

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

committees or any other organizations that have purchased information from the central voter registration system from providing access to such information to their members for purposes directly related to party activities, get out the vote efforts or a campaign as defined in section 1052.

8. Limited access for law enforcement purposes. Any information pertaining to individual voters, other than Address Confidentiality Program participants, that is contained in the central voter registration system may be made available free of charge to a law enforcement officer or agency that makes a written request to use the information for a bona fide law enforcement purpose or to a person identified by a court order if directed by that order. Information pertaining to individual voters who are Address Confidentiality Program participants that is contained in the central voter registration system may be made available for inspection to a law enforcement agency that is authorized by the Secretary of State pursuant to Title 5, section 90-B to obtain Address Confidentiality Program information.

9. Secretary of State to report. By March 15, 2007, the Secretary of State shall issue a report to the joint standing committee of the Legislature having jurisdiction over voter registration matters, including suggested legislation, with regard to public access to the information from the central voter registration system, taking into consideration the compelling state interests to prevent voter fraud and the potential disenfranchisement of voters and to ensure that voters are not discouraged from participating in the voting process. The committee is authorized to introduce legislation based on information contained in the report to the First Regular Session of the 123rd Legislature.

This section is repealed September 30, 2007.

Sec. 3. 21-A MRSA §696, sub-§2, ¶¶D and E, as amended by PL 1997, c. 436, §101, are further amended to read:

D. If a voter writes in a name and municipality of residence, or pastes a sticker containing the candidate's name and municipality of residence in the write-in space pursuant to section 691, but does not mark the write-in indicator, that vote for that office may not be counted if a determination of choice under subsection 4 is possible.

E. If a voter writes in a write-in space a fictitious name, the name of a deceased person or the name of a person from outside the State who could not be a candidate for that office, the vote for that office may not be counted. A name written in this manner is not a distinguishing mark.

Sec. 4. 21-A MRSA §696, sub-§3, ¶C is enacted to read:

C. A ballot is not defective if the Secretary of State has given prior approval for its use at the election.

Sec. 5. 21-A MRSA §696, sub-§4, as amended by PL 2001, c. 310, §41, is further amended to read:

4. Determination of choice possible. If a voter marks the voter's ballot in a manner that differs from the instructions at the top of the ballot but in such a manner that it is possible to determine the voter's choice, then the vote for the office or question concerned must be counted. A mark made on or in the voting indicator that differs from the instructions at the top of the ballot but that clearly indicates the voter's choice is not a distinguishing mark.

Sec. 6. 21-A MRSA §696, sub-§5, ¶A, as enacted by PL 2001, c. 310, §42, is amended to read:

A. A ballot on which a voter has clearly manifested an intention to make a distinguishing mark or to mark the ballot in a manner inconsistent with an honest purpose or to act in a fraudulent manner made a distinguishing mark is void.

Sec. 7. 21-A MRSA §696, sub-§6 is enacted to read:

6. Guidelines. The Secretary of State shall publish uniform guidelines for determining voter intent based on relevant case law and provisions of this Title. These guidelines must be used as a reference by election officials in tabulating the results of state and local elections and in all recounts conducted pursuant to this Title. The guidelines must be included with the instructional materials provided to the clerk, registrar and election officials in each municipality pursuant to section 605 and must be used by the Secretary of State in the training of election officials pursuant to section 505.

See title page for effective date.

CHAPTER 405

H.P. 946 - L.D. 1363

An Act To Make Supplemental Highway Allocations for the Expenditures of State Government and To Change 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 made. Other funds are presented for informational purposes only.

PUBLIC SAFETY, DEPARTMENT OF

State Police 0291

Initiative: Establishes 2 Identification Specialist II positions and 3 Identification Specialist I positions in the Bureau of Identification to process the increasing demands of law-enforcement-requested background checks.

HIGHWAY FUND	2005-06	2006-07
Personal Services	\$176,931	\$189,411
All Other	\$1,700	\$1,800
HIGHWAY FUND TOTAL	\$178,631	\$191,211

State Police 0291

Initiative: Provides funds towards the replacement radio system to support the operations of the Statewide Radio and Network System Reserve Fund established in the Maine Revised Statutes, Title 5, section 1520.

HIGHWAY FUND	2005-06	2006-07
All Other	\$0	\$504,000
HIGHWAY FUND TOTAL	\$0	\$504,000

PUBLIC SAFETY, DEPARTMENT OF DEPARTMENT TOTALS

HIGHWAY FUND	2005-06	2006-07
HIGHWAY FUND	\$178,631	\$695,211
DEPARTMENT TOTAL - ALL FUNDS	\$178,631	\$695,211

TRANSPORTATION, DEPARTMENT OF

Urban-Rural Initiative Program 0337

Initiative: Reduces funding in the Urban-Rural Initiative Program as a result of the reorganization of programs in the Highway Fund.

HIGHWAY FUND	2005-06	2006-07
All Other	(\$49,338)	(\$51,047)
HIGHWAY FUND TOTAL	(\$49,338)	(\$51,047)

Highway and Bridge Improvement 0406

Initiative: Transfers one Public Service Manager II position and one Public Service Coordinator III position from the Highway and Bridge Improvement program to the Administration and Planning program. The allocated share of the positions also affects the Highway Maintenance, Traffic Service and Bridge Maintenance programs.

HIGHWAY FUND	2005-06	2006-07
POSITIONS - LEGISLATIVE COUNT	(2,000)	(2,000)
Personal Services	(\$88,308)	(\$90,665)
HIGHWAY FUND TOTAL	(\$88,308)	(\$90,665)

Highway and Bridge Improvement 0406

Initiative: Transfers one Public Service Manager III position from the Highway Maintenance program to the Highway and Bridge Improvement program. The allocated share of the position also affects the Traffic Service, Bridge Maintenance, Collector Road and the Suspense Receivable - Transportation programs.

