All Other	(3,310,000)	(3,310,000)
Total	<u>(3,310,000)</u>	<u>(3,310,000)</u>

New Initiative: Transfers grants to the Purchased Social Services program from the Bureau of Child and Family Services.

Federal Expenditures Fund	2001-02	2002-03
All Other	3,959,227	3,959,227
Total	<u>3,959,227</u>	<u>3,959,227</u>

Child Care Services

New Initiative: Allocates Child Care Development Fund grant increases to increasing child care vouchers and slots for families transitioning off TANF.

Federal Block Grant Fund	2001-02	2002-03
All Other	1,662,302	1,662,302
Total	<u>1,662,302</u>	<u>1,662,302</u>

Community Services Block Grant

New Initiative: Allocates increased Community Services Block Grant funds to provide case management services to low-income families with multiple barriers to self-sufficiency.

Federal Block Grant Fund	2001-02	2002-03
All Other	159,857	159,857
Total	<u>159,857</u>	<u>159,857</u>

Bureau of Child and Family Services - Central

New Initiative: Transfers the federal discretionary grants to the Community Services Center, including Crimes Victims Assistance, Ryan White, Family Violence Prevention and Health Systems.

Federal Expenditures Fund	2001-02	2002-03
All Other	(3,228,098)	(3,228,098)
Total	<u>(3,228,098)</u>	<u>(3,228,098)</u>

New Initiative: Transfers the Refugee Resettlement Social Services, the Refugee Targeted Assistance and the Refugee Cash and Medical grants to the Community Services Center.

Federal Expenditures Fund	2001-02	2002-03
All Other	(731,129)	(731,139)
Total	<u>(731,129)</u>	<u>(731,139)</u>

Foster Care

New Initiative: Expands the Statewide Youth Leadership Building, Rapid Evaluation, Family Connections Kinship, Maine Caring Families and Supported Family Services programs.

Federal Expenditures Fund	2001-02	2002-03
All Other	356,494	397,575
Total	<u>356,494</u>	<u>397,575</u>

Child Welfare Services

New Initiative: Transfers funds from the Purchased Social Services account for the Community Intervention program.

General Fund	2001-02	2002-03
All Other	3,310,000	3,310,000
Total	<u>3,310,000</u>	<u>3,310,000</u>

Elder and Adult Services - Bureau of

New Initiative: Transfers 19 positions in the Assisted Living Unit from the Bureau of Medical Services to the Bureau of Elder and Adult Services. A position listing is on file in the Bureau of the Budget.

General Fund	2001-02	2002-03
Positions - Legislative Count	(8,000)	(8,000)
Personal Services	413,310	414,754
All Other	122,500	122,500
Total	<u>535,810</u>	<u>537,254</u>

Federal Expenditures Fund	2001-02	2002-03
Positions - Legislative Count	(10,000)	(10,000)
Personal Services	506,982	510,755
All Other	30,000	30,000
Total	<u>536,982</u>	<u>540,755</u>

Health - Bureau of

New Initiative: Provides a state match for breast and cervical cancer screening services to support community outreach and media.

General Fund	2001-02	2002-03
All Other	350,000	380,000
Total	<u>350,000</u>	<u>380,000</u>

New Initiative: Addresses asthma from a public health perspective, develops surveillance system, coordinates services and activities, improves access to care and prevention services.

Federal Expenditures Fund	2001-02	2002-03
All Other	188,758	188,758
Total	<u>188,758</u>	<u>188,758</u>

New Initiative: Allocates a cardiovascular disease federal grant and establishes one Cardiovascular Health Epidemiologist position required by the grant.

Federal Expenditures Fund	2001-02	2002-03
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	113,693	119,378
All Other	1,086,307	1,080,622
Total	<u>1,200,000</u>	<u>1,200,000</u>

New Initiative: Establishes one Public Health Educator III position and one Planning and Research Associate II position in the Immunization program to protect at-risk adults from preventable disability or death from diseases such as influenza, pneumonia and hepatitis.

Federal Expenditures Fund	2001-02	2002-03
Positions - Legislative Count	(2,000)	(2,000)
Personal Services	93,028	97,679
Total	93,028	97,679

New Initiative: Establishes one Public Health Physician position to support bioterrorism surveillance and acute epidemiology response.

Federal Expenditures Fund	2001-02	2002-03
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	94,584	99,313
All Other	5,416	687
Total	100,000	100,000

New Initiative: Establishes one Public Health Nurse II position to provide quality assurance and quality improvement oversight and ongoing professional education to contractors in community-based organizations.

Federal Expenditures Fund	2001-02	2002-03
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	43,214	44,904
Total	43,214	44,904

New Initiative: Upgrades one Programmer Analyst position to a Senior Programmer Analyst position and one Clerk Typist II position to a Clerk Typist III position within the Immunization program.

Federal Expenditures Fund	2001-02	2002-03
Personal Services	18,664	19,597
Total	18,664	19,597

New Initiative: Transfers one Clerk Typist II position from the Statistical Projects Program to the Office of Vital Statistics in the Office of Management and Budget.

Federal Expenditures Fund	2001-02	2002-03
Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(37,285)	(39,150)
Total	(37,285)	(39,150)

New Initiative: Transfers one Medical Secretary position from Federal Project Grants to the Maternal and Child Health Block Grant.

Federal Expenditures Fund	2001-02	2002-03
Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(33,923)	(35,619)
Total	(33,923)	(35,619)

New Initiative: Transfers one Information Support Specialist position and one Information Support Specialist II position to the Office of Management and Budget Central.

Federal Expenditures Fund	2001-02	2002-03
Positions - Legislative Count	(-2,000)	(-2,000)
Personal Services	(91,090)	(93,822)
Total	(91,090)	(93,822)

New Initiative: Provides funding for position upgrades in the Health and Environmental Testing Laboratory to reflect the increased complexity of accepting, processing and testing samples. Position listing is on file in the Bureau of the Budget.

Other Special Revenue Funds	2001-02	2002-03
Personal Services	21,000	21,840
Total	21,000	21,840

New Initiative: Establishes one Chemist I position in the Health and Environmental Testing Laboratory to do chemical testing of drug enforcement samples.

Other Special Revenue Funds	2001-02	2002-03
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	54,756	56,946
All Other	50,000	54,000
Total	104,756	110,946

Plumbing - Control Over

New Initiative: Upgrades one Sanitarian II position to an Environmental Specialist II position in the Control Over Plumbing program.

Other Special Revenue Funds	2001-02	2002-03
Personal Services	2,171	2,279
Total	2,171	2,279

New Initiative: Upgrades one Health Program Manager position to a Director of Wastewater and Plumbing Control position in the Control Over Plumbing program.

Other Special Revenue Funds	2001-02	2002-03
Personal Services	15,841	16,634
Total	15,841	16,634

Maternal and Child Health

New Initiative: Upgrades one previously approved Clerk III position to a Research Assistant position.

Federal Block Grant Fund	2001-02	2002-03
Personal Services	1,353	1,421
Total	1,353	1,421

New Initiative: Transfers one Medical Secretary position from Federal Project Grants to the Maternal and Child Health Block Grant.

Federal Block Grant Fund	2001-02	2002-03
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	33,923	35,619

Total	33,923	35,619
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Special Children's Services

New Initiative: Upgrades one Public Health Nurse I position to a Children with Special Health Needs Coordinator position.

Federal Block Grant Fund	2001-02	2002-03
Personal Services	6,410	6,731
Total	6,410	6,731

Drinking Water Enforcement

New Initiative: Upgrades one Paralegal Assistant position to an Environmental Specialist IV position in the Drinking Water Program.

Other Special Revenue Funds	2001-02	2002-03
Personal Services	5,420	5,691
Total	5,420	5,691

New Initiative: Upgrades one Environmental Engineer position to a Sanitary Engineer II position.

Other Special Revenue Funds	2001-02	2002-03
Personal Services	10,088	10,592
Total	10,088	10,592

Additional Support for Persons in Retraining and Employment

New Initiative: Transfers Federal Block Grant Funds from the General Assistance program to the ASPIRE program to assist TANF recipients with support services.

Federal Block Grant Fund	2001-02	2002-03
All Other	700,000	700,000
Total	700,000	700,000

New Initiative: Transfers 7 Human Services Aide III positions from the Federal Expenditures Fund to the Federal Block Grant Fund in ASPIRE.

Federal Expenditures Fund	2001-02	2002-03
Positions - Legislative Count	(-7,000)	(-7,000)
Personal Services	(242,625)	(242,625)
All Other	(21,000)	(21,000)
Total	(263,625)	(263,625)

Federal Block Grant Fund	2001-02	2002-03
Positions - Legislative Count	(7,000)	(7,000)
Personal Services	242,625	242,625
All Other	21,000	21,000
Total	263,625	263,625

Bureau of Family Independence - Central

New Initiative: Implements the electronic benefit transfer (EBT) system for the distribution of food

stamps and cash benefits to public assistance recipients.

General Fund	2001-02	2002-03
All Other	550,000	482,000
Total	550,000	482,000

Federal Expenditures Fund	2001-02	2002-03
All Other	550,000	482,000
Total	550,000	482,000

General Assistance - Reimbursement to Cities and Towns

New Initiative: Transfers Federal Block Grant Funds from the General Assistance program to the ASPIRE program to assist TANF recipients with support services.

Federal Block Grant Fund	2001-02	2002-03
All Other	(700,000)	(700,000)
Total	(700,000)	(700,000)

Bureau of Medical Services

New Initiative: Transfers 19 positions in the Assisted Living Unit from the Bureau of Medical Services to the Bureau of Elder and Adult Services. A position listing is on file in the Bureau of the Budget.

General Fund	2001-02	2002-03
Positions - Legislative Count	(-8,000)	(-8,000)
Personal Services	(413,310)	(414,754)
All Other	(122,500)	(122,500)
Total	(535,810)	(537,254)

Federal Expenditures Fund	2001-02	2002-03
Positions - Legislative Count	(-10,000)	(-10,000)
Personal Services	(506,982)	(510,755)
All Other	(30,000)	(30,000)
Total	(536,982)	(540,755)

New Initiative: Establishes 4 Health Services Consultant positions to accomplish increased federal long-term care complaint investigations.

Federal Expenditures Fund	2001-02	2002-03
Positions - Legislative Count	(4,000)	(4,000)
Personal Services	176,423	183,396
All Other	50,637	33,634
Total	227,060	217,030

Community Services Center

New Initiative: Transfers 3 Social Services Program Specialist I positions (#00-4356; #00-4368; and #90-005) to the Department of Mental Health, Mental Retardation and Substance Abuse Services.

General Fund	2001-02	2002-03
Positions - Legislative Count	(-3,000)	(-3,000)
Personal Services	(154,626)	(156,865)

All Other	(10,434)	(10,746)
Total	<u>(165,060)</u>	<u>(167,611)</u>

Bureau of Medical Services

New Initiative: Reorganizes an Account Clerk I position (#10-1891) to a Clerk III position and Health Care Financial Analyst positions (#00-1917 and #00-2156) to Financial Analyst positions.

Federal Expenditures Fund	2001-02	2002-03
Personal Services	16,678	17,513
Total	<u>16,678</u>	<u>17,513</u>

Elder and Adult Services, Bureau of

New Initiative: Allocates funds for the purpose of implementing the Family Caregiver Support Program.

Federal Expenditures Fund	2001-02	2002-03
All Other	564,300	564,300
Total	<u>564,300</u>	<u>564,300</u>

New Initiative: Establishes a Caseworker position to comply with the AMHI Consent Decree requiring active caseloads for caseworkers not to exceed 25 cases. This position is funded 50% by the Department of Mental Health, Mental Retardation and Substance Abuse Services.

General Fund	2001-02	2002-03
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	43,057	45,261
All Other	(21,529)	(22,630)
Total	<u>21,528</u>	<u>22,631</u>

Health, Bureau of

New Initiative: Allocates funds for the reorganization of Position #00-2402 from an Accountant II position to a Staff Accountant position.

Federal Expenditures Fund	2001-02	2002-03
Personal Services	1,677	1,749
Total	<u>1,677</u>	<u>1,749</u>

New Initiative: Deallocates funds to correct a budgeting error. The allocation should have been straight lined from fiscal year 2000-01.

Other Special Revenue Funds	2001-02	2002-03
All Other	(205,780)	(410,404)
Total	<u>(205,780)</u>	<u>(410,404)</u>

Child Care Services

New Initiative: Allocates funds in the Child Care Development Block Grant based on increases in the grant award.

Federal Block Grant Fund	2001-02	2002-03
All Other	3,760,874	3,760,874
Total	<u>3,760,874</u>	<u>3,760,874</u>

Community Services Block Grant

New Initiative: Allocates funds in the Community Services Block Grant based on an increase in the grant award.

Federal Block Grant Fund	2001-02	2002-03
All Other	383,558	383,558
Total	<u>383,558</u>	<u>383,558</u>

Drinking Water Enforcement

New Initiative: Allocates funds to establish 4 Environmental Specialist II positions, one Environmental Specialist III position and one Assistant Engineering position. Existing staff is not able to meet the needs of the program nor the demands set by Congress and the United States Environmental Protection Agency.

Other Special Revenue Funds	2001-02	2002-03
Positions - Legislative Count	(6,000)	(6,000)
Personal Services	283,390	297,560
All Other	24,000	24,000
Total	<u>307,390</u>	<u>321,560</u>

Human Leukocyte Antigen Screening Fund

New Initiative: Allocates funds in the Human Leukocyte Antigen Screening Fund based on taxpayer refunds designated for this purpose.

Other Special Revenue Funds	2001-02	2002-03
All Other	50,000	50,000
Total	<u>50,000</u>	<u>50,000</u>

Medical Care - Payments to Providers

New Initiative: To transfer the low-cost drugs for the elderly program to the Medical Care - Payments to Providers account.

General Fund	2001-02	2002-03
All Other	7,973,198	9,768,198
Total	<u>7,973,198</u>	<u>9,768,198</u>

Other Special Revenue Funds	2001-02	2002-03
All Other	10,000,000	10,000,000
Total	<u>10,000,000</u>	<u>10,000,000</u>

New Initiative: Allocates funds for the federal match for Medicaid services seeded by the Department of Mental Health, Mental Retardation and Substance Abuse Services.

Federal Expenditures Fund	2001-02	2002-03
All Other	1,875,998	2,156,411

Total	1,875,998	2,156,411
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Low-cost Drugs for Maine's Elderly

New Initiative: To transfer the low-cost drugs for the elderly program to the Medical Care - Payments to Providers account.

General Fund	2001-02	2002-03
All Other	(7,973,198)	(9,768,198)
Total	(7,973,198)	(9,768,198)
Other Special Revenue Funds	2001-02	2002-03
All Other	(10,000,000)	(10,000,000)
Total	(10,000,000)	(10,000,000)

HUMAN SERVICES, DEPARTMENT OF

Department Totals	2001-02	2002-03
Department Summary - All Funds	12,370,739	12,308,407
Department Summary - General Fund	756,468	717,020
Department Summary - Federal Expenditures Fund	4,994,198	5,149,112
Department Summary - Other Special Revenue Funds	348,171	168,288
Department Summary - Federal Block Grant Fund	6,271,902	6,273,987

INDIAN TRIBAL-STATE COMMISSION, MAINE

Maine Indian Tribal-State Commission

New Initiative: Continues a one-time biennial appropriation enacted by the 119th Legislature to support the involvement of Maliseet and Micmac representatives in MITSC's work.

General Fund	2001-02	2002-03
All Other	15,000	15,000
Total	15,000	15,000

INDIAN TRIBAL-STATE COMMISSION, MAINE

Department Totals	2001-02	2002-03
Department Summary - All Funds	15,000	15,000
Department Summary - General Fund	15,000	15,000

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF

Resource Management Services

New Initiative: Establishes a Biologist II position to oversee the maintenance of roads, bridges, dams, buildings and property lines and to implement wildlife habitat and forest management on department lands.

Other Special Revenue Funds	2001-02	2002-03
Positions - Legislative Count		(1,000)
Personal Services		61,519
All Other		1,481

Capital Expenditures	12,000
Total	75,000

Public Information and Education, Division of

New Initiative: Manage the Hunter Safety program through a transfer of this program from the Warden Service.

General Fund	2001-02	2002-03
Positions - Legislative Count	(3,000)	(3,000)
Positions - FTE Count	(2,885)	(2,885)
Personal Services	167,730	173,422
All Other	20,820	20,708

Total	188,550	194,130
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Federal Expenditures Fund

Personal Services	65,000	65,000
All Other	100,000	100,000

Total	165,000	165,000
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Enforcement Operations

New Initiative: Transfer the Hunter Safety program to the Information and Education program.

General Fund	2001-02	2002-03
Positions - Legislative Count	(-2,000)	(-2,000)
Positions - FTE Count	(-3,966)	(-3,966)
Personal Services	(158,550)	(164,130)
All Other	(30,000)	(30,000)

Total	(188,550)	(194,130)
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Federal Expenditures Fund

Personal Services	(65,000)	(65,000)
All Other	(100,000)	(100,000)

Total	(165,000)	(165,000)
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INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF

Department Totals	2001-02	2002-03
Department Summary - All Funds	0	75,000
Department Summary - General Fund	0	0
Department Summary - Other Special Revenue Funds		75,000

JUDICIAL DEPARTMENT

Courts - Supreme, Superior and District

New Initiative: Establish 8 Financial Screener positions to provide screening for indigent legal services and deappropriate All Other funds currently used to contract for these services.

General Fund	2001-02	2002-03
Positions - Legislative Count		(8,000)
Personal Services		317,145
All Other		(187,624)

Total 129,521
 New Initiative: Provides for the replacement of 30 Contract Security positions with 30 state employees and the creation of 2 Regional Security Coordinator positions.

General Fund	2001-02	2002-03
Positions - Legislative Count		(32,000)
Personal Services		1,311,210
All Other		(507,354)
Total		803,856

New Initiative: Provides funds to establish 5 additional Assistant Court Clerks.

General Fund	2001-02	2002-03
Positions - Legislative Count		(5,000)
Personal Services		177,435
All Other		17,500
Total		194,935

New Initiative: Provides funds to continue a limited-period Court Appointed Special Advocate (CASA) Staff Attorney position through June 15, 2002.

Other Special Revenue Funds	2001-02	2002-03
Personal Services		59,508
All Other		3,000
Total		62,508

New Initiative: Establishes one part-time, limited-period Volunteer Coordinator position with an end date of June 14, 2003.

Other Special Revenue Funds	2001-02	2002-03
Personal Services		37,073
All Other		10,000
Total		47,073

JUDICIAL DEPARTMENT		
Department Totals	2001-02	2002-03
Department Summary - All Funds	109,581	1,177,329
Department Summary - General Fund		1,128,312
Department Summary - Other Special Revenue Funds	109,581	49,017

LABOR, DEPARTMENT OF

Employment Services Activity

New Initiative: Provides funding to maintain support for the public employment/labor exchange activities of the current 23 career centers.

General Fund	2001-02	2002-03
Personal Services		648,297
All Other		351,703
Total		1,000,000

Regulation and Enforcement

New Initiative: Transfers 1/2 of an Occupational Health Specialist position from an Other Special Revenue account and combines it with a like position held by the same person and funded from this federal account.

Federal Expenditures Fund	2001-02	2002-03
Positions - Legislative Count		(0,500)
Personal Services		28,882
Total		28,882

New Initiative: Allocates 1/2 of the expense of a Clerk Typist III position to an Other Special Revenue account because the federal OSHA has informed BLS that it will not allow additional clerical support to be funded by the grant.

Federal Expenditures Fund	2001-02	2002-03
Personal Services		(19,938)
All Other		19,938
Total		0

Safety Education and Training Programs

New Initiative: Transfers 1/2 of an Occupational Health Specialist position from this account to a federal account and combines it with a like position held by the same person.

Other Special Revenue Fund	2001-02	2002-03
Positions - Legislative Count		(-0,500)
Personal Services		(28,882)
Total		28,882
Total		0

New Initiative: Allocates 1/2 the expense of a Clerk Typist III position from a federal account because the federal OSHA has informed BLS that it will not allow additional clerical support to be funded by the grant.

Other Special Revenue Fund	2001-02	2002-03
Personal Services		19,938
All Other		(19,938)
Total		0

Labor Relations Board

New Initiative: Provides funds to increase a Clerk Stenographer III position from 32 to 40 hours per week. Per diem is requested for members attending meetings on administrative matters that can not be billed to particular parties.

General Fund	2001-02	2002-03
Personal Services		11,348
Total		11,348

Blind and Visually Impaired, Division for the

New Initiative: Provides for the elimination of one Employment and Training Specialist I position at range 17 and the creation of one Mobility and Orientation Instructor for the Blind position at range 22.

Federal Expenditures Fund	2001-02	2002-03
Personal Services	7,138	7,430
Total	<u>7,138</u>	<u>7,430</u>

New Initiative: Provides for the transfer of one Business Enterprise Program Assistant position from this federal funding source to an Other Special Revenue funding source.

Federal Expenditures Fund	2001-02	2002-03
Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(44,656)	(47,828)
All Other	44,656	47,828
Total	<u>0</u>	<u>0</u>

New Initiative: Provides for the elimination of one Business Enterprise Program Assistant position at pay range 20 and the creation of a Business Enterprise Program Aide position, so called, at pay range 17.

Other Special Revenue Fund	2001-02	2002-03
Personal Services	(3,834)	(4,059)
All Other	3,834	4,059
Total	<u>0</u>	<u>0</u>

New Initiative: Provides for the transfer of one Business Enterprise Program Assistant position to this account from the federal blind and visually impaired program.

Other Special Revenue Fund	2001-02	2002-03
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	44,656	47,828
Total	<u>44,656</u>	<u>47,828</u>

Blind and Visually Impaired, Division for the

New Initiative: Appropriates funds to support a supplemental grant to the Iris Network, formerly the Maine Center for the Blind, for the provision of independent living services to older blind and visually impaired clients. The funds will provide 3 rehabilitation teachers, to improve services to blind residents in underserved areas of the State. The division shall adopt a performance measure that states the response time, referral to intake, in these areas will be equal to the statewide average response time. By January 15, 2002, the division shall provide a report on the progress of meeting the performance measure to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Labor.

General Fund	2001-02	2002-03
All Other	150,000	150,000
Total	<u>150,000</u>	<u>150,000</u>

Maine Centers for Women, Work and Community

New Initiative: Appropriates funds for a 3% salary increase and accompanying personnel benefits increase for all current program staff.

General Fund	2001-02	2002-03
All Other	16,367	17,634
Total	<u>16,367</u>	<u>17,634</u>

LABOR, DEPARTMENT OF

Department Totals	2001-02	2002-03
Department Summary - All Funds	1,258,391	1,264,027
Department Summary - General Fund	1,177,715	1,179,379
Department Summary - Federal Expenditures Fund	36,020	36,820
Department Summary - Other Special Revenue Funds	44,656	47,828

MARINE RESOURCES, DEPARTMENT OF

Bureau of Resource Management

New Initiative: Establishes one Data Entry Specialist position to provide data entry support for various fisheries statistics.

General Fund	2001-02	2002-03
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	30,902	31,950
All Other	(30,902)	(31,950)
Total	<u>0</u>	<u>0</u>

New Initiative: Transfers out one Senior Programmer Analyst position to the Division of Administrative Services to accurately reflect program activities.

Federal Expenditures Fund	2001-02	2002-03
Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(75,356)	(75,356)
All Other	(1,507)	(1,507)
Total	<u>(76,863)</u>	<u>(76,863)</u>

Division of Administrative Services

New Initiative: Transfers in one Senior Programmer Analyst position from the Bureau of Resource Management to accurately reflect program activities.

Federal Expenditures Fund	2001-02	2002-03
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	75,356	75,356
All Other	1,507	1,507
Total	<u>76,863</u>	<u>76,863</u>

Bureau of Resource Management

New Initiative: Reorganizes 3 Marine Resource Specialist II positions to Marine Resource Scientist I positions to properly align class with job duties.

General Fund	2001-02	2002-03
Personal Services	6,213	11,982
All Other	(6,213)	(11,982)
Total	0	0

Bureau of Marine Patrol

New Initiative: Appropriates funds to reorganize one Secretary position to an Administrative Secretary position to properly align class with job duties.

General Fund	2001-02	2002-03
Personal Services	2,122	3,420
All Other	(2,122)	(3,420)
Total	0	0

Division of Community Resource Development

New Initiative: Appropriates funds to reorganize a Clerk Stenographer III position to a Planning and Research Associate I position to align class with job duties.

General Fund	2001-02	2002-03
Personal Services	1,847	3,244
All Other	(1,847)	(3,244)
Total	0	0

Bureau of Marine Patrol

New Initiative: Allocates funds to establish 2 Marine Patrol Specialist positions and support costs within the Bureau of Marine Patrol in order to facilitate implementation of a joint enforcement agreement with the United States Coast Guard.

Federal Expenditures Fund	2001-02	2002-03
Positions - Legislative Count	(2,000)	(2,000)
Personal Services	113,268	117,352
All Other	25,100	15,100
Total	138,368	132,452

New Initiative: Deallocates funds for 6 vacant part-time Marine Patrol Officer positions and support costs.

Other Special Revenue	2001-02	2002-03
Positions - FTE Count	(-1,892)	(-1,892)
Personal Services	(79,356)	(83,571)
All Other	(6,106)	(6,161)
Total	(85,462)	(89,732)

**MARINE RESOURCES,
DEPARTMENT OF**

Department Totals	2001-02	2002-03
Department Summary - All Funds	52,906	42,720

Department Summary - General Fund

Department Summary - General Fund	0	0
Department Summary - Federal Expenditures Fund	138,368	132,452
Department Summary - Other Special Revenue Funds	(85,462)	(89,732)

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

Regional Operations

New Initiative: Provides overhead costs for 3 Nurse III positions that perform utilization review for children's services.

General Fund	2001-02	2002-03
All Other	18,000	18,000
Total	18,000	18,000

New Initiative: Provides overhead costs for one Director of Psychology Services position and 2 Psychiatric Social Worker II positions needed to support the mental health services in the juvenile correctional facilities.

General Fund	2001-02	2002-03
All Other	27,000	18,000
Total	27,000	18,000

New Initiative: Provides operational costs for 22 positions needed to meet requirements of the community consent decree.

General Fund	2001-02	2002-03
All Other	198,000	132,000
Total	198,000	132,000

Mental Health Services - Children

New Initiative: Provides short-term residential services for children with mental retardation and/or autism to provide behavior stabilization and behavior management to prevent longer term and more costly out-of-home placement.

General Fund	2001-02	2002-03
All Other	150,000	150,000
Total	150,000	150,000

New Initiative: Continues 3 Nurse III positions that provide utilization review functions, which will end in June 2001. This request will generate \$57,496 in General Fund revenue in fiscal year 2001-02 and \$64,108 in fiscal year 2002-03.

General Fund	2001-02	2002-03
Positions - Legislative Count	(3,000)	(3,000)
Personal Services	176,563	182,741
Total	176,563	182,741

New Initiative: Establishes one Director of Psychology Services position and 2 Psychiatric Social Worker II positions to support mental health services in the juvenile correctional facilities. This request will generate \$52,586 in General Fund revenue in fiscal year 2001-02 and \$55,269 in fiscal year 2002-03.

General Fund	2001-02	2002-03
Positions - Legislative Count	(3,000)	(3,000)
Personal Services	148,288	156,231
Total	148,288	156,231

New Initiative: Provides specialized crisis services for children with mental retardation and/or autism to divert from costly out-of-home placements and hospitalizations.

General Fund	2001-02	2002-03
All Other	100,000	100,000
Total	100,000	100,000

New Initiative: Provides children's respite services.

General Fund	2001-02	2002-03
All Other	200,000	200,000
Total	200,000	200,000

Mental Health Services - Community Medicaid

New Initiative: Transfers funds to Mental Health Services - Children for the purpose of developing mobile crisis services for children with mental retardation and/or autism.

General Fund	2001-02	2002-03
All Other	(100,000)	(100,000)
Total	(100,000)	(100,000)

New Initiative: Transfers funds to Mental Health Services - Children for the purpose of developing respite services.

General Fund	2001-02	2002-03
All Other	(150,000)	
Total	(150,000)	

New Initiative: Transfers funds to Mental Health Services - Children to establish one Director of Psychology Services position and 2 Psychiatric Social Worker II positions to support mental health services in juvenile correctional facilities.

General Fund	2001-02	2002-03
All Other	(148,288)	(156,231)
Total	(148,288)	(156,231)

New Initiative: Transfers funds to Mental Health Services - Children for the purpose of continuing 3 Nurse III positions who provide utilization review.

General Fund	2001-02	2002-03
All Other	(176,563)	(182,741)
Total	(176,563)	(182,741)

New Initiative: Transfers funds to Medicaid Services - Mental Retardation for a residential treatment program for sexual offenders.

General Fund	2001-02	2002-03
All Other	(150,000)	(300,000)
Total	(150,000)	(300,000)

New Initiative: Transfers funds to Mental Health Services - Children for the purpose of developing short-term residential services for children with mental retardation and/or autism.

General Fund	2001-02	2002-03
All Other	(150,000)	(150,000)
Total	(150,000)	(150,000)

Bangor Mental Health Institute

New Initiative: Closure of Bangor Pre-Release.

General Fund	2001-02	2002-03
All Other	(231,568)	(231,568)
Total	(231,568)	(231,568)

New Initiative: Continues inpatient and outpatient pharmacy services at the Bangor Mental Health Institute.

Other Special Revenue Funds	2001-02	2002-03
All Other	26,509	26,509
Total	26,509	26,509

New Initiative: Establishes equity between nursing salaries of the Augusta Mental Health Institute and the Bangor Mental Health Institute.

Other Special Revenue Funds	2001-02	2002-03
Personal Services	71,316	75,528
Total	71,316	75,528

New Initiative: Provides for the deallocation of funds through a transfer to Disproportionate Share - Augusta Mental Health Institute for the purpose of reflecting one Licensed Practical Nurse position and one Nurse III position in the correct program.

Other Special Revenue Funds	2001-02	2002-03
Positions - Legislative Count	(-2,000)	(-2,000)
Personal Services	(69,767)	(70,346)
Total	(69,767)	(70,346)

Disproportionate Share - Augusta Mental Health Institute

New Initiative: Continues on-call physician coverage for nights and weekends at the Augusta Mental Health Institute.

General Fund	2001-02	2002-03
All Other	58,103	58,103
Total	<u>58,103</u>	<u>58,103</u>

New Initiative: Transfers funds from Disproportionate Share - Bangor Mental Health Institute for the purpose of reflecting one Licensed Practical Nurse position and one Nurse III position in the correct program.

General Fund	2001-02	2002-03
Personal Services	35,748	36,046
Total	<u>35,748</u>	<u>36,046</u>

Augusta Mental Health Institute

New Initiative: Continues on-call physician coverage for nights and weekends at Augusta Mental Health Institute.

Other Special Revenue Funds	2001-02	2002-03
All Other	113,393	113,393
Total	<u>113,393</u>	<u>113,393</u>

New Initiative: Transfers funds from Bangor Mental Health Institute for the purpose of reflecting one Licensed Practical Nurse and one Nurse III position in the correct account.

Other Special Revenue Funds	2001-02	2002-03
Positions - Legislative Count	(2,000)	(2,000)
Personal Services	69,767	70,346
Total	<u>69,767</u>	<u>70,346</u>

New Initiative: Continues using contract nurses at the Augusta Mental Health Institute.

Other Special Revenue Funds	2001-02	2002-03
All Other	261,306	
Total	<u>261,306</u>	

Disproportionate Share - Bangor Mental Health Institute

New Initiative: Continues inpatient and outpatient pharmacy services at the Bangor Mental Health Institute.

General Fund	2001-02	2002-03
All Other	18,111	18,111
Total	<u>18,111</u>	<u>18,111</u>

New Initiative: Establishes equity between nursing salaries of the Augusta Mental Health Institute and the Bangor Mental Health Institute.

General Fund	2001-02	2002-03
Personal Services	36,542	38,701

Total	<u>36,542</u>	<u>38,701</u>
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New Initiative: Transfers funds to Disproportionate Share - Augusta Mental Health Institute for the purpose of reflecting one Licensed Practical Nurse position and one Nurse III position in the correct program.

General Fund	2001-02	2002-03
Personal Services	(35,748)	(36,046)
Total	<u>(35,748)</u>	<u>(36,046)</u>

Mental Retardation Services - Community

New Initiative: Transfers funds to Medicaid Services - Mental Retardation for the purpose of developing a specialty team.

General Fund	2001-02	2002-03
All Other	(55,950)	(55,950)
Total	<u>(55,950)</u>	<u>(55,950)</u>

New Initiative: Transfers funds to Medicaid Services - Mental Retardation for home-and-community-based waiver expenditures.

General Fund	2001-02	2002-03
All Other	(1,615,438)	(1,615,438)
Total	<u>(1,615,438)</u>	<u>(1,615,438)</u>

New Initiative: Establishes 4 Social Service Program Specialist I positions, 6 Mental Health Worker II positions and 12 MHMR Caseworker positions in order to meet the requirements of the community consent decree. This initiative will increase General Fund undedicated revenue by \$1,442,787 in fiscal year 2001-02 and \$1,227,666 in fiscal year 2002-03.

General Fund	2001-02	2002-03
Positions - Legislative Count	(22,000)	(22,000)
Personal Services	863,696	894,073
All Other	180,000	180,000
Total	<u>1,043,696</u>	<u>1,074,073</u>

Medicaid Services - Mental Retardation

New Initiative: Develops a residential treatment program for sexual offenders who have cognitive impairments and have been found to be in need of intensive clinical services.

General Fund	2001-02	2002-03
All Other	150,000	300,000
Total	<u>150,000</u>	<u>300,000</u>

New Initiative: Develops a state team for medical, psychiatric and behavioral consultation assessment of persons with a variety of interrelated disabilities who pose significant and costly challenges to the system.

General Fund	2001-02	2002-03
All Other	55,950	55,950
Total	<u>55,950</u>	<u>55,950</u>

New Initiative: Transfers funds from Mental Retardation Services - Community for home-and-community-based waiver expenditures.

General Fund	2001-02	2002-03
All Other	1,615,438	1,615,438
Total	<u>1,615,438</u>	<u>1,615,438</u>

Office of Management and Budget

New Initiative: Transfers 3 Social Service Program Specialist I positions from the Department of Human Services for the purpose of licensing mental health and substance abuse programs.

General Fund	2001-02	2002-03
Positions - Legislative Count	(3,000)	(3,000)
Personal Services	154,626	156,865
All Other	10,434	10,746
Total	<u>165,060</u>	<u>167,611</u>

New Initiative: Provides an allocation from funding received from audit resolutions.

Federal Expenditures Fund	2001-02	2002-03
All Other	80,000	80,000
Total	<u>80,000</u>	<u>80,000</u>

Mental Health - Children

New Initiative: Provides funding to increase MHMR Caseworker positions one pay range pursuant to an arbitration award.

General Fund	2001-02	2002-03
Personal Services	168,225	65,380
Total	<u>168,225</u>	<u>65,380</u>

New Initiative: Increase in Community Mental Health Services block grant.

Federal Block Grant Fund	2001-02	2002-03
All Other	353,370	176,685
Total	<u>353,370</u>	<u>176,685</u>

New Initiative: Provides an allocation for federal funds earned through the department's cost allocation plan for mental retardation services.

Federal Expenditures Fund	2001-02	2002-03
All Other	40,000	40,000
Total	<u>40,000</u>	<u>40,000</u>

Mental Health Services - Community

New Initiative: Provides funding to increase MHMR Caseworker positions one pay range pursuant to an arbitration award.

General Fund	2001-02	2002-03
Personal Services	1,498	1,528
Total	<u>1,498</u>	<u>1,528</u>

New Initiative: Increase in Community Mental Health Services block grant.

Federal Block Grant Fund	2001-02	2002-03
All Other	171,126	85,563
Total	<u>171,126</u>	<u>85,563</u>

New Initiative: Transfer of funds to the Department of Human Services to establish one Caseworker position to comply with the AMHI Consent Decree requiring caseloads for caseworkers not to exceed 25 cases.

General Fund	2001-02	2002-03
All Other	(21,528)	(22,631)
Total	<u>(21,528)</u>	<u>(22,631)</u>

Bangor Mental Health Institute

New Initiative: Provides funding to increase MHMR Caseworker positions one pay range pursuant to an arbitration award.

Other Special Revenue Funds	2001-02	2002-03
All Other	996	1,017
Total	<u>996</u>	<u>1,017</u>

New Initiative: Provides funds to contract for nurse coverage due to difficulty in recruiting state employees.

Other Special Revenue Funds	2001-02	2002-03
All Other	262,670	
Total	<u>262,670</u>	

Disproportionate Share - Augusta Mental Health Institute

New Initiative: Continue on-call physician coverage for nights and weekends at the Augusta Mental Health Institute.

