

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTIETH LEGISLATURE

FIRST SPECIAL SESSION
November 13, 2002 to November 14, 2002

ONE HUNDRED AND TWENTY-FIRST LEGISLATURE

FIRST REGULAR SESSION
December 4, 2002 to June 14, 2003

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
FEBRUARY 13, 2003

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 13, 2003

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

Penmor Lithographers
Lewiston, Maine
2003

explanation of each specific source of funding from grant sources for biomedical research and its use and the number of new jobs created in the State and where those jobs are located.

Sec. B-2. Contingent effective date. This Part takes effect only if the voters ratify the referendum as provided in Part A of this Act.

Effective pending referendum.

CHAPTER 51

H.P. 1150 - L.D. 1574

An Act To Make Additional Supplemental Appropriations and Allocations for the Expenditures of State Government and To Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2003, June 30, 2004 and June 30, 2005

Mandate preamble. This measure requires one or more local units of government to expand or modify activities so as to necessitate additional expenditures from local revenues but does not provide funding for at least 90% of those expenditures. Pursuant to the Constitution of Maine, Article IX, Section 21, 2/3 of all of the members elected to each House have determined it necessary to enact this measure.

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 prior to June 30, 2003; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

PART A

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

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF 18

Office of the Commissioner 0718

Initiative: Provides for the deappropriation of Personal Services funds from savings achieved through the delay in filling of a vacant position and All Other savings from a reduction in travel.

General Fund	2002-03
Personal Services	(\$30,000)
All Other	(246)
	<hr/>
General Fund Total	(30,246)

Bureau of Revenue Services 0002

Initiative: Provides for the deappropriation of Personal Services funds from savings achieved through the elimination of one Management Analyst I position, one Clerk IV position, one Account Clerk II position and one Clerk II position and through a reduction in Capital Expenditures.

General Fund	2002-03
Positions - Legislative Count	(-4,000)
Personal Services	(205,000)
Capital Expenditures	(7,241)
	<hr/>
General Fund Total	(212,241)

Bureau of Accounts and Control 0056

Initiative: Provides for the deappropriation of Personal Services funds from savings achieved through the elimination of 2 Clerk II positions and one Account Clerk II position and through a reduction in All Other expenditures.

General Fund	2002-03
Positions - Legislative Count	(-3,000)
Personal Services	(20,000)
All Other	(4,900)
	<hr/>
General Fund Total	(24,900)

Bureau of the Budget 0055

Initiative: Provides for the deappropriation of Personal Services funds from savings achieved through the delay in filling of a vacant position.

General Fund	2002-03
Personal Services	(10,000)
General Fund Total	(10,000)

Bureau of Human Resources 0038

Initiative: Provides for the deappropriation of Personal Services funds from savings achieved through the delay in filling of vacant positions and through a reduction in All Other expenditures.

General Fund	2002-03
Personal Services	(50,000)
All Other	(12,508)
General Fund Total	(62,508)

Bureau of Human Resources 0038

Initiative: Appropriates funds to provide assistance within existing programs to employees who are laid off as a result of the reduction in the state government workforce. The assistance may include, but is not limited to, retraining, career planning, and assistance in obtaining other employment and may be provided before or after an employee leaves state employment. These funds will be transferred to the Department of Labor. These funds carry forward until June 30, 2005.

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

Bureau of Employee Relations 0244

Initiative: Provides for the deappropriation of Personal Services funds from savings achieved through the delay in filling of a vacant position.

General Fund	2002-03
Personal Services	(10,000)
General Fund Total	(10,000)

Buildings and Grounds Operations 0080

Initiative: Provides for the deappropriation of Personal Services funds from savings achieved through the elimination of one Clerk Typist II position, one Stores Clerk position, one Custodial

Worker I position, one Mason position and one Director of Housekeeping position and through a delay in the filling of vacant positions.

General Fund	2002-03
Positions - Legislative Count	(-5,000)
Personal Services	(35,000)
General Fund Total	(35,000)

Public Improvements - Planning/Construction -Admin 0057

Initiative: Provides for the deappropriation of Personal Services funds from savings achieved through the elimination of one Clerk Typist III position and through a delay in the filling of vacant positions.

General Fund	2002-03
Positions - Legislative Count	(-1,000)
Personal Services	(60,000)
General Fund Total	(60,000)

Capital Construction/Repairs/Improvements 0059

Initiative: Provides for the deappropriation of funds as a result of delaying repairs to July 1, 2003.

General Fund	2002-03
All Other	(250,000)
General Fund Total	(250,000)

Purchases - Division of 0007

Initiative: Provides for the deappropriation of Personal Services funds from savings achieved through the elimination of one part-time Procurement and Contracting Specialist position and through the delay in the filling of vacant positions.

General Fund	2002-03
Positions - Legislative Count	(-500)
Personal Services	(30,000)
General Fund Total	(30,000)

Health Information Protection and Privacy 0945

Initiative: Provides for the deappropriation of funds resulting from an analysis of required funding as well as anticipated federal matching funds.

General Fund	2002-03
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All Other (200,000)
 General Fund Total (200,000)

**Debt Service - Governmental
 Facilities Authority 0893**

Initiative: Provides for the deappropriation of funds from savings achieved in debt service as a result of interest earnings.

General Fund 2002-03
 All Other (295,000)
 General Fund Total (295,000)

**Homestead Property Tax
 Reimbursement 0886**

Initiative: Provides for the deappropriation of funds now available as a result of less than anticipated participation in the program.

General Fund 2002-03
 All Other (245,000)
 General Fund Total (245,000)

**ADMINISTRATIVE AND
 FINANCIAL SERVICES,
 DEPARTMENT OF 18
 DEPARTMENT TOTALS**

GENERAL FUND (1,314,895)
**DEPARTMENT TOTAL -
 ALL FUNDS (1,314,895)**

**ARTS COMMISSION, MAINE
 94W**

Arts - Administration 0178

Initiative: Provides for a deappropriation of funds through a reduction to the Organizational Development Grants.

General Fund 2002-03
 All Other (11,340)
 General Fund Total (11,340)

**ARTS COMMISSION,
 MAINE 94W
 DEPARTMENT TOTALS**

GENERAL FUND (11,340)

**DEPARTMENT TOTAL -
 ALL FUNDS (11,340)**

**ATLANTIC SALMON
 COMMISSION - 94V**

**Atlantic Salmon Commission -
 0265**

Initiative: Provides for a deappropriation of funds generated through salary savings.