HIGHWAY FUND	2005-06	2006-07
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$46,793	\$47,993
HIGHWAY FUND TOTAL	\$46,793	\$47,993

Highway and Bridge Improvement 0406

Initiative: Transfers one Public Service Manager III position from the Highway and Bridge Improvement program to the Highway Maintenance program. The allocated share of the position also affects the Traffic Service, Bridge Maintenance, Administration and Planning and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2005-06	2006-07
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$46,136)	(\$47,200)
HIGHWAY FUND TOTAL	(\$46,136)	(\$47,200)

Highway and Bridge Improvement 0406

Initiative: Transfers one Assistant Technician position, one Public Service Manager II position, one Engineer Technician II position, one Engineer Technician IV position, 4 Highway District Manager positions, 11 Senior Technician positions and 2 Technician positions from the Highway Maintenance program to the Highway and Bridge Improvement program. The allocated share of the positions also affects the Traffic Service, Bridge Maintenance, Collector Road and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2005-06	2006-07
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POSITIONS -		
LEGISLATIVE COUNT	21,000	21,000
Personal Services	\$635,165	\$661,720
HIGHWAY FUND TOTAL	\$635,165	\$661,720

Highway and Bridge Improvement 0406

Initiative: Transfers one Legal Administrator position, one Transportation Attorney position and 2 Paralegal Assistant positions from the Administration and Planning program to the Highway and Bridge Improvement program. The allocated share of the positions also affects the Railroad Assistance program and Transportation Services program.

HIGHWAY FUND	2005-06	2006-07
POSITIONS -		
LEGISLATIVE COUNT	4,000	4,000
Personal Services	\$97,974	\$102,088
HIGHWAY FUND TOTAL	\$97,974	\$102,088

Highway and Bridge Improvement 0406

Initiative: Transfers 3 Information System Support Specialist II positions from the Highway and Bridge Improvement program to the Highway Maintenance program. The allocated share of the positions also affects the Traffic Service, Bridge Maintenance, Administration and Planning and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2005-06	2006-07
POSITIONS -		
LEGISLATIVE COUNT	(3,000)	(3,000)
Personal Services	(\$91,213)	(\$97,714)
HIGHWAY FUND TOTAL	(\$91,213)	(\$97,714)

Highway and Bridge Improvement 0406

Initiative: Transfers one Civil Engineer III position and one Technician position from the Highway and Bridge Improvement program to the Highway Maintenance program. The allocated share of the positions also affects the Traffic Service, Bridge Maintenance, Planning and Administration and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2005-06	2006-07
POSITIONS -		
LEGISLATIVE COUNT	(2,000)	(2,000)
Personal Services	(\$65,118)	(\$67,147)
HIGHWAY FUND TOTAL	(\$65,118)	(\$67,147)

Highway and Bridge Improvement 0406

Initiative: Transfers one Assistant Technician position, one Computer Programmer position, one Public Service Coordinator I position and one Senior Technician position from the Highway and Bridge Improvement program to the Administration and Planning program. The allocated share of the positions also affects the Highway Maintenance, Traffic Service and Bridge Maintenance programs.

HIGHWAY FUND	2005-06	2006-07
POSITIONS -		
LEGISLATIVE COUNT	(4,000)	(4,000)
Personal Services	(\$115,471)	(\$120,784)

HIGHWAY FUND TOTAL	(\$115,471)	(\$120,784)
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Highway and Bridge Improvement 0406

Initiative: Transfers one Public Service Executive III position and one Civil Engineer II position from the Administration and Planning program to the Highway and Bridge Improvement program. The allocated portion of the positions also affects the Transportation Services and Railroad Assistance programs.

HIGHWAY FUND	2005-06	2006-07
POSITIONS -		
LEGISLATIVE COUNT	2,000	2,000
Personal Services	\$82,000	\$84,191
HIGHWAY FUND TOTAL	\$82,000	\$84,191

Highway and Bridge Improvement 0406

Initiative: Adjusts allocations for revised position allocations in the Administration and Planning program. The revised allocations also affect the Highway and Bridge Improvement, Transportation Services and Railroad Assistance programs.

HIGHWAY FUND	2005-06	2006-07
Personal Services	(\$902,322)	(\$940,049)
HIGHWAY FUND TOTAL	(\$902,322)	(\$940,049)

Highway and Bridge Improvement 0406

Initiative: Adjusts allocations for revised positions in the Highway and Bridge Improvement program. The revised allocations also affect the Highway Maintenance, Traffic Service, Bridge Maintenance and Administration and Planning programs.

HIGHWAY FUND	2005-06	2006-07
Personal Services	\$1,760,030	\$1,838,051
HIGHWAY FUND TOTAL	\$1,760,030	\$1,838,051

Highway and Bridge Improvement 0406

Initiative: Adjusts allocations as a result of combining the Traffic Services and Bridge Maintenance programs into the Highway Maintenance program. Position allocations also affect the Highway and Bridge Improvement and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2005-06	2006-07
Personal Services	(\$342,104)	(\$354,901)
HIGHWAY FUND TOTAL	(\$342,104)	(\$354,901)

Highway and Bridge Improvement 0406

Initiative: Adjusts allocations as a result of combining the Collector Road Program into the Highway and Bridge Improvement program.

HIGHWAY FUND	2005-06	2006-07
Personal Services	\$625,981	\$655,771
All Other	\$2,092,351	\$2,120,013
Capital Expenditures	\$33,985	\$33,985
HIGHWAY FUND TOTAL	\$2,752,317	\$2,809,769

Highway and Bridge Improvement 0406

Initiative: Adjusts allocations for revised position allocations in the Highway Maintenance program. The revised allocations also affect the Traffic Services, Bridge Maintenance, Highway Bridge Improvement, Collector Road and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2005-06	2006-07
Personal Services	(\$390,410)	(\$404,943)
HIGHWAY FUND TOTAL	(\$390,410)	(\$404,943)

Highway and Bridge Improvement 0406

Initiative: Transfers the Maintenance Mulch and Crack Sealing programs from the Highway Maintenance program to the Highway and Bridge Improvement program.

HIGHWAY FUND	2005-06	2006-07
Capital Expenditures	\$13,751,582	\$14,406,161
HIGHWAY FUND TOTAL	\$13,751,582	\$14,406,161

Highway and Bridge Improvement 0406

Initiative: Eliminates one Account Clerk I position in the Highway Maintenance program as a result of the unit review and reorganization of Maintenance and Operations. The position allocation also affects the Traffic Service, Bridge Maintenance, Highway and Bridge Improvement, Collector Road and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2005-06	2006-07
Personal Services	(\$2,062)	(\$2,204)
HIGHWAY FUND TOTAL	(\$2,062)	(\$2,204)

Highway and Bridge Improvement 0406

Initiative: Transfers one Information System Support Specialist II position from the Administration and Planning program to the Highway Maintenance program. The position allocation also affects the Highway and Bridge Improvement, Transportation Services, Railroad Assistance and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2005-06	2006-07
Personal Services	(\$5,468)	(\$5,853)
HIGHWAY FUND TOTAL	(\$5,468)	(\$5,853)

Highway and Bridge Improvement 0406

Initiative: Provides funding for highway and bridge improvement capital projects.

