

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-SECOND LEGISLATURE

FIRST REGULAR SESSION
December 1, 2004 to March 30, 2005

FIRST SPECIAL SESSION
April 4, 2005 to June 18, 2005

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 29, 2005

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 17, 2005

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

Penmor Lithographers
Lewiston, Maine
2005

CHAPTER 36

H.P. 534 - L.D. 739

An Act Making Unified Appropriations and Allocations for the Expenditures of State Government, Highway Funds and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2006 and June 30, 2007

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; 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, 2006 and June 30, 2007, the following Highway Fund allocations as designated in the following tabulations are allocated. Other funds are presented for informational purposes only.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF BUDGET - BUREAU OF THE 0055

GENERAL FUND	2005-06	2006-07
POSITIONS -		
LEGISLATIVE COUNT	12,000	12,000
Personal Services	\$1,015,684	\$1,049,799
All Other	\$87,412	\$90,135
GENERAL FUND TOTAL	\$1,103,096	\$1,139,934
HIGHWAY FUND	2005-06	2006-07
POSITIONS -		
LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$76,740	\$82,233

All Other	\$8,219	\$8,350
HIGHWAY FUND TOTAL	\$84,959	\$90,583
CLAIMS BOARD 0097		
HIGHWAY FUND	2005-06	2006-07
POSITIONS -		
LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$53,788	\$56,614
All Other	\$23,435	\$23,673
HIGHWAY FUND TOTAL	\$77,223	\$80,287
BUILDINGS AND GROUNDS OPERATIONS 0080		
GENERAL FUND	2005-06	2006-07
POSITIONS -		
LEGISLATIVE COUNT	105,000	105,000
Personal Services	\$5,092,755	\$5,338,566
All Other	\$5,860,812	\$5,860,812
GENERAL FUND TOTAL	\$10,953,567	\$11,199,378
HIGHWAY FUND	2005-06	2006-07
POSITIONS -		
LEGISLATIVE COUNT	18,000	18,000
Personal Services	\$779,137	\$817,254
All Other	\$1,046,972	\$1,051,833
HIGHWAY FUND TOTAL	\$1,826,109	\$1,869,087
OTHER SPECIAL REVENUE FUNDS	2005-06	2006-07
All Other	\$463,900	\$463,900
OTHER SPECIAL REVENUE FUNDS TOTAL	\$463,900	\$463,900
REAL PROPERTY LEASE INTERNAL SERVICE FUND	2005-06	2006-07
POSITIONS -		
LEGISLATIVE COUNT	3,000	3,000
Personal Services	\$196,748	\$203,662
All Other	\$20,498,101	\$20,498,101
REAL PROPERTY LEASE INTERNAL SERVICE FUND TOTAL	\$20,694,849	\$20,701,763
BUR GEN SVCS - CAPITAL CONSTRUCTION AND IMPROVE RESERVE FUND 0883		
HIGHWAY FUND	2005-06	2006-07
All Other	\$669,857	\$669,857
HIGHWAY FUND TOTAL	\$669,857	\$669,857
OTHER SPECIAL REVENUE FUNDS	2005-06	2006-07
All Other	\$45,000	\$45,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$45,000	\$45,000
REVENUE SERVICES - BUREAU OF 0002		
GENERAL FUND	2005-06	2006-07