General Fund	2001-02	2002-03
All Other	37,242	38,359
Total	<u>37,242</u>	<u>38,359</u>

New Initiative: Establish one Physician III position and one Social Service Manager I position through a transfer from All Other to Personal Services.

General Fund	2001-02	2002-03
Personal Services	84,280	84,368
All Other	(84,280)	(84,368)

Total	0	0
New Initiative: Wage parity for dentists and hygienists.		
General Fund	2001-02	2002-03
All Other	40,543	41,220
Total	40,543	41,220

Augusta Mental Health Institute

New Initiative: Continue on-call physician coverage for nights and weekends at Augusta Mental Health Institute.

Other Special Revenue Funds	2001-02	2002-03
All Other	72,582	74,759
Total	72,582	74,759

New Initiative: Establish one Physician III position and one Social Service Manager I position through a transfer from All Other to Personal Services.

Other Special Revenue Funds	2001-02	2002-03
Positions - Legislative Count	(2,000)	(2,000)
Personal Services	164,480	170,370
All Other	(164,480)	(170,370)
Total	0	0

New Initiative: Wage parity for dentists and hygienists.

Other Special Revenue Funds	2001-02	2002-03
All Other	79,126	83,236
Total	79,126	83,236

New Initiative: Modernization of management information system.

Other Special Revenue Funds	2001-02	2002-03
All Other	44,222	7,484
Total	44,222	7,484

Disproportionate Share - Bangor Mental Health Institute

New Initiative: Provides funding to increase MHMR Caseworker positions one pay range pursuant to an arbitration award.

General Fund	2001-02	2002-03
Personal Services	502	511
Total	502	511

New Initiative: Purchase of a pharmacy system that measures and dispenses medications.

General Fund	2001-02	2002-03
All Other	21,864	21,790
Total	21,864	21,790

Mental Retardation Services - Community

New Initiative: Provides funding to increase MHMR Caseworker positions one pay range pursuant to an arbitration award.

General Fund	2001-02	2002-03
All Other	824,402	238,705
Total	824,402	238,705

Freeport Towne Square

New Initiative: Provides funding to increase MHMR Caseworker positions one pay range pursuant to an arbitration award.

General Fund	2001-02	2002-03
All Other	4,896	2,215
Total	4,896	2,215

Office of Substance Abuse

New Initiative: Increase in block grant.

Federal Block Grant Fund	2001-02	2002-03
All Other	300,000	300,000
Total	300,000	300,000

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

Department Totals	2001-02	2002-03
Department Summary - All Funds	4,337,204	2,944,282
Department Summary - General Fund	2,460,588	1,880,108
Department Summary - Other Special Revenue Funds	932,120	381,926
Department Summary - Federal Expenditures Fund	120,000	120,000
Department Summary - Federal Block Grant Fund	824,496	562,248

MUSEUM, MAINE STATE

Maine State Museum

New Initiative: Provides funds to establish one Assistant Director position, one Museum Technician I position and one part-time Museum Specialist II position and training, supplies, exhibit materials and other general operating costs.

General Fund	2001-02	2002-03
Positions - Legislative Count	(2,500)	(2,500)
Personal Services	123,733	129,178
All Other	75,000	75,000
Total	198,733	204,178

MUSEUM, MAINE STATE

Department Totals	2001-02	2002-03
Department Summary - All Funds	198,733	204,178
Department Summary - General Fund	198,733	204,178

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF

Administrative Services - Professional and Financial Regulation

New Initiative: Provides for the deallocation of funds, eliminates the Information Systems Support Technician position, #09270600105, and transfers the count to the Board of Dental Examiners.

Other Special Revenue Funds	2001-02	2002-03
Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(29,500)	(29,500)
Total	(29,500)	(29,500)

Licensing and Enforcement

New Initiative: Provides for an appropriation of funds for the Maine Athletic Commission to cover the anticipated shortfall in program operations in fiscal year 2001-02 and fiscal year 2002-03.

General Fund	2001-02	2002-03
All Other	18,000	10,900
Total	18,000	10,900

Dental Examiners - Board of

New Initiative: Provides for the allocation of funds to establish a Clerk Typist III position in the Board of Dental Examiners and transfers in a position count from the commissioner's office.

Other Special Revenue Funds	2001-02	2002-03
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	44,730	46,475
Total	44,730	46,475

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF

Department Totals	2001-02	2002-03
Department Summary - All Funds	33,230	27,875
Department Summary - General Fund	18,000	10,900
Department Summary - Other Special Revenue Funds	15,230	16,975

MAINE PUBLIC BROADCASTING CORPORATION

Maine Public Broadcasting Corporation

New Initiative: Appropriates additional funds for this program.

General Fund	2001-02	2002-03
All Other	36,166	36,166

Total	36,166	36,166
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MAINE PUBLIC BROADCASTING CORPORATION

Department Totals	2001-02	2002-03
Department Summary - All Funds	36,166	36,166
Department Summary - General Fund	36,166	36,166

PUBLIC SAFETY, DEPARTMENT OF

Liquor Enforcement

New Initiative: Transfer one Administrative Secretary position to the State Police.

General Fund	2001-02	2002-03
Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(42,058)	(43,244)
Total	(42,058)	(43,244)

New Initiative: Lease vehicles instead of purchasing.

General Fund	2001-02	2002-03
All Other	42,283	83,861
Capital Expenditures	(150,500)	(86,000)
Total	(108,217)	(2,139)

New Initiative: Transfer one Clerk Typist III position to Liquor Enforcement Program from the State Police.

General Fund	2001-02	2002-03
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	38,050	39,182
Total	38,050	39,182

New Initiative: Transfer one Administrative Secretary position from the Liquor Enforcement Program.

General Fund	2001-02	2002-03
Personal Services	16,930	17,408
Total	16,930	17,408

New Initiative: Transfer one Clerk Typist III position to the Liquor Enforcement Program.

General Fund	2001-02	2002-03
Personal Services	(15,317)	(15,773)
Total	(15,317)	(15,773)

Turnpike Enforcement

New Initiative: Establishment of 3 Emergency Communications Specialist positions necessary for 24-hour coverage.

Other Special Revenue Funds	2001-02	2002-03
Positions - Legislative Count	(3,000)	(3,000)
Personal Services	169,744	172,904
All Other	3,300	

Total	173,044	172,904
Licensing and Enforcement - Public Safety		
New Initiative: Establish a Lieutenant position to provide supervision.		
Other Special Revenue Funds	2001-02	2002-03
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	88,924	89,978
All Other	17,505	12,561
Capital Expenditures	26,500	
Total	132,929	102,539

Administration - Public Safety

New Initiative: Transfers one Planning and Research Associate II position from the Criminal Justice Academy and one Senior Planner position, one Planning and Research Associate II position and one Planning and Research Associate I position from Highway Safety.

Federal Expenditures Fund	2001-02	2002-03
Positions - Legislative Count	(4,000)	(4,000)
Personal Services	216,474	226,089
All Other	1,581	1,651
Total	218,055	227,740

New Initiative: Transfer in one Accounting Technician position from the Criminal Justice Academy and transfer out one Planning and Research Associate position to the Criminal Justice Academy.

Other Special Revenue Funds	2001-02	2002-03
Personal Services	5,707	6,062
All Other	42	44
Total	5,749	6,106

Emergency Medical Services

New Initiative: Transfers one Clerk Typist III position and one Public Health Educator III position from the Federal Block Grant Fund to the General Fund.

General Fund	2001-02	2002-03
Positions - Legislative Count	(2,000)	(2,000)
Personal Services	102,771	109,456
All Other	(7,771)	(14,456)
Total	95,000	95,000

Federal Block Grant Fund	2001-02	2002-03
Positions - Legislative Count	(-2,000)	(-2,000)
Personal Services	(97,366)	(101,929)
Total	(97,366)	(101,929)

Criminal Justice Academy

New Initiative: Transfers one Planning and Research Associate II position to the Administration program to

consolidate planning and research functions of the department.

Federal Expenditures Fund	2001-02	2002-03
Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(57,541)	(59,151)
All Other	(565)	(580)
Total	(58,106)	(59,731)

New Initiative: Transfer out one Accounting Technician position to the Administration program and transfer in one Planning and Research Associate position from the Administration program.

Other Special Revenue Funds	2001-02	2002-03
Personal Services	(5,707)	(6,062)
All Other	(56)	(59)
Total	(5,763)	(6,121)

New Initiative: Transfer of one Building Custodian position from the Academy to the Bureau of General Services.

Other Special Revenue Funds	2001-02	2002-03
Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(39,707)	(41,258)
All Other	(390)	(405)
Total	(40,097)	(41,663)

Highway Safety DPS

New Initiative: Transfers one Senior Planner position, one Planning and Research Associate I position and one Planning and Research Associate II position to Administration program to consolidate planning and research functions of the department.

Federal Expenditures Fund	2001-02	2002-03
Positions - Legislative Count	(-3,000)	(-3,000)
Personal Services	(158,933)	(166,937)
All Other	(1,515)	(1,592)
Total	(160,448)	(168,529)

**PUBLIC SAFETY,
DEPARTMENT OF**

Department Totals	2001-02	2002-03
Department Summary - All Funds	152,385	221,750
Department Summary - General Fund	(15,612)	90,434
Department Summary - Federal Expenditures Fund	(499)	(520)
Department Summary - Other Special Revenue Funds	265,862	233,765
Department Summary - Federal Block Grant Fund	(97,366)	(101,929)

TRANSPORTATION, DEPARTMENT OF

Ports and Marine Transportation

New Initiative: Appropriates funds to provide an operating subsidy for the Sunset Bay Ferry Company.

General Fund	2001-02	2002-03
All Other	5,000	5,000
Total	<u>5,000</u>	<u>5,000</u>

TRANSPORTATION, DEPARTMENT OF	2001,02	2002-03
Department Totals		
Department Summary - All Funds	5,000	5,000
Department Summary - General Fund	5,000	5,000

TREASURER OF STATE, OFFICE OF

Debt Service - Treasury

New Initiative: Provides for a reduction in funding representing a change in borrowing requirements for fiscal years 2001-02 and 2002-03.

General Fund	2001-02	2002-03
All Other	(3,297,505)	(112,581)
Total	<u>(3,297,505)</u>	<u>(112,581)</u>

TREASURER OF STATE, OFFICE OF	2001-02	2002-03
Department Totals		
Department Summary - All Funds	(3,297,505)	(112,581)
Department Summary - General Fund	(3,297,505)	(112,581)

UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE

Education and General Activities - UMS

New Initiative: Continues funding for applied research and development at the University of Maine System.

General Fund	2001-02	2002-03
All Other		2,000,000
Total		<u>2,000,000</u>

UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE	2001-02	2002-03
Department Totals		
Department Summary - All Funds		2,000,000
Department Summary - General Fund		2,000,000

	2001-02	2002-03
Section Summary - All Funds	54,585,398	59,973,567
Section Summary - General Fund	15,980,265	33,008,088
Section Summary - Federal Expenditures Fund	18,297,181	17,874,945
Section Summary - Other Special Revenue Funds	15,624,724	4,734,554
Section Summary - Federal Block		

Grant Funds	3,881,214	3,537,657
Section Summary - Postal Printing & Supply Fund	(78,394)	(82,314)
Section Summary - Office of Information Services Fund	719,889	733,900
Section Summary - Central Motor Pool	71,124	73,349
Section Summary - Real Property Lease Internal Service Fund	78,394	82,314
Section Summary - Prison Industries Fund	11,001	11,074

PART B

Sec. B-1. Appropriation. There are appropriated from the General Fund for the fiscal years ending June 30, 2002 and June 30, 2003 to the departments listed the sums identified in the following in order to provide funding for approved reclassifications and range changes.

	2001-02	2002-03
AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF		
Division of Animal Health and Industry		
Personal Services	\$4,302	\$5,560
All Other	(4,302)	(5,560)
TOTAL	<u>0</u>	<u>0</u>
Division of Quality Assurance and Regulation		
Personal Services	10,019	7,045
All Other	(10,019)	(7,045)
TOTAL	<u>0</u>	<u>0</u>
Harness Racing Commission		
Personal Services	2,897	3,312
All Other	(2,897)	(3,312)
TOTAL	<u>0</u>	<u>0</u>
DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES	<u>0</u>	<u>0</u>
TOTAL	<u>0</u>	<u>0</u>
CONSERVATION, DEPARTMENT OF		
Maine Land Use Regulation Commission		
Personal Services	13,345	15,769
All Other	(13,345)	(15,769)
TOTAL	<u>0</u>	<u>0</u>

DEPARTMENT OF CONSERVATION
TOTAL

	0	0
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CORRECTIONS, DEPARTMENT OF
Adult Community Corrections

Personal Services	5,218	5,282
All Other	(5,218)	(5,282)
TOTAL	0	0

Correctional Center

Personal Services	6,386	6,386
All Other	(6,386)	(6,386)
TOTAL	0	0

Downeast Correctional Facility

Personal Services	5,231	5,231
All Other	(5,231)	(5,231)
TOTAL	0	0

Juvenile Community Corrections

Personal Services	7,799	7,892
All Other	(7,799)	(7,892)
TOTAL	0	0

DEPARTMENT OF CORRECTIONS
TOTAL

	0	0
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DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF
Military Training and Operations

Personal Services	3,436	3,398
All Other	(3,436)	(3,398)
TOTAL	0	0

Veterans Services

Personal Services	6,655	8,875
All Other	(6,655)	(8,875)
TOTAL	0	0

DEPARTMENT OF DEFENSE, VETERANS AND EMERGENCY MANAGEMENT
TOTAL

	0	0
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EDUCATION, DEPARTMENT OF
Management Information Systems

Personal Services	2,142	2,218
All Other	(2,142)	(2,218)
TOTAL	0	0

Support Systems

Personal Services	21,612	12,830
All Other	(21,612)	(12,830)
TOTAL	0	0

DEPARTMENT OF EDUCATION
TOTAL

	0	0
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EXECUTIVE DEPARTMENT
Planning Office

Personal Services	12,258	10,385
All Other	(12,258)	(10,385)
TOTAL	0	0

EXECUTIVE DEPARTMENT
TOTAL

	0	0
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HUMAN SERVICES, DEPARTMENT OF
Bureau of Child and Family Services - Central

Personal Services	8,700	3,600
All Other	(8,700)	(3,600)
TOTAL	0	0

Bureau of Child and Family Services - Regional

Personal Services	2,200	4,600
All Other	(2,200)	(4,600)
TOTAL	0	0

Bureau of Medical Services

Personal Services	15,890	12,550
All Other	(15,890)	(12,550)
TOTAL	0	0

Bureau of Health

Personal Services	17,430	15,015
All Other	(17,430)	(15,015)
TOTAL	0	0

Office of Management and Budget

Personal Services	4,900	2,600
All Other	(4,900)	(2,600)
TOTAL	0	0

OMB Operations - Regional

Personal Services	11,590	5,720
All Other	(11,590)	(5,720)
TOTAL	0	0

DEPARTMENT OF HUMAN SERVICES

TOTAL	0	0
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INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF

Enforcement Operations - Inland Fisheries and Wildlife

Personal Services	3,996	2,406
All Other	(3,996)	(2,406)
TOTAL	0	0

Office of the Commissioner - Inland Fisheries and Wildlife

Personal Services	3,379	3,420
All Other	(3,379)	(3,420)
TOTAL	0	0

DEPARTMENT OF INLAND FISHERIES AND WILDLIFE

TOTAL	0	0
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MARINE RESOURCES, DEPARTMENT OF

Bureau of Resource Management

Personal Services	10,011	4,994
All Other	(5,011)	(4,994)
Capital Expenditures	(5,000)	
TOTAL	0	0

Division of Administrative Services

Personal Services	12,247	7,802
All Other	(12,247)	(7,802)
TOTAL	0	0

Bureau of Marine Patrol

Personal Services	55,057	33,264
All Other	(55,057)	(33,264)
TOTAL	0	0

DEPARTMENT OF MARINE RESOURCES

TOTAL	0	0
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MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES, DEPARTMENT OF

Disproportionate Share - AMHI

Personal Services	2,696	1,220
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Drivers Education and Evaluation Program - Substance Abuse

Personal Services	1,726	1,872
All Other	(1,726)	(1,872)
TOTAL	0	0

Office of Management and Budget

Personal Services	(2,696)	(1,220)
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DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES

TOTAL	0	0
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PUBLIC SAFETY, DEPARTMENT OF

State Police

Personal Services	13,382	9,639
All Other	(13,382)	(9,639)
TOTAL	0	0

DEPARTMENT OF PUBLIC SAFETY

TOTAL	0	0
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SECTION

TOTAL APPROPRIATIONS	0	0
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Sec. B-2. Allocations; Federal Expenditures Fund. There are allocated from the Federal Expenditures Fund for the fiscal years ending June 30, 2002 and June 30, 2003 to the departments listed the sums identified in the following in order to provide funding for approved reclassifications and range changes.

2001-02 2002-03

AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF

Division of Quality Assurance and Regulation

Personal Services	10,499	5,169
All Other	(10,499)	(5,169)

DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES

TOTAL	0	0
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ARTS COMMISSION, MAINE

Arts - Sponsored Program

Personal Services	1,375	993
MAINE ARTS COMMISSION		
TOTAL	<u>1,375</u>	<u>993</u>
CONSERVATION, DEPARTMENT OF		
Administration - Forestry		
Personal Services	6,027	3,317
Division of Forest Policy and Management		
Personal Services	12,609	13,559
DEPARTMENT OF CONSERVATION		
TOTAL	<u>18,636</u>	<u>16,876</u>
EDUCATION, DEPARTMENT OF		
Support Systems Personal Services	44,308	20,668
DEPARTMENT OF EDUCATION		
TOTAL	<u>44,308</u>	<u>20,668</u>
ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
Administration - Environmental Protection		
Personal Services	2,839	1,717
Land and Water Quality		
Personal Services	7,119	9,208
Performance Partnership Grant		
Personal Services	13,454	7,170
DEPARTMENT OF ENVIRONMENTAL PROTECTION		
TOTAL	<u>23,412</u>	<u>18,095</u>
HUMAN SERVICES, DEPARTMENT OF		
Bureau of Family Independence - Central		
Personal Services	1,500	850
Bureau of Medical Services		
Personal Services	15,210	11,655
Bureau of Health		
Personal Services	18,420	15,060
Office of Management and Budget		
Personal Services	13,400	15,600

OMB Operations - Regional		
Personal Services	18,200	11,700
DEPARTMENT OF HUMAN SERVICES		
TOTAL	<u>66,730</u>	<u>54,865</u>
MARINE RESOURCES, DEPARTMENT OF		
Bureau of Resource Management		
Personal Services	8,736	9,260
DEPARTMENT OF MARINE RESOURCES		
TOTAL	<u>8,736</u>	<u>9,260</u>
SECTION TOTAL ALLOCATIONS	<u>163,197</u>	<u>120,757</u>

Sec. B-3. Allocations; Other Special Revenue. There are allocated from Other Special Revenue funds for the fiscal years ending June 30, 2002 and June 30, 2003 to the departments listed the sums identified in the following in order to provide funding for approved reclassifications and range changes.

	2001-02	2002-03
AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF		
Board of Pesticides Control		
Personal Services	4,001	4,051
All Other	(4,001)	(4,051)
TOTAL	<u>0</u>	<u>0</u>
DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES		
TOTAL	<u>0</u>	<u>0</u>
CONSERVATION, DEPARTMENT OF		
Administrative Services - Conservation		
Personal Services	2,235	2,356
Off-Road Recreational Vehicle Program		
Personal Services	33,595	14,589
DEPARTMENT OF CONSERVATION		
TOTAL	<u>35,830</u>	<u>16,945</u>
DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF		

Administration - Maine Emergency Management Agency			Safety, Education and Training Program		
Personal Services	6,262	6,340	Personal Services	11,301	14,829
DEPARTMENT OF DEFENSE, VETERANS AND EMERGENCY MANAGEMENT TOTAL	<u>6,262</u>	<u>6,340</u>	DEPARTMENT OF LABOR TOTAL	<u>11,301</u>	<u>14,829</u>
ENVIRONMENTAL PROTECTION, DEPARTMENT OF			MARINE RESOURCES, DEPARTMENT OF		
Administration – Environmental Protection			Bureau of Resource Management		
Personal Services	23,636	28,276	Personal Services	8,237	10,483
Board of Environmental Protection Fund			Marine Patrol - Bureau of		
Personal Services	7,737	6,954	Personal Services	3,095	4,442
Maine Environmental Protection Fund			DEPARTMENT OF MARINE RESOURCES TOTAL	<u>11,332</u>	<u>14,925</u>
Personal Services	10,355	10,368	MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES, DEPARTMENT OF		
Remediation and Waste Management			Augusta Mental Health Institute		
Personal Services	33,621	30,012	Personal Services	4,343	2,430
DEPARTMENT OF ENVIRONMENTAL PROTECTION TOTAL	<u>75,349</u>	<u>75,610</u>	DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES TOTAL	<u>4,343</u>	<u>2,430</u>
GOVERNMENTAL ETHICS AND ELECTION PRACTICES, COMMISSION ON			PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF		
Commission on Governmental Ethics and Election Practices			Bureau of Insurance		
Personal Services	13,359	13,754	Personal Services	16,775	11,325
COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES TOTAL	<u>13,359</u>	<u>13,754</u>	Office of Consumer Credit Regulation		
HUMAN SERVICES, DEPARTMENT OF			Personal Services	3,000	3,000
Drinking Water Enforcement			DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION TOTAL	<u>19,775</u>	<u>14,325</u>
Personal Services	33,235	15,325	PUBLIC SAFETY, DEPARTMENT OF		
Plumbing - Control Over			Office of Fire Marshal		
Personal Services	3,425	1,865	Personal Services	1,095	1,355
DEPARTMENT OF HUMAN SERVICES TOTAL	<u>36,660</u>	<u>17,190</u>	DEPARTMENT OF PUBLIC SAFETY TOTAL	<u>1,095</u>	<u>1,355</u>
LABOR, DEPARTMENT OF			PUBLIC UTILITIES COMMISSION		

Public Utilities – Administrative Services

Personal Services	9,753	4,754
All Other	(9,753)	(4,754)
PUBLIC UTILITIES COMMISSION TOTAL	0	0
SECTION TOTAL ALLOCATIONS	215,306	177,703

Sec. B-4. Allocations; Federal Block Grant Fund. There are allocated from the Federal Block Grant Fund for the fiscal years ending June 30, 2002 and June 30, 2003 to the departments listed the sums identified in the following in order to provide funding for approved reclassifications and range changes.

	2001-02	2002-03
HUMAN SERVICES, DEPARTMENT OF		
Bureau of Health		
Personal Services	7,000	7,000
DEPARTMENT OF HUMAN SERVICES TOTAL	7,000	7,000
SECTION TOTAL ALLOCATIONS	\$7,000	\$7,000

PART C

Sec. C-1. 5 MRSA §1519, sub-§§1-A and 3 to 5 are enacted to read:

1-A. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Board" means the Board of Trustees, Maine State Retirement System established under section 12004-F, subsection 9.

B. "Commissioner" means the Commissioner of Administrative and Financial Services.

C. "Fund" means the Retiree Health Insurance Internal Service Fund.

3. Investment of the fund. The board shall invest the cash assets of the fund that are not required to pay insurance premiums and other operating expenses at the request of the commissioner 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 fund as held in trust on behalf of the State for the purposes specified in this section and no other and shall separately account for the fund as investment assets, attributing to the fund its proportional share of

investment returns and of investment management costs and expenses, including costs and expenses of the retirement system arising because of the board's investment of the fund. The commissioner and the board shall develop jointly a memorandum of understanding that sets out their mutual understanding of the investment of the fund, the related investment accounting and investment return and expense attribution.

4. Audit of the fund. The commissioner shall ensure adequate audit of the investment management of the fund and the expenditures of the fund each fiscal year within the scope of the annual audit of the Maine State Retirement System and the State's single audit or through a separate audit as considered appropriate by the board. 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 fiscal year.

5. Use of the fund. Notwithstanding subsection 1, the fund may be used for necessary audit services, legal expenses, investment management fees and services, general administrative expenses, costs related to the management and administration of the fund and health insurance premium costs.

Sec. C-2. Calculation and transfer; retiree health insurance costs. Notwithstanding the Maine Revised Statutes, Title 5, section 1585, in fiscal year 2002-03, the State Budget Officer shall calculate the amounts set aside at the close of fiscal year 2000-01 pursuant to Title 5, section 1519 that apply against each affected account in the Personal Services appropriations and allocations of the affected accounts based on the proportionate share of retiree health insurance costs in the Personal Services appropriations and allocations of the affected accounts and shall transfer the calculated amounts by financial order upon the approval of the Governor. These transfers are considered adjustments to appropriations and allocations in fiscal year 2002-03. The State Budget Officer shall provide the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs with a report of the transferred amounts no later than January 31, 2004.

Sec. C-3. Retiree health insurance rates. The State Budget Officer shall adjust the retiree health insurance rates in fiscal year 2002-03 based on the actuarial amounts and rates provided by the Department of Administrative and Financial Services, Division of Financial and Personnel Services so that the actual retiree health insurance costs in each account affected by section 2 of this Part approximate the net appropriations and allocations to each account after the adjustments required by section 2.

Sec. C-4. Effective date. That section of this Part that enacts the Maine Revised Statutes, Title 5, section 1519, subsection 1-A and subsections 3 to 5 takes effect June 30, 2001.

PART D

Sec. D-1. 36 MRSA §5102, sub-§6, as repealed and replaced by PL 1999, c. 708, §33 and affected by §51, is amended to read:

6. Corporation. "Corporation" means any business entity subject to income taxation as a corporation under the laws of the United States, except the following:

A. A corporation that is subject to tax under chapter 357 or that would be subject to tax under chapter 357 if the insurance business conducted by such corporation were conducted in this State;

B. A corporation subject to tax under section 5206; or

C. A business entity referred to in Title 24-A, section 1157, subsection 5, paragraph B, subparagraph (1).

For purposes of this subsection, a corporation described in paragraph A is an "insurance company," and a health maintenance organization to the extent operated under authority of a certificate issued by the Superintendent of Insurance pursuant to Title 24-A, section 4204 is a "Maine health maintenance organization." Notwithstanding paragraph A, an insurance company is subject to the tax imposed by this Part with respect to income it receives from a Maine health maintenance organization, except where the Maine health maintenance organization is separately organized and subject to income taxation. The provisions of this Part pertaining to the taxation and reporting obligations of a unitary business, including section 5200, section 5220, subsection 5 and section 5244, apply to the income, factors and affiliations of an insurance company arising from a Maine health maintenance organization as though the Maine health maintenance organization were a separate corporation, but do not otherwise apply to such insurance company.

Sec. D-2. 36 MRSA §5202-C is enacted to read:

§5202-C. Separate accounting required in certain cases

A corporation that is subject to tax under chapter 357 or that would be subject to tax under chapter 357 if the insurance business conducted by such corporation were conducted in this State shall separately account to the State Tax Assessor for income received from a health maintenance organization to the extent

operated under authority of a certificate issued by the Superintendent of Insurance pursuant to Title 24-A, section 4204, except income from a health maintenance organization that is separately organized and subject to income taxation. The assessor may distribute, apportion or allocate gross income, deductions, credits, allowances or assets between or among related entities and operating divisions if the assessor determines such action to be necessary in order to prevent evasion of taxes or to properly reflect earned income.

Sec. D-3. 36 MRSA §5206-D, sub-§5, as enacted by PL 1997, c. 404, §5 and affected by §10, is amended to read:

5. Compensation. "Compensation" means wages, salaries, commissions and any other form of remuneration paid to employees for personal services. "Compensation" includes amounts paid to an employee-leasing company for leased employees and amounts paid to a temporary services company for temporary employees, pursuant to a contract between the taxpayer and an employee-leasing company or temporary services company.

Sec. D-4. 36 MRSA §5206-D, sub-§§7-A, 8-A, 20-A and 20-B are enacted to read:

7-A. Employee-leasing company. "Employee-leasing company" means a business that contracts with client companies to supply workers to perform services for client companies, except that the term "employee-leasing company" does not include private employment agencies that provide workers to client companies on a temporary help basis.

8-A. Leased employee. "Leased employee" means an individual who performs services for a client company pursuant to a contract between the client company and an employee-leasing company.

20-A. Temporary help. "Temporary help" means employee services provided to client companies for a contractual period of less than 12 months.

20-B. Temporary services company. "Temporary services company" means a private employment agency, other than an employee-leasing company, that provides workers to client companies on a temporary help basis.

Sec. D-5. 36 MRSA §5206-E, sub-§4, as enacted by PL 1997, c. 404, §5 and affected by §10, is amended to read:

4. Payroll factor. The payroll factor is a fraction, the numerator of which is the total amount paid in this State during the taxable year by the taxpayer for compensation and the denominator of which is the total compensation paid both in and outside this State

during the taxable year. The payroll factor includes only that compensation that is included in the computation of the apportionable income tax base for the taxable year. Eighty-five percent of any amounts paid pursuant to a contract by the taxpayer to an employee-leasing company for leased employees, and 100% of the amount paid pursuant to a contract to a temporary services company for temporary employees, must be included in the taxpayer's payroll factor. The payroll factor of an employee-leasing company or a temporary services company must exclude compensation paid to leased or temporary employees who are providing personal services to client companies.

A. The compensation of any employee for services or activities that are connected with the production of income that is not includable in the apportionable income base and payments made to any independent contractor or any other person not properly classifiable as an employee are excluded from both the numerator and denominator of the factor.

B. Compensation is paid in this State if any one of the following tests, applied consecutively, is met.

(1) The employee's services are performed entirely in this State.

(2) The employee's services are performed both in and outside the State, but the service performed outside the State is incidental to the employee's service in the State. For the purposes of this subsection, "incidental" means any service that is temporary or transitory in nature or that is rendered in connection with an isolated transaction.

(3) If the employee's services are performed both in and outside the State, the employee's compensation is attributed to this State:

(a) If the employee's principal base of operations is in this State;

(b) If there is no principal base of operations in any state in which some part of the services are performed, but the place from which the services are directed or controlled is in this State; or

(c) If the principal base of operations and the place from which the services are directed or controlled are not in any state in which some part of the service is performed, but the employee's residence is in this State.

Sec. D-6. 36 MRSA §5210, sub-§3, as enacted by PL 1981, c. 698, §187, is amended to read:

3. Compensation. "Compensation" means wages, salaries, commissions and any other form of remuneration paid to employees for personal services. "Compensation" includes amounts paid to an employee-leasing company for leased employees and amounts paid to a temporary services company for temporary employees, pursuant to a contract between the taxpayer and an employee-leasing company or temporary services company.

Sec. D-7. 36 MRSA §5210, sub-§§3-A, 3-B, 7 and 8 are enacted to read:

3-A. Employee-leasing company. "Employee-leasing company" means a business that contracts with client companies to supply workers to perform services for the client companies, except that the term "employee-leasing company" does not include private employment agencies that provide workers to client companies on a temporary help basis.

3-B. Leased employee. "Leased employee" means an individual who performs services for a client company pursuant to a contract between the client company and an employee-leasing company.

7. Temporary help. "Temporary help" means employee services provided to client companies for a contractual period of less than 12 months.

8. Temporary services company. "Temporary services company" means a private employment agency, other than an employee-leasing company, that provides workers to client companies on a temporary help basis.

Sec. D-8. 36 MRSA §5211, sub-§12, as enacted by P&SL 1969, c. 154, §F, is amended to read:

12. Payroll factor. The payroll factor is a fraction, the numerator of which is the total amount paid in this State during the tax period by the taxpayer for compensation, and the denominator of which is the total compensation paid everywhere during the tax period. Eighty-five percent of any amounts paid pursuant to a contract by the taxpayer to an employee-leasing company for leased employees, and 100% of the amount paid pursuant to a contract to a temporary services company for temporary employees, must be included in the taxpayer's payroll factor. The payroll factor of an employee-leasing company or a temporary services company must exclude compensation paid to leased or temporary employees who are providing personal services to client companies.

Sec. D-9. Application date. Those sections of this Part that amend the Maine Revised Statutes, Title 36, section 5102, subsection 6 and enact Title 36,

section 5202-C apply to tax years beginning on or after January 1, 2002. Those sections of this Part that amend Title 36, section 5206-D, subsection 5; section 5206-E, subsection 4; section 5210, subsection 3; and section 5211, subsection 12 and that enact Title 36, section 5206-D, subsections 7-A, 8-A, 20-A and 20-B and section 5210, subsections 3-A, 3-B, 7 and 8 apply to tax years beginning on or after January 1, 2002.

PART E

Sec. E-1. PL 1999, c. 401, Pt. E, §5, as amended by PL 1999, c. 731, Pt. F, §4, is further 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~~ 2 limited-period Senior Budget Analyst ~~position~~ positions for backup for ~~an existing position~~ positions 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 June 30, ~~2001~~ 2002.

PART F

Sec. F-1. Department of Administrative and Financial Services; lease-purchase authorization. Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Department of Administrative and Financial Services in cooperation with the Treasurer of State may enter into financing arrangements in fiscal years 2001-02 and 2002-03 for the acquisition of motor vehicles for the Central Motor Pool. The financing agreements may not exceed 4 years in duration and \$4,600,000 in principal costs. The interest rate may not exceed 6% and total interest costs may not exceed \$690,000. The annual principal and interest costs must be paid from the appropriate line category allocations in the Central Motor Pool account.

Sec. F-2. Department of Administrative and Financial Services; lease-purchase authorization. Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Department of Administrative and Financial Services, Bureau of Information Services, in cooperation with the Treasurer of State may enter into financing arrangements in fiscal years 2001-02 and 2002-03 for the acquisition of hardware, software and systems to support the operations of State Government. The financing agreements may not exceed 3 years in duration and \$3,000,000 in principal costs. The interest rate may not exceed 7% and total

interest costs may not exceed \$340,000. The annual principal and interest costs must be paid from the appropriate line category allocations in the Bureau of Information Services Internal Service Fund account.

Sec. F-3. Maine Governmental Facilities Authority; issuance of securities. Pursuant to the Maine Revised Statutes, Title 4, section 1606, subsection 1, the Maine Governmental Facilities Authority may issue securities in its own name in an amount up to \$7,360,000, the proceeds of which must be used for the purposes of paying the cost of the construction and renovation of the following projects: utilities infrastructure replacement and renovation at the Augusta Mental Health Institute, certain renovations at Buildings G, H and I at the Governor Baxter School for the Deaf and renovations at the Department of Transportation building in Augusta.

PART G

Sec. G-1. 34-A MRSA §1214 is enacted to read:

§1214. Office of Victim Services

1. Establishment. The Office of Victim Services, referred to in this section as the "office," is established within the department to advocate for compliance by the department, any correctional facility, any detention facility, community corrections as defined in section 1210-A or any contract agency with all laws, administrative rules and institutional and other policies relating to the rights and dignity of victims.

2. Victim Services Coordinator. The Victim Services Coordinator shall direct and coordinate the office.

A. The Victim Services Coordinator shall report only to the commissioner or an associate commissioner.

B. The Victim Services Coordinator shall, with the approval of the commissioner or an associate commissioner, select other victim advocates needed to carry out the intent of this section and who shall report only to the Victim Services Coordinator.

3. Duties. The office, through the Victim Services Coordinator and other victim advocates, shall:

A. Receive or refer complaints made by victims;

B. Intercede on behalf of victims with officials of the department, any correctional facility, any detention facility, community corrections as defined in section 1210-A or any contract agency

or assist these persons in the resolution of victim-related issues;

C. Act as an information source regarding the rights of victims and keep informed about all laws, administrative rules and institutional and other policies relating to the rights and dignity of victims and about relevant legal decisions and other developments related to the field of corrections, both in this State and in other parts of the country;

D. Ensure that victims who request notice of release receive it;

E. Assist victims who are being harassed by persons in the custody or under the supervision of the department with obtaining protection from that harassment; and

F. Assist victims with obtaining victim compensation, restitution and other benefits of restorative justice.

4. Confidentiality. Requests for action by the office must be treated confidentially and may be disclosed only to a state agency if necessary to carry out the statutory functions of that agency or to a criminal justice agency if necessary to carry out the administration of criminal justice or the administration of juvenile criminal justice. In no case may a victim's request for notice of release be disclosed outside the department and the office of the attorney for the State with which the request was filed.