HIGHWAY FUND	2005-06	2006-07
Capital Expenditures	\$375,000	\$375,000
HIGHWAY FUND TOTAL	\$375,000	\$375,000

Collector Road Program 0505

Initiative: Transfers one Public Service Manager III position from the Highway Maintenance program to the Highway and Bridge Improvement program. The allocated share of the position also affects the Traffic Service, Bridge Maintenance, Collector Road and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2005-06	2006-07
Personal Services	(\$2,350)	(\$2,409)

HIGHWAY FUND TOTAL	(\$2,350)	(\$2,409)
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Collector Road Program 0505

Initiative: Transfers one Assistant Technician position, one Public Service Manager II position, one Engineer Technician II position, one Engineer Technician IV position, 4 Highway District Manager positions, 11 Senior Technician positions and 2 Technician positions from the Highway Maintenance program to the Highway and Bridge Improvement program. The allocated share of the positions also affects the Traffic Service, Bridge Maintenance, Collector Road and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2005-06	2006-07
Personal Services	(\$31,889)	(\$33,227)
HIGHWAY FUND TOTAL	(\$31,889)	(\$33,227)

Collector Road Program 0505

Initiative: Adjusts allocations as a result of combining the Collector Road Program into the Highway and Bridge Improvement program.

HIGHWAY FUND	2005-06	2006-07
Personal Services	(\$625,981)	(\$655,771)
All Other	(\$2,092,351)	(\$2,120,013)
Capital Expenditures	(\$33,985)	(\$33,985)
HIGHWAY FUND TOTAL	(\$2,752,317)	(\$2,809,769)

Collector Road Program 0505

Initiative: Adjusts allocations for revised position allocations in the Highway Maintenance program. The revised allocations also affect the Traffic Services, Bridge Maintenance, Highway Bridge Improvement, Collector Road and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2005-06	2006-07
Personal Services	(\$161,989)	(\$168,064)
HIGHWAY FUND TOTAL	(\$161,989)	(\$168,064)

Collector Road Program 0505

Initiative: Eliminates one Account Clerk I position in the Highway Maintenance program as a result of the unit review and reorganization of Maintenance and Operations. The position allocation also affects the Traffic Service, Bridge Maintenance, Highway and Bridge Improvement, Collector Road and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2005-06	2006-07
Personal Services	(\$856)	(\$913)
HIGHWAY FUND TOTAL	(\$856)	(\$913)

Highway Maintenance 0330

Initiative: Transfers one Public Service Manager II position and one Public Service Coordinator III position from the Highway and Bridge Improvement program to the Administration and Planning program. The allocated share of the positions also affects the Highway Maintenance, Traffic Service and Bridge Maintenance programs.

HIGHWAY FUND	2005-06	2006-07
Personal Services	(\$2,523)	(\$2,592)

HIGHWAY FUND TOTAL	(\$2,523)	(\$2,592)
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Highway Maintenance 0330

Initiative: Transfers one Public Service Manager III position from the Highway Maintenance program to the Highway and Bridge Improvement program. The allocated share of the position also affects the Traffic Service, Bridge Maintenance, Collector Road and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2005-06	2006-07
POSITIONS -		
LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$99,809)	(\$102,370)

HIGHWAY FUND TOTAL	(\$99,809)	(\$102,370)
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Highway Maintenance 0330

Initiative: Transfers one Public Service Manager III position from the Highway and Bridge Improvement program to the Highway Maintenance program. The allocated share of the position also affects the Traffic Service, Bridge Maintenance, Administration and Planning and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2005-06	2006-07
POSITIONS -		
LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$100,404	\$102,721

HIGHWAY FUND TOTAL	\$100,404	\$102,721
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Highway Maintenance 0330

Initiative: Transfers one Assistant Technician position, one Public Service Manager II position, one Engineer Technician II position, one Engineer Technician IV position, 4 Highway District Manager positions, 11 Senior Technician positions and 2 Technician positions from the Highway Maintenance program to the Highway and Bridge Improvement program. The allocated share of the positions also affects the Traffic Service, Bridge Maintenance, Collector Road and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2005-06	2006-07
POSITIONS -		
LEGISLATIVE COUNT	(21.000)	(21.000)
Personal Services	(\$1,354,936)	(\$1,411,517)

HIGHWAY FUND TOTAL	(\$1,354,936)	(\$1,411,517)
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Highway Maintenance 0330

Initiative: Transfers one Clerk IV position, one Health/Safety Program Coordinator position and one Motor Transport Services Manager position from the Motor Transport Service program to the Highway Maintenance program. The allocated share of the positions also affects the Suspense Receivable - Transportation program.

HIGHWAY FUND	2005-06	2006-07
POSITIONS -		
LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$169,211	\$175,014

HIGHWAY FUND TOTAL	\$169,211	\$175,014
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Highway Maintenance 0330

Initiative: Transfers 3 Information System Support Specialist II positions from the Highway and Bridge Improvement program to the Highway Maintenance program. The allocated share of the positions also affects the Traffic Service, Bridge Maintenance, Administration and Planning and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2005-06	2006-07
POSITIONS -		
LEGISLATIVE COUNT	3.000	3.000
Personal Services	\$198,498	\$212,661

HIGHWAY FUND TOTAL	\$198,498	\$212,661
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Highway Maintenance 0330

Initiative: Transfers one Civil Engineer III position and one Technician position from the Highway and Bridge Improvement program to the Highway Maintenance program. The allocated share of the positions also affects the Traffic Service, Bridge Maintenance, Planning and Administration and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2005-06	2006-07
POSITIONS -		
LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$141,711	\$146,127

HIGHWAY FUND TOTAL	\$141,711	\$146,127
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Highway Maintenance 0330

Initiative: Transfers one Assistant Technician position, one Computer Programmer position, one Public Service Coordinator I position and one Senior Technician position from the Highway and Bridge Improvement program to the Administration and Planning program. The allocated share of the positions also affects the Highway Maintenance, Traffic Service and Bridge Maintenance programs.