POSITIONS -		
LEGISLATIVE COUNT	338.000	338.000
POSITIONS - FTE COUNT	0.769	0.769
Personal Services	\$21,181,448	\$22,223,109
All Other	\$11,429,687	\$11,564,314
Capital Expenditures	\$260,200	\$268,000
GENERAL FUND TOTAL	\$32,871,335	\$34,055,423
HIGHWAY FUND	2005-06	2006-07
POSITIONS -		
LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$207,158	\$215,715
All Other	\$24,011	\$24,394
HIGHWAY FUND TOTAL	\$231,169	\$240,109
FEDERAL EXPENDITURES FUND	2005-06	2006-07
All Other	\$5,000	\$5,000
FEDERAL EXPENDITURES FUND TOTAL	\$5,000	\$5,000
OTHER SPECIAL REVENUE FUNDS	2005-06	2006-07
All Other	\$3,601,006	\$3,622,453
OTHER SPECIAL REVENUE FUNDS TOTAL	\$3,601,006	\$3,622,453
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF		
DEPARTMENT TOTALS	2005-06	2006-07
GENERAL FUND	\$44,927,998	\$46,394,735
HIGHWAY FUND	\$2,889,317	\$2,949,923
FEDERAL EXPENDITURES FUND	\$5,000	\$5,000
OTHER SPECIAL REVENUE FUNDS	\$4,109,906	\$4,131,353
REAL PROPERTY LEASE INTERNAL SERVICE FUND	\$20,694,849	\$20,701,763
DEPARTMENT TOTAL - ALL FUNDS	\$72,627,070	\$74,182,774
ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
AIR QUALITY 0250		
GENERAL FUND	2005-06	2006-07
POSITIONS -		
LEGISLATIVE COUNT	17.000	17.000
Personal Services	\$1,233,083	\$1,278,071
All Other	\$77,656	\$78,835
GENERAL FUND TOTAL	\$1,310,739	\$1,356,906
HIGHWAY FUND	2005-06	2006-07
All Other	\$36,578	\$36,749
HIGHWAY FUND TOTAL	\$36,578	\$36,749
ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
DEPARTMENT TOTALS	2005-06	2006-07
GENERAL FUND	\$1,310,739	\$1,356,906

HIGHWAY FUND	\$36,578	\$36,749
DEPARTMENT TOTAL - ALL FUNDS	\$1,347,317	\$1,393,655
PUBLIC SAFETY, DEPARTMENT OF		
STATE POLICE 0291		
GENERAL FUND	2005-06	2006-07
POSITIONS -		
LEGISLATIVE COUNT	377.000	377.000
Personal Services	\$13,102,949	\$13,621,473
All Other	\$3,716,118	\$3,951,536
GENERAL FUND TOTAL	\$16,819,067	\$17,573,009
HIGHWAY FUND	2005-06	2006-07
Personal Services	\$22,310,042	\$23,193,964
All Other	\$6,560,787	\$6,934,985
HIGHWAY FUND TOTAL	\$28,870,829	\$30,128,949
FEDERAL EXPENDITURES FUND	2005-06	2006-07
POSITIONS -		
LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$67,829	\$72,330
All Other	\$2,068,558	\$2,120,304
FEDERAL EXPENDITURES FUND TOTAL	\$2,136,387	\$2,192,634
OTHER SPECIAL REVENUE FUNDS	2005-06	2006-07
POSITIONS -		
LEGISLATIVE COUNT	17.000	17.000
Personal Services	\$1,149,200	\$1,208,833
All Other	\$198,417	\$203,521
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,347,617	\$1,412,354
MOTOR VEHICLE INSPECTION 0329		
HIGHWAY FUND	2005-06	2006-07
POSITIONS -		
LEGISLATIVE COUNT	13.000	13.000
Personal Services	\$767,993	\$808,675
All Other	\$230,957	\$226,916
Capital Expenditures	\$71,000	\$180,000
HIGHWAY FUND TOTAL	\$1,069,950	\$1,215,591
TRAFFIC SAFETY 0546		
HIGHWAY FUND	2005-06	2006-07
POSITIONS -		
LEGISLATIVE COUNT	9.000	9.000
Personal Services	\$886,472	\$901,251
All Other	\$191,667	\$192,682
Capital Expenditures	\$54,000	\$46,000
HIGHWAY FUND TOTAL	\$1,132,139	\$1,139,933
TRAFFIC SAFETY - COMMERCIAL VEHICLE ENFORCEMENT 0715		
HIGHWAY FUND	2005-06	2006-07