Sec. G-2. 34-A MRSA §1403, sub-§9, ¶E, as amended by PL 1991, c. 716, §6, is further amended to read:

E. Funds from these industries accounts may be used to pay for materials, supplies, equipment, salaries and other costs of establishing and operating applied technology training, work and industrial programs. For industries programs certified by the United States Department of Justice under the United States Code, Title 18, Section 1761, mandatory contributions ~~to the Crime Victim Assistance Program shall for crime victim services must~~ be made from these industries accounts and transferred to the control of the ~~Department of Human Services to be used exclusively for the Crime Victim Assistance Program Office of Victim Services, as established in section 1214.~~

Sec. G-3. Transfer of funds; teachers at Northern Maine Juvenile Facility. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, the Department of Corrections is authorized to transfer, by financial order, Personal Services, All Other or Capital

Expenditures funding between accounts within the same fund for the purposes of paying overtime expenses and authorized labor market adjustments for teachers at the Northern Maine Juvenile Facility in accordance with Title 5, section 7065.

Sec. G-4. 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 Officer 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 or Capital Expenditures or unallocated funds.

Sec. G-5. Rename Southern Maine Juvenile Facility. Notwithstanding any other provision of law, on July 1, 2001, the title of the Southern Maine Juvenile Facility is changed to Long Creek Youth Development Center.

Sec. G-6. Revision clause. Wherever in the Maine Revised Statutes the words "Southern Maine Juvenile Facility" appear or reference is made to that entity or those words, they are amended to read and mean "Long Creek Youth Development Center" or "facility" as appropriate and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

Sec. G-7. Rename Northern Maine Juvenile Facility. Notwithstanding any other provision of law, on July 1, 2001, the title of the Northern Maine Juvenile Facility is changed to Mountain View Youth Development Center.

Sec. G-8. Revision clause. Wherever in the Maine Revised Statutes the words "Northern Maine Juvenile Facility" appear or reference is made to that entity or those words, they are amended to read and mean "Mountain View Youth Development Center" or "facility" as appropriate and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

Sec. G-9. Funds carried forward. Notwithstanding the Maine Revised Statutes, Title 5, section 1585, or any other provision of law, an amount not to exceed \$582,099 in the Personal Services line

category remaining on June 30, 2001 in the General Fund, Maine Correctional Center program in the Department of Corrections may not lapse but must be carried forward to fiscal year 2001-02 within the same account for the purpose of allowing overtime funds to be used as needed to prepare the department for openings of new facilities.

Sec. G-10. Funds carried forward. Notwithstanding the Maine Revised Statutes, Title 5, section 1585, or any other provision of law, an amount not to exceed \$293,279 in the Personal Services line category remaining on June 30, 2001 in the General Fund, Northern Maine Juvenile Facility program in the Department of Corrections may not lapse but must be carried forward to fiscal year 2001-02 within the same or renamed account for the purpose of allowing overtime funds to be used as needed to prepare the department for openings of new facilities.

Sec. G-11. Funds carried forward. Notwithstanding the Maine Revised Statutes, Title 5, section 1585, or any other provision of law, an amount not to exceed \$488,333 in the Personal Services line category remaining on June 30, 2001 in the General Fund, Maine State Prison program in the Department of Corrections may not lapse but must be carried forward to fiscal year 2001-02 within the same account for the purpose of allowing overtime funds to be used as needed to prepare the department for openings of new facilities.

Sec. G-12. Funds carried forward. Notwithstanding the Maine Revised Statutes, Title 5, section 1585, or any other provision of law, an amount not to exceed \$557,407 in the Personal Services line category remaining on June 30, 2001 in the General Fund, Maine Youth Center program in the Department of Corrections may not lapse but must be carried forward to fiscal year 2001-02 within the same or renamed account for the purpose of allowing overtime funds to be used as needed to prepare the department for openings of new facilities.

PART H

Sec. H-1. 5 MRSA §937, sub-§1, ¶F, as repealed and replaced by PL 1995, c. 465, Pt. A, §6, is amended to read:

F. Director, Planning and Management Information; and

Sec. H-2. 5 MRSA §937, sub-§1, ¶G, as amended by PL 1995, c. 560, Pt. F, §2, is repealed.

Sec. H-3. 20-A MRSA §203, sub-§1, ¶F, as amended by PL 1989, c. 414, §3, is further amended to read:

F. Director, Planning and Management Information; and

Sec. H-4. 20-A MRSA §203, sub-§1, ¶G, as amended by PL 1995, c. 560, Pt. F, §9, is repealed.

Sec. H-5. General purpose aid for local schools; lapsed balances. Notwithstanding any other provision of law, \$239,054 in fiscal year 2001-02 in general purpose aid for local schools lapses to General Fund unappropriated surplus as a result of construction aid recoveries.

PART I

Sec. I-1. 12 MRSA §7020 is enacted to read:

§7020. Land Management Fund

The Land Management Fund is established within the Department of Inland Fisheries and Wildlife. The fund is authorized to receive revenue from the sale of timber, lease of lands, gifts and other revenues associated with the use of department-owned land. The fund must be held separate and apart from all other money, funds and accounts. Any balance remaining in the fund at the end of any fiscal year must be carried forward to the next fiscal year.

Sec. I-2. Carrying balances - Inland Fisheries and Wildlife program; lapsed balances. Notwithstanding any other provision of law, \$104,916 in fiscal year 2001-02 and \$110,613 in fiscal year 2002-03 in the Carrying Balances - Inland Fisheries and Wildlife program lapse to the General Fund. An adjustment must be made during fiscal year 2001-02 and fiscal year 2002-03 to reconcile these amounts to the actual revenue in the 2002-2003 biennium.

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

	2001-02	2002-03
INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF		
Public Information and Education - Division of		
Positions - FTE Count	(0.924)	(0.924)
Personal Services	\$20,000	\$20,000
Appropriates funds to restore 3 part-time Recreational and Safety Coordinator positions.		

PART J

Sec. J-1. 5 MRSA §946, sub-§1, ¶K, as amended by PL 1995, c. 395, Pt. G, §3 and affected by §20, is further amended to read:

K. Assistant Associate Commissioners; ~~and~~

Sec. J-2. 5 MRSA §946, sub-§1, ¶L, as enacted by PL 1995, c. 395, Pt. G, §4 and affected by §20, is amended to read:

L. Director, Division of Mental Retardation; and

Sec. J-3. 5 MRSA §946, sub-§1, ¶M is enacted to read:

M. Deputy Commissioner.

Sec. J-4. 34-B MRSA §1202, sub-§2, ¶B, as amended by PL 1995, c. 395, Pt. C, §2, is further amended to read:

B. If the office of the commissioner is vacant or if the commissioner is absent or disabled, the ~~associate deputy~~ commissioner ~~for programs~~ shall perform the duties and have the powers provided by law for the commissioner.

Sec. J-5.J-5. 34-B MRSA §1202, sub-§2, ¶D, as enacted by PL 1995, c. 395, Pt. C, §3, is amended to read:

D. If the offices of the commissioner and the ~~associate deputy~~ commissioner ~~for programs~~ are vacant or if both officials are absent or disabled, the associate commissioner for administration shall perform the duties and have the powers provided by law for the commissioner.

Sec. J-6. 34-B MRSA §1204, sub-§2, as amended by PL 2001, c. 194, §1, is further amended to read:

2. Appointments of deputy commissioner, associate commissioners and other employees. The commissioner's powers to appoint a deputy commissioner, associate commissioners and other employees are as follows.

A. The commissioner may appoint, subject to the Civil Service Law and except as otherwise provided, any employees who may be necessary.

B. The commissioner may appoint and set the salaries for ~~an associate commissioner for programs~~ a deputy commissioner, an associate commissioner for administration and an associate commissioner for systems operations to assist in carrying out the responsibilities of the department.

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

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

~~(4) To be eligible for appointment as associate commissioner for programs, a person must have training and experience in the planning and administration of human services.~~

(5) To be eligible for appointment as associate commissioner for systems operations, a person must have training and experience in general management or administration.

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

- (1) Associate Commissioners;
- (2) Superintendent, Augusta Mental Health Institute;
- (3) Superintendent, Bangor Mental Health Institute;
- ~~(4) Superintendent, Pineland Center;~~
- (5) Director, Mental Retardation Facility;
- (6) Director, Elizabeth Levinson Center;
- ~~(7) Assistant to the Commissioner for Public Information;~~
- (8) Assistant to the Commissioner;
- (10) Regional Directors, who shall report directly to the commissioner; ~~and~~
- (11) Director, Office of Substance Abuse, who shall report directly to the commissioner; and
- (12) Deputy Commissioner.

D. The commissioner, with the approval of the Governor, may employ and set the salaries up to the maximum adjusted pay grade for clinical director positions. Clinical director positions are excluded from the definition of state employee under Title 26, section 979-A, subsection 6, and are not subject to the Civil Service Law. Employees in that classification hired after July 1, 1989 serve at the pleasure of the commissioner and ~~shall~~ must, as a condition of continued em-

ployment, maintain clinical privileges to practice medicine as determined by the respective medical staff and the superintendent of the facility.

E. Employees in the classification of clinical director may elect to retain current bargaining unit and civil service status. Employees so "grandfathered" retain salary and benefit entitlement provided for on current pay schedules and collective bargaining agreements.

Sec. J-7. 34-B MRSA §1204, sub-§3, ¶¶A and B, as amended by PL 1995, c. 560, Pt. K, §16, are further amended to read:

A. The commissioner may delegate powers and duties given under this Title to the deputy commissioner, associate commissioners and chief administrative officers of state institutions.

B. The commissioner may empower the deputy commissioner, associate commissioners and chief administrative officers of state institutions to further delegate powers and duties delegated to them by the commissioner.

PART K

Sec. K-1. Appropriation and allocation transfer. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, the Governor Baxter School for the Deaf is authorized to transfer available balances of appropriations and allocations between line categories within the same account in fiscal year 2001-02 by financial order, upon the recommendation of the State Budget Officer and approval of the Governor.

Sec. K-2. Position authorization. Notwithstanding any other provision of law, the Governor Baxter School for the Deaf is authorized to extend one limited-period Education Team and Policy Director position to June 30, 2002. This position is necessary for the continued development and implementation of residential services, health services, guidance program and policy development and implementation 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, 2002.

PART L

Sec. L-1. 33 MRSA §1953, sub-§1, ¶C, as enacted by PL 1997, c. 508, Pt. A, §2 and affected by §3, is amended to read:

C. Stock or other equity interest in a business association or financial organization, including a security entitlement under Title 11, Article 8, except for property described in paragraph Q, 5 years after the earlier of:

(1) The date of the most recent dividend, stock split or other distribution unclaimed by the apparent owner; or

(2) The date of the 2nd mailing of a statement of account or other notification or communication that was returned as undeliverable or after the holder discontinued mailings, notifications or communications to the apparent owner;

Sec. L-2. 33 MRSA §1953, sub-§1, ¶O, as amended by PL 1999, c. 284, §2, is further amended to read:

O. All other property, 5 years after the owner's right to demand the property or after the obligation to pay or distribute the property arises, whichever first occurs; ~~and~~

Sec. L-3. 33 MRSA §1953, sub-§1, ¶P, as enacted by PL 1999, c. 284, §3, is amended to read:

P. Notwithstanding paragraph E, property contained in a prearranged funeral or burial plan described in Title 32, section 1401, including deposits containing funds from such a plan, 3 years after the death of the person on whose behalf funds were paid into the plan; and

Sec. L-4. 33 MRSA §1953, sub-§1, ¶Q is enacted to read:

Q. Property distributable in the course of a demutualization or related reorganization of an insurance company, 2 years after the earlier of:

(1) The date of the distribution of the property; or

(2) The date of last contact with a policyholder.

Sec. L-5. 36 MRSA §112, sub-§9, as enacted by PL 1997, c. 526, §7, is amended to read:

9. Services provided to another agency of State. The assessor may undertake, by arrangement with another agency of the State, to provide or assist with revenue collection services for that agency after consultation with the joint standing committee of the Legislature having jurisdiction over state and local government matters.

Sec. L-6. 36 MRSA §191, sub-§2, ¶X, as amended by PL 2001, c. 293, §6, is further amended to read:

X. The disclosure to the Department of Human Services of information relating to the administration of the elderly low-cost drug program and

the Healthy Maine Prescription Program established under Title 22, section 258; ~~and~~

Sec. L-7. 36 MRSA §191, sub-§2, ¶Y, as enacted by PL 1999, c. 708, §16, is amended to read:

Y. The disclosure by the State Tax Assessor, upon request in writing of any individual against whom an assessment has been made pursuant to section 177, subsection 1, of the following information:

- (1) Information regarding the underlying tax liability to the extent necessary to appraise the individual of the basis of the assessment;
- (2) The name of any other individual against whom an assessment has been made for the same underlying tax debt; and
- (3) The general nature of any steps taken by the assessor to collect the underlying tax debt from any other individuals and the amount collected; and

Sec. L-8. 36 MRSA §191, sub-§2, ¶Z is enacted to read:

Z. The disclosure to the Treasurer of State when necessary for the performance of the Treasurer of State's official duties as administrator under Title 33, chapter 41 of the following information:

- (1) The current mailing address for a taxpayer for purposes of returning unclaimed or abandoned property to the rightful owner or heir; and
- (2) The names and mailing addresses of all Maine corporate income tax filers in an electronic medium prescribed by the State Tax Assessor.

Sec. L-9. Transfer. Notwithstanding Public Law 2001, chapter 358, Part W or any other provision of law, the Treasurer of State shall transfer \$1,000,000 from the Abandoned Property Fund to the unappropriated surplus of the General Fund no later than June 1, 2002 and \$1,000,000 from the Abandoned Property Fund to the unappropriated surplus of the General Fund no later than June 1, 2003.

PART M

Sec. M-1. Funding change of bargaining unit. Notwithstanding any other provision of law, the Department of Public Safety, with the approval of the State Budget Officer, shall identify the necessary funding from budgeted resources to implement the change of bargaining unit from Professional Technical

to Supervisory Services for the Senior DNA Forensic Analyst position within the Bureau of State Police.

Sec. M-2. Funding for position upgrades. Notwithstanding any other provision of law, the Department of Human Services, with the approval of the State Budget Officer, shall identify the necessary funding from budgeted resources to provide for position upgrades in the Drinking Water program and the Eating and Lodging program and a previously approved upgrade of one Planning and Research Associate position.

PART N

Sec. N-1. Maine Governmental Facilities Authority. Pursuant to the Maine Revised Statutes, Title 4, section 1606, subsections 1 and 2, the Maine Governmental Facilities Authority is authorized to issue securities in its own name in an amount up to \$5,500,000 on or after February 28, 2003 for the purpose of paying the cost of courthouse projects or parts of projects in Rockland and other locations designated by the Maine Governmental Facilities Authority.

PART O

Sec. O-1. 27 MRSA §267, as amended by PL 1975, c. 771, §293, is further amended to read:

§267. Expenses

The actual cash expenses of the State Historian incurred while in the discharge of his official duties, including any sum necessarily contracted by ~~him~~ the State Historian for clerical assistance, ~~shall~~ must be paid from the State Treasury but ~~shall~~ may not exceed \$500 a year. Any portion of said amount may be expended by the State Historian, under the direction of the Governor, in the publication of historical matter and data relating to the history of the State. ~~The appropriation so made available shall constitute a continuous carrying account and any balance of same shall be carried forward and be credited to the appropriation for the same purpose for the succeeding year. Funding for the activities of the State Historian must be appropriated to the Maine Historic Preservation Commission.~~

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

	2001-02	2002-03
EDUCATION, DEPARTMENT OF		
Office of State Historian		
All Other	(\$500)	(\$500)

Deappropriates funds from this program to offset the appropriation to the Maine Historic Preservation Commission in support of the activities of the State Historian.

HISTORIC PRESERVATION COMMISSION

Historic Preservation Commission

All Other	\$500	\$500
Provides funds in support of the activities of the State Historian.		

PART P

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

	2001-02	2002-03
UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE		

Educational and General Activities - UMS

All Other	\$75,000	
Provides a one-time appropriation of funds to the teachers for elementary and middle schools project at the Lewiston-Auburn College of the University of Southern Maine to be used as seed money for program-related investments in support of establishing a comprehensive, long-range endowed fellowship for students in the Lewiston-Auburn College teachers for elementary and middle schools project.		

Maine Patent Program

All Other	(75,000)	
Provides a one-time deappropriation of funds, due to a delay in implementing the program, to offset the appropriation for the Lewiston-Auburn College		

teachers for elementary and middle schools project.

Educational and General Activities - UMS

All Other	4,338,583
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Provides funds in fiscal year 2002-03 for a 2.5% increase in the system's base budget.

BOARD OF TRUSTEES OF THE UNIVERSITY OF MAINE SYSTEM

TOTAL	\$0	\$4,338,583
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MAINE MARITIME ACADEMY

Maine Maritime Academy - Operations

All Other	\$192,132
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Provides funds in fiscal year 2002-03 through a 2.5% increase in the institution's base budget.

MAINE MARITIME ACADEMY

TOTAL	192,132
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MAINE TECHNICAL COLLEGE SYSTEM, BOARD OF TRUSTEES OF THE

Maine Technical College System, Board of Trustees of the

All Other	1,009,155
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Provides funds in fiscal year 2002-03 for a 2.5% increase in the system's base budget.

BOARD OF TRUSTEES OF THE MAINE TECHNICAL COLLEGE SYSTEM

TOTAL	1,009,155
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SECTION

TOTAL APPROPRIATIONS	\$0	\$5,539,870
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Sec. P-2. Transfer from General Fund Salary Plan; Maine Technical College System.

Notwithstanding the Maine Revised Statutes, Title 5, section 1676 or any other provision of law, in fiscal year 2001-02 and fiscal year 2002-03 the Maine Technical College System may receive transfers from the General Fund Salary Plan for the costs of collective bargaining agreements for employees of the Maine Technical College System in an amount not to exceed \$334,832 in fiscal year 2001-02 and \$1,295,800 in fiscal year 2002-03.

PART Q

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

	2001-02	2002-03
LEGISLATURE		
Legislature		
Positions - Legislative Count	(6.500)	(6.500)
Positions - FTE Count	(-6.220)	(-6.220)
Provides for the continuation of an adjustment of headcount that was authorized in Public Law 2001, chapter 1 and reflects the number of positions authorized by the Legislative Council to support the activities of the Legislature.		
Legislature		
Positions - Legislative Count	(3.000)	(3.000)
Positions - FTE Count	(-0.807)	(-0.807)
Provides for an adjustment of headcount to reflect the number of positions authorized by the Legislative Council to support the organization of the 120th Legislature. The authority for this headcount ends January 4, 2003.		
Legislature		
Personal Services	\$178,859	\$214,115
Provides funds for salary and fringe benefit costs to more accurately reflect current services funding requirements of the Legislature.		
Legislature		
Positions - Legislative Count	(1.000)	(1.000)
Personal Services	45,576	65,122
All Other	(66,600)	(100,000)
TOTAL	(21,024)	(34,878)
Provides for the line category transfer of funds to establish one Client Desktop Support position to replace desktop support currently provided by contract.		

LEGISLATURE		
TOTAL	\$157,835	\$179,237

PART R

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

	2001-02
LEGISLATURE	
Legislature	
All Other	\$25,000
Provides for the allocation of funds to support a celebration of the State House renovations. This allocation is to be supported by private fund-raising efforts.	

PART S

Sec. S-1. Reimbursement to agencies. The 2.5% increase in reimbursement to agencies under contract to provide mental health and mental retardation services to adults and children to increase wages and wage-related benefits for direct care personnel provided in Public Law 2001, chapter 358, section FF is intended to be in addition to current contracts and contracts currently in negotiation. These funds may not be used to supplant current or anticipated funding for contracts beginning January 1, 2001.

PART T

Sec. T-1. 5 MRSA §1513, sub-§§1-R and 1-T are enacted to read:

1-R. Transfer from Maine Rainy Day Fund; Baxter Compensation Authority Other Special Revenue Fund account. Notwithstanding subsection 2 and section 1585, \$2,000,000 must be transferred by the State Controller from the available balance in the Maine Rainy Day Fund to the Baxter Compensation Authority Other Special Revenue Fund account in fiscal year 2001-02.

1-T. Transfer from Governor Baxter School for the Deaf Compensation Fund within Maine Rainy Day Fund; Governor Baxter School for the Deaf victims' compensation. Notwithstanding subsection 2 and section 1585 or any other provision of law, an amount not to exceed \$3,000,000 may be transferred by the State Controller from the balance in the Governor Baxter School for the Deaf Compensation Fund within the Maine Rainy Day Fund to the Baxter Compensation Authority Other Special

Revenue Fund account to be made available by financial order upon the recommendation of the State Budget Officer and approval of the Governor to be used for the payment of costs of administration of the Baxter Compensation Authority and for the payment of compensation to former students who were victims of abuse at the Governor Baxter School for the Deaf or its predecessors. Transfers by the State Controller from the Governor Baxter School for the Deaf Compensation Fund within the Maine Rainy Day Fund must be made upon written request of the Baxter Compensation Authority board and the approval of the program director of the Baxter Compensation Program.

Sec. T-2. 5 MRSA §1513-A is enacted to read:

§1513-A. Governor Baxter School for the Deaf Compensation Fund established

The Governor Baxter School for the Deaf Compensation Fund, referred to in this section as the "compensation fund," is established within the Maine Rainy Day Fund and must be segregated and maintained as a separate account known as the Governor Baxter School for the Deaf Compensation Fund. On July 1, 2001, the State Controller shall capitalize the compensation fund in the amount of \$3,000,000.

Sec. T-3. 5 MRSA §12004-B, sub-§9 is enacted to read:

<u>9. Baxter Com- pensation Program Compensation Panel</u>	<u>Legislative Per Diem and Expenses</u>	<u>5 MRSA §22004</u>
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Sec. T-4. 5 MRSA §12004-G, sub-§26-E is enacted to read:

<u>26-E. Baxter Legislature</u>	<u>Compen- sation Authority</u>	<u>Legislative Per Diem and Expenses</u>	<u>5 MRSA §22002</u>
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Sec. T-5. 5 MRSA Pt. 28 is enacted to read:

PART 28

COMPENSATION AND REDRESS

CHAPTER 601

THE BAXTER COMPENSATION AUTHORITY

SUBCHAPTER I

GENERAL PROVISIONS

§22001. Definitions

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

1. Abuse. "Abuse" means sexual abuse, physical abuse or both.

2. Administrative expenses. "Administrative expenses" means the expenses necessary for the operation of the program, including the costs of the authority but not including compensation payments.

3. Appeal board. "Appeal board" means the authority board when acting to hear and decide appeals of the compensation panel's decisions as provided in section 22005.

4. Authority. "Authority" means the Baxter Compensation Authority established in section 12004-G, subsection 26-E.

5. Authority board or board. "Authority board" or "the board" means the 5-member governing body described in section 22002, subsection 3.

6. Claimant. "Claimant" means a person who alleges having suffered abuse while a student at the Maine School for the Deaf or the Governor Baxter School for the Deaf and applies for compensation from the program.

7. Claims consultant. "Claims consultant" means a person employed by the program to assist claimants in preparing their claims for submission to the compensation panel.

8. Compensation panel. "Compensation panel" means the 3-person panel appointed by the authority to hear claims and make decisions, consisting of the determination of eligibility and determination of the compensation amount, as provided in section 22004.

9. Final compensation decision. "Final compensation decision" means the decision of the compensation panel with regard to eligibility and level of compensation if it is not appealed within 60 days of the decision, and the decision of the appeal board if the decision of the compensation panel is appealed.

10. Program. "Program" means the Baxter Compensation Program established in section 22021.

11. Program director. "Program director" means the person appointed by the authority to direct the program as provided in section 22003.

12. Program principles. "The program principles" means the compilation of theoretical and practical bases for operation of the program as provided in section 22007.

13. Trust fund. "Trust fund" means the Baxter Compensation Authority Other Special Revenue Fund account authorized pursuant to section 1513, subsection 1-T, or its successor.

§22002. Baxter Compensation Authority

1. Established. The Baxter Compensation Authority, established in section 12004-G, subsection 26-E, is a public instrumentality of the State, and the exercise by the authority of the powers conferred by this chapter is considered and held to be the performance of essential governmental functions.

2. Purpose. The authority is established to administer the Baxter Compensation Program.

3. Members. The authority board consists of 5 members, to be appointed by the Governor, subject to review by the joint standing committee of the Legislature having jurisdiction over judiciary matters and confirmation by the Legislature. Collectively, the members must have knowledge and experience in deaf culture; abuse and its effects; the legal system; and redress and compensation principles.

4. Chair; quorum. The members of the board shall select a chair from among the members. Three members constitute a quorum. Action taken by the board must be by majority vote.

5. Powers. The authority may:

A. Buy or lease real and personal property to carry out its duties;

B. Establish positions and employ and contract with persons to carry out its duties; and

C. Accept funds from all sources to be deposited in the trust fund.

6. Duties. The authority has the following duties.

A. The authority shall establish the Baxter Compensation Program as provided in section 22021.

B. The authority shall appoint a program director as provided in section 22003.

C. The authority shall appoint a compensation panel as provided in section 22004.

D. The authority board shall serve as the appeal board as provided in section 22005.

E. The authority shall complete the training and education under section 22006.

F. The authority shall adopt program guidelines as provided in section 22007.

G. The authority shall establish criteria for 3 tiers of compensation based on the severity of abuse suffered by the former students using well-established legal principles governing awarding damages. The 3 tiers of compensation are: \$25,000; \$60,000; and \$100,000.

H. The authority shall submit an annual written report by January 15th of each year to the Governor, the Attorney General and the joint standing committee of the Legislature having jurisdiction over judiciary matters. The report must include information on the following:

(1) The activities of the authority within the last 12 months;

(2) The number of employees and volunteers and their responsibilities;

(3) Data pertaining to the following:

(a) Requests for information;

(b) Applications filed;

(c) Claims submitted to the compensation panel;

(d) Decisions made by the compensation panel, and the nature of the decisions;

(e) Decisions appealed to the appeal board, and the grounds for and outcomes of the appeals;

(f) Claims pending completion prior to being submitted to the compensation panel;

(g) Claims pending decision by the compensation panel;

(h) Claims pending resolution by the appeal board; and

(i) Awards made and paid;

(4) Amount of compensation paid;

(5) Any other information that would help to evaluate the performance of the program; and

(6) Any recommended legislation the authority determines is necessary to carry out its duties.

I. The authority shall develop an evaluation process to make ongoing determinations concerning the program's effectiveness and operation within the program guidelines.

7. Application of laws. The authority is subject to the budget, accounts and control and auditing requirements of Part 4.

8. Use of trust fund. The authority may use up to 15% of the trust fund for administrative expenses in each fiscal year.

9. Administrative support. The Department of Labor, Bureau of Rehabilitation, Division of Deafness shall provide such administrative support as is requested by the authority.

10. Legal counsel. Notwithstanding section 191, a staff attorney may act as the counsel for the authority and the authority may employ private counsel to advise and represent the authority.

§22003. Program director

The authority shall appoint a program director to serve as staff to the authority and to direct the program.

§22004. Compensation panel

1. Appointment. The authority shall appoint 3 persons to serve as the compensation panel established in section 12004-B, subsection 9. The compensation panel shall make decisions about the eligibility of claimants and the appropriate compensation payments to be made.

2. Qualifications. Collectively, the members of the compensation panel must have the following qualifications:

A. Familiarity with the legal system, including experience with:

(1) Weighing evidence and making decisions based on that evidence; and

(2) Well-established legal principles that govern awarding damages;

B. Experience or knowledge of abuse and its effects; and

C. Experience or knowledge of deaf culture.

The members of the compensation panel may not have any personal bias with regard to the Governor Baxter School for the Deaf, any employee of the Governor Baxter School for the Deaf or any claimant.

3. Chair. The compensation panel members shall select a chair from among the members.

4. Decision-making; quorum. The compensation panel members shall work together as collaboratively as possible. Decisions on claims must be

determined by a majority vote. All 3 members must be present in order for a vote to be taken.

5. Training and education. Before handling any claims, the compensation panel shall complete the training and education under section 22006.

§22005. Appeal board

1. Appointment. The authority board shall serve as the appeal board to hear and decide appeals of the decision of the compensation panel.

2. Decisions. Decisions on claims must be determined by a majority vote. Three members constitute a quorum.

§22006. Training and education

1. Training and education program. The program director shall coordinate training and education for the members of the authority, the program director and the compensation panel in the following subject areas:

A. Deaf culture;

B. Physical and sexual abuse and its effects;

C. Basic applicable legal principles; and

D. Any other subject useful to the operation of the program.

2. Required. Members of the authority, the program director and the compensation panel shall participate in the training and education.

§22007. Program principles and guidelines

1. Duties. The program has the following duties.

A. The program shall provide American Sign Language interpreters to ensure communication between program staff and claimants, their families and friends and advocates providing support.

B. The program shall explain to the claimants the compensation process from initial contact with the program through acceptance of the award, release of the State from further liability and the making of the apology.

C. The program shall allow claimants to be accompanied in all steps of the process by friends, family and other support people.

D. The program shall promote provision of support and immediate access to counseling resources for claimants recounting their experiences, especially those disclosing abuse for the first time.

E. The program shall inform as many former students as possible about the program and give those students an opportunity to apply for compensation.

F. The program shall work with former students and their families in situations in which the former student is not capable of making decisions concerning participation in the program.

G. The program shall develop a plan for working with and providing services to former students no longer living in the State.

H. The program may employ only persons who do not have any personal bias with regard to the Governor Baxter School for the Deaf, any employee of the Governor Baxter School for the Deaf or any claimant.

2. Program guidelines. The authority shall adopt program guidelines as the theoretical and practical bases for the operation of the program that are consistent with subsection 1, using the following sources as guidance:

A. The final report of the Committee to Develop a Compensation Program for Victims of Abuse at the Governor Baxter School for the Deaf, established by Resolve 1999, chapter 127, Part B;

B. The guiding principles that have been adopted and used by other compensation programs as bases for operation of the programs;

C. The report of the Law Commission of Canada, "Restoring Dignity: Responding to Child Abuse in Canadian Institutions," issued in 2000;

D. Judicial practice, in the State and elsewhere, concerning the awarding of damages; and

E. Any other reports, rules or other sources the authority determines useful.

3. Process. The program guidelines are not rules and the authority is not required to proceed under the Maine Administrative Procedure Act in adopting the program guidelines, although the authority may hold public hearings and solicit comments as provided in that Act. In developing the program guidelines, the authority shall seek input from and work as collaboratively as possible with all interested parties and groups, including the deaf community.

§22008. Status of members and employees

1. State employees. Members and employees of the authority may not be construed to be state employees for the purpose of the state civil service provisions of Part 2 and chapter 372, and any other purpose except for the following:

A. Employees of the authority are deemed state employees for the purposes of the state retirement provisions of Part 20, and the state employee health insurance program under chapter 13, subchapter II; and

B. For the purposes of the Maine Tort Claims Act, the authority is deemed a governmental entity and its members and employees are deemed employees as those terms are defined in Title 14, section 8102.

2. Limitation of liability. A person who is a member of the authority or an employee of the authority is not subject to personal liability for having acted within the course and scope of the person's membership or employment to carry out any power or duty under this chapter. The authority shall indemnify a member or employee of the authority against expenses actually and necessarily incurred by the person in connection with the defense of any action or proceeding in which the person is made a party by reason of past or present association with the authority.

§22009. Public proceedings and records; confidentiality

1. Public proceedings and records. Except as provided in subsection 2, all meetings and records of the authority are subject to the provisions of Title 1, chapter 13, subchapter I.

2. Confidential. All information provided by a claimant or a claimant's family is confidential until the claim is submitted to the compensation panel. Once the claim is submitted to the compensation panel, the claim is a public record.

§22010. Repeal

This chapter is repealed on July 1, 2007.

SUBCHAPTER II

THE BAXTER COMPENSATION PROGRAM

§22021. Baxter Compensation Program

1. Purposes. The purposes of the Baxter Compensation Program are:

A. To provide compensation to former students who suffered abuse by a state employee or as a result of state action or inaction while students at either the Maine School for the Deaf or the Governor Baxter School for the Deaf;

B. To assist in the victims' healing process by admitting the State's responsibility for not protecting students from abuse by a state employee or as a result of state action or inaction while the

victims were attending the Maine School for the Deaf or the Governor Baxter School for the Deaf; and

C. To apologize to the students who were abused and to their families.

2. Program director; duties. The program director shall direct the program.

A. The program director is responsible for hiring, supervising and firing all employees authorized by the authority. The program director shall maintain only the number of employees necessary to operate the program.

B. The program director is responsible for the day-to-day operations of the program, including overseeing the work of the claims consultants.

C. The program director shall report to the authority on a regular basis as determined by the authority, and shall keep the authority informed about the program and its operation.

D. The program director shall maintain communication with the deaf community and other potential beneficiaries of the program.

E. The program director may not have any personal bias with regard to the Governor Baxter School for the Deaf, any employee of the Governor Baxter School for the Deaf or any claimant.

3. Location; travel. The program must be established in a central office location. The program director and all program personnel, including the claims consultants and the compensation panel are based in the central office. Claim consultants may travel as needed to assist claimants in preparing their claims. The compensation panel may travel as needed to carry out its responsibilities.

4. Claims consultants. The program director shall hire a sufficient number of claims consultants to work with the persons applying for compensation. Claims consultants must be selected to provide personal and professional diversity sufficient to allow claimants to select the claims consultant with whom they feel the most comfortable.

A. The qualifications for claims consultants include:

- (1) Fluency in American Sign Language;
- (2) Knowledge of or familiarity with abuse and its effects;
- (3) Knowledge of or familiarity with deaf culture;

(4) Ability to work with deaf interpreters;

(5) Ability to work with and refer claimants to therapists and counselors; and

(6) An absence of personal bias with regard to the Governor Baxter School for the Deaf, any employee of the Governor Baxter School for the Deaf or any claimant.

B. The duties of claims consultants include:

(1) Working with claimants and potential claimants;

(2) Helping claimants prepare their materials for submission to the compensation panel;

(3) Recording claimants' stories and experiences for use in the claims process, including presentation to the compensation panel in written, audio or audio visual formats;

(4) Assisting claimants in collecting and corroborating information;

(5) Explaining the compensation program process to claimants;

(6) Explaining the decision of the compensation panel;

(7) Assisting claimants in assembling the materials necessary to appeal the compensation panel's decision to the appeal board;

(8) Referring claimants to a professional outside the program in order to secure legal and financial advice;

(9) Referring claimants to counseling when appropriate; and

(10) Other reasonable duties necessary for the operation of the program as assigned by the program director.

A claimant is not required to use the services of a claims consultant to file a claim for compensation.

§2202. Eligibility

A person is eligible to receive compensation if:

1. Victim of abuse. That person was abused by a state employee or as a result of state action or inaction while a student at the Maine School for the Deaf or the Governor Baxter School for the Deaf, and the abuse occurred either at the school or was associated with the school;

2. Date of abuse. The abuse occurred prior to January 1, 2001; and

3. Filing deadline. The claim for compensation is filed with the program by March 31, 2006.

§22023. Claim process

1. Application. A person may apply for compensation by submitting a completed claim form to the program.

2. Submit to compensation panel. The claimant or, if requested by the claimant, a claims consultant shall submit the information about the claim to the compensation panel.

§22024. Decision

The compensation panel shall issue a decision on each submitted claim. The decision consists of 2 parts.

1. Eligibility determination. The compensation panel shall determine whether the claimant is eligible to receive compensation. For the claimant to be eligible for compensation, the compensation panel must determine that:

A. The claimant was a student at the Maine School for the Deaf or the Governor Baxter School for the Deaf. The compensation panel may use reliable information in addition to the information included in the claim;

B. The allegation of abuse includes abuse that occurred before January 1, 2001; and

C. The claimant was abused by a state employee or as a result of state action or inaction while a student at the Maine School for the Deaf or the Governor Baxter School for the Deaf. The compensation panel shall make this determination if the compensation panel finds there is a reasonable likelihood that the claimant was abused while a student at the Maine School for the Deaf or the Governor Baxter School for the Deaf. The abuse may have occurred at either school or elsewhere, but the abuse must have been associated with attendance or residence at either school while the State was responsible for the claimant's care and custody.

2. Determination of compensation amount. If the compensation panel determines that the claimant is eligible under subsection 1, the compensation panel shall review the claim to determine the amount of compensation. The panel shall apply the criteria adopted under section 22002, subsection 6, paragraph G, to the facts of the claim to determine which level of compensation is to be awarded. When making the

determination, the panel shall award compensation at the highest level that the facts of the claim support.

3. Decision. The compensation panel shall complete its decision within 60 days of the filing of the complete claim with the compensation panel.

4. Communication of the decision. The compensation panel shall provide to the claims consultant who assisted the claimant or, if no claims consultant assisted the claimant, to a claims consultant a written statement of the decision, including separate findings on each of the determinations. The claims consultant shall provide the statement and explain its content and meaning to the claimant. The claims consultant shall also explain the options available to the claimant if the claimant is not satisfied with the compensation panel's decision.

§22025. Appeal

1. Appeal. If the claimant is not satisfied with the final decision of the compensation panel, the claimant may appeal the decision to the appeal board. The appeal must be submitted within 60 days of the communication of the decision to the claimant, although the appeal board may extend the time limit for good cause.