HIGHWAY FUND	2005-06	2006-07
Personal Services	(\$3,299)	(\$3,449)

HIGHWAY FUND TOTAL	(\$3,299)	(\$3,449)
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Highway Maintenance 0330

Initiative: Adjusts allocations for revised positions in the Highway and Bridge Improvement program. The revised allocations also affect the Highway Maintenance, Traffic Service, Bridge Maintenance and Administration and Planning programs.

HIGHWAY FUND	2005-06	2006-07
Personal Services	(\$471,493)	(\$492,482)

HIGHWAY FUND TOTAL	(\$471,493)	(\$492,482)
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Highway Maintenance 0330

Initiative: Adjusts allocations as a result of combining the Traffic Services and Bridge Maintenance programs into the Highway Maintenance program. Position allocations also affect the Highway and Bridge Improvement and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2005-06	2006-07
POSITIONS - FTE COUNT	203.904	203.904
POSITIONS -		
LEGISLATIVE COUNT	59.000	59.000

Personal Services	\$14,978,397	\$15,663,365
All Other	\$7,188,348	\$7,271,636
Capital Expenditures	\$315,700	\$363,700
HIGHWAY FUND TOTAL	\$22,482,445	\$23,298,701

Highway Maintenance 0330

Initiative: Adjusts allocations for revised position allocations in the Highway Maintenance program. The revised allocations also affect the Traffic Services, Bridge Maintenance, Highway Bridge Improvement, Collector Road and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2005-06	2006-07
Personal Services	\$323,215	\$335,358
HIGHWAY FUND TOTAL	\$323,215	\$335,358

Highway Maintenance 0330

Initiative: Transfers the Maintenance Mulch and Crack Sealing programs from the Highway Maintenance program to the Highway and Bridge Improvement program.

HIGHWAY FUND	2005-06	2006-07
Capital Expenditures	(\$13,751,582)	(\$14,406,161)
HIGHWAY FUND TOTAL	(\$13,751,582)	(\$14,406,161)

Highway Maintenance 0330

Initiative: Deallocates savings in billable costs from the Motor Transport Services program as a result of a reorganization in Motor Transport Services.

HIGHWAY FUND	2005-06	2006-07
All Other	(\$916,763)	(\$967,823)
HIGHWAY FUND TOTAL	(\$916,763)	(\$967,823)

Highway Maintenance 0330

Initiative: Eliminates one Account Clerk I position in the Highway Maintenance program as a result of the unit review and reorganization of Maintenance and Operations. The position allocation also affects the Traffic Service, Bridge Maintenance, Highway and Bridge Improvement, Collector Road and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2005-06	2006-07
POSITIONS -		
LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$36,364)	(\$38,848)
HIGHWAY FUND TOTAL	(\$36,364)	(\$38,848)

Highway Maintenance 0330

Initiative: Eliminates 2 Highway Crew Supervisor positions and 3 Highway Laborer positions as a result of the unit review and reorganization of Maintenance and Operations.

HIGHWAY FUND	2005-06	2006-07
POSITIONS - FTE COUNT	(3,462)	(3,462)
Personal Services	(\$188,419)	(\$188,419)
HIGHWAY FUND TOTAL	(\$188,419)	(\$188,419)

Highway Maintenance 0330

Initiative: Transfers one Information System Support Specialist II position from the Administration and Planning program to the Highway Maintenance program. The position allocation also affects the Highway and Bridge Improvement, Transportation Services, Railroad Assistance and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2005-06	2006-07
POSITIONS -		
LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$60,366	\$64,606
HIGHWAY FUND TOTAL	\$60,366	\$64,606

Traffic Service 0331

Initiative: Transfers one Public Service Manager II position and one Public Service Coordinator III position from the Highway and Bridge Improvement program to the Administration and Planning program. The allocated share of the positions also affects the Highway Maintenance, Traffic Service and Bridge Maintenance programs.

HIGHWAY FUND	2005-06	2006-07
Personal Services	(\$628)	(\$644)
HIGHWAY FUND TOTAL	(\$628)	(\$644)

Traffic Service 0331

Initiative: Transfers one Public Service Manager III position from the Highway Maintenance program to the Highway and Bridge Improvement program. The allocated share of the position also affects the Traffic Service, Bridge Maintenance, Collector Road and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2005-06	2006-07
Personal Services	(\$2,836)	(\$2,909)
HIGHWAY FUND TOTAL	(\$2,836)	(\$2,909)

Traffic Service 0331

Initiative: Transfers one Public Service Manager III position from the Highway and Bridge Improvement program to the Highway Maintenance program. The allocated share of the position also affects the Traffic Service, Bridge Maintenance, Administration and Planning and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2005-06	2006-07
Personal Services	(\$326)	(\$334)
HIGHWAY FUND TOTAL	(\$326)	(\$334)

Traffic Service 0331

Initiative: Transfers one Assistant Technician position, one Public Service Manager II position, one Engineer Technician II position, one Engineer Technician IV position, 4 Highway District Manager positions, 11 Senior Technician positions and 2 Technician positions from the Highway Maintenance program to the Highway and Bridge Improvement program. The allocated share of the positions also affects the Traffic Service, Bridge Maintenance, Collector Road and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2005-06	2006-07
Personal Services	(\$38,492)	(\$40,106)
HIGHWAY FUND TOTAL	(\$38,492)	(\$40,106)

Traffic Service 0331

Initiative: Transfers 3 Information System Support Specialist II positions from the Highway and Bridge Improvement program to the Highway Maintenance program. The allocated share of the positions also affects the Traffic Service, Bridge Maintenance, Administration and Planning and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2005-06	2006-07
Personal Services	(\$646)	(\$693)
HIGHWAY FUND TOTAL	(\$646)	(\$693)

Traffic Service 0331

Initiative: Transfers one Civil Engineer III position and one Technician position from the Highway and Bridge Improvement program to the Highway Maintenance program. The allocated share of the positions also affects the Traffic Service, Bridge Maintenance, Planning and Administration and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2005-06	2006-07
Personal Services	(\$462)	(\$477)
HIGHWAY FUND TOTAL	(\$462)	(\$477)

Traffic Service 0331

Initiative: Transfers one Assistant Technician position, one Computer Programmer position, one Public Service Coordinator I position and one Senior Technician position from the Highway and Bridge Improvement program to the Administration and Planning program. The allocated share of the positions also affects the Highway Maintenance, Traffic Service and Bridge Maintenance programs.