POSITIONS -			
LEGISLATIVE COUNT	50.000	50.000	
Personal Services	\$4,173,784	\$4,315,793	
All Other	\$403,991	\$406,831	
Capital Expenditures	\$341,500	\$381,000	
HIGHWAY FUND TOTAL	\$4,919,275	\$5,103,624	
STATE POLICE - SUPPORT 0981			
HIGHWAY FUND	2005-06	2006-07	
POSITIONS -			
LEGISLATIVE COUNT	10.000	10.000	
Personal Services	\$452,431	\$473,600	
All Other	\$6,728	\$6,728	
HIGHWAY FUND TOTAL	\$459,159	\$480,328	
ADMINISTRATION - PUBLIC SAFETY 0088			
GENERAL FUND	2005-06	2006-07	
POSITIONS -			
LEGISLATIVE COUNT	3.000	3.000	
Personal Services	\$294,089	\$301,247	
All Other	\$46,471	\$47,197	
GENERAL FUND TOTAL	\$340,560	\$348,444	
HIGHWAY FUND	2005-06	2006-07	
POSITIONS -			
LEGISLATIVE COUNT	14.000	14.000	
Personal Services	\$729,311	\$763,900	
All Other	\$87,027	\$88,869	
HIGHWAY FUND TOTAL	\$816,338	\$852,769	
FEDERAL EXPENDITURES FUND	2005-06	2006-07	
POSITIONS -			
LEGISLATIVE COUNT	3.000	3.000	
Personal Services	\$209,873	\$217,050	
All Other	\$1,364,639	\$1,398,937	
FEDERAL EXPENDITURES FUND TOTAL	\$1,574,512	\$1,615,987	
OTHER SPECIAL REVENUE FUNDS	2005-06	2006-07	
POSITIONS -			
LEGISLATIVE COUNT	3.000	3.000	
Personal Services	\$285,513	\$294,556	
All Other	\$61,829	\$63,409	
OTHER SPECIAL REVENUE FUNDS TOTAL	\$347,342	\$357,965	
HIGHWAY SAFETY DPS 0457			
HIGHWAY FUND	2005-06	2006-07	
POSITIONS -			
LEGISLATIVE COUNT	2.000	2.000	
Personal Services	\$117,976	\$121,728	
All Other	\$320,271	\$321,344	
HIGHWAY FUND TOTAL	\$438,247	\$443,072	
FEDERAL EXPENDITURES FUND	2005-06	2006-07	
POSITIONS -			
LEGISLATIVE COUNT	3.000	3.000	

Personal Services	\$231,442	\$239,972
All Other	\$1,677,278	\$1,719,235
FEDERAL EXPENDITURES FUND TOTAL	\$1,908,720	\$1,959,207
OTHER SPECIAL REVENUE FUNDS		
	2005-06	2006-07
POSITIONS -		
LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$28,428	\$29,302
All Other	\$301,495	\$309,035
OTHER SPECIAL REVENUE FUNDS TOTAL	\$329,923	\$338,337
PUBLIC SAFETY, DEPARTMENT OF DEPARTMENT TOTALS		
	2005-06	2006-07
GENERAL FUND	\$17,159,627	\$17,921,453
HIGHWAY FUND	\$37,705,937	\$39,364,266
FEDERAL EXPENDITURES FUND	\$5,619,619	\$5,767,828
OTHER SPECIAL REVENUE FUNDS	\$2,024,882	\$2,108,656
DEPARTMENT TOTAL - ALL FUNDS	\$62,510,065	\$65,162,203
SECRETARY OF STATE, DEPARTMENT OF ADMINISTRATION - MOTOR VEHICLES 0077		
HIGHWAY FUND	2005-06	2006-07
POSITIONS -		
LEGISLATIVE COUNT	385.000	385.000
POSITIONS - FTE COUNT	0.308	0.308
Personal Services	\$19,817,824	\$20,724,793
All Other	\$12,353,300	\$12,516,021
Capital Expenditures	\$256,848	\$269,098
HIGHWAY FUND TOTAL	\$32,427,972	\$33,509,912
FEDERAL EXPENDITURES FUND	2005-06	2006-07
All Other	\$485,423	\$485,423
FEDERAL EXPENDITURES FUND TOTAL	\$485,423	\$485,423
OTHER SPECIAL REVENUE FUNDS	2005-06	2006-07
POSITIONS -		
LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$88,721	\$93,080
All Other	\$35,724	\$33,517
OTHER SPECIAL REVENUE FUNDS TOTAL	\$124,445	\$126,597
SECRETARY OF STATE, DEPARTMENT OF DEPARTMENT TOTALS		
	2005-06	2006-07
HIGHWAY FUND	\$32,427,972	\$33,509,912
FEDERAL EXPENDITURES FUND	\$485,423	\$485,423
OTHER SPECIAL REVENUE FUNDS	\$124,445	\$126,597