2. Appeal costs. If the claimant appeals the decision, the claimant is responsible for paying the costs of the appeal as follows.

A. If the claimant is appealing the compensation panel's decision under section 22024, subsection 1 that the claimant is not eligible for compensation, the claimant is not required to pay any appeal costs.

B. If the claimant is appealing the compensation panel's decision under section 22024, subsection 2 regarding the level of compensation, the costs must be paid as follows:

(1) If the appeal board disagrees with the claimant and upholds the compensation panel's decision, the appeal cost is \$2,500, to be withheld from the compensation payment; or

(2) If the appeal board agrees with the claimant and increases the compensation award of the compensation panel, the claimant is not required to pay any appeal cost.

3. Assistance of claims consultant. At the request of a claimant, a claims consultant shall assist the claimant in assembling the materials necessary to appeal the decision.

4. Appeal on record and appeal documents.

The appeal board may make the decision on the appeal based solely on the record of the claim and documents submitted with the appeal. The appeal board is not required to conduct a hearing or take testimony, but may do so if it so chooses.

5. Standard of review. The appeal board shall review the decision of the compensation panel and may overrule the decision only if the appeal board determines the decision of the compensation panel is arbitrary and capricious.

6. Decision. The appeal board shall complete its decision within 60 days of the filing of the appeal with the appeal board.

7. Communication of decision. The appeal board shall provide to the claims consultant a written statement of the appeal board's decision. The claims consultant shall provide the statement and explain its content and meaning to the claimant.

8. Decision final. The decision of the appeal board is final and is not appealable to any court or other authority.

§22026. Acceptance

1. Notification. The claimant shall notify a claims consultant whether the claimant will accept the compensation awarded by the program.

2. Release. To receive payment of the compensation, the claimant must release the State from any further liability by signing a release form provided by the program.

3. Financial advice. A claims consultant shall provide to the claimant who has been awarded compensation the names and addresses of professionals who have agreed to work with claimants to provide financial advice.

§22027. Payment

The program shall pay compensation within 30 days of the final compensation decision, or as soon thereafter as possible.

§22028. Apology

1. Personal apology. When the program pays compensation, the State shall issue a personal apology to the claimant.

2. Process. The State shall issue the apology as follows.

A. The program director shall prepare the apology, and deliver the document to the Legislature and the Governor.

B. The President of the Senate, the Speaker of the House of Representatives and the Governor shall personally sign the apology document.

SUBCHAPTER III**SERVICES****§22041. Counseling**

1. Referrals. Claims consultants shall refer claimants and their families for counseling when the claims consultants believe such referral may be helpful.

2. Counseling. Claimants are eligible for counseling without cost to them as provided through the Department of Mental Health, Mental Retardation and Substance Abuse Services. The Department of Mental Health, Mental Retardation and Substance Abuse Services shall continue to provide counseling services for former students of the Governor Baxter School for the Deaf and the Maine School for the Deaf.

Sec. T-6. 20-A MRSA §7412, sub-§3, as enacted by PL 1999, c. 731, Pt. PPP, §1, is amended to read:

3. Nonlapsing fund; transfer to General Fund. Any Until July 1, 2007, any unexpended funds remaining in the fund may not lapse but must be carried forward for the benefit of the fund. On July 1, 2007, any unexpended funds remaining in the fund must be transferred to the General Fund.

Sec. T-7. 20-A MRSA §7412, sub-§4, as enacted by PL 1999, c. 731, Pt. PPP, §1, is repealed.

Sec. T-8. Baxter Compensation Authority Other Special Revenue Fund account established. Notwithstanding any other provisions of law, the Baxter Compensation Authority Other Special Revenue Fund account, referred to in this section as the "account," is established. The account is established for the purpose of receiving funds from any source and expending those funds for the payment of administration of the Baxter Compensation Authority established in the Maine Revised Statutes, Title 5, section 12004-G, subsection 26-E and for the payment of compensation to former students who were victims of abuse at the Governor Baxter School for the Deaf or its predecessors.

Sec. T-9. Transfer from Governor Baxter School for the Deaf Student Trust Fund. Notwithstanding any other provision of law, on October 1, 2001 the State Controller shall transfer \$1,000,000 from the Governor Baxter School for the Deaf Student Trust Fund established in the Maine Revised Statutes, Title 20-A, section 7412 to the Baxter Compensation Authority Other Special

Revenue Fund account to be made available by financial order upon the recommendation of the State Budget Officer and approval of the Governor.

Sec. T-10. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Part.

	2001-02	2002-03
BAXTER COMPENSATION AUTHORITY		
Baxter Compensation Authority		
Positions - Legislative Count	(4,000)	(6,000)
Personal Services	\$79,710	\$266,767
All Other	1,063,900	24,800
<p>Provides funds for the costs associated with administering the Baxter Compensation Program. Funding is included for the salary, fringe benefits, office expenses and one-time start-up costs for one Program Director position, one Administrative Secretary position, one Claims Consultant position and one Certified Interpreter position in fiscal year 2001-02, for one additional Claims Consultant position and for one additional Certified Interpreter position in fiscal year 2002-03 and for per diem and expenses of members of the authority board and the compensation panel. Funding is also provided for the compensation due former students who were abused while attending the Governor Baxter School for the Deaf or the Maine School for the Deaf.</p>		
BAXTER COMPENSATION AUTHORITY		
TOTAL	\$1,143,610	\$291,567

PART U

Sec. U-1. 5 MRSA §1520 is enacted to read:

§1520. Statewide Radio and Network System Reserve Fund

1. Fund established. The Statewide Radio and Network System Reserve Fund, referred to in this section as the "fund," is established as an internal service fund in the Department of Administrative and

Financial Services, Bureau of Information Services, referred to in this section as the "bureau," for the purposes of managing the fund and acquiring, expanding, upgrading and replacing a statewide radio and network system for use by state agencies. The bureau shall charge a fee to agencies using the statewide radio and network system in accordance with an established rate structure. Revenues derived from operations must be used to pay the costs of the lease-purchase to acquire a system, expand, upgrade and replace the system, and to manage the fund.

A. The bureau shall work closely with all departments and agencies to identify radio and network requirements for the statewide system to ensure that agency program requirements are met to the maximum extent possible. The bureau shall:

- (1) Ensure that the annual costs of the lease or lease-purchase are paid in a timely manner and that the financial affairs of the fund are properly managed;
- (2) Maintain records of radio and network system requirements for all agencies using the system and make this information available to state agencies;
- (3) Require state agencies to become part of the statewide radio and network system when replacing their current systems or purchasing new systems;
- (4) Acquire, expand, upgrade or replace the statewide radio and network system in accordance with an established replacement plan; and
- (5) Transfer radio equipment and network infrastructure into the fund from agencies using the system, purchase, lease, lease-purchase or enter into other financing agreements, in accordance with section 1587, for the acquisition, expansion, upgrade or replacement of the system or any of its components in accordance with paragraph B when it can be demonstrated that any such action or agreement provides a clear cost or program advantage to the State.

B. The Chief Information Officer and the bureau, in conjunction with the agencies using the statewide radio and network system, shall establish the following:

- (1) Standards for statewide radio and network system operations;

(2) Specifications for systems and components to be acquired by the State; and

(3) Standards for the exemption or waiver of state agencies from the requirements of this section.

By January 15, 2002, standards must be developed for statewide radio and network system usage by all state agencies not exempted under subparagraph (3).

C. The bureau shall establish, through the Department of Administrative and Financial Services, Bureau of Accounts and Control, the Statewide Radio and Network System Reserve Fund account. The funds deposited in the account may include, but are not limited to, appropriations made to the account, funds transferred to the account from within the Department of Administrative and Financial Services, funds received from state departments and agencies using the services provided by the bureau, earnings by the fund from the Treasurer of State's pool and proceeds from the sale of system assets under the administrative control of the fund by the state surplus property program in the Department of Administrative and Financial Services, Bureau of General Services in accordance paragraph B and other provisions of law.

D. The fund may levy charges according to a rate schedule recommended by the Director of the Bureau of Information Services and approved by the Commissioner of Administrative and Financial Services against all departments and agencies using the services of the statewide radio and network system.

E. Service charges for the statewide radio and network system must be calculated to provide for system acquisition costs, expansion costs, upgrade costs, necessary capital investment and fund management costs, replacement costs and sufficient working capital for the fund.

F. Each department or agency using the services of the statewide radio and network system must budget adequate funds to pay for costs described in paragraph E.

Sec. U-2. Report on radio and network system. The Chief Information Officer of the Department of Administrative and Financial Services shall prepare a report on all activities undertaken pursuant to the Maine Revised Statutes, Title 5, section 1520, subsection 1, paragraph B and submit the report by January 31, 2002 to the Joint Standing Committee on Appropriations and Financial Affairs; the Joint Standing Committee on Criminal Justice; the Joint Standing Committee on Inland Fisheries and

Wildlife; the Joint Standing Committee on Marine Resources; the Joint Standing Committee on Natural Resources; and the Joint Standing Committee on Transportation.

Sec. U-3. Department of Administrative and Financial Services; lease-purchase authorization. Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Department of Administrative and Financial Services, Bureau of Information Services may enter into financing arrangements on or after September 1, 2002 for the acquisition of hardware, software and systems to support the operations of the Statewide Radio and Network System Reserve Fund, established in Title 5, section 1520. The financial agreements may not exceed 7 years in duration and \$8,700,000 in principal costs. The interest rate may not exceed 6% and interest costs may not exceed \$2,100,000. Annual principal and interest costs must be paid from the appropriate line category allocations in the Bureau of Information Services, Statewide Radio and Network System Reserve Fund.

Sec. U-4. Appropriations and allocations. The following amounts are appropriated and allocated from various funds.

**ADMINISTRATIVE AND FINANCIAL SERVICES,
DEPARTMENT OF**

Statewide Radio and Network System

New Initiative: Provides funds to implement the statewide radio and network system replacement. The capital allocation will be used for planning and engineering services. The All Other funds will be used for the costs of a lease-purchase agreement or other financing vehicle construct and deployment. Provides for the transfer of funds from the General Fund to the newly established internal service fund.

General Fund	2001-02	2002-03
All Other		268,000
Total		268,000
Statewide Radio and Network System Reserve Fund	2001-02	2002-03
All Other		268,000
Capital Expenditures	500,000	
Total	500,000	268,000

PART V

Sec. V-1. PL 2001, c. 358, Pt. V, §4, sub-§1 is amended to read:

1. Replacement of state liquor stores. The Department of ~~Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations~~ Public Safety, Bureau of Liquor Enforcement

may license up to 6 agency stores in a municipality with a population over 20,000 where a state liquor store has been closed and up to 3 agency stores in a municipality where a state liquor store has been closed. The Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations shall establish monthly discounts for all agency stores. ~~The issuance of an agency liquor store license and the operation of agency liquor stores licensed pursuant to this Part are governed by the Maine Revised Statutes, Title 28-A, chapter 19. Notwithstanding the Maine Revised Statutes, Title 28-A, section 453, the Department of Public Safety, Bureau of Liquor Enforcement is authorized to waive the spacing requirement for agency liquor stores in order to license a sufficient number of agency stores in municipalities to implement this Part, to close 8 state liquor stores by December 31, 2001 and 6 additional state liquor stores by December 31, 2002, and to replace the 14 state liquor stores with agency stores.~~

PART W

Sec. W-1. Transfer of funds. Notwithstanding any other provision of law, the State Controller shall transfer \$150,000 in fiscal year 2001-02 from the General Fund Attorney General - Contingent program to General Fund unappropriated surplus no later than June 30, 2002.

Sec. W-2. Transfer to General Fund. Notwithstanding any other provision of law, the State Controller shall transfer \$2,550,000 from the Department of Professional and Financial Regulation, Securities Division Other Special Revenue account to the General Fund in fiscal year 2001-02.

PART X

Sec. X-1. 22 MRSA §4002, sub-§3-A, as enacted by PL 1987, c. 511, Pt. A, §2, is repealed.

Sec. X-2. 22 MRSA §4008, sub-§3, ¶D, as amended by PL 1987, c. 511, Pt. A, §3, is further amended to read:

D. An appropriate state executive or legislative official with responsibility for child protection services ~~or the Child Welfare Services Ombudsman in carrying out his official functions~~, provided that no personally identifying information may be made available unless necessary to ~~his~~ that official's functions;

Sec. X-3. 22 MRSA c. 1071, sub-c. X-A is amended by repealing the subchapter headnote and enacting the following in its place:

SUBCHAPTER X-A

OMBUDSMAN SERVICES

Sec. X-4. 22 MRSA §4087, as enacted by PL 1989, c. 400, §§7 and 14, is repealed.

Sec. X-5. 22 MRSA §4087-A is enacted to read:

§4087-A. Ombudsman program

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

A. "Ombudsman" means the director of the program and persons employed or volunteering to perform the work of the program.

B. "Program" means the ombudsman program established under this section.

2. Program established. The ombudsman program is established as an independent program within the Executive Department to provide ombudsman services to the children and families of the State regarding child welfare services provided by the Department of Human Services. The program shall consider and promote the best interests of the child involved, answer inquiries and investigate, advise and work toward resolution of complaints of infringement of the rights of the child and family involved. The program must be staffed, under contract, by an attorney or a master's level social worker who must have experience in child development and advocacy, and support staff as determined to be necessary. The program shall function through the staff of the program and volunteers recruited and trained to assist in the duties of the program.

3. Contracted services. The program shall operate by contract with a nonprofit organization that the Executive Department determines to be free of potential conflict of interest and best able to provide the services on a statewide basis. The ombudsman may not be actively involved in state-level political party activities or publicly endorse, solicit funds for or make contributions to political parties on the state level or candidates for statewide elective office. The ombudsman may not be a candidate for or hold any statewide elective or appointive public office.

4. Services. The program shall provide services directly or under contract and may set priorities for service among the types of inquiries and complaints. The program may:

A. Provide information to the public about the services of the program through a comprehensive outreach program. The ombudsman shall pro-

vide information through a toll-free telephone number or numbers;

B. Answer inquiries, investigate and work toward resolution of complaints regarding the performance and services of the department and participate in conferences, meetings and studies that may improve the performance of the department;

C. Provide services to persons to assist them in protecting their rights;

D. Inform persons of the means of obtaining services from the department;

E. Provide information and referral services;

F. Analyze and provide opinions and recommendations to agencies, the Governor and the Legislature on state programs, rules, policies and laws;

G. Determine what types of complaints and inquiries will be accepted for action by the program and adopt policies and procedures regarding communication with persons making inquiries or complaints and the department;

H. Apply for and utilize grants, gifts and funds for the purpose of performing the duties of the program; and

I. Collect and analyze records and data relevant to the duties and activities of the program and make reports as required by law or determined to be appropriate.

5. Access to persons, files and records. As necessary for the duties of the program, the ombudsman has access to the files and records of the department, without fee, and to the personnel of the department for the purposes of investigation of an inquiry or complaint. The ombudsman may also enter the premises of the department for the purposes of investigation of an inquiry or complaint without prior notice. The program shall maintain the confidentiality of all information or records obtained under this subsection.

6. Confidentiality of records. Information or records maintained by the program relating to a complaint or inquiry are confidential and may not be disclosed unless the disclosure is permitted by law and consented to by the ombudsman or ordered by court. Records maintained by the program are not public records as defined in Title 1, chapter 13.

7. Liability. Any person who in good faith submits a complaint or inquiry to the program pursuant to this section is immune from any civil or criminal liability. For the purpose of any civil or

criminal proceedings, there is a rebuttable presumption that any person acting pursuant to this section did so in good faith. The ombudsman and employees and volunteers in the program are employees of the State for the purposes of the Maine Tort Claims Act.

8. Penalties. A person who intentionally obstructs or hinders the lawful performance of the ombudsman's duties commits a Class E crime. A person who penalizes or imposes a restriction on a person who makes a complaint or inquiry to the ombudsman as a result of that complaint or inquiry commits a Class E crime. The Attorney General shall enforce this subsection under Title 5, section 191.

9. Information. Beginning January 1, 2002, information about the services of the program and any applicable grievance and appeal procedures must be given to all children and families receiving child welfare services from the department and from all persons and entities contracting with the department for the provision of child welfare services.

10. Report. The program shall report to the Governor, the department and the Legislature before January 1st each year on the activities and services of the program, priorities among types of inquiries and complaints that may have been set by the program, waiting lists for services, the provision of outreach services and recommendations for changes in policy, rule or law to improve the provision of services.

11. Oversight. The joint standing committee of the Legislature having jurisdiction over health and human services matters shall review the operations of the program and may make recommendations to the Governor regarding the contract for services under this section. The committee may submit legislation that it determines necessary to amend or repeal this section.

Sec. X-6. Report. By January 31, 2003, the director of the ombudsman program within the Executive Department, established in the Maine Revised Statutes, Title 22, section 4087-A, shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters on the feasibility of and any action required for transferring authority for child ombudsman and advocacy services and programs and the funding associated with those services and programs on July 1, 2003. In compiling this report, the director shall consider the services provided directly or indirectly by the Department of Mental Health, Mental Retardation and Substance Abuse Services; the Department of Corrections, Office of Advocacy; the Department of Mental Health, Mental Retardation and Substance Abuse Services, Office of Advocacy and Consumer Affairs; the Department of Education; the Department of Human Services; the Department of Corrections; the Department of Human Services, Bureau of Elder

and Adult Services; the Disability Rights Center; and such other agencies as the director determines to be appropriate. The joint standing committee of the Legislature having jurisdiction over health and human services matters may submit legislation to the 121st Legislature to transfer authority over child ombudsman and advocacy services and programs and the funding associated with those services and programs to the ombudsman program.

Sec. X-7. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

	2001-02	2002-03
HUMAN SERVICES, DEPARTMENT OF		
Bureau of Child and Family Services - Regional		
Positions - Legislative Count	(21,000)	(21,000)
Personal Services	\$751,079	\$1,051,510
All Other	141,750	196,560
TOTAL	892,829	1,248,070

Provides funds for 18 Human Services Caseworker positions and 3 Human Services Caseworker Supervisor positions and related operating costs to accomplish 100% compliance with safety and well-being reviews. This initiative will increase General Fund undedicated revenue by \$690,058 in fiscal year 2001-02 and \$956,886 in fiscal year 2002-03.

Bureau of Child and Family Services - Regional		
All Other	95,040	98,842

Provides funds to cover increased utilization of cell phones by Human Services Caseworkers.

Bureau of Child and Family Services - Regional		
All Other	82,500	85,800

Provides funds for travel due to increased site visits by Human Services Caseworkers and the placement of children.

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

Positions	(3,000)	(3,000)
Personal Services	169,627	237,477
All Other	20,250	28,080
TOTAL	189,877	265,557

Provides funds for the establishment of one Division Director position and 2 Program Administrators - Child Protective positions and related operating costs to provide program oversight, policy development, contract monitoring and foster care recruitment.

**Temporary Assistance for Needy
Families**

All Other	(676,188)	(875,198)
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Provides for the deappropriation of funds in the Temporary Assistance for Needy Families account based on availability of one-time TANF Child Support Collection funds, which will be allocated in the Other Special Revenue account.

**DEPARTMENT OF HUMAN
SERVICES
TOTAL**

584,058	823,071
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EXECUTIVE DEPARTMENT

Ombudsman Program

All Other	106,000	133,815
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Provides funds to contract with a nonprofit organization to operate an ombudsman program. Funding is included for one Ombudsman position and one support staff position, operating costs and one-time start-up costs.

**TOTAL
APPROPRIATIONS**

\$690,058	\$956,886
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Sec. X-8. Allocation. The following funds are allocated from the Federal Expenditures Fund to carry out the purposes of this Part.

2001-02

**HUMAN SERVICES,
DEPARTMENT OF**

Bureau of Child and Family Services - Central

All Other \$37,500

Allocates funds for the replacement of 25 laptop computers to increase staff efficiency in the field.

Sec. X-9. Allocation. The following funds are allocated from the Other Special Revenue funds to carry out the purposes of this Part.

2001-02 2002-03

HUMAN SERVICES, DEPARTMENT OF

Bureau of Child and Family Services - Central

All Other \$37,500

Allocates funds for the replacement of 25 laptop computers to increase staff efficiency in the field.

Temporary Assistance for Needy Families

All Other 676,188 875,198

Allocates funds based on the availability of one-time earned TANF Child Support Collection revenues.

DEPARTMENT OF HUMAN SERVICES

TOTAL \$713,688 \$875,198

Sec. X-10. Transfer. Notwithstanding any other provision of law, the State Controller shall transfer \$4,043,531 in fiscal year 2001-02 from the Department of Human Services, Child Support Collections, Other Special Revenue account, representing a portion of the State's share of Child Support collections earned but not transferred to the Temporary Assistance for Needy Families Other Special Revenue account.

Sec. X-11. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

2001-02

HUMAN SERVICES, DEPARTMENT OF

Temporary Assistance for Needy Families

All Other (\$4,043,531)

Deappropriates funds due to an increase in Other Special Revenue funds based on the State's share of one-time child support collections earned and transferred to the Temporary Assistance for Needy Families program.

Sec. X-12. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Part.

2001-02

HUMAN SERVICES, DEPARTMENT OF

Temporary Assistance for Needy Families

All Other \$4,043,531

Allocates funds based on the State's share of one-time child support collections earned and transferred to the Temporary Assistance for Needy Families program.

PART Y

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

2001-02 2002-03

HUMAN SERVICES, DEPARTMENT OF

Temporary Assistance for Needy Families

All Other (\$378,000) (\$1,650,000)

Provides for the deappropriation of funds in the Temporary Assistance for Needy Families account based on availability of one-time TANF child support collection funds, which will be allocated in the Other Special Revenue account.

Bureau of Medical Services

All Other 378,000 1,650,000

Provides funds for the completion of Phase I and for the implementation of Phases II and III of the Claims Management System based on approved Advanced Planning Document estimates.

DEPARTMENT OF HUMAN SERVICES		
TOTAL	0	0

Sec. Y-2. Allocation. The following funds are allocated from the Federal Expenditures Fund to carry out the purposes of this Part.

	2001-02	2002-03
HUMAN SERVICES, DEPARTMENT OF		
Bureau of Medical Services		
All Other	\$12,942,080	\$13,087,391
Allocates federal matching funds for the completion of Phase I and for the implementation of Phase II and Phase III of the Claims Management System based on approved Advanced Planning Document estimates.		

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

	2001-02	2002-03
HUMAN SERVICES, DEPARTMENT OF		
Temporary Assistance for Needy Families		
All Other	\$378,000	\$1,650,000
Allocates funds based on the availability of one-time earned TANF Child Support Collection revenues.		

PART Z

Sec. Z-1. 5 MRSA c. 316-B is enacted to read:

CHAPTER 316-B

**SEXUAL ASSAULT FORENSIC EXAMINER
ADVISORY BOARD**

§3360-N. Sexual Assault Forensic Examiner Advisory Board established; membership

1. Establishment and membership. The Sexual Assault Forensic Examiner Advisory Board, referred to in this chapter as the "board," established under section 12004-J, subsection 13, is established within the Department of the Attorney General. The board consists of 13 members appointed by the Attorney General. Members must include the following:

- A. One physician licensed to practice medicine in the State;
- B. One member of the State Board of Nursing;
- C. One sexual assault nurse examiner;
- D. One representative from a sexual assault center;
- E. One member from a statewide coalition against sexual assault;
- F. One survivor of sexual assault;
- G. One attorney from the Department of the Attorney General;
- H. One employee of the Maine State Police Crime Laboratory;
- I. One member from a statewide association of prosecutors;
- J. One member from a statewide association of hospitals;
- K. One member who is a forensic pediatric health care provider; and
- L. Two public members.

2. Terms of appointment. The term of each member of the board is 3 years. When a vacancy occurs prior to the expiration of a term, the appointment to fill that vacancy is for the balance of the unexpired term. Notwithstanding this subsection, the Attorney General may appoint initial members of the board for terms of fewer than 3 years to ensure staggered terms.

3. Chair. The member to be appointed by the Attorney General pursuant to subsection 1, paragraph G shall act as the chair of the board.

4. Meetings. The board may not meet more than once a month.

5. Quorum. Five members of the board constitute a quorum.

§3360-O. Duties

The board shall advise and assist the State in promoting and supporting the statewide creation, growth and sustainability of sexual assault forensic examiner programs. The board shall provide advice and assistance regarding training, technical assistance, standards and resources to the sexual assault forensic examiner programs.

§3360-P. Administration

The Department of the Attorney General shall provide general administrative oversight for the board's policies and responsibilities. When appropriate, the Department of the Attorney General may employ personnel necessary to carry out the purposes of the board; lease, rent or acquire adequate equipment and facilities; accept federal funds or grants that are available to carry out or implement the board's objectives; and provide technical assistance and training to sexual assault forensic examiners.

Sec. Z-2. 5 MRSA §12004-J, sub-§13 is enacted to read:

<u>13.</u> <u>Criminal</u> <u>Justice</u>	<u>Sexual</u> <u>Assault</u> <u>Forensic</u> <u>Examiner</u> <u>Advisory</u> <u>Board</u>	<u>Expenses</u> <u>Only</u>	<u>5 MRSA</u> <u>§3360-N</u>
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Sec. Z-3. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

	2001-02	2002-03
ATTORNEY GENERAL, DEPARTMENT OF THE Administration - Attorney General		
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	\$19,066	\$56,457
All Other	12,264	29,283
Provides for the appropriation of funds effective March 1, 2002 to establish one Research Assistant position and related costs for the sexual assault forensic examiner program.		
DEPARTMENT OF THE ATTORNEY GENERAL TOTAL	\$31,330	\$85,740

**PUBLIC SAFETY,
DEPARTMENT OF**

Administration - Public Safety

Positions - Legislative Count	(1,500)	(1,500)
Personal Services	73,530	98,000
All Other	26,470	27,000

Appropriates funds for one Coordinator position and one half-time Clerk Typist III position to reflect a delayed start date of October 1, 2001 for the new violence against women initiative.

DEPARTMENT OF PUBLIC SAFETY TOTAL	100,000	125,000
TOTAL APPROPRIATIONS	\$131,330	\$210,740

PART AA

Sec. AA-1. PL 1999, c. 731, Pt. AAAA, §4 is amended to read:

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
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**MAINE FIRE PROTECTION
SERVICES COMMISSION**

**Maine Fire Protection Services
Commission**

Personal Services	2,640
All Other	17,360

TOTAL	20,000
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Provides initial operating funds for the Maine Fire Protection Services Commission. These

funds may not lapse but must be carried forward until June 30, 2002 to be used for this same purpose.

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. <u>These funds may not lapse but must be carried forward until June 30, 2002 to be used for these same purposes.</u>	

MAINE FIRE PROTECTION SERVICES COMMISSION TOTAL	50,000
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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
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SECTION TOTAL APPROPRIATIONS	\$376,000
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PART BB

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

2002-03

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Dam Repair and Reconstruction Fund

All Other	\$5,000
Notwithstanding the provisions of the Maine Revised Statutes, Title 38, section 844, allocates funds on a one-time basis to fund the costs of a low-flow study to be conducted by the Aroostook Water and Soil Management Board.	

PART CC

Sec. CC-1. 22 MRSA §3769-C, sub-§1, ¶¶A and B are enacted to read:

A. Beginning October 1, 2001, the department shall use unexpended funds in the TANF program to increase the maximum amount of TANF assistance by an amount equal to 5% of the maximum payments that were in effect on January 1, 2001, and shall increase the standard of need to maintain the same differential between the maximum payment and the standard of need that was in effect on January 1, 2001. Initial applicants for assistance may not become eligible for assistance as a result of any increase in the standard of need required by this paragraph.

B. Beginning with the 2004-2005 fiscal biennium, the commissioner must continue the 5% benefit increase provided for in paragraph A in the department's current services budget request for the TANF block grant.

Sec. CC-2. TANF Reserve. The Department of Human Services shall allocate \$1,032,971 in fiscal year 2001-02 and \$1,377,295 in fiscal year 2002-03 from the TANF Reserve to the Temporary Assistance for Needy Families program to provide a 5% increase in the maximum level of assistance in the program pursuant to the Maine Revised Statutes, Title 22, section 3769-C, subsection 1, paragraph A.

Sec. CC-3. Allocation. The following funds are allocated from the Federal Block Grant Fund to carry out the purposes of this Part.

	2001-02	2002-03
HUMAN SERVICES, DEPARTMENT OF		
Temporary Assistance for Needy Families		
All Other	\$1,032,971	\$1,377,295
Provides funds from the TANF Reserve to support a 5% increase in the maximum level of assistance in the TANF program.		
Temporary Assistance for Needy Families		
All Other	\$750,000	\$1,000,000
Provides funds to support a 5% increase in the maximum level of assistance in the TANF program.		
Temporary Assistance for Needy Families		
All Other	(\$750,000)	(\$1,000,000)
Deallocates funds to offset an excess allocation in Part A of the Governor's "current services" budget.		
DEPARTMENT OF HUMAN SERVICES		
TOTAL	\$1,032,971	\$1,377,295

PART DD

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

	2001-02	2002-03
EXECUTIVE DEPARTMENT		
Public Advocate		
All Other	(\$181,569)	(\$181,551)
Deallocates funds to limit growth within the Office of the Public Advocate.		

PART EE

Sec. EE-1. Transfers from unappropriated surplus at close of fiscal year 2000-01. Notwithstanding any other provision of law, at the

close of fiscal year 2000-01, the State Controller shall transfer from the unappropriated surplus of the General Fund to the Executive Branch - Departments and Agencies Statewide account within the Department of Administrative and Financial Services after all required deductions of appropriations and budgeted financial commitments and as the next priority after the transfers required pursuant to the Maine Revised Statutes, Title 5, sections 1507, 1511, 1513, 1517 and 1519 and the amounts authorized pursuant to Public Law 2001, chapter 358, Part X, section 2 an amount not to exceed \$9,100,572 as determined in section 2 of this Part. At the close of fiscal year 2000-01, transfers authorized pursuant to Title 5, section 1519 may not exceed \$2,000,000 and transfers authorized pursuant to Title 5, section 1517 may not exceed \$1,700,000.

Sec. EE-2. Priority of transfers. Transfers made in accordance with section 1 of this Part must be expended for the purposes listed in this section in the following amounts and priority order.

1. ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Office of Tourism \$2,193,844

New Initiative: Provides funds to increase tourism promotion in fiscal year 2002-03. These funds may not be expended in fiscal year 2001-02 but must be carried forward until June 30, 2003.

2. MARINE RESOURCES, DEPARTMENT OF

Bureau of Resource Management \$139,418

New Initiative: Appropriates funds to develop alternative lobster stock assessment models and to develop alternative biological reference points for lobster in the State.

3. DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

Disaster Assistance \$424,396

New Initiative: To provide the state share of federal disaster assistance.

4. AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF

Office of Agricultural, Natural and Rural Resources \$5,000

New Initiative: Appropriates funds in fiscal year 2001-02 for the United States Geological Survey to conduct a low-flow study in Aroostook County.

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

Disproportionate Share - Augusta Mental Health Institute \$26,490

New Initiative: Modernization of management information system.

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

Disproportionate Share - Augusta Mental Health Institute \$133,894

New Initiative: Continues using contract nurses at the Augusta Mental Health Institute.

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

Disproportionate Share - Bangor Mental Health Institute \$132,530

New Initiative: Provides funds to contract for nurse coverage due to difficulty in recruiting state employees.

8. ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Bureau of General Services Capital Improvement Reserve Fund \$400,000

New Initiative: Provides funds to the Bureau of General Services to complete renovating the HETL building and clinical laboratories.

9. ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Bureau of General Services Capital Improvement Reserve Fund \$350,000

New Initiative: Provides funding for the development of a capital investment plan for the Downeast Correctional Facility.

10. ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Bureau of General Services Capital Improvement Reserve Fund \$125,000

New Initiative: Provides funding for repairs to a hangar in Greenville.

11. ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Bureau of General Services Capital Improvement Reserve Fund \$350,000

New Initiative: Provides funding in fiscal year 2002-03 for an architectural and engineering assessment of the Harlow Building.

12. GOVERNOR BAXTER SCHOOL FOR THE DEAF

Governor Baxter School for the Deaf \$100,000

New Initiative: Provides one-time funds in fiscal year 2001-02 and the authority to use unobligated resources in order to offset expenditures by local education authorities for the costs of educational programs and related services required for students under federal and state laws related to the Individuals with Disabilities

Education Act. The Governor Baxter School for the Deaf is to submit a report by January 15, 2002 to the Commissioner of Administrative and Financial Services and to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs and the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs detailing the school's specific responsibilities and the resources necessary to address those responsibilities.

13. CORRECTIONS, DEPARTMENT OF

Administration - Corrections \$1,800,000

New Initiative: Provides for the continued development of the department's technology plan.

14. ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Office of Tourism \$1,000,000

New Initiative: Provides funds to match a federal grant to plan and construct the Downeast Heritage Center on the St. Croix River in Calais and to promote tourism and economic growth in Washington County.

15. HUMAN SERVICES, DEPARTMENT OF

Bureau of Health \$25,000

New Initiative: Appropriates funds on a one-time basis to design and conduct a health study of selected residents of the Town of Orrington relating to levels of mercury.

16. DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

Military Educational Benefits \$300,000

New Initiative: Provides educational funds in fiscal year 2001-02.

17. ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Bureau of General Services Capital Improvement Reserve Fund \$1,000,000

New Initiative: Provides funding in fiscal year 2001-02 for renovations at the Bangor Mental Health Institute campus to make office space ADA-accessible, to upgrade heating and cooling systems and to repair the roof and parapets.

18. STATE BOARD OF EDUCATION

State Board of Education \$150,000

New Initiative: Provides funding to continue the implementation of essential programs and services.

19. MAINE STATE MUSEUM

Maine State Museum \$445,000

New Initiative: Provides funds for the repair of portraits in the State House and for the stabilization of the historic flags exhibit.

Sec. EE-3. Calculation and transfer.

Notwithstanding the Maine Revised Statutes, Title 5, section 1585, in fiscal year 2001-02, the State Budget Officer shall calculate the amounts that may be transferred to the various state departments and agencies for the projects listed in section 2 of this Part and shall transfer the calculated amounts by financial order upon the approval of the Governor. These transfers are considered adjustments to appropriations and allocations in fiscal year 2001-02. The State Budget Officer shall provide the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs with a report of the transferred amounts no later than January 31, 2003. Amounts transferred pursuant to this Part and not expended during fiscal year 2001-02 may not lapse at the end of fiscal year 2001-02 but must be carried forward to be used for the purposes for which they were originally transferred.

Sec. EE-4. Revenue Reserve. A Revenue Reserve is established as an account within the General Fund to be used to reserve funds against future revenue reductions that may result from the State taking action to conform the State's tax laws to the United States Internal Revenue Code, to offset future budget shortfalls, to secure resources for the Fund for a Healthy Maine or for other purposes as determined by the Legislature. At the close of fiscal year 2000-01, the State Controller shall transfer to the Revenue Reserve any balance remaining in General Fund unappropriated surplus after all the transfers authorized pursuant to section 1 and after all other required deductions of appropriations and budgeted financial commitments.

PART FF

Sec. FF-1. 12 MRSA §7076, sub-§6, as repealed and replaced by PL 1999, c. 249, §1, is amended to read:

6. Members of Armed Forces domiciled in Maine. A member of the Armed Forces of the United States on active duty who is permanently stationed outside of the State ~~and that person's spouse and children may purchase Maine hunting and fishing licenses at reduced rates~~ may be issued a combination fishing and hunting license for an amount equal to the administrative costs associated with issuing the license as determined by the department. Administrative costs do not include agent fees. To qualify, the member of the Armed Forces must show proof that that member's home of record, as recorded in that person's service records, is Maine. That person may purchase all other licenses or permits at resident fees.

The license is valid during the year of issue. That person's spouse and children may purchase Maine hunting and fishing licenses at reduced rates. The reduced fees are as follows:

- A. Twenty dollars, plus the issuing fee for a combination fishing and hunting license;
- B. Ten dollars, plus the issuing fee for a hunting license; and
- C. Ten dollars, plus the issuing fee for a fishing license.

Sec. FF-2. Effective date. This Part takes effect July 1, 2002.

PART GG

Sec. GG-1. 30-A MRSA §4992-A, as enacted by PL 1991, c. 858, §1, is amended to read:

§4992-A. Fuel Assistance Reserve Fund

1. Fuel Assistance Reserve Fund. If funds are appropriated pursuant to this section, the authority shall use the funds to establish and capitalize the Fuel Assistance Reserve Fund. The authority shall keep the Fuel Assistance Reserve Fund, referred to in this section as the "fund," separate from all other funds managed by the authority and use the fund only under the conditions set forth in this section. The authority shall use the Fuel Assistance Reserve Fund to ensure that fuel assistance benefits for the State's eligible elderly and low-income residents are available prior to the beginning of the heating season.