HIGHWAY FUND	2005-06	2006-07
Personal Services	(\$821)	(\$858)
HIGHWAY FUND TOTAL	(\$821)	(\$858)

Traffic Service 0331

Initiative: Adjusts allocations for revised positions in the Highway and Bridge Improvement program. The revised allocations also affect the Highway Maintenance, Traffic Service, Bridge Maintenance and Administration and Planning programs.

HIGHWAY FUND	2005-06	2006-07
Personal Services	(\$117,057)	(\$122,194)
HIGHWAY FUND TOTAL	(\$117,057)	(\$122,194)

Traffic Service 0331

Initiative: Adjusts allocations as a result of combining the Traffic Services and Bridge Maintenance programs into the Highway Maintenance program. Position allocations also affect the Highway and Bridge Improvement and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2005-06	2006-07
POSITIONS - FTE COUNT	(40.904)	(40.904)
POSITIONS - LEGISLATIVE COUNT	(39,000)	(39,000)
Personal Services	(\$3,057,006)	(\$3,196,224)
All Other	(\$1,852,085)	(\$1,866,691)

Capital Expenditures (\$35,200) (\$35,200)

HIGHWAY FUND TOTAL	(\$4,944,291)	(\$5,098,115)
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Traffic Service 0331

Initiative: Adjusts allocations for revised position allocations in the Highway Maintenance program. The revised allocations also affect the Traffic Services, Bridge Maintenance, Highway Bridge Improvement, Collector Road and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2005-06	2006-07
Personal Services	(\$195,528)	(\$202,916)
HIGHWAY FUND TOTAL	(\$195,528)	(\$202,916)

Traffic Service 0331

Initiative: Eliminates one Account Clerk I position in the Highway Maintenance program as a result of the unit review and reorganization of Maintenance and Operations. The position allocation also affects the Traffic Service, Bridge Maintenance, Highway and Bridge Improvement, Collector Road and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2005-06	2006-07
Personal Services	(\$1,035)	(\$1,104)
HIGHWAY FUND TOTAL	(\$1,035)	(\$1,104)

Traffic Service 0331

Initiative: Eliminates one crew Highway Laborer position as a result of the unit review and reorganization of Maintenance and Operations.

HIGHWAY FUND	2005-06	2006-07
POSITIONS - FTE COUNT	(0.615)	(0.615)
Personal Services	(\$25,383)	(\$25,383)
HIGHWAY FUND TOTAL	(\$25,383)	(\$25,383)

Bridge Maintenance 0333

Initiative: Transfers one Public Service Manager II position and one Public Service Coordinator III position from the Highway and Bridge Improvement program to the Administration and Planning program. The allocated share of the positions also affects the Highway Maintenance, Traffic Service and Bridge Maintenance programs.

HIGHWAY FUND	2005-06	2006-07
Personal Services	(\$1,276)	(\$1,307)
HIGHWAY FUND TOTAL	(\$1,276)	(\$1,307)

Bridge Maintenance 0333

Initiative: Transfers one Public Service Manager III position from the Highway Maintenance program to the Highway and Bridge Improvement program. The allocated share of the position also affects the Traffic Service, Bridge Maintenance, Collector Road and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2005-06	2006-07
Personal Services	(\$2,836)	(\$2,909)
HIGHWAY FUND TOTAL	(\$2,836)	(\$2,909)

Bridge Maintenance 0333

Initiative: Transfers one Public Service Manager III position from the Highway and Bridge Improvement program to the Highway Maintenance program. The allocated share of the position also affects the Traffic Service, Bridge Maintenance, Administration and Planning and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2005-06	2006-07
Personal Services	(\$665)	(\$680)
HIGHWAY FUND TOTAL	(\$665)	(\$680)

Bridge Maintenance 0333

Initiative: Transfers one Assistant Technician position, one Public Service Manager II position, one Engineer Technician II position, one Engineer Technician IV position, 4 Highway District Manager positions, 11 Senior Technician positions and 2 Technician positions from the Highway Maintenance program to the Highway and Bridge Improvement program. The allocated share of the positions also affects the Traffic Service, Bridge Maintenance, Collector Road and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2005-06	2006-07
Personal Services	(\$38,492)	(\$40,106)
HIGHWAY FUND TOTAL	(\$38,492)	(\$40,106)

Bridge Maintenance 0333

Initiative: Transfers 3 Information System Support Specialist II positions from the Highway and Bridge Improvement program to the Highway Maintenance program. The allocated share of the positions also affects the Traffic Service, Bridge Maintenance, Administration and Planning and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2005-06	2006-07
Personal Services	(\$1,319)	(\$1,406)
HIGHWAY FUND TOTAL	(\$1,319)	(\$1,406)

Bridge Maintenance 0333

Initiative: Transfers one Civil Engineer III position and one Technician position from the Highway and Bridge Improvement program to the Highway Maintenance program. The allocated share of the positions also affects the Traffic Service, Bridge Maintenance, Planning and Administration and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2005-06	2006-07
Personal Services	(\$940)	(\$967)
HIGHWAY FUND TOTAL	(\$940)	(\$967)

Bridge Maintenance 0333

Initiative: Transfers one Assistant Technician position, one Computer Programmer position, one Public Service Coordinator I position and one Senior Technician position from the Highway and Bridge Improvement program to the Administration and Planning program. The allocated share of the positions also affects the Highway Maintenance, Traffic Service and Bridge Maintenance programs.

HIGHWAY FUND	2005-06	2006-07
Personal Services	(\$1,667)	(\$1,740)

HIGHWAY FUND TOTAL	(\$1,667)	(\$1,740)
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Bridge Maintenance 0333

Initiative: Adjusts allocations for revised positions in the Highway and Bridge Improvement program. The revised allocations also affect the Highway Maintenance, Traffic Service, Bridge Maintenance and Administration and Planning programs.