DEPARTMENT TOTAL - ALL FUNDS	2005-06	2006-07	Personal Services	\$11,582	\$12,038
	\$33,037,840	\$34,121,932	All Other	\$27,608	\$28,299
			Capital Expenditures	\$200,000	\$200,000
TRANSPORTATION, DEPARTMENT OF URBAN-RURAL INITIATIVE PROGRAM 0337			FEDERAL EXPENDITURES FUND TOTAL	\$239,190	240,337
HIGHWAY FUND	2005-06	2006-07	OTHER SPECIAL REVENUE FUNDS	2005-06	2006-07
All Other	\$26,244,417	\$26,832,768	All Other	\$66,488	\$68,150
HIGHWAY FUND TOTAL	2005-06	2006-07	Capital Expenditures	\$62,500	\$62,500
	\$26,244,417	\$26,832,768	OTHER SPECIAL REVENUE FUNDS TOTAL	\$128,988	\$130,650
BOND INTEREST - HIGHWAY 0358			HIGHWAY MAINTENANCE 0330		
HIGHWAY FUND	2005-06	2006-07	HIGHWAY FUND	2005-06	2006-07
All Other	\$2,007,307	\$1,387,084	POSITIONS -		
HIGHWAY FUND TOTAL	2005-06	2006-07	LEGISLATIVE COUNT	131.000	131.000
	\$2,007,307	\$1,387,084	POSITIONS - FTE COUNT	944.000	944.000
BOND RETIREMENT - HIGHWAY 0359			Personal Services	\$62,816,041	\$65,707,197
HIGHWAY FUND	2005-06	2006-07	All Other	\$43,490,983	\$44,700,704
All Other	\$13,950,000	\$10,415,000	Capital Expenditures	\$14,607,582	\$15,262,161
HIGHWAY FUND TOTAL	2005-06	2006-07	HIGHWAY FUND TOTAL	\$120,914,606	\$125,670,062
	\$13,950,000	\$10,415,000	OTHER SPECIAL REVENUE FUNDS	2005-06	2006-07
HIGHWAY AND BRIDGE IMPROVEMENT 0406			All Other	\$547,913	\$561,612
GENERAL FUND	2005-06	2006-07	OTHER SPECIAL REVENUE FUNDS TOTAL	\$547,913	\$561,612
Personal Services	\$140,135	\$140,135	TRAFFIC SERVICE 0331		
GENERAL FUND TOTAL	2005-06	2006-07	HIGHWAY FUND	2005-06	2006-07
	\$140,135	\$140,135	POSITIONS -		
HIGHWAY FUND	2005-06	2006-07	LEGISLATIVE COUNT	39.000	39.000
POSITIONS -			POSITIONS - FTE COUNT	41.519	41.519
LEGISLATIVE COUNT	547.000	547.000	Personal Services	\$3,440,220	\$3,593,842
POSITIONS - FTE COUNT	22.538	22.538	All Other	\$1,852,085	\$1,866,691
Personal Services	\$19,596,677	\$20,454,950	Capital Expenditures	\$35,200	\$35,200
All Other	\$14,277,851	\$15,038,498	HIGHWAY FUND TOTAL	2005-06	2006-07
Capital Expenditures	\$30,735,674	\$32,591,540		\$5,327,505	\$5,495,733
HIGHWAY FUND TOTAL	2005-06	2006-07	FEDERAL EXPENDITURES FUND	2005-06	2006-07
	\$64,610,202	\$68,084,988	Personal Services	\$2,416,301	\$2,525,370
FEDERAL EXPENDITURES FUND	2005-06	2006-07	All Other	\$3,026,056	\$3,101,708
Personal Services	\$22,788,100	\$23,796,482	Capital Expenditures	\$132,800	\$132,800
All Other	\$20,737,095	\$21,853,707	FEDERAL EXPENDITURES FUND TOTAL	2005-06	2006-07
Capital Expenditures	\$124,934,596	\$131,661,844		\$5,575,157	\$5,759,878
FEDERAL EXPENDITURES FUND TOTAL	2005-06	2006-07	OTHER SPECIAL REVENUE FUNDS	2005-06	2006-07
	\$168,459,791	\$177,312,033	All Other	\$319,142	\$327,121
OTHER SPECIAL REVENUE FUNDS	2005-06	2006-07	OTHER SPECIAL REVENUE FUNDS TOTAL	\$319,142	\$327,121
All Other	\$3,893,217	\$2,993,217	BRIDGE MAINTENANCE 0333		
Capital Expenditures	\$25,711,369	\$21,811,369	HIGHWAY FUND	2005-06	2006-07
OTHER SPECIAL REVENUE FUNDS TOTAL	2005-06	2006-07	POSITIONS -		
	\$29,604,586	\$24,804,586	LEGISLATIVE COUNT	20.000	20.000
COLLECTOR ROAD PROGRAM 0505			POSITIONS - FTE COUNT	164.000	164.000
HIGHWAY FUND	2005-06	2006-07	Personal Services	\$11,343,309	\$11,861,664
Personal Services	\$823,065	\$860,384			
All Other	\$2,092,351	\$2,120,013			
Capital Expenditures	\$33,985	\$33,985			
HIGHWAY FUND TOTAL	2005-06	2006-07			
	\$2,949,401	\$3,014,382			
FEDERAL EXPENDITURES FUND	2005-06	2006-07			