2. Timely distribution of benefits. The authority shall make available to local program operators and municipal administrators of the fuel assistance program, ~~by October 1st at the beginning of each state fiscal year,~~ funds sufficient to cover anticipated fuel assistance payments and program administrative costs for at least the months of October, November and December July, August and September.

3. Conditional use of the fund. The authority's use of the fund is subject to the following conditions and limitations.

- A. If the authority reasonably anticipates that federal fuel assistance block grant funds are not available for distribution to the local program operators and municipal administrators by ~~October~~ July 1st of each year, the authority shall withdraw and distribute sufficient money from the fund as is necessary for the purposes set forth in this section. The authority may withdraw funds prior to October 1st, provided that those funds are used only for costs incurred on or after ~~October~~ July 1st.

Money may not be withdrawn from the fund if sufficient block grant funds are available by ~~October~~ July 1st to pay reasonably anticipated fuel assistance program and administrative costs for the months of ~~October, November and December~~ July, August and September.

B. Money withdrawn from the fund must be sufficient to cover anticipated fuel assistance payments and fuel assistance program administrative costs for all local program operators and municipal administrators for the months of ~~October, November and December~~ July, August and September.

C. The fund may not be used if the authority reasonably anticipates that no federal fuel assistance money will be received.

D. The authority must receive prior written approval from the Federal Government that confirms that state funds withdrawn during a period from July 1st to September 30th may be reimbursed with federal fuel assistance funds received for the federal program year beginning in October of that same year.

4. Recapitalization. If money is withdrawn from the fund for the purposes of this section, the authority shall ensure that the fund is fully recapitalized before the end of the fiscal year in which the funds were appropriated. Recapitalization does not apply in any state fiscal year in which a working capital advance is provided.

5. Working capital advance. The State Controller may advance up to \$10,000,000 from the General Fund unappropriated surplus beginning July 1, 2002 to the Fuel Assistance Reserve Fund during any state fiscal year, if requested in writing by the Director of the Maine State Housing Authority, to be used to provide cash necessary to ensure that fuel assistance benefits for the State's eligible elderly and low-income applicant households will be available prior to the beginning of the heating season. These funds must be allotted by financial order upon recommendation of the State Budget Officer and approval of the Governor. Subject to the availability of federal fuel assistance block grant funds, these funds must be returned to the General Fund before the close of the state fiscal year in which the advance was made. The State Controller shall report to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs within 30 days of making any working capital advance for this purpose.

Sec. GG-2. Maine State Housing Authority shall study fixed-price home heating fuel contracts for fuel assistance recipients. The

Maine State Housing Authority shall consult with the Maine Oil Dealers Association and Maine Community Action programs to determine if oil dealers are making fixed-price home heating fuel contracts available to fuel assistance recipients and if and when it is practical to make such contracts available to fuel assistance recipients. The authority shall submit a report with suggested legislation, if necessary, to the Joint Standing Committee on Business and Economic Development by January 15, 2002. The Joint Standing Committee on Business and Economic Development may report out legislation to the Second Regular Session of the 120th Legislature.

Sec. GG-3. Maine State Housing Authority shall identify funding for nonfederal share of weatherization program costs. Whenever it is required by the Federal Government, the Maine State Housing Authority in consultation with other affected state agencies that receive federal Department of Energy funding shall report to the joint standing committee of the Legislature having jurisdiction over utilities and energy matters and the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs on identifying the most effective way to provide adequate funding of the 25% nonfederal share of weatherization program costs.

The authority shall identify the source or sources of the match necessary to meet this cost-sharing requirement. The authority shall identify an appropriate long-term funding solution.

Sec. GG-4. Maine State Housing Authority shall report on feasibility of establishing Office of Energy Conservation. The Maine State Housing Authority, with assistance from the State Planning Office, shall report to the joint standing committee of the Legislature having jurisdiction over business and economic development matters, the joint standing committee of the Legislature having jurisdiction over utilities and energy matters and the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs on the most cost-effective approaches to the following:

1. Providing a new comprehensive energy conservation plan for this State and updating it every 2 years;
2. Coordinating all state energy conservation programs;
3. Encouraging conservation of energy and development of this State's energy resources to assist citizens in surviving the winter heating season; and
4. Soliciting and incorporating advice and comment from affected stakeholders including representatives of the energy industry, utilities, energy

conservation service providers, low-income households and environmental agencies.

This report must be submitted with accompanying legislation if necessary to the First Regular Session of the 120th Legislature by November 1, 2001.

Sec. GG-5. Maine State Housing Authority shall annually study percentage of Low-income Home Energy Assistance Program funds used for weatherization services. The Maine State Housing Authority shall investigate in April of 2002 and 2003 the possibility of increasing the percentage of Low-income Home Energy Assistance Program funds from 15% up to as high as 25% for weatherization services.

Sec. GG-6. State Planning Office shall conduct study regarding reduction of energy consumption. The State Planning Office shall conduct a study to determine whether this State can reduce its per capita residential energy consumption by 25% by 2011. Particular attention must be paid to low-income to moderate-income households that lack the financial and technical resources to identify energy conservation opportunities and to acquire the energy conservation goods and services needed to achieve significant savings. The State Planning Office shall report on requiring higher efficiency ratings for heating systems, appliances and energy building standards. The State Planning Office shall also analyze the possibility of requiring higher efficiency ratings for heating systems, appliances and energy building standards. The State Planning Office shall investigate the value of tax incentives for implementing measures identified in energy audits for energy conservation improvements for Maine citizens. The State Planning Office shall report to the joint standing committee of the Legislature having jurisdiction over business and economic development matters, the joint standing committee of the Legislature having jurisdiction over taxation matters, the joint standing committee of the Legislature having jurisdiction over utilities and energy matters and the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs on establishing Maine energy independence programs and financing mechanisms to achieve this goal. The State Planning Office shall submit a report with accompanying legislation to the Second Regular Session of the 120th Legislature by January 15, 2002.

PART HH

Sec. HH-1. 22 MRSA §254, sub-§1, ¶A, as enacted by PL 1999, c. 401, Pt. KKK, §1 and affected by §10 and c. 531, Pt. F, §2, is amended to read:

A. The basic component of the program must provide drugs and medications for cardiac con-

ditions and high blood pressure, diabetes, arthritis, anticoagulation, hyperlipidemia, osteoporosis, chronic obstructive pulmonary disease and asthma, incontinence, thyroid diseases, glaucoma, parkinson's disease, multiple sclerosis and amyotrophic lateral sclerosis. The basic component must also provide over-the-counter medications that are prescribed by a health care provider and approved as cost-effective by the department.

Sec. HH-2. 22 MRSA §254, sub-§2, as amended by PL 1999, c. 401, Pt. KKK, §1 and affected by §10 and c. 531, Pt. F, §2, is repealed.

Sec. HH-3. 22 MRSA §254, sub-§2-A is enacted to read:

2-A. Income eligibility. Individuals are eligible for this program if the household income, as defined in subsection 9, is not more than the amount set by this subsection. In calculating income eligibility, the cost of drugs provided to a household under this section is considered a cost incurred by the household. The income eligibility limit is determined as follows:

A. Calculate the applicable poverty level by reference to 185% of the federal nonfarm income official poverty level, as defined by the Office of Management and Budget, that was in effect on January 1, 2001;

B. Calculate the income eligibility limit for calendar year 2001 by multiplying the poverty level figure from paragraph A by the result of one plus the annualized cost-of-living adjustment used to determine Social Security retirement benefits issued during calendar year 2001;

C. For each program year after 2001, calculate the income eligibility limit for the year for which relief is requested by multiplying the income eligibility limit for the previous program year as calculated by paragraph B by one plus the annualized cost-of-living adjustment applicable to Social Security retirement benefits issued during the year for which relief is requested; and

D. For individuals in households that spend at least 40% of income on unreimbursed direct medical expenses for prescription medications, the income eligibility limit is increased by 25%.

Sec. HH-4. Effective date. This Part takes effect November 1, 2001, except that that portion of this Part that enacts the Maine Revised Statutes, Title 22, section 254, subsection 2-A takes effect January 1, 2002 and applies to calendar year 2002 and succeeding years.

PART II

Sec. II-1. 36 MRSA §1864 is enacted to read:

§1864. No use tax on donations to exempt organization

A use tax is not imposed on the donation of merchandise by a retailer from inventory to an organization if sales to that organization are exempt from sales tax under section 1760.

Sec. II-2. Effective date. This Part takes effect October 1, 2002.

PART JJ

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

	2001-02	2002-03
MARINE RESOURCES, DEPARTMENT OF		
Division of Community Resource Development		
All Other	\$15,000	\$15,000
Appropriates funds for the establishment of a grant to the Maine Aquaculture Innovation Center to support outreach activities at the Beals Island Regional Shellfish Hatchery.		

PART KK

Sec. KK-1. 36 MRSA §5122, sub-§2, ¶O is enacted to read:

O. A Holocaust victim settlement payment received by a Holocaust victim to the extent included in federal adjusted gross income. This paragraph applies only to a taxpayer who is the first recipient of a Holocaust victim settlement payment. For purposes of this paragraph, the following terms have the following meanings.

(1) "Holocaust victim" means an individual who died, lost property or was a victim of persecution as a result of discriminatory laws, policies or actions targeted against discrete groups of individuals based on race, religion, ethnicity, sexual orientation or national origin, whether or not the individual was actually a member of any of those groups, or because the individual assisted or allegedly assisted any of those

groups, between January 1, 1929 and December 31, 1945, in Nazi Germany or in any European country allied with or occupied by Nazi Germany. "Holocaust victim" includes the spouse or descendant of such an individual.

(2) "Holocaust victim settlement payment" means a payment received:

(a) As a result of the taxpayer's status as a Holocaust victim;

(b) As a result of the settlement of any other Holocaust claim, including an insurance claim, a claim relating to looted art, a claim relating to looted financial assets, a claim relating to slave labor wages or a class action lawsuit claim against Swiss banks; or

(c) As interest on any payment under division (a) or (b) accumulated or accrued through the date of payment.

Sec. KK-2. Application. This Act applies to tax years beginning on or after January 1, 2001.

PART LL

Sec. LL-1. Increase in reimbursement for therapy services. The Department of Human Services shall adopt rules to increase the amount of reimbursement under the Medicaid program for occupational and physical therapy, speech and language pathologist and audiologist services to 50% of the usual and customary charge applicable to that provider and service as of January 1, 2001, as determined by the Department of Human Services. The department shall adopt these rules to take effect January 1, 2002.

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

	2001-02	2002-03
HUMAN SERVICES, DEPARTMENT OF		
Medical Care – Payments to Providers		
All Other	\$25,456	\$52,234
Provides funds to increase the reimbursement rates under the Medicaid program for occupational and physical therapy, speech and language pathologist and audiologist services to		

50% of the usual and customary charges.

Sec. LL-3. Allocation. The following funds are allocated from the Federal Expenditures Fund to carry out the purposes of this Part.

	2001-02	2002-03
HUMAN SERVICES, DEPARTMENT OF		
Medical Care – Payments to Providers		
All Other	\$50,452	\$104,060
<p>Allocates federal matching funds to increase the reimbursement rates under the Medicaid program for occupational and physical therapy, speech and language pathologist and audiologist services to 50% of the usual and customary charges.</p>		

PART MM

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

	2002-03
EDUCATION, DEPARTMENT OF	
Learning Systems	
All Other	\$200,000
<p>Provides funds to allow the Interdepartmental Committee on Transition to assist Maine public schools to reach compliance with state and federal transition laws and regulations as they relate to learning results and postsecondary outcomes for youth with disabilities.</p>	

PART NN

Sec. NN-1. Liaison with United States Army Corps of Engineers. The Department of Conservation, in coordination with other appropriate state agencies, is the liaison to the United States Army Corps of Engineers in its efforts to modify the federal coastal engineering structure at Camp Ellis in Saco to ensure that the interests of the State and municipalities

comprising the Saco Bay Planning Committee are adequately represented.

Sec. NN-2. Beach nourishment policy established. The Department of Conservation, in coordination with other appropriate state agencies and local communities, shall develop a beach nourishment policy for the State. This beach nourishment policy must establish criteria for identifying beaches or portions of beaches suitable for beach nourishment. The Department of Conservation shall investigate appropriate sources of sand for nourishment purposes, focusing first on sources in Saco Bay.

PART OO

Sec. OO-1. 30-A MRSA §5681, sub-§5, as repealed and replaced by PL 1999, c. 731, Pt. U, §5, is amended to read:

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% a percentage,~~ as provided in this subsection, 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. The percentage transferred to the Local Government Fund on the last day of each month is:

A. For months beginning before January 1, 2003, 5.1%; and

B. For months beginning on or after January 1, 2003, 5.2%.

PART PP

Sec. PP-1. 20-A MRSA §13451, sub-§2, as amended by PL 1997, c. 652, §3 and affected by §4, is further amended to read:

2. Eligibility; retired teacher members. Any retired teacher who receives a retirement benefit from the Maine State Retirement System is eligible for group accident and sickness or health insurance, provided that the retired teacher has a minimum of 5 years creditable service and also meets the eligibility requirements for participation imposed by the group plan that governed the teacher last as an active teacher and participated in the plan for one year immediately prior to retirement or October 1, 1987, whichever comes last. Retired teachers may not be required to maintain a dues-paying membership in any organization as a requirement for participation in a group health insurance plan under this subsection.

Sec. PP-2. 20-A MRSA §13451, sub-§3, as amended by PL 1997, c. 643, Pt. OO, §1 and affected by §3, is further amended to read:

3. Payment by State. The State shall pay 30% of the retired teacher members' share of this insurance. Beginning July 1, 2002, the State shall pay 35% of the retired teacher members' share of this insurance.

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

2002-03

EDUCATION, DEPARTMENT OF

Health Insurance - Retired Teachers

All Other	\$1,336,160
Provides funds to increase the State's contribution for health insurance for retired teacher members from 30% to 35% beginning July 1, 2002.	

PART QQ

Sec. QQ-1. 37-B MRSA §505, sub-§1, as amended by PL 1997, c. 455, §25, is repealed.

Sec. QQ-2. 37-B MRSA §505, sub-§1-A is enacted to read:

1-A. Financial assistance. Financial assistance may be granted as follows.

A. The bureau may provide a grant of temporary assistance not to exceed \$200 per month and not to exceed \$600 in any 12-month period to a veteran in this State who has filed a valid claim for a veteran's pension, pending notification of the award of such a pension, if that veteran is not incarcerated and requests such assistance. For purposes of this paragraph, "claim for a veteran's pension" means a claim filed with the federal Veterans' Administration pursuant to 38 United States Code, Chapter 15.

B. The bureau may provide a grant of emergency assistance not to exceed \$500 to a veteran who suffers an emergency, such as the loss of that veteran's home to fire, flood or hurricane, that is not fully compensable by insurance; illness or the illness of an immediate family member; or a similar emergency. No more than \$1,000 in emergency assistance may be provided to a veteran in any 12-month period. For the

purposes of this paragraph, "veteran" has the same meaning as "eligible veteran" in section 504, subsection 4, paragraph A-1.

C. A veteran who requests either temporary assistance under paragraph A or emergency assistance under paragraph B and is denied such assistance may request a reconsideration and review of this decision by the director. The decision of the director is final and may not be appealed to a court.

D. The department may adopt rules to implement this subsection. Rules adopted pursuant to this paragraph are major substantive rules as defined in Title 5, chapter 375, subchapter II-A.

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

2001-02

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

Bureau of Veterans Services

Positions	(1,000)
Personal Services	\$28,017
All Other	206,447

Provides funds for one Accountant I position, a computer and general operating costs to administer this program. This appropriation also includes \$200,000 in fiscal year 2001-02 to provide aid to veterans. These funds may not lapse but must be carried forward until June 30, 2003 to be used for these purposes.

DEPARTMENT OF DEFENSE, VETERANS AND EMERGENCY MANAGEMENT

TOTAL \$234,464

PART RR

Sec. RR-1. 5 MRSA §13124-D is enacted to read:

§13124-D. Maine EPSCoR Capacity Fund

The Maine EPSCoR Capacity Fund is established within the foundation to provide the matching funds that are required by several federal agencies in their EPSCoR activities. The fund must be used to match EPSCoR awards.

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

A. "Fund" means the Maine EPSCoR Capacity Fund.

B. "Match" means the cash commitment required from the State as defined by the federal funding agency. Match requirements vary among federal agencies.

C. "Research capacity committee" means the EPSCoR steering committee referred to in section 13124-B.

2. Organization. The foundation is the custodian of state appropriated funds for the fund. The research capacity committee has fiscal responsibility for the approval and disbursement of the funds. The Maine EPSCoR director shall work closely with the research capacity committee and the foundation.

3. Authorized activities. The research capacity committee shall approve disbursement of funds to successful EPSCoR grantees. Solely upon direction of the research capacity committee, the foundation shall allocate the resources of the fund to match grants activities at successful academic, industry and nonprofit grantee institutions.

4. Guidelines. The research capacity committee shall establish guidelines for cash and in-kind match requirements based on the activities to be supported with the fund. Match levels must reflect the requirements identified by the federal funding agencies.

5. Liquidation and dissolution. In the event of liquidation or dissolution of the foundation or the fund, any rights or interests in a qualified security or portion of a qualified security purchased with money invested by the State vest in the State. The State is entitled to, in proportion to the amount of investment in the fund by the State, any balance of money remaining in the fund after payment of all debts and obligations upon liquidation or dissolution of the foundation or the fund.

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

2001-02

MAINE SCIENCE AND TECHNOLOGY FOUNDATION

Maine Science and Technology Foundation

All Other \$300,000

Provides matching funds for the Maine Experimental Program to Stimulate Competitive Research. The Maine Science and Technology Foundation must manage these funds on behalf of the research capacity committee of EPSCoR consistent with the provisions of the Maine Revised Statutes, Title 5, sections 13124-B and 13124-D. Funds appropriated do not lapse and may be carried forward to fiscal year 2002-03.

PART SS

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

2001-02

MAINE MARITIME ACADEMY

Maritime Academy - Operations

All Other \$50,000

Provides one-time funds to encourage private donations to the Maine Maritime Academy's Small Vessel Endowment Fund. The academy is required to raise private contributions on a 2 for 1 basis to supplement funds appropriated by the Legislature for this purpose.

PART TT

Sec. TT-1. Breast and cervical cancer treatment. The Department of Human Services shall amend the rules regarding eligibility for the Medicaid program and the state Medicaid plan to grant eligibility to women who have breast or cervical cancer

diagnosed through the Maine Breast and Cervical Health Program. The program shall provide full Medicaid services for the duration of treatment for these cancer patients with resources provided by state and federal funds.

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

	2001-02	2002-03
HUMAN SERVICES, DEPARTMENT OF		
Medical Care - Payments to Providers		
All Other	\$135,690	\$161,631
Provides funds for full Medicaid services for women who have breast or cervical cancer diagnosed through the Maine Breast and Cervical Health Program.		

Sec. TT-3. Allocation. The following funds are allocated from the Federal Expenditures Fund to carry out the purposes of this Part.

	2001-02	2002-03
HUMAN SERVICES, DEPARTMENT OF		
Medical Care - Payments to Providers		
All Other	\$444,431	\$529,393
Provides for the federal match for full Medicaid services to women who have breast or cervical cancer diagnosed through the Maine Breast and Cervical Health Program.		

PART UU

Sec. UU-1. 22 MRSA §9-A, sub-§1, ¶A, as amended by PL 1997, c. 530, Pt. A, §6, is further amended to read:

A. "Public assistance" means any of the following:

- (1) Temporary assistance for needy families under chapter 1053-B;
- (2) Food stamp assistance under section 3104;

(3) General assistance under chapter 855 and any state-funded portion under chapter 1161;

(4) Medical assistance under chapter 855; ~~or~~

(5) Assistance under the Parents as Scholars Program pursuant to chapter 1054-B; or

(6) Public assistance for veterans under Title 37-B, section 505.

Sec. UU-2. 37-B MRSA §505, sub-§5 is enacted to read:

5. Public assistance designation. Assistance granted to veterans or their dependents pursuant to this section is designated public assistance for the purposes of providing public assistance within the meaning of Title 22, section 9-A. The department retains administrative responsibility for assistance granted under this section.

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

2002-03

**DEFENSE, VETERANS AND
EMERGENCY MANAGEMENT,
DEPARTMENT OF**

Bureau of Veterans' Services

Positions	(1,000)
Personal Services	\$40,686

Provides funds to convert 2 part-time Clerk Typist II positions to full-time positions to be located in the bureau's regional field offices.

PART VV

Sec. VV-1. 4 MRSA §1352, sub-§1, as amended by PL 1997, c. 643, Pt. M, §12, is further amended to read:

1. Amount. The service retirement allowance of a member is determined under the provisions of this chapter in effect on the member's date of final termination of service. Subject to the maximum benefit provided for in subsection 3 ~~3-A~~ and the minimum benefit provided for in subsection 4, the total amount of the retirement allowance of a member retired in accordance with section 1351 is equal to the sum of:

A. 1/50 of the member's average final compensation multiplied by the number of years of membership service, from December 1, 1984 to June 30, 1998 and creditable service allowed under section 1302, subsection 3;

B. The earned benefit for prior service as a judge as determined by subsection 2; and

C. Three percent of the member's average final compensation multiplied by the number of years of membership service beginning July 1, 1998.

Sec. VV-2. 4 MRSA §1352, sub-§3, as amended by PL 1997, c. 643, Pt. M, §12, is repealed.

Sec. VV-3. 4 MRSA §1352, sub-§3-A is enacted to read:

3-A. Maximum benefit. Except as provided in subsection 4, a judge in service on December 1, 1984, or appointed on or after December 1, 1984, may not receive a benefit that exceeds 70% of that judge's average final compensation, not including adjustments under section 1358. The benefit amount of any judge retired prior to the effective date of this subsection whose benefit amount was limited according to the terms of former subsection 3 must be recalculated according to this subsection and the recalculated amount must be paid retroactive to the judge's effective date of retirement.

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

	2001-02	2002-03
JUDICIAL DEPARTMENT		
Courts - Supreme, Superior and District		
Personal Services	\$39,065	\$40,627
All Other	(39,065)	(40,627)
Provides funds to support the additional costs associated with increasing the maximum benefit from 60% to 70% of average final compensation for judges appointed on or after December 1, 1984.		
JUDICIAL DEPARTMENT TOTAL	\$0	\$0

PART WW

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

2001-02

AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF

Office of the Commissioner

All Other \$20,000

Appropriates funds on a one-time basis to be used for dues associated with membership in the Northeast States Association for Agricultural Stewardship.

PART XX

Sec. XX-1. 5 MRSA §285, first ¶, as amended by PL 1989, c. 776, §1, is further amended to read:

A group health plan is available to state employees and other eligible persons, subject to the following provisions.

Sec. XX-2. 5 MRSA §285, sub-§1, ¶G, as amended by PL 1997, c. 652, §1 and affected by §4, is further amended to read:

G. Subject to subsection 1-A, employees in any of the categories denominated in paragraphs A to F-1 and paragraph F-3 who:

- (1) On April 26, 1968, have retired and who were covered under group health plans that by virtue of Public Law 1967, chapter 543 were terminated;
- (2) After April 26, 1968, retire and who on the date of their retirement are currently enrolled in this group health plan as employees;
- (3) After December 2, 1986, and after reaching normal retirement age, cease to be members of the Legislature and are recipients of retirement allowances from the Maine State Retirement System based upon creditable service as teachers, as defined by section 17001, subsection 42. This paragraph also applies to former members who were members on December 2, 1986;
- (4) After December 2, 1986, and not yet normal retirement age, cease to be members of the Legislature and are recipients of retirement allowances from the Maine State Retirement System based upon creditable service as teachers, as defined by section

17001, subsection 42. This paragraph also applies to former members who were members on December 2, 1986; or

(5) After January 1, 1999, terminate employment under which they were eligible for the group health plan but do not retire at that time and who satisfy the requirements of subsection 1-A, paragraph D or paragraph E; ~~and~~

Sec. XX-3. 5 MRSA §285, sub-§1, ¶H, as enacted by PL 1997, c. 80, §3, is amended to read:

H. A blind person operating a vending facility pursuant to Title 26, section 1418-F under the direction of the Department of Labor, Division for the Blind and Visually Impaired; ~~and~~

Sec. XX-4. 5 MRSA §285, sub-§1, ¶I is enacted to read:

I. Any licensed foster parent caring for a child or children in the foster parent's residence whose care is reimbursed through the Department of Human Services for the period during which the child or children are in that foster parent's care.

Sec. XX-5. 5 MRSA §285, sub-§7, as repealed and replaced by PL 1997, c. 763, §1 and affected by §7, is amended to read:

7. Payment by State. Except as otherwise provided in this subsection, the State, through the commission, shall pay 100% of only the employee's share of the individual premium for the standard plan identified and offered by the commission and available to the employee as authorized by the commission, except for Legislators, for whom the State shall pay 50% of the health plan premium for dependent coverage. For any person appointed to a position after November 1, 1981 who is employed less than full time, the State shall pay a share of the employee's share reduced pro rata to reflect the reduced number of work hours. The State may not pay any portion of the health plan premium for a blind person eligible for the group health plan under subsection 1, paragraph H or for a licensed foster parent eligible for the group health plan under subsection 1, paragraph I.

For persons who were first employed before July 1, 1991, the State shall pay 100% of only the retiree's share of the premiums for the standard plan identified and offered by the commission and available to the retiree, as authorized by the commission for persons who were previously eligible for this health plan pursuant to subsection 1, paragraph A and who have subsequently become eligible pursuant to subsection 1, paragraph G.

For persons who were first employed by the State after July 1, 1991, the State shall pay a pro rata share portion of only the retiree's share of the premiums for the standard plan identified and offered by the commission and available to the retiree, as authorized by the commission for persons who were previously eligible for this health plan pursuant to subsection 1, paragraph A and who have subsequently become eligible pursuant to subsection 1, paragraph G based on the total number of years of participation in the group health plan prior to retirement as follows:

Years of Participation	State Portion
10 or more years	100% group health plan premium
9 but less than 10 years	90% group health plan premium
8 but less than 9 years	80% group health plan premium
7 but less than 8 years	70% group health plan premium
6 but less than 7 years	60% group health plan premium
5 but less than 6 years	50% group health plan premium
Less than 5 years	No contribution

Pursuant to Title 20-A, section 12722, subsection 5, this subsection applies to participants in the defined contribution plan offered by the Maine Technical College System Board of Trustees under Title 20-A, section 12722.

PART YY

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

	2001-02	2002-03
EDUCATION, DEPARTMENT OF		
Jobs for Maine's Graduates		
All Other	\$84,000	\$126,000
Provides funds for the Jobs for Maine's		

Graduates program to fund a portion of the cost of serving 280 additional students at 4 new sites for the biennium.

PART ZZ

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

2002-03

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

Mental Health Services - Community

All Other		\$50,000
Provides funds to be distributed to the High Hopes Clubhouse to allow for the continuation of its Waterville operations.		

PART AAA

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

	2001-02	2002-03
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HUMAN SERVICES, DEPARTMENT OF

Maine Rx Program

All Other	\$18,000	\$18,000
Provides funds for the State's share of the budget to operate the Northeast Legislative Association on Prescription Drug Pricing, including one contracted position to work on the collective purchasing of prescription drugs by a group of 8 northeastern states.		

PART BBB

Sec. BBB-1. 22 MRSA §3192 is enacted to read:

§3192. Community Health Access Program

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

A. "Benefit design" means the health care benefits package provided through the Community Health Access Program.

B. "Community board" means the local governing board of a community health plan corporation.

C. "Community health plan corporation excess insurance" means insurance that protects a plan offered by a community health plan corporation against higher than expected obligations at retention levels that do not have the effect of making the plan an insured plan. The issuance of community health access program excess insurance does not constitute the business of reinsurance.

D. "Complementary health care provider" means a health care professional, including, but not limited to, a massage therapist, naturopath, chiropractor, physical therapist or acupuncturist, who provides care or treatment to a person that complements the care or treatment provided by a primary care physician and is credentialed by a community board.

E. "Health quality measures" means statistical data that provides information on the quality of health care outcomes for individuals and groups with similar health problems.

F. "Medical data collection system" means the computerized, systematic collection of individual medical data, including the cost of medical care, that when analyzed provides information on the quality and costs of health care outcomes.

G. "Micro-employer" means an employer that has an average of 4 or fewer employees eligible for health care benefits in the 12 months preceding its enrollment in a plan offered by a community health plan corporation.

H. "Out-of-area medical services" means medical care services provided outside of the geographic region of a community health plan corporation.

I. "Program" means the Community Health Access Program established in this section.

2. Program established. The Community Health Access Program is established within the department to provide comprehensive health care services through local nonprofit community health plan corporations governed by community boards. The

program's primary goal is to provide access to health care services to persons without health care insurance or who are underinsured for health care services. The purpose of the program is to demonstrate the economic and health care benefits of a locally managed, comprehensive health care delivery model. The program's emphasis is on preventive care, healthy lifestyle choices, primary health care and an integrated delivery of health care services supported by a medical data collection system.

3. Service areas. The department may establish 2 service areas for local plans developed by community health plan corporations in different geographic regions of the State. A service area established by the department must be an area that serves residents who seek regular primary health care services in conjunction with support from a hospital located in the same geographic region.

4. Eligible population. This subsection governs eligibility.

A. The following persons may enroll in plans developed by community health plan corporations:

- (1) Micro-employers and their employees;
- (2) Medicaid recipients;
- (3) Self-insured employers and their employees to the extent allowed under the federal Employee Retirement Income Security Act;
- (4) Self-employed persons; and
- (5) Individuals without health care insurance.

B. Individuals eligible for group health care benefits through an individual's employment or spouse's employment may not enroll.

5. Community boards. A local community health plan corporation established pursuant to this section is governed by a community board composed of community members. The board membership must include representation of primary and complementary health care providers, mental health care providers, micro-employers and individuals enrolled in a plan offered by the community health plan corporation. The community boards shall establish bylaws and operating procedures.

6. Authorized powers. A local community health plan corporation may:

A. Develop a comprehensive health care benefit package that may include, but is not limited to, primary and tertiary health care services, mental

health services, complementary health care services, preventive health care services, healthy lifestyle services and pharmaceutical services;

B. Develop medical data collection systems that will provide the program with the information necessary to support medical management strategies and will determine the costs and quality outcomes for the services provided;

C. Establish a fee structure sufficient to cover the actuarially determined costs of the comprehensive health care benefit package offered;

D. Develop a sliding fee schedule based on income to ensure that the fees are affordable for individuals covered by a plan offered by the community health plan corporation. The corporations are further authorized to establish mandatory minimum contributions by employers;

E. Collect fees from enrolled individuals and employers;

F. Solicit and accept funds from private and public sources to subsidize the corporation;

G. Develop community preventive care education and wellness programs. A corporation may coordinate its community preventive care education and wellness programs with schools, employers and other community institutions;

H. Enter into agreements with the department to provide care for individuals covered by the department's Medical Assistance Program in its geographic region and to develop methods to share access to medical information necessary for the program's medical data collection system; and

I. Enter into agreements with 3rd parties to provide needed services, including, but not limited to, administration, claims processing, customer services, stop-loss insurance, education, out-of-area medical services and other related services and products.

7. Community health plan corporation excess insurance. In order to ensure adequate financial resources to pay for medical services allowed in the benefit plans developed by community health plan corporations, a local community health plan corporation is required to enter into agreements with insurers licensed in this State to obtain community health plan corporation excess insurance and to provide coverage for those portions of the health care benefits package that expose the corporations to financial risks beyond the resources of the corporation. The department may develop rules to provide further options for community health plan corporations to maintain financial

solvency. Participation in the Medicaid program satisfies the requirement of this subsection. Rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter II-A and must be reviewed before final approval by the joint standing committee of the Legislature having jurisdiction over health insurance matters.

8. Cost-sharing agreements. A local community health plan corporation may enter into agreements with private health insurance carriers or the Medicaid program in accordance with the following.

A. A local community health plan corporation may enter into agreements with private health care insurers to cover individual medical costs associated with all or a portion of the costs resulting from the benefit plan or benefit plans offered by the community health plan corporation.

B. A local community health plan corporation may enter into agreements with the department to access Medicaid coverage for all or a portion of the individual medical costs resulting from the benefit plan or benefit plans offered by the local community health plan corporation.

C. The department may seek a waiver from the Federal Government as necessary to permit funding under the Medicaid program to be used for coverage of Medicaid-eligible individuals enrolled in a plan offered by a community health plan corporation. The department may adopt rules required to implement the waiver in accordance with this paragraph. Rules adopted pursuant to this paragraph are major substantive rules as defined in Title 5, chapter 375, subchapter II-A and must be reviewed before final approval by the joint standing committee of the Legislature having jurisdiction over health insurance matters.

9. Medical and cost data. If Medicaid-eligible individuals are enrolled in the program, the department shall provide medical and cost data to each local community health plan corporation at the community health plan corporation's request in a format usable by the community health plan corporation's medical data collection system for the analysis of health care costs and health care outcomes.

10. Dissolution or sale. Upon the dissolution, sale or other distribution of assets of a local community health plan corporation, the community board may convey or transfer the assets of the corporation only to one or more domestic corporations engaged in charitable or benevolent activities substantially similar to those of the community health plan corporation.

11. Annual reports. A local community health plan corporation established pursuant to this section

shall submit a written report to the commissioner on or before January 21st annually. The report must address the financial feasibility, fee structure and benefit design of the plan offered by the community health plan corporation; the health quality measures, health care costs and quality of health care outcomes under the plan; and the number of persons enrolled in the plan. The commissioner may require more frequent reports and additional information. Annually, before March 15th of each year, the department must submit a report summarizing the plan's demonstrated effectiveness to the joint standing committees of the Legislature having jurisdiction over banking and insurance matters and health and human services matters.

12. Not subject to Title 24 or Title 24-A. A local community health plan corporation established pursuant to this section is not subject to any provisions of Title 24 or Title 24-A.

13. Confidentiality. All information in the medical data collection system maintained by a local community health plan corporation established under this section is confidential and may not be disclosed except as permitted by sections 1711-C and 1828.

14. Rules. The department shall adopt rules establishing minimum standards for financial solvency, benefit design, enrollee protections, disclosure requirements, conditions for limiting enrollment and procedures for dissolution of a community health plan corporation. The department may also adopt any rules necessary to carry out the purposes of this section. Rules adopted pursuant to this subsection are major substantive rules as defined in Title 5, chapter 375, subchapter II-A and must be reviewed before final approval by the joint standing committee of the Legislature having jurisdiction over health insurance matters.

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

2002-03

**HUMAN SERVICES,
DEPARTMENT OF**

Bureau of Medical Services

Positions	(1,000)
Personal Services	\$56,898
All Other	25,102

Provides funds for one Social Services Program Manager position and related operating costs associated with

establishing and administering the Community Health Access Program.

DEPARTMENT OF HUMAN SERVICES TOTAL

\$82,000

Sec. BBB-3. Effective date. This Part takes effect July 1, 2002.

PART CCC

Sec. CCC-1. Medicaid reimbursement.

The Department of Human Services shall amend the principles of reimbursement under the Medicaid program for nursing facilities to enable nonprofit nursing facilities beginning February 1, 2002 to receive 1/4 of the profit rate applicable to proprietary nursing facilities, calculated for the nonprofit nursing facilities by reference to a percentage rate of return on equity capital invested and used in the provision of long-term care services contingent on approval of Medicaid funding at the federal level. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A. Rules adopted pursuant to this section must be implemented by January 1, 2002.

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

	2001-02	2002-03
HUMAN SERVICES, DEPARTMENT OF		
Nursing Facilities		
All Other	\$53,677	\$118,380
Provides funds to amend the principles of reimbursement to enable nonprofit nursing facilities to receive 1/4 of the profit rate applicable to proprietary nursing facilities. This funding is contingent upon approval of the Medicaid reimbursement from the Health Care Finance Administration.		

Sec. CCC-3. Allocation. The following funds are allocated from the Federal Expenditures Fund to carry out the purposes of this Part.

	2001-02	2002-03
HUMAN SERVICES, DEPARTMENT OF		

Nursing Facilities

All Other	\$106,386	\$235,839
Provides for the federal match to amend the principles of reimbursement to enable nonprofit nursing facilities to receive 1/4 of the profit rate applicable to proprietary nursing facilities.		

PART DDD

Sec. DDD-1. 4 MRSA §104-A, as amended by PL 1997, c. 643, Pt. M, §6, is further amended to read:

§104-A. Per diem compensation for Active Retired Superior Court Justices

Any Active Retired Justice of the Superior Court, who performs judicial service at the direction and assignment of the Chief Justice of the Supreme Judicial Court, is compensated for those services at the rate of ~~\$200~~ \$300 per day or ~~\$125~~ \$175 per 1/2 day, provided that the total per diem compensation and retirement pension received by an Active Retired Justice of the Superior Court in any calendar year does not exceed the annual salary of a Justice of the Superior Court.