General Fund 2002-03
 Personal Services (12,268)
 General Fund Total (12,268)

**Atlantic Salmon Commission -
 0265**

Initiative: Provides for a deappropriation of funds through a reduction in grants in this program.

General Fund 2002-03
 All Other (2,608)
 General Fund Total (2,608)

**ATLANTIC SALMON
 COMMISSION - 94V
 DEPARTMENT TOTALS**

GENERAL FUND (14,876)
**DEPARTMENT TOTAL -
 ALL FUNDS (14,876)**

AUDIT, DEPARTMENT OF 27A

Departmental Bureau 0067

Initiative: Provides for the deappropriation of funds due to salary savings.

General Fund 2002-03
 Personal Services (60,000)
 General Fund Total (60,000)

**AUDIT, DEPARTMENT OF 27A
 DEPARTMENT TOTALS**

GENERAL FUND (60,000)
**DEPARTMENT TOTAL -
 ALL FUNDS (60,000)**

BEHAVIORAL AND DEVELOPMENTAL SERVICES, DEPARTMENT OF 14

Departmentwide 0019

Initiative: Eliminates vacant positions originally scheduled to be eliminated in fiscal year 2003-04. Positions are on file at the Bureau of the Budget.

General Fund	2002-03
Positions - Legislative Count	(-17,000)

Disproportionate Share - Augusta Mental Health Institute 0733

Initiative: Deappropriates funds no longer needed for capital purchases.

General Fund	2002-03
Capital Expenditures	(140)
General Fund Total	(140)

Mental Health Services - Community 0121

Initiative: Deappropriates funds due to savings achieved by transferring appropriate expenditures to the Community Mental Health Services Federal Block Grant Funds.

General Fund	2002-03
All Other	(193,211)
General Fund Total	(193,211)

Mental Health Services - Children 0136

Initiative: Deappropriates funds due to savings achieved by transferring appropriate expenditures to the Community Mental Health Services Federal Block Grant Funds.

General Fund	2002-03
All Other	(341,553)
General Fund Total	(341,553)

BEHAVIORAL AND DEVELOPMENTAL SERVICES, DEPARTMENT OF 14

DEPARTMENT TOTALS	2002-03
GENERAL FUND	(534,904)
DEPARTMENT TOTAL - ALL FUNDS	(534,904)

CENTERS FOR INNOVATION 951

Centers for Innovation - 0911

Initiative: Provides for the deappropriation of funds through a reduction to All Other in this program. Savings will be realized through reduced administrative costs, travel and publications.

General Fund	2002-03
All Other	(9,616)
General Fund Total	(9,616)

CENTERS FOR INNOVATION 951 DEPARTMENT TOTALS

GENERAL FUND	(9,616)
DEPARTMENT TOTAL - ALL FUNDS	(9,616)

CONSERVATION, DEPARTMENT OF 04

Parks General Operations 0221

Initiative: Provides for the deappropriation of capital funds through the delay of purchases until fiscal year 2003-04.

General Fund	2002-03
Capital Expenditures	(125,370)
General Fund Total	(125,370)

CONSERVATION, DEPARTMENT OF 04 DEPARTMENT TOTALS

GENERAL FUND	(125,370)
DEPARTMENT TOTAL - ALL FUNDS	(125,370)

CORRECTIONS, DEPARTMENT OF 03

Correctional Medical Services Fund 0286

Initiative: Provides for the appropriation of funds to fund the department's medical contract.

General Fund	2002-03
All Other	3,964,442

General Fund Total 3,964,442

Departmentwide - Overtime 0032

Initiative: Provides for the appropriation of funds to cover the salary increases associated with collective bargaining agreements for all employees in the various program accounts within the Department of Corrections.

General Fund	2002-03
Personal Services	1,275,000
General Fund Total	1,275,000

**CORRECTIONS,
DEPARTMENT OF 03
DEPARTMENT TOTALS** **2002-03**

GENERAL FUND **5,239,442**

**DEPARTMENT TOTAL -
ALL FUNDS** **5,239,442**

**DEFENSE, VETERANS AND
EMERGENCY MANAGEMENT,
DEPARTMENT OF 15 A**

**Administration - Maine
Emergency Management Agency
0214**

Initiative: Deallocates funding for facility compliance with the Maine Revised Statutes, Title 37-B, reduction in first-responder training and County Local Emergency Planning Committees' compliance with Title 37-B. These savings will be transferred to the General Fund.

Other Special Revenue Funds	2002-03
All Other	(48,052)
General Fund Total	(48,052)

**DEFENSE, VETERANS AND
EMERGENCY MANAGEMENT,
DEPARTMENT OF 15 A
DEPARTMENT TOTALS** **2002-03**

**OTHER SPECIAL REVENUE
FUNDS** **(48,052)**

**DEPARTMENT TOTAL -
ALL FUNDS** **(48,052)**

**DEPARTMENT OF ECONOMIC
AND COMMUNITY
DEVELOPMENT 19A**

**Administration - Economic and
Community Development 0069**

Initiative: Provides for the deappropriation of funds by reducing grants and sponsorships.

General Fund	2002-03
All Other	(8,257)
General Fund Total	(8,257)

Business Development 0585

Initiative: Provides for the deappropriation of funds by reducing spending on professional services.

General Fund	2002-03
All Other	(17,671)
General Fund Total	(17,671)

**DEPARTMENT OF ECONOMIC
AND COMMUNITY
DEVELOPMENT 19A
DEPARTMENT TOTALS** **2002-03**

GENERAL FUND **(25,928)**

**DEPARTMENT TOTAL -
ALL FUNDS** **(25,928)**

**EDUCATION, DEPARTMENT
OF 05A**

**General Purpose Aid for Local
Schools - 0308**

Initiative: Deappropriates funds from general purpose aid for local schools from the refinancing of existing debt service bonds at lower interest rates and savings from corrections to operating and program subsidies that have occurred throughout the fiscal year due to the submission of revised enrollment and financial reports from school administrative districts.

General Fund	2002-03
All Other	(1,000,000)
General Fund Total	(1,000,000)

**Management Information
Systems - 0838**

Initiative: Provides for the deappropriation of funds from the Distance Learning Network initiative. This

program will be able to meet all of its contractual obligations within existing funds.