All Other	\$5,336,263	\$5,404,945
Capital Expenditures	\$280,500	\$328,500
HIGHWAY FUND TOTAL	\$16,960,072	\$17,595,109
ISLAND TOWN REFUNDS - HIGHWAY 0334		
HIGHWAY FUND	2005-06	2006-07
All Other	\$107,197	\$109,877
HIGHWAY FUND TOTAL	\$107,197	\$109,877
RAILROAD ASSISTANCE PROGRAM 0350		
GENERAL FUND	2005-06	2006-07
POSITIONS -		
LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$66,855	\$69,298
All Other	\$138,961	\$138,961
GENERAL FUND TOTAL	\$205,816	\$208,259
HIGHWAY FUND	2005-06	2006-07
All Other	\$654,243	\$670,599
HIGHWAY FUND TOTAL	\$654,243	\$670,599
FEDERAL EXPENDITURES FUND	2005-06	2006-07
Personal Services	\$11,456	\$11,912
All Other	\$786,675	\$806,342
FEDERAL EXPENDITURES FUND TOTAL	\$798,131	\$818,254
OTHER SPECIAL REVENUE FUNDS		
All Other	\$488,794	\$493,514
OTHER SPECIAL REVENUE FUNDS TOTAL	\$488,794	\$493,514
ADMINISTRATION AND PLANNING 0339		
HIGHWAY FUND	2005-06	2006-07
POSITIONS -		
LEGISLATIVE COUNT	166.000	166.000
POSITIONS - FTE COUNT	0.544	0.544
Personal Services	\$11,311,160	\$11,786,351
All Other	\$5,364,636	\$5,447,773
Capital Expenditures	\$260,000	\$260,000
HIGHWAY FUND TOTAL	\$16,935,796	\$17,494,124
OTHER SPECIAL REVENUE FUNDS		
All Other	\$159,571	\$163,561
OTHER SPECIAL REVENUE FUNDS TOTAL	\$159,571	\$163,561
STATE INFRASTRUCTURE BANK 0870		
OTHER SPECIAL REVENUE FUNDS		
All Other	\$189,571	\$193,561
OTHER SPECIAL REVENUE FUNDS TOTAL	\$189,571	\$193,561

TRANSPORTATION, DEPARTMENT OF		
DEPARTMENT TOTALS	2005-06	2006-07
GENERAL FUND	\$345,951	\$348,394
HIGHWAY FUND	\$270,660,746	\$276,769,726
FEDERAL EXPENDITURES FUND		
	\$175,072,269	\$184,130,502
OTHER SPECIAL REVENUE FUNDS		
	\$31,438,565	\$26,674,605
DEPARTMENT TOTAL - ALL FUNDS	\$477,517,531	\$487,923,227

PART B

Sec. B-1. Supplemental allocations. There are allocated from the Highway Fund for the fiscal year ending June 30, 2006 and June 30, 2007, to the departments listed, the following sums.