Sec. DDD-2. 4 MRSA §157-D, as amended by PL 1997, c. 643, Pt. M, §10, is further amended to read:

§157-D. Active retired judges; compensation

Any Active Retired Judge of the District Court, who performs judicial service at the direction and assignment of the Chief Judge of the District Court, is compensated for those services at the rate of ~~\$200~~ \$300 per day or ~~\$125~~ \$175 per 1/2 day, provided that the total per diem compensation and retirement pension received by an Active Retired Judge of the District Court in any calendar year does not exceed the annual salary of a Judge of the District Court.

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

	2001-02	2002-03
JUDICIAL DEPARTMENT		
Courts - Supreme, Superior and District		
Personal Services	\$20,063	\$24,075
Provides funds to support the cost of increasing the		

per diem compensation for Active Retired Superior Court Justices and District Court Judges.

PART EEE

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

	2001-02	2002-03
SACO RIVER CORRIDOR COMMISSION		
Saco River Corridor Commission		
All Other	\$25,000	\$25,000
Appropriates additional funds to cover the commission's operating costs.		

PART FFF

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

	2002-03
EDUCATION, DEPARTMENT OF	
Support Services	
All Other	\$25,000
Provides funds on a grant basis to the Maine Leadership Consortium for grants to teachers seeking certification by the National Board for Professional Teaching Standards. These funds are appropriated as a state match with federal and University of Maine System funds. This appropriation is intended to provide reimbursement for only those teachers who become certified. Individual grants issued by the Maine Leadership Consortium may not exceed \$2,300 per teacher.	

PART GGG

Sec. GGG-1. Allocation. The following funds are allocated from Other Special Revenue -

Fund for a Healthy Maine to carry out the purposes of this Part.

	2001-02	2002-03
HUMAN SERVICES, DEPARTMENT OF		
Donated Dental Services		
All Other	\$1,260	\$2,310
Provides funds from the Fund for a Healthy Maine for contracted services of a part-time referral coordinator and related costs to administer the Donated Dental Services program that provides free dental services to financially challenged individuals.		

PART HHH

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

	2002-03
MAINE TECHNICAL COLLEGE SYSTEM, BOARD OF TRUSTEES OF THE	
Maine Technical College System, Board of Trustees of the	
All Other	\$300,000
Contingent upon passage of a bond adequate to develop, renovate and equip the proposed Bath Higher Education Center, provides program and operating funds for the proposed Bath Higher Education Center.	

Sec. HHH-2. Financing to develop, renovate and equip Bath Higher Education Center. The City of Bath shall work in partnership with private sector and public sector entities to finance the developing, renovating and equipping of the Bath Higher Education Center on the site of the former Mid Coast Hospital campus in Bath. In providing the financing necessary to develop, renovate and equip the Bath Higher Education Center, the City of Bath must secure financing, including, but not limited to, funding from private entities, General Fund appropriations and proceeds from bond funds authorized by the State, instrumentalities of the State and any governmental

unit as defined in the Maine Revised Statutes, Title 30-A, section 5903, subsection 6. Any unexpended and unobligated funds that were originally appropriated, allocated, donated or otherwise provided to the City of Bath for the developing, renovating and equipping of the Bath Higher Education Center may be used to support the operational budget of the center.

PART III

Sec. III-1. 36 MRSA §1760, sub-§84 is enacted to read:

84. Certain sales by auxiliary organization of American Legion. Sales of meals and related items and services by a nonprofit auxiliary organization of the American Legion in connection with a fund-raising event sponsored by the auxiliary organization if the meals and related items and services are provided in a room that is separate from the lounge facilities, if any, of the American Legion and patrons are prohibited from taking alcoholic beverages from the lounge facilities to the separate room where the meals and related items and services are provided.

Sec. III-2. Effective date. This Part takes effect October 1, 2001.

PART JJJ

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

	2001-02	2002-03
LABOR, DEPARTMENT OF		
Division for the Blind and Visually Impaired		
All Other	\$100,000	\$100,000
Provides funds for Catholic Charities Maine - Education Services for Blind and Visually Impaired Children to support a portion of the cost of 2 additional Teacher of Blind and Visually Impaired Children positions and related costs.		

PART KKK

Sec. KKK-1. 34-B MRSA §15003, sub-§10 is enacted to read:

10. Reporting on children's crisis services. Beginning October 31, 2001, the department shall report by the last day of each month on the status of children's crisis services provided or requested under

this chapter. The report must cover the number of children in crisis situations for the preceding month and the time it took to resolve the crisis situations and secure appropriate hospital or residential placements or crisis beds or in-home crisis supports for the children. The report must include all children in crisis situations, regardless of the source of payment for hospitalization, residential placement, crisis beds or in-home crisis supports. The report must protect the confidentiality of all persons involved in the situation as required by state or federal law, rule or regulation.

A. In preparing the report, the department shall make a reasonable effort to obtain information from general hospitals, psychiatric hospitals and children's residential programs. The department shall develop a standardized format for the reporting of data on a monthly basis and shall distribute the form to crisis service providers and children's residential programs electronically on the first working day of each month.

B. Crisis service providers and children's residential programs funded by the department shall report the information requested on the electronic forms under paragraph A to the department by the 15th of each month.

C. If the department determines that there is a substantial need for residential placement, increased hospital resources or community-based crisis services or that action may be required by the Legislature, the department shall highlight those issues in the report.

D. The department shall provide the report, which is public information, to the Children's Mental Health Oversight Committee established in section 15004 and the joint standing committee of the Legislature having jurisdiction over health and human services matters.

E. The provisions of this section must be accomplished within the department's existing resources.

PART LLL

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

	2001-02	2002-03
LABOR, DEPARTMENT OF		
Division for the Blind and Visually Impaired		
All Other	\$67,000	\$67,000
Provides funds to support a portion of the cost of one		

new Computer Access Specialist position to provide computer access services through the Iris Network to blind consumers regardless of age or location in the State.

establishing an accredited dental residency program.

PART OOO

Sec. OOO-1. 17-A MRSA §15, sub-§1, ¶A, as amended by PL 2001, c. 389, §1, is further amended to read:

A. Any person who the officer has probable cause to believe has committed or is committing:

- (1) Murder;
- (2) Any Class A, Class B or Class C crime;
- (3) Assault while hunting;
- (4) Any offense defined in chapter 45;
- (5) Assault, criminal threatening, terrorizing or stalking, if the officer reasonably believes that the person may cause injury to others unless immediately arrested;
- (5-A) Assault, criminal threatening, terrorizing, stalking, criminal mischief, obstructing the report of a crime or injury or reckless conduct if the officer reasonably believes that the person and the victim are family or household members, as defined in Title 15, section 321;
- (6) Theft as defined in section 357, when the value of the services is \$1,000 or less if the officer reasonably believes that the person will not be apprehended unless immediately arrested;
- (7) Forgery, if the officer reasonably believes that the person will not be apprehended unless immediately arrested;
- (8) Negotiating a worthless instrument if the officer reasonably believes that the person will not be apprehended unless immediately arrested;
- (9) A violation of a condition of probation when requested by a probation officer or juvenile caseworker;
- (10) Violation of a condition of release in violation of Title 15, section 1026, subsection 3; Title 15, section 1027, subsection 3; Title 15, section 1051, subsection 2; and Title 15, section 1092;
- (11) Theft involving a detention under Title 17, section 3521;

PART MMM

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

2002-03

**LABOR, DEPARTMENT OF
Maine Centers for Women, Work
and Community**

All Other	\$100,000
Provides funds to increase statewide education, training and employment and self-employment services for displaced homemakers that lead to economic self-sufficiency and continue to build program capacity to coordinate and deliver these services and to measure outcomes. The appropriation will provide for increased staff to provide service delivery in Washington County and Waldo County beginning in fiscal year 2002-03.	

PART NNN

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

2002-03

**FINANCE AUTHORITY OF
MAINE**

Finance Authority of Maine

All Other	\$25,000
Appropriates one-time funds to allow the Finance Authority of Maine to conduct a study to determine the feasibility of	

(12) Harassment, as set forth in section 506-A;

(13) Violation of a protection order, as specified in Title 5, section 4659, subsection 2; Title 15, section 321, subsection 6; former Title 19, section 769, subsection 2; former Title 19, section 770, subsection 5; Title 19-A, section 4011, subsection 3; and Title 19-A, section 4012, subsection 5; or

(14) A violation of a sex offender registration provision under Title 34-A, chapter ~~11~~ 15; and

Sec. OOO-2. 17-A MRSA §1152, sub-§2-C, as enacted by PL 1995, c. 680, §4, is amended to read:

2-C. As part of a sentence, the court shall order every natural person who is a convicted sex offender or sexually violent predator, as defined under Title 34-A, section ~~1103~~ 11203 to satisfy all requirements set forth in the Sex Offender Registration and Notification Act of 1999.

Sec. OOO-3. 17-A MRSA §1204, sub-§1-C, as amended by PL 1999, c. 437, §1, is further amended to read:

1-C. The court shall attach as a condition of probation that the convicted sex offender, as defined under Title 34-A, section ~~1103~~, ~~satisfy all responsibilities set forth in Title 34 A, chapter 13, the Sex Offender Registration and Notification Act and that the convicted sex offender, as defined under Title 34 A, section 11203, subsection 5, or the convicted sexually violent predator, as defined under Title 34-A, section 11203, subsection 8, satisfy all responsibilities set forth in Title 34-A, chapter 15, the Sex Offender Registration and Notification Act of 1999.~~

Sec. OOO-4. 17-A MRSA §1252, sub-§4-A, as enacted by PL 1997, c. 460, §5, is amended to read:

4-A. If the State pleads and proves that, at the time any crime, excluding murder, under chapter 9, 11, 13 or 27 was committed, the defendant had been convicted of 2 or more crimes violating chapter 9, 11, 13 or 27 or essentially similar crimes in other jurisdictions, the sentencing class for the crime is one class higher than it would otherwise be. In the case of a Class A crime, the sentencing class is not increased, but the prior record must be given serious consideration by the court when imposing a sentence. For purposes of this subsection, for violations under chapter 11, the dates of the prior convictions may have occurred at any time. For purposes of this subsection, for violations under chapter 9, 13 or 27, the dates of the prior convictions must precede the commission of

the offense being enhanced by no more than 10 years, although both prior convictions may have occurred on the same date. This subsection does not apply if the 2 prior offenses were committed within a 3-day period. The date of a conviction is deemed to be the date that sentence is imposed, even though an appeal was taken. The date an offense was committed is presumed to be the date stated in the complaint, information or indictment, notwithstanding the use of the words "on or about" or the equivalent.

Sec. OOO-5. 34-A MRSA cc. 11 and 13, as amended, are repealed.

Sec. OOO-6. 34-A MRSA §11201, as enacted by PL 1999, c. 437, §2, is amended to read:

§11201. Short title

This chapter may be known and cited as the "Sex Offender Registration and Notification Act of 1999." The purpose of this chapter is to protect the public from potentially dangerous sex offenders and sexually violent predators by enhancing access to information concerning sex offenders and sexually violent predators.

Sec. OOO-7. 34-A MRSA §11202, as enacted by PL 1999, c. 437, §2, is amended to read:

§11202. Application

This chapter applies to a person sentenced as a sex offender or a sexually violent predator on or after ~~the effective date of this chapter~~ June 30, 1992.

Sec. OOO-8. 34-A MRSA §11203, sub-§§1-A, 1-B and 4-A are enacted to read:

1-A. Conditional release. "Conditional release" means supervised release of a sex offender or sexually violent predator from institutional confinement for placement on probation, parole, intensive supervision, supervised community confinement, home release monitoring or release under Title 15, section 104-A or Title 17-A, chapter 50.

1-B. Discharge. "Discharge" means unconditional release and discharge of a sex offender or sexually violent predator from institutional confinement upon the expiration of a sentence or upon discharge under Title 15, section 104-A.

4-A. Risk assessment instrument. "Risk assessment instrument" means an instrument created and modified as necessary by reviewing and analyzing precursors to a sex offense, victim populations of a sex offender or sexually violent predator, living conditions and environment of a sex offender or sexually violent predator and other factors predisposing a person to become a sex offender, repeat sex offender or sexually

violent predator, for the ongoing purpose of identifying risk factors used to provide notification of a sex offender's or sexually violent predator's conditional release or discharge from a state correctional facility to law enforcement agencies and to the public.

Sec. 000-9. 34-A MRSA §11203, sub-§6, ¶B, as enacted by PL 1999, c. 437, §2, is amended to read:

B. A violation under Title 17-A, section 253, subsection 2, paragraph E, F, G, H, I or J; Title 17-A, section 254; Title 17-A, section 255, subsection 1, paragraph A, E, F, G, I or J; Title 17-A, section 256; Title 17-A, section 258; Title 17-A, section 259; Title 17-A, section 301, unless the actor is a parent of the victim; Title 17-A, section 302; Title 17-A, section 511, subsection 1, paragraph D; Title 17-A, section 556; Title 17-A, section 852, subsection 1, paragraph B; or Title 17-A, section 855; or

Sec. 000-10. 34-A MRSA §11203, sub-§8, ¶B, as enacted by PL 1999, c. 437, §2, is amended to read:

B. Sex offense when the person has a prior conviction for which registration is required by this chapter or an attempt to commit an offense that includes the essential elements of a sex offense or sexually violent offense.

Sec. 000-11. 34-A MRSA §11222, sub-§2-A is enacted to read:

2-A. Sex offenders or sexually violent predators convicted from June 30, 1992 to September 17, 1999. Sex offenders or sexually violent predators convicted from June 30, 1992 to September 17, 1999 shall register with the bureau by September 1, 2002, unless sooner notified of a duty to register by the bureau, the Department of Corrections or a law enforcement officer, in which case the sex offender or sexually violent predator shall register with the bureau within 10 days of notice.

Sec. 000-12. 34-A MRSA §11225, sub-§1, as enacted by PL 1999, c. 437, §2, is amended to read:

1. Sex offender. A sex offender shall register for a period of 10 years from the initial date of registration pursuant to this chapter, except that a sex offender required to register because the sex offender established a domicile in this State subsequent to being declared a sex offender in another state or under another jurisdiction shall register for a maximum of 10 years from the date when the sex offender was first required to register in the other state or under another jurisdiction. A sex offender or sexually violent predator convicted from June 30, 1992 to September

17, 1999 shall register for 10 years from the date of conviction if the sex offender or sexually violent predator was not sentenced to a period of institutional confinement, or for 10 years from the date of discharge or conditional release if the sex offender or sexually violent predator was sentenced to a period of institutional confinement.

Sec. 000-13. 34-A MRSA §11227, as enacted by PL 1999, c. 437, §2, is amended to read:

§11227. Violation

A sex offender or sexually violent predator who fails to register or update the information required under this chapter commits a Class D crime, except that a violation of this section when the sex offender or sexually violent predator has 2 or more prior convictions in this State for violation of this chapter is a Class C crime. For purposes of this section, the dates of both of the prior convictions must precede the commission of the offense being enhanced by no more than 10 years, although both prior convictions may have occurred on the same day. The date of the conviction is deemed to be the date that sentence is imposed, even though an appeal was taken. The date of a commission of a prior offense is deemed to be that stated in the complaint, information or indictment, notwithstanding the use of the words "on or about" or the equivalent. It is an affirmative defense that the failure to register or update information resulted from just cause, except that sex offenders and sexually violent predators convicted from June 30, 1992 to September 17, 1999 may not raise a defense under just cause that they were not aware of the registration requirement.

Sec. 000-14. 34-A MRSA §11251, as enacted by PL 1999, c. 437, §2, is repealed.

Sec. 000-15. 34-A MRSA §§11253 to 11256 are enacted to read:

§11253. Risk assessment

The department shall establish and apply a risk assessment instrument to each sex offender and sexually violent predator under its jurisdiction for the purpose of notification to law enforcement agencies and to the public.

§11254. Mandatory notification of conditional release or discharge of sex offenders

The department and the Department of Public Safety, State Bureau of Identification are governed by the following notice provisions when a sex offender or sexually violent predator is conditionally released or discharged.

1. Duties of the department. The department shall give the Department of Public Safety, State Bureau of Identification notice of the following:

A. The address where the sex offender or sexually violent predator will reside;

B. The address where the sex offender or sexually violent predator will work, if applicable;

C. The geographic area to which a sex offender's or sexually violent predator's conditional release is limited, if any; and

D. The status of the sex offender or sexually violent predator when released as determined by the risk assessment instrument, the offender's or predator's risk assessment score, a copy of the risk assessment instrument and applicable contact standards for the offender or predator.

2. Duties of the Department of Public Safety, State Bureau of Identification. Upon receipt of the information concerning the conditional release or discharge of a sex offender or sexually violent predator pursuant to subsection 1, the Department of Public Safety, State Bureau of Identification shall forward the information in subsection 1 to all law enforcement agencies that have jurisdiction in those areas where the sex offender or sexually violent predator may reside or work.

§11255. Public notification

1. Department. Upon the conditional release or discharge of a sex offender or sexually violent predator from a state correctional institution, the department shall give notice of the information under section 11254, subsection 1 to members of the public the department determines appropriate to ensure public safety.

2. Law enforcement agencies. Upon receipt of the information concerning the conditional release or discharge of a sex offender or sexually violent predator pursuant to section 11254, subsection 2, a law enforcement agency shall notify members of a municipality that the law enforcement agency determines appropriate to ensure public safety.

§11256. Risk assessment assistance

Upon request, the department shall provide to law enforcement agencies technical assistance concerning risk assessment for purposes of notification to the public of a sex offender's or sexually violent predator's conditional release or discharge.

Sec. 000-16. Nonseverability. Notwithstanding the provisions of the Maine Revised Statutes, Title 1, section 71, if any provision of this Act or its

application is held invalid, it is the intent of the Legislature that the entire Act is invalidated.

Sec. 000-17. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

	2001-02	2002-03
PUBLIC SAFETY, DEPARTMENT OF		
State Police		
Positions - Legislative Count	(1,000)	(2,000)
Personal Services	\$9,376	\$28,801
Appropriates funds for the General Fund share of the costs of one additional Data Entry Specialist position starting on October 1, 2001 and one additional Data Entry Specialist position starting on July 1, 2002. These positions are necessary to process an expanded sex offender registration program.		

Sec. 000-18. Allocation. The following funds are allocated from the Highway Fund to carry out the purposes of this Part.

	2001-02	2002-03
PUBLIC SAFETY, DEPARTMENT OF		
State Police		
Positions - Legislative Count	(1,000)	(2,000)
Personal Services	\$14,063	\$43,202
Allocates funds for the Highway Fund share of the costs of one additional Data Entry Specialist position starting on October 1, 2001 and one additional Data Entry Specialist position starting on July 1, 2002. These positions are necessary to process an expanded sex offender registration program.		

PART PPP

Sec. PPP-1. 36 MRSA §1760, sub-§42, as enacted by PL 1983, c. 560, §3, is amended to read:

42. Historical societies, museums and certain memorial foundations. Sales to incorporated nonprofit memorial foundations that primarily provide

cultural programs free to the public, historical societies and museums.

Sec. PPP-2. Effective date. This Part takes effect July 1, 2002.

PART QQQ

Sec. QQQ-1. Establish program. The Department of Human Services is authorized to establish a prescription drug reimportation program whereby the State, through the department, acquires prescription drugs from foreign jurisdictions. In operating the reimportation program, the State may not act as a distributor of prescription drugs. This authorization is contingent upon the department obtaining approval from the federal Department of Health and Human Services for the State to establish a prescription drug reimportation program and is further contingent upon cost savings to be realized by the citizens of the State as a result of the operation of the reimportation program.

PART RRR

Sec. RRR-1. Rulemaking. By November 1, 2001, the Department of Human Services, Bureau of Medical Services shall adopt rules amending the principles of reimbursement under the Medicaid program to reimburse optometrists beginning July 1, 2002 for services provided to persons whose care is paid in part by the Medicare program and in part by the Medicaid program without any decrease due to the application of crossover claims rules. Rules adopted pursuant to this section are routine technical rules pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A.

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

2002-03

**HUMAN SERVICES,
DEPARTMENT OF**

**Medical Care - Payments to
Providers**

All Other	\$24,774
Provides funds to reimburse optometrists for services provided to persons whose care is paid for in part by the Medicaid program and in part by the Medicare program without any decrease due to the	

application of crossover claims rules.

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

2002-03

**HUMAN SERVICES,
DEPARTMENT OF**

**Medical Care - Payments to
Providers**

All Other	\$49,355
Provides funds for the federal match to reimburse optometrists for services provided to persons whose care is paid for in part by the Medicaid program and in part by the Medicare program without any decrease due to the application of crossover claims rules.	

PART SSS

Sec. SSS-1. Committee created; charged. The Education Funding Reform Committee, referred to in this Part as the "committee," is established to develop a comprehensive package of tax reform legislation to update and equalize the method of raising money for education including finding ways to reduce the State's reliance on property taxes for elementary and secondary schools. The committee shall investigate sources of revenue to fund elementary and secondary school education and may not investigate the existing distribution formula or the development of the essential programs and services funding model.

Sec. SSS-2. Commission membership; chairs. The committee consists of 14 Legislators appointed as follows:

1. Four members of the Senate, 2 of whom serve on the Joint Standing Committee on Taxation, one of whom serves on the Joint Standing Committee on Appropriations and Financial Affairs and one of whom serves on the Joint Standing Committee on Education and Cultural Affairs, appointed by the President of the Senate. In making the appointments, the President of the Senate shall provide representation from geographically diverse regions of the State and shall appoint not more than 2 members from the same political party. The first named Senator is the Senate chair of the committee; and

2. Ten members of the House of Representatives, 6 of whom serve on the Joint Standing Committee on Taxation, 2 of whom serve on the Joint Standing Committee on Appropriations and Financial Affairs and 2 of whom serve on the Joint Standing Committee on Education and Cultural Affairs, appointed by the Speaker of the House of Representatives. In making the appointments the Speaker of the House of Representatives shall provide representation from geographically diverse regions of the State and shall appoint not more than 5 members from the same political party. The first named member of the House is the House chair of the committee.

All appointments must be made not later than 30 days following the effective date of this Act. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been made. When appointment of all members is completed, the chairs shall call and convene the first meeting of the committee, which must be held not later than 15 days after all members have been appointed.

Sec. SSS-3. Duties. In developing its recommendations the committee shall study alternate sources of revenue for elementary and secondary education that meet the following criteria:

1. Provide more state money for education and consequently ensure equal educational opportunities for all students of the State;
2. Provide property tax relief for home owners, farmers and businesses to encourage new businesses to locate to the State and new businesses to expand and to entice more people to live in the State; and
3. Balance the primary methods of raising taxes between the property tax, sales tax and personal income tax.

Sec. SSS-4. Committee report; extension. The committee shall present its report and any necessary implementing legislation to the Second Regular Session of the 120th Legislature by December 31, 2001. The Legislature may adopt or reject the committee's recommendations or submit the committee's recommendations to the voters at a public referendum at the time of the general election in November 2002. If the committee requires a limited extension of time to conclude its work, it may apply to the Legislative Council, which may grant the extension.

Sec. SSS-5. Staff assistance. The Legislative Council shall provide necessary staffing services to the committee. In addition, the Department of Administrative and Financial Services, Bureau of Revenue Services and the Department of Education

shall provide such information and assistance to the committee as requested by the chairs.

Sec. SSS-6. Compensation. Legislative members of the committee are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, for each day of attendance at committee meetings and reimbursement for expenses upon application to the Executive Director of the Legislative Council.

Sec. SSS-7. Budget. The committee chairs, with assistance from the committee staff, shall administer the committee budget. Within 10 days after its first meeting, the committee shall present a work plan to the Legislative Council for approval. The committee may not incur expenses that would result in the committee's exceeding its approved budget.

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

2001-02

LEGISLATURE

Education Funding Reform Committee

Personal Services	\$7,700
All Other	14,300

Provides funds for the per diem and expenses of members of the Education Funding Reform Committee, to conduct public hearings, for technical assistance and for printing and other miscellaneous costs.

LEGISLATURE

TOTAL	\$22,000
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PART TTT

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

2001-02 2002-03

EDUCATION, DEPARTMENT OF

Educational Restructuring and Improvements

All Other	\$142,500	\$152,737
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Provides additional funding for the Reading Recovery Program.

PART UUU

Sec. UUU-1. PL 1999, c. 401, Pt. KK is amended to read:

PART KK

Sec. KK-1. School breakfast incentive grants. Any school in which at least ~~30%~~ 20% of the students enrolled on October ~~1, 1998~~ 1st of the most recent school year were eligible for free or reduced-price meals qualifies for a one-time support grant of up to \$3,000 toward the cost of establishing a school breakfast program.

1. A school qualifying for a grant that chooses not to establish a school breakfast program shall file a report with the Department of Education explaining why it chose not to offer a school breakfast program.

2. Nothing in this section prevents a school not qualifying for a grant from implementing a school breakfast program at any time.

3. The Department of Education shall administer this section and manage the grant process. The department shall notify schools of their eligibility for a grant under this section. The department may adopt rules necessary for implementation of this section and for compliance with federal guidelines for the National School Breakfast Program. Rules adopted under this section are routine technical rules as defined in Title 5, chapter 375, subchapter II-A.

Sec. KK-2. Application. The grants provided under this Part are available ~~during the 1999-2000 school year~~ for eligible schools that did not offer a school breakfast program ~~during the 1998-1999 in the previous~~ school year.

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

1999-00

EDUCATION, DEPARTMENT OF

School Breakfast Program

All Other \$240,000

Provides funds on a one-time basis for grants to eligible public schools to establish school breakfast programs. Funds appropriated under this section do not lapse but are carried forward and used for

school breakfast incentive grants.

Sec. UUU-2. Retroactivity clause. This Part applies retroactively to June 30, 2000.

PART VVV

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

2001-02

EXECUTIVE, DEPARTMENT OF

State Planning Office

All Other \$125,995

Provides funds on a one-time basis for the Capital Riverfront Improvement District, which was established by Private and Special Law 1999, chapter 58.

PART WWW

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

2002-03

CORRECTIONS, DEPARTMENT OF

Juvenile Community Corrections

All Other \$100,000

Provides funds for the building alternatives program, which serves juveniles at the Maine Youth Center.

Sec. WWW-2. Report requirement. The Department of Corrections shall report to the Joint Standing Committee on Appropriations and Financial Affairs on a plan to establish a building alternative's program at the Northern Maine Juvenile Facility. The Department of Corrections shall submit this plan no later than January 15, 2002.

PART XXX

Sec. XXX-1. 12 MRSA §8705 is enacted to read:

§8705. Community Forestry Fund

1. Establishment of fund. The Community Forestry Fund, referred to in this section as the "fund," is established as a nonlapsing fund under the jurisdiction of the bureau to promote the community forestry activities in the municipalities of the State. The bureau may apply for and accept any appropriation, grant, gift or service made available from any public or private sources consistent with the purpose of this section and shall deposit any such money into the fund.

2. Use of the fund. The bureau shall develop a process for municipalities to submit proposals and establish criteria for reviewing proposals and awarding grants from the fund for the purpose of developing and maintaining community forestry activities.

Sec. XXX-2. 36 MRSA §4641-B, last ¶, as amended by PL 1997, c. 759, §1 and affected by §2, is further amended to read:

The State Tax Assessor shall pay all net receipts to the Treasurer of State, who shall credit 1/2 of the revenue to the General Fund and who shall monthly pay the remaining 1/2 of the revenue to the Maine State Housing Authority, which shall deposit the funds in the Housing Opportunities for Maine Fund created in Title 30-A, section 4853. From the remaining revenue, the Treasurer of State shall pay 2.5%, reduced by any federal funds received for community forestry, but not exceeding \$200,000 annually, to the Community Forestry Fund created in Title 12, section 8705 and deposit the remainder of the revenue in the General Fund.

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

	2001-02
CONSERVATION, DEPARTMENT OF	
Administration - Forestry	
All Other	\$100,000
Provides a one-time appropriation of funds for the newly established Community Forestry Fund. Within 30 days after the effective date of this Part, the State Controller shall transfer these funds to the Community Forestry Fund as established by the Maine Revised Statutes, Title 12, section 8705.	

Sec. XXX-4. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Part.

	2001-02	2002-03
CONSERVATION, DEPARTMENT OF		
Administration - Forestry		
All Other	\$100,000	\$500
Allocates funds for the newly established Community Forestry Fund. These funds must be expended in consultation with the Community Forestry Advisory Board.		

PART YYY

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

	2001-02	2002-03
AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF		
Division of Quality Assurance and Regulation		
Positions - Legislative Count	(0,500)	(2,500)
Personal Services	\$31,000	\$156,153
All Other	7,000	34,908
Establishes an additional 1/2-time State Veterinarian position in fiscal year 2001-02 and 2 additional Consumer Protection Inspector positions in fiscal year 2002-03 to continue the state meat inspection program authorized by Public Law 1999, chapter 777.		
DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES		
TOTAL	\$38,000	\$191,061

PART ZZZ

Sec. ZZZ-1. Health Care System and Health Security Board.

1. Board established. The Health Care System and Health Security Board, referred to in this section as the "board," consists of 19 members as follows:

A. The Commissioner of Human Services or the commissioner's designee;

B. The Executive Director of the State Employee Health Commission or the director's designee;

C. The State Tax Assessor or the assessor's designee;

D. Two members of the House of Representatives appointed by the Speaker of the House of Representatives with preference to members of the joint standing committee of the Legislature having jurisdiction over health and human services matters, 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 banking and insurance matters;

E. Two members of the Senate appointed by the President of the Senate with preference to members of the joint standing committee of the Legislature having jurisdiction over health and human services matters, 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 banking and insurance matters;

F. A representative of each of the following, appointed by the President of the Senate:

(1) A statewide organization that advocates universal health care;

(2) A statewide organization that defends the rights of children;

(3) A statewide organization representing health insurers and health maintenance organizations;

(4) Health care economists;

(5) A statewide organization of physicians; and

(6) Small hospitals in the State; and

G. A representative of each of the following, appointed by the Speaker of the House:

(1) A statewide organization that represents Maine senior citizens;

(2) A statewide labor organization;

(3) A statewide organization of nurses;

(4) Large hospitals in the State;

(5) The business community; and

(6) An organization representing the self-employed.

2. Chairs. The first-named Senate member is the Senate chair and the first-named House member is the House chair of the board.

3. Appointments; convening board. All appointments must be made no later than 30 days following the effective date of this Part. The chairs shall call and convene the first meeting of the board within 30 days of completion of all appointments.

4. Purpose. The purpose of the board is to develop recommendations to provide health care coverage to all citizens of this State through a plan or plans that emphasize 24-hour coverage, quality, cost containment, choice of provider and access to comprehensive, preventive and long-term care.

5. Duties of board. The board has the following duties.

A. As its first priority, the board shall undertake a review to:

(1) Determine what percentage of health care benefits are paid from automobile insurance, general liability insurance and workers' compensation insurance;

(2) Assess what, if any, savings are associated with a simplified billing system;

(3) Assess what, if any, savings would be realized by schools and correctional facilities with a single-payor system based on their current expenses for services related to health care such as occupational therapy, physical therapy and speech therapy; and

(4) Assess what, if any, savings are associated with a single-payor system by comparing hospitals of similar size in the State and other states; and

(5) In its assessment, the board shall examine prior studies conducted in Maine and other states.

B. In developing proposals to implement a single-payor plan to provide health care coverage to all citizens of this State, the board shall make recommendations related to standards for:

(1) Eligibility for coverage under the plan for residents of the State, including a requirement that residents must apply for an identification card to enroll in the plan, responsibility for collection from individuals and insurance companies and reimbursement for providers in the State;

(2) The types of health care services covered under the plan. The plan must provide coverage for health care services from a provider within this State if those services are determined medically necessary by the provider for the patient, except that the plan may not provide cosmetic services. Co-payments may be charged only as charged under current Medicaid coverage. Deductibles may not be charged to plan enrollees. The plan must be at least as inclusive as Medicaid coverage. This subsection does not preclude supplementary benefit insurance for services that are not medically necessary. Covered health care must include all services and providers for which coverage is mandated under the Maine Revised Statutes, Title 24-A and must include all coverage offered by the Medicaid program;

(3) A system for the delivery of health care services throughout the State. Covered health care services must be provided to plan enrollees by participating providers who are located within the State and who are chosen by the plan enrollees. The plan must pay for health care services provided to a plan enrollee while the enrollee is temporarily outside the State. The maximum period of time a plan enrollee may be covered while out of state is 90 days per year. A plan enrollee may qualify to begin services out of state but, in order to receive continued treatment, may be required to receive treatment within the State. Reimbursement for services rendered out of state must be at rates set by the board. A participating provider may not charge plan enrollees or 3rd parties for covered health care services in excess of the amount reimbursed to that provider by the plan. A participating provider may not refuse to provide services to a plan enrollee on the basis of health status, medical condition, previous insurance status, race, color, creed, age, national origin, citizenship status, gender, sexual orientation, disability or marital status; and

(4) The role of other health care programs including, but not limited to, the following programs: the Medicare program of the

federal Social Security Act, Title XVIII; the Medicaid program of the federal Social Security Act, Title XIX; the civilian health and medical program as referred to in 10 United States Code, Sections 1071 to 1106; the federal Indian Health Care Improvement Act, 25 United States Code, Sections 1601 to 1682; other 3rd-party payors who may be billable for health care services; and any state and local health programs, including, but not limited to, workers' compensation and employers' liability insurance pursuant to the Maine Revised Statutes former Title 39 and Title 39-A.

The board shall also examine issues related to the implementation of a single-payor plan for universal coverage and access such as: promoting the purposes of the plan; setting reimbursement rates for participating providers; rules necessary to implement the plan; systems for enrollment, registration of providers for participation, rate setting and contracts with providers of services and pharmaceuticals; developing budgets with hospitals and institutional providers; administration of revenues of the plan; employment of staff as necessary to implement the plan; development of plans and funding for training and assistance for workers in the health care sector displaced by moving to a single-payor health care system; addressing the unique issues related to the delivery of a single-payor health care system among the State's border communities and the impact on health care practitioners, providers and residents of those communities; and conducting public hearings annually or more frequently regarding resource allocation, revenues and services.

C. The board shall examine funding for the single-payor plan from a combination of sources, including payments from government sources, including federal, state and other governmental health care and aid programs; payments from workers' compensation, pension and health insurance employee benefit plans; payments from state, county and municipal governmental units for coverage; payments from tobacco settlement funds; and payments from any taxes or fees based on the results of the feasibility study required under paragraph D.

D. The board shall conduct a feasibility study of the economic impacts on individuals and businesses of a single-payor plan that guarantees a minimum 5% savings over existing health care costs and the impact on individuals and businesses of payment options and benefits should

those options be necessary, including but not limited to increasing corporate and individual income tax rates; increasing sales tax rates; eliminating sales tax exemptions and exclusions; and establishing a payroll or other tax dedicated to funding the plan. The board shall also address the potential positive or negative impact of the plan on the State's economy.

E. The board shall stress prevention of disease and maintenance of health in developing proposals to implement the single-payor plan and shall attempt to retain and strengthen existing health facilities whenever possible in developing those proposals.

F. The board may examine any other issues or gather information necessary to fulfill its purpose and duties.

The board may choose to organize subcommittees of its members to carry out the duties described in this subsection, except that a subcommittee may not take any action without a final decision by the entire board. Any action or decision of the board must be made by majority vote.

6. Staff assistance. The board may contract with and retain staffing and technical assistance from a health policy organization.

7. Funding. The board may seek and accept outside funding through the public or private sector to advance its work.

8. Compensation. Those members of the board who are Legislators are entitled to receive the legislative per diem as defined in the Maine Revised Statutes, Title 3, section 2 and reimbursement for travel and other necessary expenses related to their attendance at meetings of the board.

9. Report. Based on its review, the board shall develop recommendations regarding the implementation of a single-payor plan to provide health care coverage to all citizens of this State and shall submit its report, together with any necessary implementing legislation, to the Second Regular Session of the 120th Legislature by March 1, 2002. If the board requires an extension of time to make its report, it may apply to the Legislative Council, which may grant the extension. Upon submission of the report, the board may not take further action unless further action is authorized by law.

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

2001-02

LEGISLATURE

Health Care System and Health Security Board

Personal Services	\$660
All Other	10,000

Provides funds for the per diem and expenses of legislative members of the Health Care System and Health Security Board, to conduct public hearings, to contract for staffing and technical assistance and to print the required report.

LEGISLATURE

TOTAL	\$10,660
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Sec. ZZZ-3. Allocation. The following funds are allocated from Other Special Revenue to carry out the purposes of this Part.