General Fund	2002-03
All Other	(190,000)
General Fund Total	<u>(190,000)</u>

Preschool Handicapped - 0449

Initiative: Provides for a deappropriation of funds to the Preschool Handicapped Program. These funds are no longer required.

General Fund	2002-03
All Other	(300,000)
General Fund Total	<u>(300,000)</u>

EDUCATION, DEPARTMENT OF 05A

DEPARTMENT TOTALS	2002-03
GENERAL FUND	(1,490,000)
DEPARTMENT TOTAL - ALL FUNDS	<u>(1,490,000)</u>

EDUCATION, STATE BOARD OF 90A

State Board of Education 0614

Initiative: Provides for a deappropriation of funds to align the program with available resources by reducing per diem expenses in the 4th quarter.

General Fund	2002-03
Personal Services	(2,019)
General Fund Total	<u>(2,019)</u>

EDUCATION, STATE BOARD OF 90A

DEPARTMENT TOTALS	2002-03
GENERAL FUND	(2,019)
DEPARTMENT TOTAL - ALL FUNDS	<u>(2,019)</u>

EXECUTIVE DEPARTMENT 07

Administration - Executive - Governor's Office 0165

Initiative: Provides for the deappropriation of Personal Services funds from savings achieved through the filling of positions at steps lower than budgeted.

General Fund	2002-03
Personal Services	(100,000)
General Fund Total	<u>(100,000)</u>

Blaine House 0072

Initiative: Provides for the deappropriation of Personal Services funds from savings achieved through the filling of positions at steps lower than budgeted.

General Fund	2002-03
Personal Services	(24,310)
General Fund Total	<u>(24,310)</u>

State Planning Office 0082

Initiative: Provides for the deappropriation of funds from salary savings and by reducing the director's team budgets for contracts. These are funds that normally support special projects as requested by the Governor or Legislature.

General Fund	2002-03
Personal Services	(7,000)
All Other	(30,656)
General Fund Total	<u>(37,656)</u>

EXECUTIVE DEPARTMENT DEPARTMENT TOTALS

GENERAL FUND	(161,966)
DEPARTMENT TOTAL - ALL FUNDS	<u>(161,966)</u>

HUMAN SERVICES, DEPARTMENT OF 10A

OMB Operations Regional 0196

Initiative: Provides for the deappropriation of funds from salary and All Other savings in Regional Operations.

General Fund	2002-03
Personal Services	(200,000)
All Other	(40,000)
General Fund Total	<u>(240,000)</u>

Community Services Center 0845

Initiative: Provides for the deappropriation and allocation of funds to allow for the transfer of Personal Services costs within different funding sources in the Community Services Center account.

General Fund	2002-03
Positions - Legislative Count	(-7,000)
Personal Services	(400,000)
General Fund Total	(400,000)

Federal Expenditures Fund	2002-03
Positions - Legislative Count	(1,000)
Personal Services	60,000
Federal Expenditures Fund Total	60,000

Federal Block Grant Fund	2002-03
Positions - Legislative Count	(6,000)
Personal Services	340,000
Federal Block Grant Fund Total	340,000

Purchased Social Services 0228

Initiative: Provides for the deappropriation of funds for purchased social services due to current year contract reductions based upon prior year balances.

General Fund	2002-03
All Other	(99,141)
General Fund Total	(99,141)

Head Start 0545

Initiative: Provides for the deappropriation of funds for purchased social services due to current year contract reductions based upon prior year balances.

General Fund	2002-03
All Other	(24,638)
General Fund Total	(24,638)

Bureau of Child and Family Services - Central 0307

Initiative: Provides for the deappropriation of funds remaining from the delay of the Child Welfare Initiative from Public Law 2001, chapter 559.

General Fund	2002-03
Personal Services	(102,170)
All Other	(25,296)
General Fund Total	(127,466)

Child Welfare Services 0139

Initiative: Provides for the deappropriation of funds remaining from the delay of the Child Welfare Initiative from Public Law 2001, chapter 559.

General Fund	2002-03
Personal Services	(31,213)
All Other	(626,855)
General Fund Total	(658,068)

Bureau of Child and Family Services - Regional 0452

Initiative: Provides for the deappropriation of funds remaining from the delay of the Child Welfare Initiative from Public Law 2001, chapter 559.

General Fund	2002-03
Personal Services	(841,113)
All Other	(190,860)
General Fund Total	(1,031,973)

Elder and Adult Services - Bureau of 0140

Initiative: Provides for the deappropriation of funds due to the disencumbering of agency contract balances.

General Fund	2002-03
All Other	(60,000)
General Fund Total	(60,000)

Congregate Housing 0211

Initiative: Provides for the deappropriation of funds due to the disencumbering of agency contract balances.

General Fund	2002-03
All Other	(43,167)
General Fund Total	(43,167)

Health - Bureau of 0143

Initiative: Provides for the deappropriation of funds due to the transfer of one Environmental Specialist IV position to the Control Over Plumbing, Other Special Revenue Funds account.

General Fund	2002-03
Positions - Legislative Count	(-1,000)
Personal Services	(70,000)
General Fund Total	(70,000)

Plumbing - Control Over 0205

Initiative: Provides for the allocation of funds due to the transfer of one Environmental Specialist IV

position from the Bureau of Health General Fund account.

Other Special Revenue Funds	2002-03
Positions - Legislative Court	(1,000)
Personal Services	70,000
	<hr/>
Other Special Revenue Funds	70,000

Community Family Planning 0466

Initiative: Provides for the deappropriation of funds due to savings in the Community Family Planning account.

General Fund	2002-03
All Other	(8,823)
	<hr/>
General Fund Total	(8,823)

Bureau of Family Independence - Central 0100

Initiative: Provides for the deappropriation of funds due to salary savings in the Bureau of Family Independence - Central account.

General Fund	2002-03
Personal Services	(200,000)
	<hr/>
General Fund Total	(200,000)

Bureau of Family Independence - Regional 0453

Initiative: Provides for the deappropriation of funds due to savings in the Bureau of Family Independence - Regional account.

General Fund	2002-03
All Other	(60,000)
	<hr/>
General Fund Total	(60,000)

Bureau of Medical Services 0129

Initiative: Provides for the deappropriation of funds due to salary savings in the Bureau of Medical Services account.