HIGHWAY FUND	2005-06	2006-07
Personal Services	(\$237,981)	(\$248,175)
HIGHWAY FUND TOTAL	(\$237,981)	(\$248,175)

Bridge Maintenance 0333

Initiative: Adjusts allocations as a result of combining the Traffic Services and Bridge Maintenance programs into the Highway Maintenance program. Position allocations also affect the Highway and Bridge Improvement and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2005-06	2006-07
POSITIONS - FTE COUNT	(163.000)	(163.000)
POSITIONS - LEGISLATIVE COUNT	(20.000)	(20.000)
Personal Services	(\$10,806,979)	(\$11,305,763)
All Other	(\$5,336,263)	(\$5,404,945)
Capital Expenditures	(\$280,500)	(\$328,500)

HIGHWAY FUND TOTAL	(\$16,423,742)	(\$17,039,208)
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Bridge Maintenance 0333

Initiative: Adjusts allocations for revised position allocations in the Highway Maintenance program. The revised allocations also affect the Traffic Services, Bridge Maintenance, Highway Bridge Improvement, Collector Road and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2005-06	2006-07
Personal Services	(\$195,528)	(\$202,916)
HIGHWAY FUND TOTAL	(\$195,528)	(\$202,916)

Bridge Maintenance 0333

Initiative: Eliminates one Account Clerk I position in the Highway Maintenance program as a result of the unit review and reorganization of Maintenance and Operations. The position allocation also affects the Traffic Service, Bridge Maintenance, Highway and Bridge Improvement, Collector Road and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2005-06	2006-07
Personal Services	(\$1,035)	(\$1,104)
HIGHWAY FUND TOTAL	(\$1,035)	(\$1,104)

Bridge Maintenance 0333

Initiative: Eliminates one crew Bridge Maintenance Assistant position as a result of the unit review and reorganization of Maintenance and Operations.

HIGHWAY FUND	2005-06	2006-07
POSITIONS - FTE COUNT	(1.000)	(1.000)
Personal Services	(\$54,591)	(\$54,591)

HIGHWAY FUND TOTAL (\$54,591) (\$54,591)

Administration and Planning 0339

Initiative: Transfers one Public Service Manager II position and one Public Service Coordinator III position from the Highway and Bridge Improvement program to the Administration and Planning program. The allocated share of the positions also affects the Highway Maintenance, Traffic Service and Bridge Maintenance programs.

HIGHWAY FUND	2005-06	2006-07
POSITIONS -		
LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$210,577	\$216,203
HIGHWAY FUND TOTAL	\$210,577	\$216,203

Administration and Planning 0339

Initiative: Transfers one Public Service Manager III position from the Highway and Bridge Improvement program to the Highway Maintenance program. The allocated share of the position also affects the Traffic Service, Bridge Maintenance, Administration and Planning and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2005-06	2006-07
Personal Services	(\$2,646)	(\$2,706)
HIGHWAY FUND TOTAL	(\$2,646)	(\$2,706)

Administration and Planning 0339

Initiative: Transfers one Legal Administrator position, one Transportation Attorney position and 2 Paralegal Assistant positions from the Administration and Planning program to the Highway and Bridge Improvement program. The allocated share of the positions also affects the Railroad Assistance program and Transportation Services program.

HIGHWAY FUND	2005-06	2006-07
POSITIONS -		
LEGISLATIVE COUNT	(4.000)	(4.000)
Personal Services	(\$234,648)	(\$244,495)
HIGHWAY FUND TOTAL	(\$234,648)	(\$244,495)

Administration and Planning 0339

Initiative: Transfers 2 Account Clerk I positions, 2 Account Clerk II positions, one Accountant I position, one Accountant III position, one Clerk II position, one Clerk III position, one Clerk Typist III position, one Data Communications Technician position, one Data Control Clerk position, one Information System Support Specialist II position, one Information System Support Technician position, one Personnel and Payroll Technician position and one Records Technician II position from the Motor Transport Service program to the Administration and Planning program.

HIGHWAY FUND	2005-06	2006-07
POSITIONS -		
LEGISLATIVE COUNT	15.000	15.000
Personal Services	\$747,552	\$792,809
HIGHWAY FUND TOTAL	\$747,552	\$792,809

Administration and Planning 0339

Initiative: Transfers 3 Information System Support Specialist II positions from the Highway and Bridge Improvement program to the Highway Maintenance program. The allocated share of the positions also affects the Traffic Service, Bridge Maintenance, Administration and Planning and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2005-06	2006-07
Personal Services	(\$5,234)	(\$5,604)
HIGHWAY FUND TOTAL	(\$5,234)	(\$5,604)

Administration and Planning 0339

Initiative: Transfers one Civil Engineer III position and one Technician position from the Highway and Bridge Improvement program to the Highway Maintenance program. The allocated share of the positions also affects the Traffic Service, Bridge Maintenance, Planning and Administration and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2005-06	2006-07
Personal Services	(\$3,738)	(\$3,853)
HIGHWAY FUND TOTAL	(\$3,738)	(\$3,853)

Administration and Planning 0339

Initiative: Transfers one Assistant Technician position, one Computer Programmer position, one Public Service Coordinator I position and one Senior Technician position from the Highway and Bridge Improvement program to the Administration and Planning program. The allocated share of the positions also affects the Highway Maintenance, Traffic Service and Bridge Maintenance programs.

HIGHWAY FUND	2005-06	2006-07
POSITIONS -		
LEGISLATIVE COUNT	4.000	4.000
Personal Services	\$275,343	\$288,023
HIGHWAY FUND TOTAL	\$275,343	\$288,023

Administration and Planning 0339

Initiative: Transfers one Public Service Executive III position and one Civil Engineer II position from the Administration and Planning program to the Highway and Bridge Improvement program. The allocated portion of the positions also affects the Transportation Services and Railroad Assistance programs.

HIGHWAY FUND	2005-06	2006-07
POSITIONS -		
LEGISLATIVE COUNT	(2.000)	(2.000)
Personal Services	(\$196,391)	(\$201,635)
HIGHWAY FUND TOTAL	(\$196,391)	(\$201,635)

Administration and Planning 0339

Initiative: Adjusts allocations for revised position allocations in the Administration and Planning program. The revised allocations also affect the Highway and Bridge Improvement, Transportation Services and Railroad Assistance programs.