2001-02

LEGISLATURE

Health Care System and Health Security Board

All Other	\$500
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Provides funds as a base allocation in the event that outside sources of revenue are received by the Health Care System and Health Security Board.

PART AAAA

Sec. AAAA-1. 5 MRSA §13122-L is enacted to read:

§13122-L. Maine Research and Development Evaluation Fund

1. Fund established. The Maine Research and Development Evaluation Fund, referred to in this section as the "fund," is established as a nonlapsing Other Special Revenue fund administered by the foundation for the purposes of funding the comprehensive research and development evaluation required pursuant to section 13122-J. Money deposited with

the Treasurer of State to the credit of the fund may be invested as provided by law. Income from those investments must be credited to the fund.

2. Definition. For the purposes of this section, "research and development" means activities that directly or through capital investment support basic and applied scientific research and related commercial development funded by state appropriations.

3. Fund sources. The fund receives money deposited by the Treasurer of State pursuant to this section and any other gift, grant or other source of revenue deposited for that use.

4. Transfers to fund. Notwithstanding section 1585 or any other provision of law, the State Budget Officer upon the recommendation of the president is authorized to transfer General Fund appropriations for research and development efforts to the fund. The transfer and allotment of available funds may not exceed 0.8% of the total research and development appropriations. Only those programs that receive \$500,000 or more in research and development appropriations, as identified and certified by the State Budget Officer and the Office of Fiscal and Program Review, may be assessed upon concurrence of the affected agencies, institutions and departments. The transfer must be implemented by financial order contingent upon the recommendation of the State Budget Officer and approval of the Governor and upon review by the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs. The financial order must include a plan outlining how these funds will be expended. The financial order takes effect upon approval by the Governor. Total transfers made pursuant to this section may not exceed \$120,000 in any fiscal year.

5. Repeal; lapse of funds. This section is repealed June 30, 2006. Unexpended funds in the fund lapse to the unappropriated surplus of the General Fund.

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

	2001-02	2002-03
MAINE SCIENCE AND TECHNOLOGY FOUNDATION		
Maine Research and Development Evaluation Fund		
All Other	\$500	\$500
Provides a base allocation to establish the Maine Research and		

Development Evaluation Fund.

PART BBBB

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

2001-02

HUMAN SERVICES, DEPARTMENT OF

Purchased Social Services

All Other	\$100,000
Provides funds for a low-barrier homeless teen shelter located in Rockland to serve youth in Knox, Lincoln and Waldo counties of region 2.	

PART CCCC

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

2001-02 2002-03

EDUCATION, DEPARTMENT OF

General Purpose Aid for Local Schools

All Other	\$75,000	\$100,000
Provides additional funding for the geographic isolation adjustment.		

PART DDDD

Sec. DDDD-1. 27 MRSA §555, sub-§6, as enacted by PL 1999, c. 573, §5, is amended to read:

6. New Century Community Program Fund. To administer the New Century Community Program Fund. The New Century Community Program Fund is established as a nonlapsing account to assist in carrying out the purposes of section 558. The Maine State Cultural Affairs Council may accept and expend money on behalf of the fund from public and private sources.

Sec. DDDD-2. 27 MRSA §558, sub-§1, ¶C, as enacted by PL 1999, c. 401, Pt. LL, §1, is amended to read:

C. "Program" means the ~~Maine Communities in the New Century Community~~ Program established in subsection 2.

Sec. DDDD-3. 27 MRSA §558, sub-§2, as enacted by PL 1999, c. 401, Pt. LL, §1, is amended to read:

2. Program established; objectives. The ~~Maine Communities in the New Century Community~~ Program is established under the auspices of the council to further the following objectives:

A. Preservation of the State's historic resources, properties, artifacts and documents;

B. Expanded access to improved educational resources; and

C. Community and economic development through strengthened local cultural resources, including through increased community access to the State's leading cultural institutions.

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

	2001-02	2002-03
MAINE ARTS COMMISSION		
Arts - Administration		
All Other	\$71,875	\$76,190
Provides ongoing funding for the New Century Community Program.		
MAINE ARTS COMMISSION TOTAL	\$71,875	\$76,190
MAINE HUMANITIES COUNCIL		
Humanities Council		
All Other	\$75,625	\$80,160
Provides ongoing funding for the New Century Community Program.		
MAINE HUMANITIES COUNCIL TOTAL	\$75,625	\$80,160
MAINE HISTORIC PRESERVATION COMMISSION		
Historic Preservation Commission		
All Other	\$79,065	\$83,810

Provides ongoing funding for the New Century Community Program.

MAINE HISTORIC PRESERVATION COMMISSION TOTAL	\$79,065	\$83,810
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MAINE STATE LIBRARY		
Library - Administration		
All Other	\$201,935	\$214,050

Provides ongoing funding for the New Century Community Program.

MAINE STATE LIBRARY TOTAL	\$201,935	\$214,050
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MAINE STATE MUSEUM		
Museum - Administration		
All Other	\$23,375	\$24,780

Provides ongoing funding for the New Century Community Program.

MAINE STATE MUSEUM TOTAL	\$23,375	\$24,780
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MAINE HISTORICAL SOCIETY		
Historical Society		
All Other	\$34,375	\$36,440

Provides ongoing funding for the New Century Community Program.

MAINE HISTORICAL SOCIETY TOTAL	\$34,375	\$36,440
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SECRETARY OF STATE, DEPARTMENT OF THE		
Archives - Administration		
All Other	\$13,750	\$14,570

Provides ongoing funding for the New Century Community Program.

DEPARTMENT OF THE SECRETARY OF STATE TOTAL	\$13,750	\$14,570
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TOTAL APPROPRIATIONS	\$500,000	\$530,000
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PART EEEE

Sec. EEEE-1. 3 MRSA §959, sub-§1, ¶D, as enacted by PL 1995, c. 488, §2, is amended to read:

D. The joint standing committee of the Legislature having jurisdiction over criminal justice matters shall use the following list as a guideline for scheduling reviews:

- (1) Department of Public Safety, except for the Bureau of Liquor Enforcement and the Emergency Services Communication Bureau, in 2001; and
- (2) Department of Corrections in 2003.

Sec. EEEE-2. 3 MRSA §959, sub-§1, ¶P, as enacted by PL 1995, c. 488, §2, is amended to read:

P. The joint standing committee of the Legislature having jurisdiction over utilities and energy matters shall use the following list as a guideline for scheduling reviews:

- (1) Public Advocate in 1997;
- (2) Board of Directors, Maine Municipal and Rural Electrification Cooperative Agency in 1999; ~~and~~
- (3) Public Utilities Commission in 1999; and
- (4) The Emergency Services Communication Bureau within the Department of Public Safety in 2001.

Sec. EEEE-3. 25 MRSA §2926, sub-§2, ¶¶B, F, H and I, as enacted by PL 1993, c. 566, §9, are amended to read:

B. Development of minimum public safety answering point requirements including 24-hour operation; emergency backup power; secured communication areas; separate administrative phone lines for nonemergency calls; call recording and playback equipment; TDD equipment, as defined in Title 35-A, section 8702, subsection 6; maximum call handling times; and minimum mandatory staff training requirements for E-9-1-1 call answering and dispatching;

F. Procedures for cooperation and coordination with telephone utilities and municipalities for implementation and maintenance;

H. Estimates of the cost of establishing an operational E-9-1-1 system; ~~and~~

I. Procedures for collecting and administering the necessary funds for E-9-1-1; and

Sec. EEEE-4. 25 MRSA §2926, sub-§2, ¶J is enacted to read:

J. Standards and procedures for developing and maintaining the system databases and for ensuring the confidentiality of those databases pursuant to section 2929.

Sec. EEEE-5. 25 MRSA §2926, sub-§§5 and 6 are enacted to read:

5. Call answering coverage. The bureau is not required to provide call answering coverage in counties or municipalities that choose not to participate in the E-9-1-1 system.

6. System databases. The system databases, wherever located or stored, are the property of the bureau and their confidentiality is governed by section 2929.

Sec. EEEE-6. 25 MRSA §2927, sub-§1-B, as enacted by PL 1999, c. 651, §1 and affected by §4, is amended to read:

1-B. Statewide E-9-1-1 surcharge. The activities authorized under this chapter are funded through a special statewide E-9-1-1 surcharge levied on each residential and business telephone exchange line, including private branch exchange lines and Centrex lines, cellular or wireless telecommunications service subscribers and semipublic coin and public access lines. The statewide E-9-1-1 surcharge may not be imposed on more than 25 lines or numbers per customer billing account. The statewide E-9-1-1 surcharge is ~~32¢~~ 50¢ per month per line or number until 90 days after adjournment of the First Regular Session of the 121st Legislature, after which time the statewide E-9-1-1 surcharge is 32¢ per month per line or number. The statewide E-9-1-1 surcharge must be billed on a monthly basis by each local exchange telephone utility or cellular or wireless telecommunications service provider and be shown separately as a statewide E-9-1-1 surcharge on the customer's bill.

Sec. EEEE-7. 25 MRSA §2927, sub-§2-B, as enacted by PL 1999, c. 651, §1, is amended to read:

2-B. Surcharge remittance. Each local exchange telephone utility and cellular or wireless telecommunications service provider shall remit the statewide E-9-1-1 surcharge revenues collected from its customers pursuant to this section on a monthly basis and within one month of the month collected to the Treasurer of State for deposit in a separate account known as the E-9-1-1 fund. Service providers shall provide, on a form approved by the bureau, supporting data, including but not limited to the following:

A. The calculation used to arrive at the surcharge remittance amount;

B. The calculation used to arrive at the uncollectible amount of surcharge;

- C. The total surcharge;
- D. The month and year for which surcharge is remitted;
- E. The legal name of company and telephone number and, if applicable, the parent company name, address and telephone number; and
- F. The preparer's name and telephone number.

Sec. EEEE-8. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Part.

	2001-02	2002-03
PUBLIC SAFETY, DEPARTMENT OF		
Emergency Services Communication Bureau		
All Other	\$1,744,740	\$2,326,320
Allocates additional funds for the costs of implementing the Enhanced 9-1-1 Emergency System.		

Sec. EEEE-9. Construction. This Part may not be interpreted to prohibit the State Police from providing facilities or other assistance for the operation of public safety answering points.

PART FFFF

Sec. FFFF-1. Reimbursement for podiatrists. The Department of Human Services shall adopt rules to include podiatrists in the group of health care providers who are exempt from reimbursement reductions imposed by the department with respect to its liability for Medicare Part B deductible and coinsurance charges. 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. FFFF-2. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

	2001-02	2002-03
HUMAN SERVICES, DEPARTMENT OF		
Medical Care - Payments to Providers		
All Other	\$41,154	\$44,294
Provides funds to include podiatrists in the group of health care providers who		

are exempt from reimbursement reductions with respect to its liability for Medicare Part B deductible and coinsurance charges.

Sec. FFFF-3. Allocation. The following funds are allocated from the Federal Expenditures Fund to carry out the purposes of this Part.

	2001-02	2002-03
HUMAN SERVICES, DEPARTMENT OF		
Medical Care - Payments to Providers		
All Other	\$81,566	\$88,243
Provides funds for the federal match to include podiatrists in the group of health care providers who are exempt from reimbursement reductions with respect to its liability for Medicare Part B deductible and coinsurance charges.		

PART GGGG

Sec. GGGG-1. 5 MRSA §17709, sub-§2, as repealed and replaced by PL 1995, c. 466, Pt. A, §1, is amended to read:

2. After August 31, 1984. A law enforcement officer in the Department of Inland Fisheries and Wildlife who was first employed in that capacity after August 31, 1984 ~~and who elects the retirement option provided in section 17851, subsection 5 A~~ shall contribute to the retirement system or have pick-up contributions made by the employer ~~as provided in section 17852, subsection 5 A~~ at a rate of 7.5% of earnable compensation until the law enforcement officer has completed 25 years of creditable service and at a rate of 6.5% thereafter.

Sec. GGGG-2. 5 MRSA §17710, sub-§1-A, as enacted by PL 1995, c. 466, Pt. B, §2, is amended to read:

1-A. After August 31, 1984. A law enforcement officer in the Department of Marine Resources who was first employed in that capacity after August 31, 1984 ~~and who elects the retirement option provided in section 17851, subsection 6 A~~ shall contribute to the retirement system or have pick-up contributions made by the employer ~~as provided in section 17852, subsection 6 A~~ at a rate of 7.5% of earnable compensation until the law enforcement

officer has completed 25 years of creditable service and at a rate of 6.5% thereafter.

Sec. GGGG-3. 5 MRSA §17851, sub-§5-A, as amended by PL 1997, c. 769, §4, is further amended to read:

5-A. Inland Fisheries and Wildlife officers after August 31, 1984. ~~Except as provided in section 17851-A, a~~ A law enforcement officer in the Department of Inland Fisheries and Wildlife who was first employed in that capacity after August 31, 1984 or who, if employed in that capacity before August 31, 1984, ceased to be employed in that capacity on or before that date and who subsequently became reemployed in that capacity after that date qualifies for a service retirement benefit ~~upon reaching 55 years of age~~ after completing at least 25 years of creditable service in that capacity ~~if notice of election of the option and payment of employee contributions and actuarial costs are made as provided in section 17852, subsection 5-A.~~

Sec. GGGG-4. 5 MRSA §17851, sub-§6-A, as amended by PL 1997, c. 769, §6, is further amended to read:

6-A. Marine resources officers after August 31, 1984. ~~Except as provided in section 17851-A, a~~ A law enforcement officer in the Department of Marine Resources who was first employed in that capacity after August 31, 1984 or who, if employed in that capacity before August 31, 1984, ceased to be employed in that capacity on or before that date and who subsequently became reemployed in that capacity after that date qualifies for a service retirement benefit ~~upon reaching 55 years of age~~ after completing at least 25 years of creditable service in that capacity ~~if notice of election of the option and payment of employee contributions and actuarial costs are made as provided in section 17852, subsection 6-A.~~

Sec. GGGG-5. 5 MRSA §17851-A, sub-§1, ¶¶A and B, as enacted by PL 1997, c. 769, §11, are repealed.

Sec. GGGG-6. 5 MRSA §17851-A, sub-§2, as amended by PL 2001, c. 409, §3, is further amended to read:

2. Qualification for benefits. A member employed in any one or a combination of the capacities specified in subsection 1 after June 30, 1998 for employees identified in subsection 1, paragraphs ~~A-C~~ to H, after December 31, 1999 for employees identified in subsection 1, paragraphs I to K, and any employee identified in subsection 1, paragraph L, qualifies for a service retirement benefit if that member either:

A. Is at least 55 years of age and has completed at least 10 years of creditable service under the 1998 Special Plan in any one or a combination of the capacities; or

B. Has completed at least 25 years of creditable service in any one or a combination of the capacities specified in subsection 1, whether or not the creditable service included in determining that the 25-year requirement has been met was earned under the 1998 Special Plan or prior to its establishment.

Sec. GGGG-7. 5 MRSA §17851-A, sub-§3, ¶A, as amended by PL 2001, c. 409, §4, is further amended to read:

A. For the purpose of meeting the qualification requirement of subsection 2, paragraph A:

(1) Service credit purchased by repayment of an earlier refund of accumulated contributions following termination of service is included only to the extent that time to which the refund relates was served after June 30, 1998 for employees identified in subsection 1, paragraphs ~~A-C~~ 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. Service credit may be purchased for service by an employee identified in subsection 1, paragraph L regardless of when performed; and

(2) Service credit purchased other than as provided under subparagraph (1), including but not limited to service credit for military service, is not included.

Sec. GGGG-8. 5 MRSA §17851-A, sub-§4, ¶A, as repealed and replaced by PL 1999, c. 489, §14 and amended by PL 1999, c. 493, §9, is repealed and the following enacted in its place:

A. If all 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 C to H and after December 31, 1999 for employees identified in subsection 1, paragraphs I to K or if service credit was purchased by repayment of an earlier refund of accumulated contributions for service after June 30, 1998 for employees identified in subsection 1, paragraphs C 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 if service credit was purchased by other than the repayment of an earlier 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 C to H and after December 31, 1999 for employees identified in subsection 1, paragraphs I to K, the benefit must be computed as provided in section 17852, subsection 1. If the member had 10 years of creditable service on July 1, 1993, the benefit must be reduced as provided in section 17852, subsection 3, paragraphs A and B, and if the member had fewer than 10 years of creditable service on July 1, 1993, the benefit must be reduced by 6% for each year that the member's age precedes age 55.

Sec. GGGG-9. 5 MRSA §17851-A, sub-§4, ¶B, as repealed and replaced by PL 1999, c. 731, Pt. CC, §5, is amended to read:

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~~ C 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~~ C 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~~ C 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~~ C 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~~ C 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~~ C 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~~ C 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~~ C 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 segment amount must be reduced by 6%

for each year that the member's age precedes 55 years of age.

Sec. GGGG-10. 5 MRSA §17851-A, sub-§5, as amended by PL 2001, c. 409, §6, is further amended to read:

5. Contributions. Notwithstanding any other provision of subchapter III, after June 30, 1998 for employees identified in subsection 1, paragraphs ~~A-C~~ to H, after December 31, 1999 for employees identified in subsection 1, paragraphs I to K and after December 31, 2001 for employees identified in subsection 1, paragraph L, a member in the capacities specified in subsection 1 must contribute to the retirement system or have pick-up contributions made at the rate of 8.65% of earnable compensation until the member has completed 25 years of creditable service as provided in this section and at the rate of 7.65% thereafter.

Sec. GGGG-11. 5 MRSA §17851-A, sub-§6, as enacted by PL 1997, c. 769, §11, is amended to read:

6. Consequences of participation in retirement plan under section 17851, subsection 8-A. Notwithstanding any other provision of law, a member in the capacities specified in subsection 1 who, prior to July 1, 1998, elected the retirement option provided in section 17851, subsection ~~5-A, 6-A~~ or 8-A is treated as follows under the 1998 Special Plan.

A. A member who made the election at the time of first employment in a position covered under section 17851, subsection ~~5-A, 6-A~~ and 8-A is considered to be a member under the 1998 Special Plan as of the date of hire. Beginning July 1, 1998, a member covered by this paragraph shall contribute to the retirement system or have pick-up contributions made at a rate of 8.65% of earnable compensation until completion of 25 years of creditable service and shall contribute at a rate of 7.65% thereafter.

B. A member who was serving in a position covered under section 17851, subsection ~~5-A, 6-A~~ or 8-A at the time of the election and who elected to participate in the retirement option prospectively from the time of election is considered to be a member under the 1998 Special Plan as of the effective date of the election. Beginning July 1, 1998, a member covered by this paragraph shall contribute to the retirement system or have pick-up contributions made at a rate of 8.65% of earnable compensation until completion of 25 years of creditable service and shall contribute at a rate of 7.65% thereafter.

C. A member who was serving in a position covered under section 17851, subsection ~~5-A,~~

~~6-A~~ or 8-A at the time of the election and who elected to participate in the retirement option prospectively from the time of election and also elected to purchase credit for service earned while serving in the same capacity before exercising the election is considered to be a member under the 1998 Special Plan as of the beginning date of the service for which credit is purchased, provided that all of the payments required under section 17852, subsection 5-A, 6-A or 7-A are made before retirement. If all the required payments are not made before retirement, that member is considered to be a member under the 1998 Special Plan as of the effective date of the election. Beginning July 1, 1998, a member covered by this paragraph shall contribute to the retirement system or have pick-up contributions made at a rate of 8.65% of earnable compensation until completion of 25 years of creditable service and shall contribute at a rate of 7.65% thereafter.

Employee contributions and actuarial and administrative costs paid to the retirement system by a member covered by this subsection may not be returned to that member, except that these employee contributions may be refunded to a member who terminates service and requests a refund under section 17705.

Sec. GGGG-12. 5 MRSA §17852, sub-§5-A, as amended by PL 1997, c. 769, §12, is further amended to read:

5-A. Inland Fisheries and Wildlife officers after August 31, 1984. ~~Except as provided in section 17851-A, the~~ The retirement benefit of a person who qualifies under section 17851, subsection 5-A and who retires upon or after reaching 55 years of age completing 25 years of creditable service is computed in accordance with subsection 1 ~~if:~~

~~A. The person was first employed as a law enforcement officer in the Department of Inland Fisheries and Wildlife on or after November 1, 1995, elects the option provided in section 17851, subsection 5-A and pays to the retirement system an increased employee payroll contribution in an amount that equals the full actuarial cost of electing that option; or~~

~~B. The person was first employed as a law enforcement officer in the Department of Inland Fisheries and Wildlife before November 1, 1995, elects the option provided in section 17851, subsection 5-A and pays to the retirement system single or periodic payment of a lump sum or by a combination of single and periodic payments of the amount that equals the full actuarial cost of electing that option for service before that date. A person who requests calculation of the full actuarial cost, regardless of whether the person~~

~~elects the option, must pay to the retirement system by single lump sum payment the reasonable administrative costs of determining the full actuarial costs. Payment of the full actuarial cost related to service on or after November 1, 1995 is made as part of the employee payroll contribution.~~

~~For the purposes of this subsection, "full actuarial cost" means that the person's payment or payments must fully offset any unfunded liability that would or does result from retirement under the option provided in section 17851, subsection 5-A and must fully fund the cost of the person's retirement prior to normal retirement age so that an additional employer contribution is not required.~~

~~A person who makes the election provided in section 17851, subsection 5-A at any time after the date on which the person is first employed as a law enforcement officer in the Department of Inland Fisheries and Wildlife must include interest at a rate to be set by the board not to exceed regular interest by 5 or more percentage points, applied as of the date on which the person was first employed in that capacity to the contributions the person would have paid or had picked up by the employer had the person elected that option at the date of first employment.~~

~~This subsection is effective November 1, 1995. Election to retire under this subsection is a one time irrevocable election. A person who was first employed as a law enforcement officer in the Department of Inland Fisheries and Wildlife on or after November 1, 1995 must make the election no later than 90 days after the date of first employment. A person who was first employed in that capacity before November 1, 1995 must make the election no later than January 1, 1997.~~

Sec. GGGG-13. 5 MRSA §17852, sub-§5-B, as amended by PL 1997, c. 769, §13, is repealed.

Sec. GGGG-14. 5 MRSA §17852, sub-§6-A, as amended by PL 1997, c. 769, §14, is further amended to read:

6-A. Marine resources officers after August 31, 1984. Except as provided in section 17851-A, the The retirement benefit of a person qualifying under section 17851, subsection 6-A who retires upon or after reaching 55 years of age completing 25 years of service is computed in accordance with subsection 1 if:

A. The person was first employed as a law enforcement officer in the Department of Marine Resources on or after November 1, 1995, elects the option provided in section 17851, subsection 6 of this Part A and pays to the retirement system

~~an increased employee payroll contribution in an amount that equals the full actuarial cost of electing that option; or~~

~~B. The person was first employed in that capacity before November 1, 1995, elects the option provided in section 17851, subsection 6 of this Part A and pays to the retirement system by single or periodic payment of a lump sum or by a combination of single and periodic payments the amount that equals the full actuarial cost of electing that option for service before that date. A person who requests calculation of the full actuarial cost, regardless of whether the person elects the option, must pay to the retirement system by single lump sum payment the reasonable administrative costs of determining the full actuarial costs. Payment of the full actuarial cost related to service on or after November 1, 1995 is made as part of the employee payroll contribution.~~

~~For the purpose of this subsection, "full actuarial cost" means that the person's payment or payments must fully offset any unfunded liability that would or does result from retirement under the option provided in section 17851, subsection 6 of this Part A and must fully fund the cost of the person's retirement prior to normal retirement age so that an additional employer contribution is not required.~~

~~A person who makes the election provided in section 17851, subsection 6 of this Part A at any time after the date on which the person is first employed as a law enforcement officer in the Department of Marine Resources must include interest at a rate to be set by the board not to exceed regular interest by 5 or more percentage points, applied as of the date on which the person was first employed in that capacity to the contributions the person would have paid or had picked up by the employer had the person elected that option at the date of first employment.~~

~~This subsection is effective November 1, 1995. Election to retire under this subsection is a one time irrevocable election. A person who was first employed as a law enforcement officer in the Department of Marine Resources on or after November 1, 1995 must make the election no later than 90 days after the date of first employment. A person who was first employed in that capacity before November 1, 1995 must make the election no later than January 1, 1997.~~

Sec. GGGG-15. 5 MRSA §17852, sub-§6-B, as amended by PL 1997, c. 769, §15, is repealed.

Sec. GGGG-16. Effect on game wardens and marine patrol 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 employee contribution rate plus interest on that amount from the date of payment to a person who is employed as a game warden or marine patrol officer on the effective date of this Act and who elected to exercise the option of retirement at 55 years of age or after 55 years of age and before 60 years of age under the Maine Revised Statutes, Title 5, section 17852, subsection 5-A or 6-A before it was amended by this Act or elected to exercise the option of retirement before 55 years of age under Title 5, section 17852, subsection 5-B or 6-B before it was repealed by this Act by paying the full actuarial cost of either of those options through 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 one of the elections specified in this section is as provided in Title 5, section 17709-B for game wardens and section 17710-B for marine patrol officers.

Sec. GGGG-17. Funding of retirement benefits under this Part. Notwithstanding the provisions of the Maine Revised Statutes, Title 5, section 1517, the following provisions control the transfer of funds that would otherwise qualify for transfer to the Retirement Allowance Fund from the unappropriated surplus of the General Fund. At the close of fiscal year 2000-01 and, if necessary, fiscal year 2001-02, the State Controller shall transfer from the unappropriated surplus of the General Fund money to the Service Retirement Benefit Reserve established by Public Law 1997, chapter 740, section 4 an amount certified by the Maine State Retirement System as the full actuarial cost, including the increase in the unfunded liability of the Maine State Retirement System and the increase in the normal cost component of the employer rate for the fiscal year 2002-2003 biennium, of implementing sections 1 to 14 of this Part. Any remaining funds not needed to meet the requirements described in this section must be transferred to the Retirement Allowance Fund for the purposes described in Title 5, section 1517.

Sec. GGGG-18. Contingent effective date; actuarial cost. The provisions of sections 1 to 14 of this Part do not take effect until the Legislature takes additional action to direct payment of the full actuarial costs of those provisions as provided in section 15 to the Maine State Retirement System. The full actuarial costs of those provisions are currently estimated to be \$3,613,050, if paid by July 1, 2001, but may be adjusted upward if paid after that date. Sections 1 to 14 may not be construed to create any contractual claim or any other claim for any state employee.

PART HHHH

Sec. HHHH-1. 20-A MRSA c. 432-A is enacted to read:

CHAPTER 432-A

HEALTH CARE TRAINING

§12741. Definitions

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

1. President of the system. "President of the system" means the President of the Maine Technical College System.

2. System. "System" means the Maine Technical College System.

§12742. Health Workforce Retraining Program

The president of the system shall establish the Health Workforce Retraining Program for the purpose of making these education and training programs available to eligible businesses and organizations, including, but not limited to, hospitals, long-term care facilities and other health care facilities, to support the training and retraining of health care employees to address changes in the health care workforce. The education and training programs must be established on the basis of need for workers in a particular area of health care.

1. Rules established. The president of the system shall adopt rules to establish:

A. Criteria for eligible health care businesses and organizations;

B. Guidelines for the establishment of education and training programs through a request-for-proposal procedure; and

C. Procedures for establishing a matching grant program allowing state funds to match contributions from the private sector.

2. Program lapses. The Health Workforce Retraining Program under subsection 1 is based on a 50-50 partnership between the State and the private sector. If, by June 30, 2003, there are no funds from the private sector to be matched by state funds, the program expires and all state funds lapse to the General Fund.

§12743. Health Care Training Fund

1. Establishment. The Health Care Training Fund, referred to in this section as the "program fund,"

is established as a dedicated fund to be directed and administered by the president of the system and held by the Treasurer of State. The Treasurer of State shall keep the program fund segregated from all other funds held by the Treasurer of State and shall invest and reinvest the program fund for the benefit of the Health Workforce Retraining Program.

2. Sources of money. The following sources of money must be paid into the program fund:

A. All money appropriated for inclusion in the program fund;

B. All interest, dividends or other pecuniary gains from investment of money in the program fund;

C. All money received pursuant to participation agreements; and

D. Any grants, gifts and other money from the State and from any unit of federal, state or local government or from any person, firm, partnership or corporation for deposit to the program fund.

3. Application of program fund. Money in the program fund must be continuously applied by the president of the system to carry out this section and may not be used for any other purpose.

§12744. Rulemaking

The president of the system shall adopt rules to implement this chapter. Rules adopted pursuant to this chapter are routine technical rules as defined in Title 5, chapter 375, subchapter II-A.

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

	2001-02
MAINE TECHNICAL COLLEGE SYSTEM, BOARD OF TRUSTEES OF THE Health Care Training Fund	
All Other	\$80,000
Provides a one-time appropriation for the establishment of the Health Workforce Retraining Program.	

PART III

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

	2001-02	2002-03
MAINE STATE LIBRARY		
Statewide Library Information System		
All Other	\$200,000	\$200,000
Provides funds to negotiate and purchase licenses for the publication of copyrighted materials and periodicals to create a statewide database for use by state, school, public and academic libraries in the State. The licensing agreement must include, subject to the availability of funds, a full text reference collection, full text newspapers, full text consumer health information and full text periodical databases for both general research and business research.		

PART JJJJ

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

	2001-02	2002-03
MAINE TECHNICAL COLLEGE SYSTEM - BOARD OF TRUSTEES OF THE		
Maine Technical College System - Board of Trustees		
All Other	\$50,000	\$110,000
Provides ongoing funds of \$50,000 each in fiscal years 2001-02 and 2002-03 for operating costs at the Katahdin Area K-Tech Center and ongoing funds in fiscal year 2002-03 of \$60,000 for Western Maine University and Technical College Center operations.		

BOARD OF TRUSTEES OF THE MAINE TECHNICAL COLLEGE SYSTEM		
TOTAL	\$50,000	\$110,000
UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE Educational and General Activities - UMS		
All Other	\$120,000	\$90,000
Provides one-time funds in fiscal year 2001-02 of \$120,000 for architectural work and ongoing funds in fiscal year 2002-03 of \$90,000 for operations for the Western Maine University and Technical College Center.		
BOARD OF TRUSTEES OF THE UNIVERSITY OF MAINE SYSTEM		
TOTAL	\$120,000	\$90,000
TOTAL APPROPRIATION	\$170,000	\$200,000

PART KKKK

Sec. KKKK-1. 12 MRSA c. 801-A is enacted to read:

CHAPTER 801-A

CERTIFIED FOREST RESOURCE MANAGER GRANT FUND

§801. Grant fund established; purpose

There is established a certified forest resource manager grant fund, referred to in this chapter as the "grant fund," from which the bureau may award grants. A grant may be awarded to a licensed professional forester to assist that forester in obtaining initial independent 3rd-party certification as a forest resource manager. Forest land managed by a certified forest resource manager may achieve certification as a well-managed forest through clear review and acceptance procedures.

The bureau may accept donations and grants from public and private sources for deposit in the grant fund. All money received from appropriations, donations and grants to the grant fund must be deposited in a nonlapsing, dedicated account.

§8012. Definitions

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

1. Bureau. "Bureau" means the Bureau of Forestry within the Department of Conservation.

2. Forest land. "Forest land" means land used primarily to grow trees to be harvested for commercial use but where management objectives may include other values.

3. Independent 3rd-party certification. "Independent 3rd-party certification" means a system that verifies sustainable forest management through an independent 3rd-party audit of a licensed professional forester's management of a client's forest lands.

4. Licensed professional forester. "Licensed professional forester" means a person licensed pursuant to Title 32, chapter 75.

§8013. Administration of grant fund; procedure

The bureau shall administer the grant fund pursuant to this section.

1. Eligibility. The bureau may award grants to a licensed professional forester seeking initial independent 3rd-party certification as a forest resource manager in order that the forester's client landowners may obtain the benefits accruing from such certification.

2. Amount of grant. The bureau may provide a grant to a licensed professional forester in an amount equal to 50% of the cost of obtaining independent 3rd-party certification as a forest resource manager or \$1,000, whichever is less.

3. Repayment. A licensed professional forester who accepts a grant but who fails to qualify as a certified forest resource manager within one year of receiving the grant or who fails to retain certification for the full certification period shall repay the amount of the grant to the bureau. The bureau may impose a reasonable interest rate on the amount of the grant.

4. Forms; rulemaking. The bureau shall provide application forms for licensed professional foresters seeking grants pursuant to this chapter. The bureau shall adopt rules to implement the purposes of this chapter. Rules adopted pursuant to this chapter are routine technical rules as defined in Title 5, chapter 375, subchapter II-A.

5. Report. By January 2, 2007, the director of the bureau shall submit a report to the joint standing committee of the Legislature having jurisdiction over forestry matters outlining the costs and benefits of the certified forest resource manager grant fund.

This subsection is repealed January 31, 2007.

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

2001-02

**CONSERVATION,
DEPARTMENT OF**

**Forest Policy and Management -
Division of**

All Other \$5,000

Appropriates funds to provide initial funding for a grant program to be administered through the certified forest resource manager grant fund. Within 30 days of the effective date of this Act, the State Controller shall transfer these funds to the certified forest resource manager grant fund.

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

2001-02 2002-03

**CONSERVATION,
DEPARTMENT OF**

**Forest Policy and Management -
Division of**

All Other \$5,000 \$5,000

Allocates funds to provide grants to assist foresters with the costs of obtaining certain certifications.

PART LLLL

Sec. LLLL-1. 23 MRS §4429 is enacted to read:

§4429. Marketing program

The Maine Port Terminal Facilities Marketing Program is established to encourage and promote business opportunities for Eastport's port terminal facility. The Maine Port Authority shall develop and implement the marketing program. The authority may enter into agreements or cooperative arrangements with any person or entity for the purpose of increasing the use of Eastport's port terminal facility. The authority may receive, administer and disburse funds, either independently or in conjunction with state funds

allocated for the purpose, provided that funds so contributed must be used only for the purpose of marketing and economic development programs.

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

2001-02 2002-03

MAINE PORT AUTHORITY

Maine Port Authority

All Other \$25,000 \$25,000

Appropriates funds for a marketing program to market the Eastport port terminal facility.

PART MMMM

Sec. MMMM-1. Payment of debt service factor to School Administrative District No. 58 for tuition students residing in unorganized territory. In addition to the legal tuition rate for students residing in the unorganized territory who attend schools in a school administrative unit provided in the Maine Revised Statutes, Title 20-A, section 3252, subsection 4 and section 3253-A, subsection 3, the Commissioner of Education shall pay a debt service factor to School Administrative District No. 58 pursuant to Title 20-A, section 5804, subsection 3 and section 5805, subsection 4. That debt service factor payment must equal 10% of the district's legal tuition rate for each student residing in the unorganized territory who attends school in School Administrative District No. 58. The commissioner shall commence payment of the debt service factor under this Act in the year in which the district first incurs capital outlay and debt service costs associated with the school addition project for Kingfield Elementary School in the Town of Kingfield. The commissioner shall continue to pay the debt service factor provided in this Act annually for 10 years or until the year in which the debt of the district attributable to the addition is retired, whichever occurs first.

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

2001-02 2002-03

**EDUCATION, DEPARTMENT
OF**

**Education in Unorganized
Territory**

All Other \$66,355 \$66,355

Provides funds for the first 2 of 10 years of the debt

service in School
Administrative District
No. 58.

PART NNNN

Sec. NNNN-1. 5 MRSA c. 155, sub-c. I-B
is enacted to read:

SUBCHAPTER I-B

STATE PURCHASING CODE OF CONDUCT FOR SUPPLIERS OF APPAREL, FOOTWEAR OR TEXTILES

§1825-K. Application of state purchasing code of conduct to certain bidders seeking con- tracts as part of competitive bid process; affidavit required

This subchapter applies to competitive bids for sale of apparel, footwear or textiles pursuant to subchapter I-A. The State Purchasing Agent may not accept a bid for the sale of goods covered by this subchapter unless the bidder has filed with the agent a signed affidavit stating that the bidder will comply with the state purchasing code of conduct established under section 1825-L and that, to the best of the bidder's knowledge, the supplier at the point of assembly of the goods subject to the bid process is in compliance with the state purchasing code of conduct. The State Purchasing Agent shall make a copy of the state purchasing code of conduct available to all bidders.

§1825-L. State purchasing code of conduct

1. Statement of belief; protection of local interests. The affidavit provided by the State Purchasing Agent to bidders for contracts to provide goods covered by this subchapter must include a copy of the following statement:

"Maine is a state that believes employers should fairly compensate hard work, that the health and safety of working people should be protected and that no form of unlawful discrimination or abuse should be tolerated. Maine citizens are aware that laws and regulations designed to safeguard basic tenets of ethical business practice are disregarded in many workplaces, commonly referred to as "sweatshops." State Government purchase of goods made under abusive conditions on behalf of its citizens offends Maine citizens' sense of justice and decency. Moreover, when the State of Maine contracts with vendors whose suppliers profit by providing substandard wages and working conditions, Maine's businesses are put at a competitive disadvantage. Therefore, the State of Maine believes in doing business with vendors who make a good faith effort to ensure

that they and their suppliers at the point of assembly adhere to the principles of the State of Maine's purchasing code of conduct.