General Fund	2002-03
Personal Services	(200,000)
	<hr/>
General Fund Total	(200,000)

Foster Care 0137

Initiative: Deappropriates and deallocates funds associated with the transfer of funds from the child

welfare program's Foster Care account to the Child Welfare account for fiscal year 2002-03.

General Fund	2002-03
All Other	(2,800,000)
	<hr/>
General Fund Total	(2,800,000)

Federal Expenditures Fund

All Other	(5,511,072)
	<hr/>
Federal Expenditures Fund Total	(5,511,072)

Child Welfare Services 0139

Initiative: Appropriates funds associated with the transfer of funds from the child welfare program's Foster Care account to the Child Welfare account for fiscal year 2002-03.

General Fund	2002-03
All Other	2,800,000
	<hr/>
General Fund Total	2,800,000

Child Welfare Services 0139

Initiative: Effective May 1, 2003, deappropriates funds associated with increasing the MaineCare share of foster parent payments to 60% of the payment and increasing the MaineCare program allowance for residential child care private nonmedical institutions to 35% for fiscal year 2002-03.

General Fund	2002-03
All Other	(11,200,000)
	<hr/>
General Fund Total	(11,200,000)

Medical Care - Payments to Providers 0147

Initiative: Appropriates and allocates funds associated with increasing the MaineCare share of foster parent payments to 60% of the payment and increasing the MaineCare program allowance for residential child care private nonmedical institutions to 35%.

General Fund	2002-03
All Other	3,773,280
	<hr/>
General Fund Total	3,773,280

Federal Expenditures Fund

All Other	7,426,720
	<hr/>
Federal Expenditures Fund Total	7,426,720

Medical Care - Payments to Providers 0147

Initiative: Appropriates and allocates funds for additional MaineCare costs for fiscal year 2002-03.

General Fund	2002-03
All Other	7,426,720
General Fund Total	<u>7,426,720</u>

Federal Expenditures Fund	2002-03
All Other	14,617,566
Federal Expenditures Fund Total	<u>14,617,566</u>

Medical Care - Payments to Providers 0147

Initiative: Provides for the deappropriation and deallocation of funds due to the reduction of Physician Incentive Program payments.

General Fund	2002-03
All Other	(200,000)
General Fund Total	<u>(200,000)</u>

Federal Expenditures Fund	2002-03
All Other	(392,066)
Federal Expenditures Fund Total	<u>(392,066)</u>

Medical Care - Payments to Providers 0147

Initiative: Provides for the deappropriation and allocation of funds due to the improvement in processing for reporting of federal overlapping eligibility in fiscal year 2002-03.

General Fund	2002-03
All Other	(2,000,000)
General Fund Total	<u>(2,000,000)</u>

Federal Expenditures Fund	2002-03
All Other	3,920,660
Federal Expenditures Fund Total	<u>3,920,660</u>

Medical Care - Payments to Providers 0147

Initiative: Deallocates funds associated with eliminating retroactive rate increases for MaineCare medical and remedial private nonmedical institutions, private duty nursing and personal care, elderly and

adults with disabilities waiver, adult day health care and adult family care providers.

Other Special Revenue Funds	2002-03
All Other	(1,614,000)
Other Special Revenue Funds Total	<u>(1,614,000)</u>

Medical Care - Payments to Providers 0147

Initiative: Provides for the allocation of funds from the home-based care program, allocated in Public Law 2001, chapter 714 and funded by the nursing facilities tax, to the MaineCare program.

Other Special Revenue Funds	2002-03
All Other	186,000
Other Special Revenue Funds Total	<u>186,000</u>

Federal Expenditures Fund	2002-03
All Other	364,622
Federal Expenditures Fund Total	<u>364,622</u>

Medical Care - Payments to Providers 0147

Initiative: Provides for the appropriation and allocation of funds for MaineCare costs in fiscal year 2002-03.

General Fund	2002-03
All Other	1,520,910
General Fund Total	<u>1,520,910</u>

Federal Expenditures Fund	2002-03
All Other	3,057,386
Federal Expenditures Fund Total	<u>3,057,386</u>

Medical Care - Payments to Providers 0147

Initiative: Provides for the deappropriation of funds in the MaineCare program that will be replaced by fiscal year 2000-01 Fund for a Healthy Maine funds that were returned by agencies due to audit resolution.

General Fund	2002-03
All Other	(350,000)
General Fund Total	<u>(350,000)</u>

Nursing Facilities 0148

Initiative: Deappropriates funds associated with the increase in allocation from the nursing facility tax.

General Fund	2002-03
All Other	(1,614,000)
	<hr/>
General Fund Total	(1,614,000)

Nursing Facilities 0148

Initiative: Allocates dedicated revenue from the nursing facility tax in the MaineCare program for program expenses.

Other Special Revenue Funds	2002-03
All Other	1,614,000
	<hr/>
Other Special Revenue Funds Total	1,614,000

Nursing Facilities 0148

Initiative: Appropriates and allocates funds required to increase rates for municipally owned nursing facilities.

General Fund	2002-03
All Other	1,000,000
	<hr/>
General Fund Total	1,000,000

Federal Expenditures Fund	2002-03
All Other	1,960,332
	<hr/>
Federal Expenditures Fund Total	1,960,332

FHM - Medical Care 0960

Initiative: Provides for the allocation of fiscal year 2000-01 Fund for a Healthy Maine funds, returned by agencies due to audit resolutions, to the MaineCare program.

Fund for a Healthy Maine	2002-03
All Other	350,000
	<hr/>
Fund for a Healthy Maine Total	350,000

Long Term Care - Human Services 0420

Initiative: Provides for the reallocation of funds, allocated in Public Law 2001, chapter 714 and funded by the nursing facilities tax, to the MaineCare program.

Other Special Revenue Funds	2002-03
All Other	(186,000)
	<hr/>
Other Special Revenue Funds Total	(186,000)

HUMAN SERVICES, DEPARTMENT OF 10A DEPARTMENT TOTALS	2002-03
GENERAL FUND	(4,866,366)
FEDERAL EXPENDITURES FUND	25,504,148
OTHER SPECIAL REVENUE FUNDS	70,000
FUND FOR A HEALTHY MAINE	350,000
FEDERAL BLOCK GRANT FUNDS	340,000
	<hr/>
DEPARTMENT TOTAL - ALL FUNDS	21,397,782

**INLAND FISHERIES AND
WILDLIFE, DEPARTMENT
OF 09A**

**Fisheries and Hatcheries
Operations - 0535**

Initiative: Provides for the deappropriation of funds from a reduction to travel.