HIGHWAY FUND	2005-06	2006-07
Personal Services	\$886,524	\$924,306
HIGHWAY FUND TOTAL	\$886,524	\$924,306

Administration and Planning 0339

Initiative: Adjusts allocations for revised positions in the Highway and Bridge Improvement program. The revised allocations also affect the Highway Maintenance, Traffic Service, Bridge Maintenance and Administration and Planning programs.

HIGHWAY FUND	2005-06	2006-07
Personal Services	(\$946,726)	(\$988,176)
HIGHWAY FUND TOTAL	(\$946,726)	(\$988,176)

Administration and Planning 0339

Initiative: Transfers one Information System Support Specialist II position from the Administration and Planning program to the Highway Maintenance program. The position allocation also affects the Highway and Bridge Improvement, Transportation Services, Railroad Assistance and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2005-06	2006-07
POSITIONS -		
LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$59,472)	(\$63,649)
HIGHWAY FUND TOTAL	(\$59,472)	(\$63,649)

**TRANSPORTATION,
DEPARTMENT OF
DEPARTMENT TOTALS**

	2005-06	2006-07
HIGHWAY FUND	(\$512,264)	(\$530,008)
DEPARTMENT TOTAL - ALL FUNDS	(\$512,264)	(\$530,008)

PART B

Sec. B-1. Supplemental allocations. There are allocated from the Highway Fund for the fiscal years ending June 30, 2006 and June 30, 2007, to the departments listed, the following sums, in order to provide funding for approved reclassifications and range changes.

**ADMINISTRATIVE AND FINANCIAL SERVICES,
DEPARTMENT OF**

Buildings and Grounds Operations 0080

HIGHWAY FUND	2005-06	2006-07
Personal Services	\$2,101	\$2,129
All Other	(\$2,101)	(\$2,129)
HIGHWAY FUND TOTAL	\$0	\$0

PUBLIC SAFETY, DEPARTMENT OF

Administration - Public Safety 0088

HIGHWAY FUND	2005-06	2006-07
Personal Services	\$4,138	\$4,203
All Other	(\$4,138)	(\$4,203)
HIGHWAY FUND TOTAL	\$0	\$0

State Police 0291

HIGHWAY FUND	2005-06	2006-07
Personal Services	\$69,914	\$74,539
All Other	(\$69,914)	(\$74,539)
HIGHWAY FUND TOTAL	\$0	\$0

SECRETARY OF STATE, DEPARTMENT OF

Administration - Motor Vehicles 0077

HIGHWAY FUND	2005-06	2006-07
Personal Services	\$11,937	\$12,762
All Other	(\$11,937)	(\$12,762)
HIGHWAY FUND TOTAL	\$0	\$0

TRANSPORTATION, DEPARTMENT OF

Highway Maintenance 0330

HIGHWAY FUND	2005-06	2006-07
Personal Services	\$6,956	\$8,082
All Other	(\$6,956)	(\$8,082)
HIGHWAY FUND TOTAL	\$0	\$0

Administrative and Planning 0339

HIGHWAY FUND	2005-06	2006-07
Personal Services	\$72,284	\$83,334
All Other	(\$72,284)	(\$83,334)
HIGHWAY FUND TOTAL	\$0	\$0

Highway and Bridge Improvement 0406

HIGHWAY FUND	2005-06	2006-07
Personal Services	\$26,366	\$23,255
All Other	(\$26,366)	(\$23,255)
HIGHWAY FUND TOTAL	\$0	\$0

PART C

Sec. C-1. 23 MRSA §1710, as enacted by PL 1995, c. 498, Pt. B, §1 and affected by §3, is repealed.

Sec. C-2. Eliminate program and transfer balance. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, at the close of fiscal year 2004-05, the State Controller shall transfer all remaining Highway Fund balances in the Collector Road Program to the Highway and Bridge Improvement program within the Department of Transportation.

Sec. C-3. Eliminate programs and transfer balances. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, at the close of fiscal year 2004-05, the State Controller shall transfer all remaining Highway Fund balances in the Traffic Services program and in the Bridge Maintenance program to the Highway Maintenance program within the Department of Transportation.

Sec. C-4. Program name change. Notwithstanding any other provision of law, the Motor Transport Services program within the Department of Transportation is renamed Fleet Services.

Sec. C-5. Program name change. Notwithstanding any other provision of law, the Highway Maintenance program within the Department of Transportation is renamed Maintenance and Operations.

Sec. C-6. Program name change. Notwithstanding any other provision of law, the Administration and Planning program within the Department of Transportation is renamed Administration.

Sec. C-7. Program name change. Notwithstanding any other provision of law, the Transportation Services program within the Department of Transportation is renamed Public Transportation.

PART D

Sec. D-1. 2 MRSA §6, sub-§2, as amended by PL 2003, c. 689, Pt. C, §3, is further amended to read:

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

Superintendent of Financial Institutions;

State Tax Assessor;

Superintendent of Insurance;

Executive Director of the Maine Consumer Choice Health Plan;

Associate Commissioner for Programs, Department of Behavioral and Developmental Services;

Associate Commissioner of Administration, Department of Behavioral and Developmental Services;

Associate Commissioner for Systems Operations, Department of Behavioral and Developmental Services;

Deputy Commissioner, Department of Administrative and Financial Services;

Associate Commissioner for Adult Services, Department of Corrections;

Associate Commissioner for Juvenile Services, Department of Corrections;

Public Advocate;

Director, Bureau of Medical Services, Department of Human Services;

Chief Information Officer; ~~and~~

Associate Commissioner for Legislative and Program Services, Department of Corrections; ~~and~~

Chief of the State Police.

Sec. D-2. 2 MRSA §6, sub-§3, as amended by PL 2005, c. 12, Pt. SS, §2, is further amended to read:

3. Range 89. The salaries of the following state officials and employees are within salary range 89:

Director, Bureau of General Services;

Director, Bureau of Alcoholic Beverages and Lottery Operations;

State Budget Officer;

State Controller;

Director of the Bureau of Forestry;

~~Chief of the State Police;~~

Director, State Planning Office;

Director, Energy Resources Office;

Director of Human Resources;

Director, Bureau of Children with Special Needs;

Commissioner of Defense, Veterans and Emergency Management;

Director, Bureau of Parks and Lands; and

Director of Econometric Research.