TRANSPORTATION, DEPARTMENT OF		
Urban-Rural Initiative Program 0337		
Initiative: Adjusts program funding in accordance with the funding formula for this program as a result of a reduction in the Highway and Bridge Improvement capital program.		
HIGHWAY FUND	2005-06	2006-07
All Other	(\$321,703)	(\$776,564)
HIGHWAY FUND TOTAL	(\$321,703)	(\$776,564)
Urban-Rural Initiative Program 0337		
Initiative: Adjusts the amount of program funding in Part A of the budget in accordance with the funding formula for this program.		
HIGHWAY FUND	2005-06	2006-07
All Other	\$320,411	\$320,449
HIGHWAY FUND TOTAL	\$320,411	\$320,449
Highway and Bridge Improvement 0406		
Initiative: Reduces funding to maintain the capital program within available Highway Fund resources.		
HIGHWAY FUND	2005-06	2006-07
Capital Expenditures	(\$3,018,419)	(\$7,286,206)
HIGHWAY FUND TOTAL	(\$3,018,419)	(\$7,286,206)
TRANSPORTATION, DEPARTMENT OF		
DEPARTMENT TOTALS	2005-06	2006-07
HIGHWAY FUND	(\$3,019,711)	(\$7,742,321)
DEPARTMENTAL TOTAL - ALL FUNDS	(\$3,019,711)	(\$7,742,321)

PART C

Sec. C-1. Calculation and transfer; retirement amortization schedule. Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings in section 2 of this Part that apply against each Highway Fund

account for all departments and agencies from extending the amortization schedule of the unfunded liability and shall transfer the calculated amounts by financial order upon the approval of the Governor. These transfers are considered adjustments to allocations in fiscal years 2005-06 and 2006-07.

Sec. C-2. Appropriations and allocations.

The following appropriations and allocations are made.

**ADMINISTRATIVE AND FINANCIAL SERVICES,
DEPARTMENT OF**

Departments and Agencies - Statewide 0016

Initiative: Reduces funding by extending the amortization schedule for the unfunded actuarial liability of the Maine State Retirement System from 14 years to 23 years.

HIGHWAY FUND	2005-06	2006-07
Personal Services	(\$4,446,936)	(\$4,675,047)
HIGHWAY FUND TOTAL	(\$4,446,936)	(\$4,675,047)

PART D

Sec. D-1. Review of statewide information technology functions and systems to improve efficiency and cost-effectiveness.

The State Chief Information Officer shall review the current organizational structure, systems and operations of information technology units to improve organizational efficiency and cost-effectiveness. To assist with this review, the State Chief Information Officer must be provided staff resources from the Department of Administrative and Financial Services, Office of Information Technology, Bureau of Information Services and from technology personnel of other agencies. The State Chief Information Officer is authorized to identify savings and position eliminations to the General Fund and other funds from the improvements identified from the review. Notwithstanding any other provision of law, the State Budget Officer shall transfer the amounts by financial order upon approval of the Governor. These transfers are considered adjustments to appropriations and allocations in fiscal years 2005-06 and 2006-07.

Notwithstanding any other provision of law, the State Chief Information Officer or the State Chief Information Officer's designee shall provide direct oversight over statewide technology services and has oversight over the technology personnel assigned to each agency. Additionally, the State Chief Information Officer or the designee may reassign technology personnel among agencies to support statewide technology operations.

Sec. D-2. Appropriations and allocations.

The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES,

DEPARTMENT OF

**Executive Branch and Independent Agencies -
Statewide 0017**

Initiative: Represents projected savings from departments and agencies statewide from a review of technology functions and systems.

HIGHWAY FUND	2005-06	2006-07
All Other	(\$103,000)	(\$508,000)
HIGHWAY FUND TOTAL	(\$103,000)	(\$508,000)

PART E

Sec. E-1. Calculation and transfer; health insurance savings.

Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings in section 2 of this Part that apply against each Highway Fund account for all departments and agencies from savings in the cost of health insurance and shall transfer the amounts by financial order upon the approval of the Governor. These transfers are considered adjustments to allocations in fiscal years 2005-06 and 2006-07.

Sec. E-2. Appropriations and allocations.

The following appropriations and allocations are made.

**ADMINISTRATIVE AND FINANCIAL SERVICES,
DEPARTMENT OF**

Departments and Agencies - Statewide 0016

Initiative: Deappropriates and deallocates funds to reflect savings to the State for the cost of health insurance through negotiated plan savings.

HIGHWAY FUND	2005-06	2006-07
Personal Services	(\$1,284,997)	(\$3,910,853)
HIGHWAY FUND TOTAL	(\$1,284,997)	(\$3,910,853)

PART F

Sec. F-1. Appropriations and allocations.

The following appropriations and allocations are made.

**PROGRAM EVALUATION AND GOVERNMENT
ACCOUNTABILITY, OFFICE OF**

**Office of Program Evaluation and Government
Accountability 0976**

Initiative: Allocates funds on a one-time basis for the review of departments and agencies that are funded by the Highway Fund.

HIGHWAY FUND	2005-06	2006-07
All Other	\$100,000	\$0
HIGHWAY FUND TOTAL	\$100,000	\$0

PART G

Sec. G-1. Funding of municipal sand and salt storage facilities. Notwithstanding any other provision of law, a portion of the increase in funding of the Urban-Rural Initiative Program provided by the Maine Revised Statutes, Title 23, section 1803-B must be used to fund municipal sand and salt storage facilities as provided in this section. The amount of such funding for municipal sand and salt storage facilities must be \$1,000,000 in each of fiscal years 2005-06 and 2006-07, but only if total funding for the Urban-Rural Initiative Program for fiscal years 2005-06 and 2006-07 increases by at least \$2,000,000 over total funding levels for fiscal years 2003-04 and 2004-05. The funding for municipal sand and salt storage facilities provided by this section must be distributed in accordance with Title 23, chapter 19, subchapter 7. All Other Urban-Rural Initiative Program funds must be distributed in accordance with Title 23, section 1803-B.

Sec. G-2. Investigate; report. The Department of Transportation, in conjunction with the Department of Environmental Protection, shall investigate whether the demonstrable environmental and health benefits of constructing some or all Priority 3 sand and salt storage facilities as provided by the Maine Revised Statutes, Title 23, section 1851, subsection 3 and Title 38, section 413, subsection 2-D outweigh the cost of such construction. By January 15, 2006, the Department of Transportation shall deliver to the Joint Standing Committee on Transportation a report including findings and conclusions of the investigation and any related recommended changes in law.

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

Effective April 1, 2005.

CHAPTER 37

H.P. 533 - L.D. 738

An Act To Make Additional Allocations from the Highway Fund and Other Funds for the Expenditures of State Government and To Change Certain Provisions of State Law Necessary to the Proper Operations of State Government for the Fiscal Year Ending June 30, 2005

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; 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. Transfer of excess equity of State Retiree Health Insurance Fund. Notwithstanding any other provision of law, the State Controller shall transfer any excess equity of the State Retiree Health Insurance Fund associated with General Fund contributions not previously identified for transfer, Special Revenue Fund contributions and Enterprise Fund contributions to the General Fund Compensation and Benefit Plan account within the Department of Administrative and Financial Services. Sixty percent in excess equity associated with the Highway Fund must be transferred to the Highway Fund Compensation and Benefit Plan account within the Department of Administrative and Financial Services and the remaining 40% transferred to the Highway Fund as unallocated surplus. Any other excess equity must be transferred to the fund or entity of origin by June 30, 2005.

PART B

Sec. B-1. Allocations. There are allocated from the Highway Fund for the fiscal year ending June 30, 2005, to the departments listed, the sums identified in the following, in order to provide funding for approved reclassifications and range changes.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF BUILDINGS AND GROUNDS OPERATIONS 0080	
GENERAL FUND - (INFORMATIONAL)	2004-05
Personal Services	\$34,993
All Other	(\$34,993)