General Fund	2002-03
All Other	(2,521)
	<hr/>
General Fund Total	(2,521)

**Resource Management
Services - 0534**

Initiative: Provides for the deappropriation of funds from a reduction to travel.

General Fund	2002-03
All Other	(2,643)
	<hr/>
General Fund Total	(2,643)

**Public Information and
Education - 0729**

Initiative: Provides for the deappropriation of funds from a reduction to travel.

General Fund	2002-03
All Other	(5,079)
	<hr/>
General Fund Total	(5,079)

Enforcement Operations - 0537

Initiative: Provides for the deappropriation of funds from funds not spent during the first 3 quarters of the

fiscal year and from the delay in purchasing 6 boats, motors and trailers until fiscal year 2003-04.

General Fund	2002-03
All Other	(275)
Capital Expenditures	(95,651)
General Fund Total	<u>(95,926)</u>

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF 09A

DEPARTMENT TOTALS	2002-03
GENERAL FUND	(106,169)
DEPARTMENT TOTAL - ALL FUNDS	<u>(106,169)</u>

LABOR, DEPARTMENT OF 12

Governor's Training Initiative 0842

Initiative: Provides for a reduction in All Other due to decreased training services.

General Fund	2002-03
All Other	(32,915)
General Fund Total	<u>(32,915)</u>

Rehabilitation Services 0799

Initiative: Provides for a reduction in Personal Services due to salary savings.

General Fund	2002-03
Personal Services	(38,000)
General Fund Total	<u>(38,000)</u>

Employment Services Activity 0852

Initiative: Provides for a reduction in All Other due to decreased training services.

General Fund	2002-03
All Other	(28,057)
General Fund Total	<u>(28,057)</u>

Employment Services Activity 0852

Initiative: Provides for the allocation of funds to provide assistance within existing programs to employees who are laid off as a result of the reduction in the state government workforce. The assistance

may include, but is not limited to, retraining, career planning and assistance in obtaining other employment and may be provided before or after an employee leaves state employment. These funds will be transferred from the Department of Administrative and Financial Services.

Other Special Revenue Funds	2002-03
All Other	150,000
Other Special Revenue Funds Total	<u>150,000</u>

Administration - Labor Standards 0158

Initiative: Provides for a reduction in Personal Services due to salary savings.

General Fund	2002-03
Personal Services	(15,500)
General Fund Total	<u>(15,500)</u>

Regulation and Enforcement 0159

Initiative: Provides for a decrease in Personal Services due to salary savings.

General Fund	2002-03
Personal Services	(12,500)
General Fund Total	<u>(12,500)</u>

Labor Relations Board 0160

Initiative: Provides for a reduction in All Other due to decreased travel and equipment expenditures.

General Fund	2002-03
All Other	(5,788)
General Fund Total	<u>(5,788)</u>

Blind and Visually Impaired 0126

Initiative: Provides for a reduction in Personal Services due to salary savings.

General Fund	2002-03
Personal Services	(52,000)
General Fund Total	<u>(52,000)</u>

Administration - Labor 0030

Initiative: Provides for a reduction in All Other due to decreased contractual services.

General Fund	2002-03
All Other	(4,089)
General Fund Total	(4,089)

LABOR, DEPARTMENT OF 12	2002-03
DEPARTMENT TOTALS	
GENERAL FUND	(188,849)
OTHER SPECIAL REVENUE FUNDS	150,000
DEPARTMENT TOTAL - ALL FUNDS	(38,849)

LIBRARY, MAINE STATE 94Q

Maine State Library 0217

Initiative: Provides for a deappropriation of funds generated from salary savings as a result of vacancies.

General Fund	2002-03
Personal Services	(32,000)
General Fund Total	(32,000)

LIBRARY, MAINE STATE 94Q	2002-03
DEPARTMENT TOTALS	
GENERAL FUND	(32,000)
DEPARTMENT TOTAL - ALL FUNDS	(32,000)

DEPARTMENT OF MARINE RESOURCES 13A

Bureau of Resource Management 0027

Initiative: Provides for the deappropriation of funds from savings in the Capital Expenditures line category.

General Fund	2002-03
Capital Expenditures	(3,125)
General Fund Total	(3,125)

Bureau of Marine Patrol 0029

Initiative: Provides for the deappropriation of funds from salary savings due to unanticipated vacancies.

General Fund	2002-03
Personal Services	(55,764)
General Fund Total	(55,764)

DEPARTMENT OF MARINE RESOURCES 13A	2002-03
DEPARTMENT TOTALS	
GENERAL FUND	(58,889)

DEPARTMENT TOTAL - ALL FUNDS	(58,889)
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MARITIME ACADEMY, MAINE 75A

Maine Maritime Academy 0035

Initiative: Provides for the deappropriation of funds from the delay of planned maintenance and repairs.

General Fund	2002-03
All Other	(132,500)
General Fund Total	(132,500)

MARITIME ACADEMY, MAINE 75A	2002-03
DEPARTMENT TOTALS	
GENERAL FUND	(132,500)

DEPARTMENT TOTAL - ALL FUNDS	(132,500)
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MUNICIPAL BOND BANK, MAINE - 94N

Maine Municipal Bond Bank – Maine Rural Water Association - 0669

Initiative: Provides for the deappropriation of funds through a reduction to All Other in this program.

General Fund	2002-03
All Other	(3,181)
General Fund Total	(3,181)

MUNICIPAL BOND BANK, MAINE - 94N	2002-03
DEPARTMENT TOTALS	
GENERAL FUND	(3,181)

DEPARTMENT TOTAL - ALL FUNDS	(3,181)
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MUSEUM, MAINE STATE - 94M

Maine State Museum 0180

Initiative: Provides for a deappropriation of funds through a reduction in All Other in this program. Savings will be realized through reduced technology charges for phones and WAN and miscellaneous supplies.