"In its role as a market participant that procures goods covered by this code, the State of Maine seeks to protect the interests of Maine citizens and businesses by exercising its state sovereignty to spend Maine citizens' tax dollars in a manner consistent with their expressed wishes that the State deal with responsible bidders who seek contracts to supply goods to the State of Maine, and protect legally compliant Maine businesses and workers from unfair competition created by downward pressure on prices and conditions attributable to businesses that violate applicable workplace laws.

"Seeking to protect these local interests through the least discriminatory means available, the State of Maine requires that all bidders seeking contracts to supply the State of Maine with goods covered by this code sign an affidavit stating that they and, to the best of their knowledge, their suppliers at the point of assembly comply with workplace laws of the vendor's or supplier's site of assembly and with treaty obligations that are shared by the United States and the country in which the goods are assembled."

**2. Employment and business conduct; re-
quirements.** With respect to goods covered by this subchapter, a company contracting with the State to supply those goods shall adopt and adhere to employment and business practices in accordance with this subsection. A company shall:

A. Comply with all applicable wage, health, labor, environmental and safety laws, legal guarantees of freedom of association, building and fire codes and laws relating to discrimination in hiring, promotion or compensation on the basis of race, disability, national origin, gender, sexual orientation or affiliation with any political, non-governmental or civic group except when federal law precludes the State from attaching the procurement conditions provided in this subchapter.

B. Comply with all human and labor rights treaty obligations that are shared by the United States and the country in which the goods are assembled. These may include obligations with regard to forced labor, indentured labor, slave labor, child labor, involuntary prison labor, physical and sexual abuse and freedom of association.

3. Consequences of noncompliance with purchasing code of conduct. Upon determination of a violation of the state purchasing code of conduct by a

vendor or vendor's supplier at the point of assembly of a good covered by this subchapter, the State, through the State Purchasing Agent, shall inform the vendor and engage in discussions with the vendor about the violation. The purpose of the discussions is to work in partnership with the vendor to influence the vendor to change its practices or to use its bargaining position with the offending supplier to change its practices, rather than to cease doing business with the vendor or supplier. The State Purchasing Agent shall prescribe appropriate measures for the vendor to take in order to comply with the code of conduct. These steps may include, but are not limited to:

- A. Requesting disclosure of names and addresses of suppliers at the point of assembly and suppliers' working conditions;
- B. Requesting that suppliers at the point of assembly provide access to independent human rights monitors; and
- C. Requesting that suppliers at the point of assembly offer their workers the training and guidelines necessary to bring the workplace into compliance with the state purchasing code of conduct.

In making a determination of a violation of the purchasing code of conduct, the State Purchasing Agent shall take into account all relevant, reliable information available, including but not limited to information provided by the vendor or the supplier at the point of assembly, reports from reputable national and international organizations, documented media reports and creditable information provided from local groups or organizations.

§1825-M. Exception

The State Purchasing Agent may accept and award a bid to a supplier who has not met the requirements provided in section 1825-K if, after reasonable investigation by the State Purchasing Agent, it appears that the required unit or item of supply or brand of that unit or item, is procurable by the State from only that supplier.

§1825-N. Support to suppliers of goods and services

The State Purchasing Agent shall provide to bidders and those who have been awarded contracts resources to assist with compliance with the state purchasing code of conduct established in this subchapter. These resources must include a list, easily accessed by the public, of bidders and vendors who have adopted the state purchasing code of conduct.

§1825-O. Rulemaking

The State Purchasing Agent shall adopt rules under this subchapter governing the award of bids. Those rules must include specific guidelines for vendors to follow in order to comply with the state purchasing code of conduct and criteria for seeking disclosure of names and addresses of vendors' suppliers and suppliers' working conditions.

Rules adopted under this section are major substantive rules as defined in chapter 375, subchapter II-A.

§1825-P. Report

By January 15th of each year, the State Purchasing Agent shall submit a report to the joint standing committee of the Legislature having jurisdiction over state and local government matters concerning the administrative and fiscal impact of the requirement that vendors comply with the state purchasing code of conduct; the degree of voluntary compliance with the state purchasing code of conduct; the number of vendors who agreed to and the number that declined to comply with the provisions of this subchapter; and any other information relevant to the state purchasing code of conduct.

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

	2001-02	2002-03
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF		
Division of Purchases		
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	\$18,210	\$25,850
All Other	41,370	15,900
Provides funds for the salary, fringe benefits, overhead and one-time start-up costs of a 30-hour per week Procurement and Contracting Specialist position and for consulting services to evaluate major contracts and provide state and vendor training, development of a publicly accessible site on the Internet, and required upgrades to the current purchasing system.		
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES		
TOTAL	\$59,580	\$41,750

PART OOOO

Sec. OOOO-1. 20-A MRSA §15905, sub-§1, ¶A, as amended by PL 1999, c. 731, Pt. YY, §3, is further 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
2002	\$ 74,000,000
2003	\$ 80,000,000
2004	\$ 80,000,000
2005	\$ 84,000,000
<u>2006</u>	<u>\$ 90,000,000</u>
<u>2007</u>	<u>\$ 96,000,000</u>

Sec. OOOO-2. 30-A MRSA §6006-F, sub-§3, ¶A, as enacted by PL 1997, c. 787, §13, is amended to read:

A. To make loans to school administrative units for school repair and renovation.

(1) The following repair and renovation needs receive first priority status:

(a) Repair or replacement of a roof on a school building;

(b) Bringing a school building into compliance with the federal Americans with Disabilities Act, 42 United States Code, Section 12101 et seq.;

(c) Improving air quality in a school building;

(d) Removing asbestos from or abating asbestos in a school building; and

~~(e) Removing underground oil storage tanks on the grounds of a school building; and~~

(f) Undertaking other health, safety and compliance repairs.

(2) Repairs and improvements not related to health, safety and compliance repairs receive 2nd priority status. Those repairs and improvements are limited to a school building structure, windows and doors and to a school building water or septic system.

(3) Upgrade of learning spaces in school buildings and small-scale capital improvements receive 3rd priority status.

(4) The Commissioner of Education may approve other necessary repairs;

(5) After the total amount appropriated, allocated and repaid to the fund exceeds \$75,000,000, loans may be provided for 2nd priority status, 3rd priority status or other necessary repairs, improvements and upgrades, with approval of the Commissioner of Education, based on rules adopted under this section, as long as the Commissioner of Education determines that substantial progress has been made in addressing repairs and renovations with first priority status;

Sec. OOOO-3. Amend rules governing school construction projects. The Department of Education and the State Board of Education shall amend the rules governing school construction projects to provide that the rating points assigned to a project application for the 2001-2002 rating cycle may not be adjusted, reduced or affected by improvements made to existing buildings that relate directly to protecting the health or safety of staff or students, as long as the project application involved received a rating on the school facilities priority list for the 1999-2000 rating cycle and the improvements were made subsequent to the submission of the 1999-2000 application. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A.

Following the completion of the 2001-2002 rating cycle, the Department of Education and the State Board of Education shall review the impact of this section, also known as a "hold harmless" provision, and shall report back their findings, together with recommendations related to the establishment of an ongoing hold harmless provision in the rules governing school construction projects, to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs by January 15, 2003. The joint standing committee of the Legislature having jurisdiction over education and cultural affairs may report out legislation on the subject matter of this report to the First Regular Session of the 121st Legislature.

Sec. 0000-4. Amend rules governing School Revolving Renovation Fund. The Department of Education and the Maine Municipal Bond Bank shall amend the rules governing the School Revolving Renovation Fund established in the Maine Revised Statutes, Title 30-A, section 6006-F to define the appropriate circumstances in which the maximum loan amount for a school building may be set at an amount not greater than \$3,000,000, in order to maximize the flexibility and efficiency of the fund in addressing needs for repairs and improvements that are substantial in nature or that encompass multiple categories of eligible need. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter II-A.

PART PPPP

Sec. PPPP-1. 3 MRSA §168-A is enacted to read:

§168-A. Legislative Youth Advisory Council

There is established the Legislative Youth Advisory Council, referred to in this section as the "council."

1. Duties. The council shall perform the following duties:

A. Advise the Legislature, the President of the Senate and the Speaker of the House of Representatives on proposed and pending legislation, state budget expenditures and policy matters related to youth;

B. Advise the joint standing committees of the Legislature and study commissions, committees and task forces regarding issues related to youth;

C. Conduct an annual seminar each August for its members regarding leadership, government and the Legislature, to which Legislators must be invited;

D. Meet at least 6 times per year and conduct 2 public hearings per year on issues of importance to youth; and

E. Publish an annual report of its activities and present the report to the Legislature by February 15th of each year. The council may submit legislation to the Legislature.

2. Jurisdiction. The council shall examine issues of importance to youth, including, but not limited to, education, employment, strategies to increase youth participation in municipal government and State Government, safe environments for youth, substance abuse, emotional and physical health, foster care, poverty, homelessness and youth access to services on municipal and statewide bases.

3. Membership. The council consists of 21 voting members and 5 nonvoting members who are Maine residents in accordance with this subsection. In appointing members, the appointing authorities shall consider geographic distribution and shall appoint at least one member from each of the 3 service regions of the Department of Human Services. Members shall serve for terms of 2 years and, if eligible, may be reappointed for subsequent 2-year terms, except that the appointing authorities shall appoint 1/2 of the members first appointed to the council to terms of one year.

A. The President of the Senate shall appoint 10 members as follows:

(1) Six youths who are students in secondary schools or who are enrolled in programs that lead to a secondary school diploma or certificate of attendance or a general equivalency diploma;

(2) One youth who is enrolled in an equivalent instruction program under Title 20-A, chapter 211, subchapter I-A;

(3) Two students at postsecondary educational institutions located in the State; and

(4) One member of the Senate whose term coincides with the term of office in the Senate.

B. The Speaker of the House shall appoint 11 members as follows:

(1) Six youths who are students in secondary schools or who are enrolled in programs that lead to a secondary school diploma or certificate of attendance or a general equivalency diploma;

(2) One youth who is enrolled in an equivalent instruction program under Title 20-A, chapter 211, subchapter I-A;

(3) Two students at postsecondary educational institutions located within the State; and

(4) Two members of the House of Representatives whose terms coincide with their terms of office in the House of Representatives.

C. The members of the Children's Cabinet, established pursuant to Title 5, section 19131, serve ex officio and may not vote.

4. Chairs. At the first meeting of each calendar year, the members shall elect one of their youth members to serve as cochair for a term of one year. The member of the House of Representatives who is the first appointed by the Speaker shall serve as cochair.

5. Cooperation with Department of Education. The council shall work cooperatively with the Department of Education on the integration of council experience into the learning results standards in student service and career preparation.

6. Priorities. The council shall set priorities and shall determine the function of subcommittees, standards of conduct, process, procedures and the use of technology to convene meetings. Council members shall review and consider the procedures and rules used by the Legislature as they may be appropriate for use as models for the council.

7. Communication. The council may provide testimony on legislation pending before the Legislature.

8. Compensation. Members of the council who are Legislators are entitled to the legislative per diem and to reimbursement of reasonable expenses incurred in order to serve on the council as provided in Title 5, section 12004-I, subsection 54-C. All other members who are not otherwise reimbursed for their service on the council are entitled to compensation for reasonable expenses incurred in order to serve on the council as provided in Title 5, section 12004-I, subsection 54-C.

9. Freedom of access. Meetings of the council are public meetings and all records of the council are public records as defined by Title 1, section 402, subsection 3.

10. Staff. The Office of Policy and Legal Analysis and the Edmund S. Muskie School of Public Service shall provide staff assistance to the council.

Sec. PPPP-2. 5 MRSA §12004-I, sub-§54-C is enacted to read:

<u>54-C.</u> <u>Legislature</u>	<u>Legislative Youth Advisory Council</u>	<u>Legislative Per Diem and Expenses for Legislators and Expenses Only for Certain Members</u>	<u>3 MRSA §168-A</u>
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Sec. PPPP-3. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

2002-03

LEGISLATURE

Legislature

Personal Services	\$11,660
All Other	36,200

Provides funds for the per diem and expenses of legislative members and other eligible members of the Legislative Youth Advisory Council, to hold public hearings, to hold an annual seminar and for printing and miscellaneous costs.

LEGISLATURE

TOTAL

\$47,860

Sec. PPPP-4. Effective date. This Part takes effect July 1, 2002.

PART QQQQ

Sec. QQQQ-1. 25 MRSA c. 192 is enacted to read:

CHAPTER 192

MAINE COMPUTER CRIMES TASK FORCE

§1521. Maine Computer Crimes Task Force

1. Maine Computer Crimes Task Force. The Maine Computer Crimes Task Force, referred to in this chapter as the "task force," is established under the auspices of the Department of Public Safety as a collaborative partnership among the department, the Bureau of State Police within the department, the Department of the Attorney General and local law enforcement agencies. The purpose of the task force

is to investigate and assist those law enforcement agencies in the State that investigate crimes involving computers.

2. Report. Beginning July 1, 2002, the task force shall make an annual report regarding development, implementation and effectiveness of programs and initiatives to the joint standing committee of the Legislature having jurisdiction over criminal justice matters.

3. Repeal. This chapter is repealed January 1, 2004.

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

	2001-02	2002-03
PUBLIC SAFETY, DEPARTMENT OF		
Computer Crimes		
Positions	(1,000)	(1,000)
Personal Services	\$61,296	\$81,728
All Other	88,704	68,272
Appropriates funds for one State Police Sergeant position and operating costs necessary for the administration of the Maine Computer Crimes Task Force.		
DEPARTMENT OF PUBLIC SAFETY		
TOTAL	\$150,000	\$150,000

PART RRRR

Sec. RRRR-1. Department authorized to accept land. The Department of Defense, Veterans and Emergency Management is authorized to accept land in southern Maine for the purpose of establishing a veterans' cemetery on that land. Land accepted by the department must meet all the requirements provided in state laws and rules.

PART SSSS

Sec. SSSS-1. 36 MRSA §4365, as amended by PL 2001, c. 396, §31, is further amended to read:

§4365. Rate of tax

A tax is imposed on all cigarettes imported into this State or held in this State by any person for sale at the rate of ~~37~~ 47 mills for each cigarette. Payment of the tax is evidenced by the affixing of stamps to the packages containing the cigarettes. If an individual purchases in any one month unstamped packages

containing cigarettes in a quantity greater than 2 cartons from a person other than a licensed distributor or dealer, the tax may be assessed directly against the purchaser by the State Tax Assessor within 3 years from the date of the purchase.

Sec. SSSS-2. 36 MRSA §4365-E is enacted to read:

§4365-E. Application of cigarette tax rate increase effective October 1, 2001

The following provisions apply to cigarettes held for resale on October 1, 2001.

1. Stamped rate. Cigarettes stamped at the rate of 37 mills per cigarette and held for resale after September 30, 2001 are subject to tax at the rate of 47 mills per cigarette.

2. Liability. A person possessing cigarettes for resale is liable for the difference between the tax rate of 47 mills per cigarette and the tax rate of 37 mills per cigarette in effect before October 1, 2001. Stamps indicating payment of the tax imposed by this section must be affixed to all packages of cigarettes held for resale as of October 1, 2001, except that cigarettes held in vending machines as of that date do not require that stamp.

3. Vending machines. Notwithstanding any other provision of this chapter, it is presumed that all cigarette vending machines are filled to capacity on October 1, 2001 and that the tax imposed by this section must be reported on that basis. A credit against this inventory tax must be allowed for cigarettes stamped at the rate of 47 mills per cigarette placed in vending machines before October 1, 2001.

4. Payment. Payment of the tax imposed by this section must be made to the State Tax Assessor by January 1, 2002, accompanied by forms prescribed by the assessor.

Sec. SSSS-3. 36 MRSA §4366-A, sub-§2, as enacted by PL 1997, c. 458, §10, is repealed and the following enacted in its place:

2. Provided to sellers. The State Tax Assessor shall provide stamps suitable to be affixed to packages of cigarettes as evidence of the payment of the tax imposed by this chapter. The assessor may permit a licensed distributor to pay for the stamps within 30 days after the date of purchase, if a bond satisfactory to the assessor in an amount not less than the sale price of the stamps has been filed with the assessor conditioned upon payment for the stamps. The assessor shall sell cigarette stamps to licensed distributors at the following discounts from their face value:

A. For stamps at the face value of 37 mills sold through September 30, 2001, 2.5%;

B. For stamps at the face value of 47 mills sold prior to July 1, 2002, 2.16%; and

C. For stamps at the face value of 47 mills sold on or after July 1, 2002, 2.03%.

Sec. SSSS-4. Effective date. That section of this Part that amends the Maine Revised Statutes, Title 36, section 4365 takes effect October 1, 2001.

PART TTTT

Sec. TTTT-1. 36 MRSA §1752, sub-§8-A, as enacted by PL 1991, c. 591, Pt. WW, §2 and affected by §4, is repealed and the following enacted in its place:

8-A. Prepared food. "Prepared food" means:

A. Meals served on or off the premises of the retailer;

B. Food and drinks that are prepared by the retailer and ready for consumption without further preparation; and

C. All food and drinks sold from an establishment whose sales of food and drinks that are prepared by the retailer account for more than 75% of the establishment's gross receipts.

"Prepared food" does not include bulk sales of grocery staples.

Sec. TTTT-2. 36 MRSA §1811, first ¶, as amended by PL 1999, c. 401, Pt. X, §1 and affected by §5, is further amended to read:

A tax is imposed on the value of all tangible personal property and taxable services sold at retail in this State. The rate of tax is 7% on the value of liquor sold in licensed establishments as defined in Title 28-A, section 2, subsection 15, in accordance with Title 28-A, chapter 43; 7% on the value of rental of living quarters in any hotel, rooming house; or tourist or trailer camp; 10% on the value of rental for a period of less than one year of an automobile; 7% on the value of prepared food ~~sold in establishments that are licensed for on premises consumption of liquor pursuant to Title 28 A, chapter 43;~~ and 5% on the value of all other tangible personal property and taxable services. Value is measured by the sale price, except as otherwise provided.

Sec. TTTT-3. Application. Those sections of this Part that repeal and replace the Maine Revised Statutes, Title 36, section 1752, subsection 8-A and amend Title 36, section 1811 apply to sales occurring on or after October 1, 2001.

PART UUUU

Sec. UUUU-1. 5 MRSA §13090-K is enacted to read:

§13090-K. Tourism Marketing Promotion Fund

1. Fund established. The Tourism Marketing Promotion Fund is established in the Department of Economic and Community Development, Office of Tourism as a nonlapsing dedicated account.

2. Source of fund. Beginning July 1, 2003 and every July 1st thereafter, the State Controller shall transfer to the Tourism Marketing Promotion Fund an amount, as certified by the State Tax Assessor, that is equivalent to 5% of the 7% tax imposed on tangible personal property and taxable services pursuant to Title 36, section 1811, for the first 6 months of the prior fiscal year after the reduction for the transfer to the Local Government Fund as described by Title 30-A, section 5681, subsection 5. Beginning on October 1, 2003 and every October 1st thereafter, the State Controller shall transfer to the Tourism Marketing Promotion Fund an amount, as certified by the State Tax Assessor, that is equivalent to 5% of the 7% tax imposed on tangible personal property and taxable services pursuant to Title 36, section 1811, for the last 6 months of the prior fiscal year after the reduction for the transfer to the Local Government Fund. The tax amount must be based on actual sales for that fiscal year and may not consider any accruals that may be required by law. The amount transferred from General Fund sales and use tax revenues does not affect the calculation for the transfer to the Local Government Fund.

3. Restrictions. A minimum of 10% of the funds received by the Tourism Marketing Promotion Fund in accordance with subsection 2 must be used for regional marketing promotion and regional special events promotion.

PART VVVV

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

	2001-02	2002-03
HUMAN SERVICES, DEPARTMENT OF		
Purchased Social Services		
All Other	\$300,000	\$750,000
Provides for the appropriation of funds for school-based sexual assault and domestic		

violence prevention education.

Purchased Social Services

All Other \$264,000 \$660,000

Provides for the appropriation of funds for community-based sexual assault and domestic violence prevention education.

Purchased Social Services

All Other \$283,200 \$708,000

Provides for the appropriation of funds for direct services to victims of sexual assault or domestic violence in Maine.

Purchased Social Services

All Other \$352,800 \$882,000

Provides for the appropriation of funds to sustain sexual assault and domestic violence intervention and prevention efforts, including infrastructure support, capital needs of agencies and adequate compensation for staff.

DEPARTMENT OF HUMAN SERVICES
TOTAL

\$1,200,000 \$3,000,000

PART WWWW

Sec. WWWW-1. Carrying balance. An amount not to exceed \$242,832 of unencumbered balance remaining on June 30, 2001 in the General Fund Maine Residents Property Tax Program in the Department of Administrative and Financial Services may not lapse but must be carried forward to June 30, 2002 to be used for the same purpose.

Sec. WWWW-2. Carrying balance. An amount not to exceed \$1,213,681 of unencumbered balance remaining on June 30, 2001 in the General Fund Homestead Property Tax Exemption Reimbursement program in the Department of Administrative and Financial Services may not lapse but must be carried forward to June 30, 2002 to be used for the same purpose.

Sec. WWWW-3. Carrying balance. An amount not to exceed \$500,000 of unencumbered balance remaining on June 30, 2001 in the General Assistance - Reimbursement to Cities and Towns

program in the Department of Human Services may not lapse but must be carried forward to June 30, 2002 for the same purpose.

Sec. WWWW-4. PL 2001, c. 358, Pt. O, §2 is repealed.

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

2001-02 2002-03

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Maine Residents Property Tax Program

All Other (\$242,832)

Deappropriates funds to adjust for an estimated balance carried forward from fiscal year 2000-01.

Homestead Property Tax Exemption Reimbursement

All Other (\$68,974)

Deappropriates funds to adjust for an estimated balance carried forward from fiscal year 2000-01.

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
TOTAL

(\$311,806)

ATTORNEY GENERAL, DEPARTMENT OF THE

Civil Rights

All Other \$50,000 \$50,000

Provides additional funds for the civil rights team project.

DEPARTMENT OF THE ATTORNEY GENERAL
TOTAL

\$50,000 \$50,000

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Administration - Economic and Community Development

All Other (\$171,609) (\$175,725)

Deappropriates funds to reflect a change in rental payment requirements.

Maine Biomedical Research Fund		
All Other	\$2,150,000	
Provides funds to the Maine Biomedical Research Fund to support biomedical research in Maine.		
DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TOTAL	<u>\$1,978,391</u>	<u>(\$175,725)</u>
HUMAN SERVICES, DEPARTMENT OF Child Care Services		
All Other	(\$517,000)	(\$517,000)
Deappropriates funds on a one-time basis due to the availability of funds from the TANF reserve fund in fiscal year 2001-02 and fiscal year 2002-03 only.		
General Assistance		
All Other	(\$500,000)	
Deappropriates funds based on a projected surplus in this program.		
DEPARTMENT OF HUMAN SERVICES TOTAL	<u>(\$1,017,000)</u>	<u>(\$517,000)</u>
LEGISLATURE		
Legislature		
All Other	\$286,742	
Provides funds for State House renovations.		
Study Commissions - Funding		
All Other	\$68,000	
Provides funds for various studies approved by the Legislative Council.		
LEGISLATURE TOTAL	<u>\$354,742</u>	
TOTAL APPROPRIATIONS	<u>\$1,054,327</u>	<u>(\$642,725)</u>

Sec. WWWW-6. Allocation. The following funds are allocated from the Federal Block Grant Fund to carry out the purposes of this Part.

HUMAN SERVICES, DEPARTMENT OF Child Care Services		
All Other	\$517,000	\$517,000
Allocates one-time funds from the TANF reserve fund in fiscal year 2001-02 and fiscal year 2002-03 only.		

PART XXXX

Sec. XXXX-1. 25 MRSA §1505-A is enacted to read:

§1505-A. Cold case homicide squad

1. Squad established. The Department of Public Safety shall establish a cold case homicide squad, referred to in this section as the "squad." The purpose of the squad is to work exclusively on unsolved murders in the State.

2. Report and sunset. The Department of Public Safety shall dissolve the squad by October 30, 2004 unless directed by the Legislature to continue the squad. The Commissioner of Public Safety shall provide a report to the joint standing committee of the Legislature having jurisdiction over criminal justice matters by January 1, 2004 evaluating the success of the squad and making recommendations on continuation of the squad.

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

	2001-02	2002-03
PUBLIC SAFETY, DEPARTMENT OF State Police		
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	\$48,962	\$65,948
All Other	15,378	12,765
Capital Expenditures	25,974	
Appropriates funds for one additional State Police Detective position and operating costs necessary to establish a cold case homicide squad.		
DEPARTMENT OF PUBLIC SAFETY TOTAL	<u>\$90,314</u>	<u>\$78,713</u>

PART YYYY

Sec. YYYY-1. State Controller; post-closing. The State Controller is authorized to keep open the official system of general accounts of State Government for fiscal year 2000-01 in order to make post-closing entries and adjustments to carry out the provisions of this Act.

PART ZZZZ

Sec. ZZZZ-1. Transfer. Notwithstanding any other provision of law, the State Controller shall transfer \$1,750,000 from the Fund for a Healthy Maine to General Fund unappropriated surplus no later than June 30, 2003.

PART AAAAA

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

	2001-02	2002-03
LABOR, DEPARTMENT OF		
Division for the Blind and Visually Impaired		
All Other	\$35,000	\$35,000
Provides continued funding on an ongoing basis for the audio information service, the Maine Airs program, established through the Iris Network for people who are blind or visually impaired and other people in the State who are unable to access printed information due to a disability.		

PART BBBB

Sec. BBBB-1. 25 MRSA §2403 is enacted to read:

§2403. Thermal Imaging Camera Program

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

A. "Commissioner" means the Commissioner of Public Safety or the commissioner's designee.

B. "Fund" means the Thermal Imaging Camera Fund established in this section.

2. Program established. The commissioner shall oversee the Thermal Imaging Camera Program to negotiate one or more bulk purchases of thermal imaging cameras on behalf of local fire-fighting units and, to the extent funds are available, to provide loans for the purchase of such cameras by local fire-fighting units. The commissioner shall determine how many thermal imaging cameras local fire-fighting units wish to purchase under the program and shall negotiate a bulk purchase price of those cameras, provided that the units are able to pay for the cameras or have qualified for a loan pursuant to subsection 4.

3. Fund established. The Thermal Imaging Camera Fund is established from which the loans authorized under subsection 4 may be made. The fund, which is a nonlapsing fund, receives money from appropriations made by the Legislature and from any other public or private source including repayment of loans. Money deposited in the fund and any interest earnings on that money remain in the fund to be used for loans pursuant to this section.

4. Loans and purchases authorized. To the extent money is available in the fund, the commissioner may make interest-free loans to local fire-fighting units, or the appropriate units of government with jurisdiction over the fire-fighting units, to assist in the purchase of the thermal imaging cameras for which the commissioner negotiates a price pursuant to subsection 2. The commissioner may recover administrative costs associated with administering the loans through a processing fee equitably imposed on local fire-fighting units, or the units of government with jurisdiction over the fire-fighting units, which receive loans under this section. The commissioner shall also arrange for the direct purchase of a thermal imaging camera by a local fire-fighting unit if no loan is sought or available. The commissioner by rule shall establish procedures for determining which local fire-fighting units qualify to receive loans in the event the fund is insufficient to provide loans to all fire-fighting units that seek loans. Rules adopted to implement this section are routine technical rules as defined in Title 5, chapter 375, subchapter II-A.

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

	2001-02
PUBLIC SAFETY, DEPARTMENT OF	
Thermal Imaging Camera Program	
Capital Expenditures	\$5,000

Provides funds to establish the Thermal Imaging Camera Fund from which loans may be made to local fire-fighting units for the purchase of thermal imaging cameras. Money in the fund does not lapse, but must be carried forward.

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

	2001-02	2002-03
PUBLIC SAFETY, DEPARTMENT OF		
Thermal Imaging Camera Fund		
All Other	\$5,000	\$500
Allocates funds from the Thermal Imaging Camera Fund to carry out the purposes of this Part.		

PART CCCCC

Sec. CCCC-1. 5 MRSA §1513, sub-§5 is enacted to read:

5. Death benefits. The Governor shall allocate funds from the Maine Rainy Day Fund as needed to pay benefits due pursuant to Title 25, chapter 195-A. Allocations may be made upon written request of the Chief of the State Police, State Fire Marshal or Director of Maine Emergency Medical Services, and after consultation with the State Budget Officer.

Sec. CCCC-2. 5 MRSA §18005, sub-§2, as amended by PL 1991, c. 885, Pt. E, §12 and affected by §47, is further amended to read:

2. Workers' compensation or similar law. The amount payable under this article must be reduced by any amount received by the surviving spouse and dependent child or dependent children under former Title 39, the Workers' Compensation Act or Title 39-A, Part 1, the Maine Workers' Compensation Act of 1992, or a similar law. For purposes of this article, a death benefit paid to a law enforcement officer, firefighter or emergency medical services person under Title 25, chapter 195-A is not considered a benefit paid under a "similar law" and may not be used to reduce the amount payable under this article.

A. Lump-sum settlements of benefits that would reduce the accidental death benefits under this subsection must be prorated on a monthly basis in an equitable manner prescribed by the board.

B. The prorated lump-sum settlement amounts must reduce the accidental death benefits payable monthly under this article.

Sec. CCCC-3. 5 MRSA §18605, sub-§2, as amended by PL 1991, c. 885, Pt. E, §16 and affected by §47, is further amended to read:

2. Workers' compensation or similar law. The amount payable under this article must be reduced by any amount received by the surviving spouse and dependent child or dependent children under former Title 39, the Workers' Compensation Act or Title 39-A, Part 1, the Maine Workers' Compensation Act of 1992, or a similar law. For purposes of this article, a death benefit paid to a law enforcement officer, firefighter or emergency medical services person under Title 25, chapter 195-A is not considered a benefit paid under a "similar law" and may not be used to reduce the amount payable under this article.

A. Lump-sum settlements of benefits that would reduce the accidental death benefits under this subsection must be prorated on a monthly basis in an equitable manner prescribed by the board.

B. The prorated lump-sum settlement amounts must reduce the accidental death benefits payable monthly under this article.

Sec. CCCC-4. 25 MRSA c. 195-A is enacted to read:

CHAPTER 195-A

DEATH BENEFITS FOR LAW ENFORCEMENT OFFICERS, FIREFIGHTERS AND EMERGENCY MEDICAL SERVICES PERSONS WHO DIE WHILE IN THE LINE OF DUTY

§1611. Definitions

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

1. Chief. "Chief" means the Chief of the State Police.

2. Director. "Director" means the Director of Maine Emergency Medical Services as defined in Title 32, section 83, subsection 10-A.

3. Emergency medical services person. "Emergency medical services person" has the same meaning as in Title 20-A, section 12552, subsection 1-C.

4. Firefighter. "Firefighter" means an active municipal firefighter or an active volunteer firefighter, as defined in Title 30-A, section 3151.

5. Law enforcement officer or officer. "Law enforcement officer" or "officer" means an active state police officer, municipal police officer, county sheriff, deputy sheriff, game warden, fire marshal, liquor enforcement officer or marine patrol officer in this State.

§1612. Death benefit

1. Amount; recipients. In a case in which the chief determines under rules adopted pursuant to this section that a law enforcement officer has died while in the line of duty or in a case in which the State Fire Marshal determines under rules adopted pursuant to this section that a firefighter has died while in the line of duty or in a case in which the director determines under rules adopted pursuant to this section that an emergency medical services person has died while in the line of duty, the State shall pay a benefit of \$50,000 as follows:

A. If there is no surviving child of the firefighter, law enforcement officer or emergency medical services person, to the surviving spouse of the person;

B. If there is a surviving child or children and a surviving spouse of the firefighter, law enforcement officer or emergency medical services person, 1/2 to the surviving child or children in equal shares and 1/2 to the surviving spouse;

C. If there is no surviving spouse of the firefighter, law enforcement officer or emergency medical services person, to the child or children in equal shares; or

D. If there is no surviving child or spouse, to the parent or parents of the firefighter, law enforcement officer or emergency medical services person in equal shares.

2. Interim benefit payment. Interim benefits may be paid as follows.

A. When the State Fire Marshal determines upon showing of need and prior to final action that the death of a firefighter is a death for which a benefit will probably be paid, the State Fire Marshal may make an interim benefit payment not exceeding \$3,000 to the individual or individuals entitled to receive a benefit under subsection 1 in the manner set out in subsection 1.

B. When the chief determines upon showing of need and prior to final action that the death of an officer is a death for which a benefit will probably be paid, the chief may make an interim benefit payment not exceeding \$3,000 to the individual or individuals entitled to receive a

benefit under subsection 1 in the manner set out in subsection 1.

C. When the director determines upon showing of need and prior to final action that the death of an emergency medical services person is a death for which a benefit will probably be paid, the director may make an interim benefit payment not exceeding \$3,000 to the individual or individuals entitled to receive a benefit under subsection 1 in the manner set out in subsection 1.

3. Deduction of interim payment. The State Fire Marshal, the chief or the director, as the case may be, shall deduct the amount of an interim payment made pursuant to subsection 2 from the amount of any final benefit paid to the individual or individuals entitled to receive a benefit under subsection 1.

4. Repayment of interim payment; waiver. If a final benefit is not paid, the recipient or recipients of any interim payment under subsection 2 are liable for repayment of the amount received. The State Fire Marshal in the case of a firefighter, the chief in the case of a law enforcement officer or the director in the case of an emergency medical services person may waive all or part of the repayment if that official determines that undue hardship would result from that repayment.

5. Execution or attachment prohibited. A benefit paid under this section is not subject to execution or attachment.

6. Other benefits. The \$50,000 benefit payable under this section may not be considered a benefit paid under "similar law" for purposes of Title 5, sections 18005 and 18605 and may not be used to reduce any accidental death benefit amount payable under those provisions or under any other provision of law.

7. Payment from the Maine Rainy Day Fund. Benefits are payable from the Maine Rainy Day Fund as provided in Title 5, section 1513.

8. Rulemaking. The State Fire Marshal, the chief and the Emergency Medical Services' Board shall adopt rules to carry out the purposes of this section. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter II-A.

PART DDDDD

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

2001-02 2002-03

FINANCE AUTHORITY OF
MAINE

Maine Dental Education Loan Program

All Other	\$60,000	\$120,000
Provides additional funds from the Fund for a Healthy Maine for loans to Maine residents enrolled in a school of dental education or to repay loan agreements for practicing doctors of dental medicine who practice in underserved population areas.		

See title page for effective date, unless otherwise indicated.

CHAPTER 440

S.P. 388 - L.D. 1285

An Act to Make Supplemental Highway 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, 2001, June 30, 2002 and June 30, 2003

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 institutions will become due and payable immediately after July 1, 2001; and

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

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

PART A

Sec. A-1. Allocations. In order to provide for necessary expenditures of State Government and other purposes for the fiscal years ending June 30, 2002 and June 30, 2003, the following sums as designated in the

following tabulations are allocated out of any money not otherwise allocated.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

New Initiative: Provides funds for the Salary Plan to cover prospective salary cost increases associated with the collective bargaining process.

Highway Fund	2001-02	2002-03
Personal Services		\$2,346,927
Total		2,346,927

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Department totals	2001-02	2002-03
Department Summary - All Funds		2,346,927
Department Summary - Highway Fund		2,346,927

PUBLIC SAFETY, DEPARTMENT OF

State Police

New Initiative: Minimum shift coverage.

Highway Fund	2001-02	2002-03
Personal Services	608,929	621,471
All Other	54,071	56,529
Total	663,000	678,000

New Initiative: Transfer one Secretary position from the Bureau of Liquor Enforcement.

Highway Fund	2001-02	2002-03
Personal Services	25,128	25,835
All Other	268	276
Total	25,396	26,111

New Initiative: Transfer one Clerk Typist III position to the Bureau of Liquor Enforcement.

Highway Fund	2001-02	2002-03
Personal Services	(22,733)	(23,409)
All Other	(243)	(250)
Total	(22,976)	(23,659)

PUBLIC SAFETY, DEPARTMENT OF

Department totals	2001-02	2002-03
Department Summary - All Funds	665,420	680,452
Department Summary - Highway Fund	665,420	680,452

SECRETARY OF STATE, DEPARTMENT OF THE

Administration - Motor Vehicles

New Initiative: Provides funds for 10 limited-period Motor Vehicle Service Representative positions through June 7, 2003.