General Fund	2002-03
All Other	(8,360)
General Fund Total	(8,360)

MUSEUM, MAINE STATE - 94M DEPARTMENT TOTALS

GENERAL FUND	(8,360)
DEPARTMENT TOTAL - ALL FUNDS	(8,360)

PINE TREE LEGAL ASSISTANCE 99P

Legal Assistance 0553

Initiative: Provides for the deappropriation of funds through a reduction to All Other in this program.

General Fund	2002-03
All Other	(3,752)
General Fund Total	(3,752)

PINE TREE LEGAL ASSISTANCE 99P DEPARTMENT TOTALS

GENERAL FUND	(3,752)
DEPARTMENT TOTAL - ALL FUNDS	(3,752)

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF 02

Licensing and Enforcement 0352

Initiative: Provides for the deappropriation of funds to the Maine Athletic Commission.

General Fund	2002-03
All Other	(459)
General Fund Total	(459)

PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF 02 DEPARTMENT TOTALS

2002-03

GENERAL FUND (459)

DEPARTMENT TOTAL - ALL FUNDS (459)

PUBLIC BROADCASTING CORPORATION, MAINE 99E

Maine Public Broadcasting Corporation 0033

Initiative: Provides for a deappropriation of funds through a reduction to All Other in this program.

General Fund	2002-03
All Other	(36,132)
General Fund Total	(36,132)

PUBLIC BROADCASTING CORPORATION, MAINE 99E DEPARTMENT TOTALS

GENERAL FUND	(36,132)
DEPARTMENT TOTAL - ALL FUNDS	(36,132)

PUBLIC SAFETY, DEPARTMENT OF 16

State Police - Bureau of 0291

Initiative: Reduces All Other expenditures from first quarter reserves that were generated by vacant positions.

General Fund	2002-03
All Other	(80,433)
General Fund Total	(80,433)

Maine Criminal Justice Academy 0290

Initiative: Reduces All Other expenditures savings generated from miscellaneous supply items not purchased.

General Fund	2002-03
All Other	(3,679)
General Fund Total	(3,679)

Emergency Medical Services 0485

Initiative: Reduces All Other expenditures to maintain program costs within available resources.

General Fund	2002-03	Positions - Legislative Count	(-2,000)
All Other	(53,604)	Personal Services	(12,991)
General Fund Total	(53,604)	General Fund Total	(12,991)
PUBLIC SAFETY, DEPARTMENT OF 16 DEPARTMENT TOTALS	2002-03	SECRETARY OF STATE, DEPARTMENT OF 29 DEPARTMENT TOTALS	2002-03
GENERAL FUND	(137,716)	GENERAL FUND	(15,351)
DEPARTMENT TOTAL - ALL FUNDS	(137,716)	DEPARTMENT TOTAL - ALL FUNDS	(15,351)
SCIENCE AND TECHNOLOGY FOUNDATION 94X		TECHNICAL COLLEGE SYSTEM, BOARD OF TRUSTEES OF THE MAINE 99T	
Maine Science and Technology Foundation 0596		Board of Trustees of the Maine Technical College System 0556	
Initiative: Provides for a deappropriation of funds through a reduction of All Other in this program.		Initiative: Provides for the deappropriation of funds with savings to be generated throughout the Maine Technical College System.	
General Fund	2002-03	General Fund	2002-03
All Other	(274,416)	All Other	(120,000)
General Fund Total	(274,416)	General Fund Total	(120,000)
SCIENCE AND TECHNOLOGY FOUNDATION 94X DEPARTMENT TOTALS	2002-03	TECHNICAL COLLEGE SYSTEM, BOARD OF TRUSTEES OF THE MAINE 99T DEPARTMENT TOTALS	2002-03
GENERAL FUND	(274,416)	GENERAL FUND	(120,000)
DEPARTMENT TOTAL - ALL FUNDS	(274,416)	DEPARTMENT TOTAL - ALL FUNDS	(120,000)
SECRETARY OF STATE, DEPARTMENT OF 29		TRANSPORTATION, DEPARTMENT OF 17	
Administration Archives 0050		Aeronautics Administration 0294	
Initiative: Provides for the deappropriation of salary savings achieved through a new employee hired at a lower step than budgeted.		Initiative: Provides for the deappropriation of All Other funding in the Aeronautics Administration account in order to reduce the Department of Transportation General Fund budget. This reduction will eliminate reimbursement for snow removal grants to public airports.	
General Fund	2002-03	General Fund	2002-03
Personal Services	(2,360)	All Other	(96,793)
General Fund Total	(2,360)	General Fund Total	(96,793)
Bureau of Administrative Services and Corporations 0692			
Initiative: Provides for the deappropriation of salary savings achieved through the elimination of one Clerk Typist II position and one Clerk IV position.			
General Fund	2002-03		

TRANSPORTATION, DEPARTMENT OF 17 DEPARTMENT TOTALS	2002-03
GENERAL FUND	(96,793)
DEPARTMENT TOTAL - ALL FUNDS	(96,793)
TREASURER OF STATE, OFFICE OF - 28A	
Treasury Administration 0022	
Initiative: Provides for targeted savings through Personal Services as a result of a vacant position.	
General Fund	2002-03
Personal Services	(10,677)
General Fund Total	(10,677)
Debt Service 0021	
Initiative: Provides for savings from lower interest rate costs of borrowing on bond anticipation notes.	
General Fund	2002-03
All Other	(740,000)
General Fund Total	(740,000)
Debt Service 0021	
Initiative: Provides for savings resulting from greater than anticipated debt service income.	
General Fund	2002-03
All Other	(860,000)
General Fund Total	(860,000)
TREASURER OF STATE, OFFICE OF - 28A DEPARTMENT TOTALS	2002-03
GENERAL FUND	(1,610,677)
DEPARTMENT TOTAL - ALL FUNDS	(1,610,677)
UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE 78A	
Educational and General Activities - UMS 0301	
Initiative: Provides for the deappropriation of funds for the University of Maine System.	

General Fund	2002-03
All Other	(3,000,000)
General Fund Total	(3,000,000)
UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE 78A DEPARTMENT TOTALS	2002-03
GENERAL FUND	(3,000,000)
DEPARTMENT TOTAL - ALL FUNDS	(3,000,000)
SECTION TOTALS	2002-03
GENERAL FUND	(9,203,082)
FEDERAL EXPENDITURES FUND	25,504,148
OTHER SPECIAL REVENUE FUNDS	171,948
FUND FOR A HEALTHY MAINE	350,000
FEDERAL BLOCK GRANT FUNDS	340,000
SECTION TOTAL - ALL FUNDS	17,163,014

PART B

Sec. B-1. General Fund Salary Plan; lapsed balances. Notwithstanding any other provision of law, \$586,403 of unencumbered balance forward in fiscal year 2002-03 in the General Fund Salary Plan, General Fund account in the Department of Administrative and Financial Services lapses to the General Fund in fiscal year 2002-03.

Sec. B-2. Appropriation and position transfers. Notwithstanding any other provision of law, the Governor is authorized by financial order to transfer positions authorized by the Legislature between accounts and between departments and to transfer the available balances of any General Fund appropriation between line categories, accounts and departments in fiscal year 2002-03. When the Governor determines that the transfer of a position is necessary, any incumbent in the transferred position at the time of transfer must be transferred along with the position.

Sec. B-3. Risk Management Claims; transfer of funds. Notwithstanding any other provision of law, the State Controller shall transfer \$407,117, in one-time savings, from the Risk Management - Claims, Internal Service Fund in the Department of Administrative and Financial Services

to the unappropriated surplus of the General Fund no later than June 30, 2003.

PART C

Sec. C-1. PL 2003, c. 20, Pt. SS, §7 is amended to read:

Sec. SS-7. Closure of 13 state liquor stores. Notwithstanding any other provision of law, the Department of Administrative and Financial Services, Bureau of Alcoholic Beverages and Lottery Operations is directed to implement the closure of 13 state liquor stores commencing on the effective date of this ~~Act~~ Part and completed by November 30, 2003 and replace the state liquor stores with agency liquor stores in accordance with the Maine Revised Statutes, Title 28-A, section 453.

Sec. C-2. PL 2003, c. 20, Pt. SS, §8 is enacted to read:

Sec. SS-8. Effective date. This Part takes effect April 17, 2003.

PART D

Sec. D-1. Atlantic Salmon Commission account; lapsed balances. Notwithstanding any other provision of law, \$45,685 of the encumbered balance forward in fiscal year 2002-03 in the Atlantic Salmon Commission, General Fund account in the Atlantic Salmon Commission will be disencumbered and this amount lapses to the General Fund in fiscal year 2002-03.

PART E

Sec. E-1. Transfer of funds. Notwithstanding any other provision of law, the State Controller shall transfer \$90,000 from the Mental Retardation Services - Community, Other Special Revenue Funds account in the Department of Behavioral and Developmental Services to the unappropriated surplus of the General Fund no later than June 30, 2003.

Sec. E-2. Transfer of funds. Notwithstanding any other provision of law, the State Controller shall transfer \$160,000 from the Mental Health Services - Community, Other Special Revenue Funds account in the Department of Behavioral and Developmental Services to the unappropriated surplus of the General Fund no later than June 30, 2003.

Sec. E-3. Transfer of funds. Notwithstanding any other provision of law, the State Controller shall transfer \$400,000 from the Mental Health Services - Children - Maximus, Other Special Revenue Funds account in the Department of Behavioral and Developmental Services to the unappropriated surplus of the General Fund no later than June 30, 2003.

ated surplus of the General Fund no later than June 30, 2003.

Sec. E-4. Mental Health Services - Community; lapsed balances. Notwithstanding any other provision of law, \$110,494 of the encumbered balance forward in fiscal year 2002-03 in the Mental Health Services - Community, General Fund account in the Department of Behavioral and Developmental Services will be disencumbered and this amount lapses to the General Fund in fiscal year 2002-03.

Sec. E-5. Mental Health Services - Children; lapsed balances. Notwithstanding any other provision of law, \$43,106 of the encumbered balance forward in fiscal year 2002-03 in the Mental Health Services - Children, General Fund account in the Department of Behavioral and Developmental Services will be disencumbered and this amount lapses to the General Fund in fiscal year 2002-03.

Sec. E-6. Mental Retardation Services - Community; lapsed balances. Notwithstanding any other provision of law, \$28,823 of the encumbered balance forward in fiscal year 2002-03 in the Mental Retardation Services - Community, General Fund account in the Department of Behavioral and Developmental Services will be disencumbered and this amount lapses to the General Fund in fiscal year 2002-03.

Sec. E-7. Office of Substance Abuse; lapsed balances. Notwithstanding any other provision of law, \$31,700 of the encumbered balance forward in fiscal year 2002-03 in the Office of Substance Abuse, General Fund account in the Department of Behavioral and Developmental Services will be disencumbered and this amount lapses to the General Fund in fiscal year 2002-03.

PART F

Sec. F-1. Maine Emergency Management Agency - Emergency Response Operations account; transfer of funds. Notwithstanding any other provision of law, on June 30, 2003 the State Controller shall transfer \$48,052 from the Maine Emergency Management Agency - Emergency Operations, Other Special Revenue Funds account in the Department of Defense, Veterans and Emergency Management to the unappropriated surplus of the General Fund.

PART G

Sec. G-1. General Purpose Aid for Local Schools; lapsed balances. Notwithstanding any other provision of law, \$600,000 of unencumbered balance forward in fiscal year 2002-03, from savings as a result of corrections to operating and program

subsidies that have occurred throughout the fiscal year due to the submission of revised enrollment and financial reports from school administrative districts, in the General Purpose Aid for Local Schools, General Fund account in the Department of Education lapses to the General Fund in fiscal year 2002-03.

PART H

Sec. H-1. PL 2001, c. 714, Pt. CC, §7, first sentence is amended to read:

The Commissioner of Human Services shall adopt rules necessary for the proper implementation of this Part including rules to ensure that this Part is implemented to conform fully with 42 Code of Federal Regulations, Part 433, Section 68.

Sec. H-2. Public Health Laboratory; transfer of funds. Notwithstanding any other provision of law, the State Controller shall transfer \$100,000 from the Public Health Laboratory, Other Special Revenue Funds account in the Department of Human Services to the unappropriated surplus of the General Fund no later than June 30, 2003.

Sec. H-3. Control Over Plumbing; transfer of funds. Notwithstanding any other provision of law, the State Controller shall transfer \$100,000 from the Control Over Plumbing, Other Special Revenue Funds account in the Department of Human Services to the unappropriated surplus of the General Fund no later than June 30, 2003.

Sec. H-4. State Supplement to Federal Supplemental Security Income; lapsed balances. Notwithstanding any other provision of law, \$150,000 of unencumbered balance forward in fiscal year 2002-03 in the State Supplement to Federal Supplemental Security Income, General Fund account in the Department of Human Services lapses to the General Fund in fiscal year 2002-03.

Sec. H-5. Long-Term Care allocation. Notwithstanding the provisions of Public Law 2001, chapter 714, Part CC, §300,000 of the allocation of the Long-Term Care - Human Services, Other Special Revenue Funds account may be utilized to maintain services on a one-time basis for current home-based care program consumers.

Sec. H-6. Targeted Case Management Revenue. The State Controller shall implement the modified accrual method of accounting for revenue collected by the Department of Human Services from child welfare targeted case management billing at the close of each fiscal year beginning in fiscal year 2002-03 consistent with generally accepted accounting principles so that 12 months of revenue is credited as undedicated General Fund revenue based on the 12 months of activity for which the billing is based.

Sec. H-7. Intergovernmental transfer.

The Commissioner of Administrative and Financial Services shall annually establish the amount that must be transferred from the City of Portland as an intergovernmental transfer. The amounts that must be transferred to the State as undedicated General Fund revenue from the City of Portland must be \$1,000,000 in fiscal year 2002-03 and must be at least \$2,000,000 in fiscal year 2003-04 and at least \$2,000,000 in fiscal year 2004-05.

Sec. H-8. Transfer of Child Welfare Services expenses. The Commissioner of Human Services is authorized to implement measures necessary to generate savings in the Child Welfare Services program in fiscal year 2002-03 by accelerating the change in program allowance and increasing the MaineCare share of foster parent payments adopted for fiscal years 2003-04 and 2004-05 in Public Law 2003, chapter 20, Part B. Subject to the approval of the State Controller, this transfer of Child Welfare Service expenditures to MaineCare may be accomplished by journal voucher.

PART I

Sec. I-1. Human Rights Commission; transfer of funds. Notwithstanding any other provision of law, the State Controller shall transfer \$1,351 from the Human Rights Commission, Other Special Revenue Funds account, from unexpended conference balances, to the unappropriated surplus of the General Fund no later than June 30, 2003.

PART J

Sec. J-1. Supreme, Judicial and Superior Courts account; lapsed balances. Notwithstanding any other provision of law, \$14,685 of the encumbered balance forward in fiscal year 2002-03 in the Supreme, Judicial and Superior Courts, General Fund account in the Judicial Department is disencumbered and this amount lapses to the General Fund in fiscal year 2002-03.

PART K

Sec. K-1. Employment Services Activity; transfer of funds. Notwithstanding any other provision of law, the State Controller shall transfer \$25,260 from the Employment Services Activity, Other Special Revenue Funds account in the Department of Labor from accumulated savings to the unappropriated surplus of the General Fund no later than June 30, 2003.

Sec. K-2. Blind and Visually Impaired; transfer of funds. Notwithstanding any other provision of law, the State Controller shall transfer \$18,500 from the Blind and Visually Impaired, Other

Special Revenue Funds account in the Department of Labor from accumulated savings to the unappropriated surplus of the General Fund no later than June 30, 2003.

PART L

Sec. L-1. State Bureau of Identification; fees. In accordance with the Maine Revised Statutes, Title 25, section 1541, the Commissioner of Public Safety is authorized to adjust the fee schedule for criminal history record checks effective May 1, 2003.

PART M

Sec. M-1. Carrying balance. Notwithstanding any other provision of law, \$100,000 in the All Other line category in the Administrative Services and Corporations, General Fund account in the Department of the Secretary of State shall carry forward to fiscal year 2003-04 to be used for the same purposes.

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

Effective April 18, 2003.

CHAPTER 52

H.P. 17 - L.D. 10

An Act to Amend the Laws Governing the Extension of Benefits for Partial Incapacity Under the Maine Workers' Compensation Act of 1992

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

Sec. 1. 39-A MRSA §213, sub-§1, as amended by PL 2001, c. 712, §1 and affected by §6, is further amended to read:

1. Benefit and duration. While the incapacity for work is partial, the employer shall pay the injured employee a weekly compensation equal to 80% of the difference between the injured employee's after-tax average weekly wage before the personal injury and the after-tax average weekly wage that the injured employee is able to earn after the injury, but not more than the maximum benefit under section 211. Compensation must be paid for the duration of the disability if the employee's permanent impairment, determined according to subsection 1-A and the impairment guidelines adopted by the board pursuant to section 153, subsection 8 resulting from the personal injury is in excess of 15% to the body. In all

other cases an employee is not eligible to receive compensation under this section after the employee has received 260 weeks of compensation under section 212, subsection 1, this section or both. The board may in the exercise of its discretion extend the duration of benefit entitlement beyond 260 weeks in cases involving extreme financial hardship due to inability to return to gainful employment. This authority may ~~not~~ be delegated by the board, on a case-by-case basis, to a hearing officer and such decisions or a panel of 3 hearing officers. Decisions made under this subsection must be made expeditiously. A decision under this subsection made by a hearing officer or a panel of 3 hearing officers may not be appealed to the board under section 320, but may be appealed pursuant to section 322.

See title page for effective date.

CHAPTER 53

H.P. 13 - L.D. 6

An Act to Amend the Child Labor Laws

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

Sec. 1. 26 MRSA §774, sub-§1, as amended by PL 1997, c. 131, §1, is further amended to read:

1. Minors under 18 years of age. A minor under 18 years of age, enrolled in school, may not be employed as follows:

A. More than 50 hours in any week when the minor's school is not in session;

B. More than 20 hours in any week when the minor's school is in session, except that the minor may work up to 8 hours on each day that an authorized school closure occurs in that minor's school up to a total of 28 hours in that week. In addition, the maximum weekly hours a minor may work is 50 hours during any week that the approved school calendar for the minor's school is less than 3 days or during the first or last week of the school calendar, regardless of how many days the minor's school is in session for the week. If requested, a school must provide verification of its closings to the minor's employer or the Department of Labor;

C. More than 10 hours in any day when the minor's school is not in session;

D. More than 4 hours in any day when the minor's school is in session, except that the minor