Sec. D-3. 2 MRSA §6, sub-§4, as amended by PL 2001, c. 182, §1, is further amended to read:

4. Range 88. The salaries of the following state officials and employees are within salary range 88:

Director, Bureau of Employee Relations;

Director, Bureau of Air Quality;

Director, Bureau of Land and Water Quality;

Director, Bureau of Remediation and Waste Management;

Deputy Commissioner, Environmental Protection;

Director, Office of Consumer Credit Regulation;

Director, Office of Licensing and Registration;
~~and~~
 Administrator, Office of Securities; and
Deputy Chief of the State Police.

Sec. D-4. 2 MRSA §6, sub-§5, as amended by PL 1999, c. 556, §2, is further amended to read:

5. Range 86. The salaries of the following state officials and employees are within salary range 86:

- Director of Labor Standards;
- ~~Deputy Chief of the State Police;~~
- State Archivist;
- Director, Bureau of Geology and Natural Areas;
- Executive Director, Maine Land Use Regulation Commission;
- Chair, Maine Unemployment Insurance Commission;
- Child Welfare Services Ombudsman; and
- Director of the Maine Drug Enforcement Agency.

PART E

Sec. E-1. Appropriations and allocations.

The following appropriations and allocations are made.

TRANSPORTATION, DEPARTMENT OF

Administration and Planning 0339

Initiative: Eliminates 2 Account Clerk I positions, one Accountant II position, one Business Manager I position, one Personnel and Payroll Technician position and one Data Control Clerk position and establishes 2 Financial Analyst positions, one System Analyst position and one Director of Special Projects position as a result of the MaineDOT Finance and Administration Unit Review.

HIGHWAY FUND	2005-06	2006-07
POSITIONS -		
LEGISLATIVE COUNT	(2,000)	(2,000)
Personal Services	\$5,485	\$7,882
HIGHWAY FUND TOTAL	\$5,485	\$7,882

Highway Maintenance 0330

Initiative: Eliminates one Civil Engineer II position as a result of the MaineDOT Finance and Administration Unit Review.

HIGHWAY FUND	2005-06	2006-07
POSITIONS -		
LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$75,519)	(\$80,194)

HIGHWAY FUND TOTAL	(\$75,519)	(\$80,194)
TRANSPORTATION, DEPARTMENT OF		
DEPARTMENT TOTALS	2005-06	2006-07
HIGHWAY FUND	(\$70,034)	(\$72,312)
DEPARTMENT TOTAL -	(\$70,034)	(\$72,312)
ALL FUNDS		

PART F

Sec. F-1. Transfer of Highway Fund unallocated balance to capital program needs of the Department of Transportation.

Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, at the close of fiscal year 2004-05, the State Controller shall transfer amounts exceeding \$1,000,000 from the unallocated balance in the Highway Fund after the deduction of all allocations, financial commitments, other designated funds or any other transfer authorized by statute and the fiscal year 2004-05 unallocated balance dedicated to the fiscal years 2005-06 and 2006-07 budgets to the Department of Transportation for capital needs in the Highway and Bridge Improvement and Maintenance and Operations programs. The Commissioner of Transportation is authorized to allot these funds by financial order upon the recommendation of the State Budget Officer and the approval of the Governor. Within 30 days of approval of the financial order, the Commissioner of Transportation shall provide to the members of the Joint Standing Committee on Transportation a report detailing the financial status of the department's capital program.

PART G

Sec. G-1. 23 MRSA §1855, first ¶, as enacted by PL 1997, c. 395, Pt. I, §1, is amended to read:

The Commissioner of Transportation shall use the state infrastructure bank to make loans to counties and municipalities, state agencies and quasi-state government agencies and public and private utility districts eligible for the financial assistance program for utilities under section 256 upon such terms as the commissioner shall determine, including secured and unsecured loans, and in connection with the secured and unsecured loans, to enter into loan agreements, subordination agreements and other agreements; accept notes and other forms of obligation to evidence the indebtedness, and mortgages, liens, pledges, assignments or other security interest to secure the indebtedness, which may be prior or subordinate to or on a parity with other indebtedness, obligations, mortgages, pledges, assignments, other security interests or liens or encumbrances, and take such actions as are appropriate to protect the security and safeguard against losses, including foreclosure and the

bidding upon and purchase of property upon foreclosure or other sale. Repayments of a federal share loan may be obligated by the commissioner for any transportation purpose, including the reloaning of such repaid funds for other projects. Reloaned funds are considered state loans, not federal share loans.

PART H

Sec. H-1. Radio network debt service. Debt service for the replacement radio system to support the operations of the statewide radio and network system for fiscal year 2007-08 only will be calculated at a ratio of 74.8% for the General Fund and 25.2% for the Highway Fund.

PART I

Sec. I-1. Nonlapsing funds; Administration - Motor Vehicle; computer system. Any balance not to exceed \$1,100,000 remaining in the Administration - Motor Vehicle program, Bureau of Motor Vehicles within the Department of the Secretary of State may not lapse at the end of fiscal year 2004-05 but must be carried forward into fiscal year 2005-06 for the purpose of development of the bureau's computer system and to improve the efficiency and effectiveness of the bureau's processes and programs.

Sec. I-2. Transfer from Personal Services to All Other; Bureau of Motor Vehicles. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provisions of law, available Personal Services salary savings balances in fiscal year 2004-05 in the Administration - Motor Vehicle program, Bureau of Motor Vehicles within the Department of the Secretary of State may be transferred to All Other by financial order upon recommendation of the State Budget Officer and approval of the Governor.

PART J

Sec. J-1. Appropriations and allocations. The following appropriations and allocations are made.

TRANSPORTATION, DEPARTMENT OF

Highway Maintenance 0330

Initiative: Provides for the October 1, 2005 implementation of the MaineDOT crew reclassification.

HIGHWAY FUND	2005-06	2006-07
Personal Services	\$225,475	\$401,730
All Other	(\$225,475)	(\$401,730)
HIGHWAY FUND TOTAL	\$0	\$0

PART K

Sec. K-1. Light rail commuter corridor requirement; City of Portland. The City of Portland is required to designate a light rail commuter corridor that may accommodate narrow gauge rail as an alternative route to that portion of the Union Branch corridor that the city intends to use for economic development. The alternative route must meet all applicable federal and state requirements and receive the approval of appropriate federal and state agencies. The alignment may not conflict with the proposed Portland North Passenger rail service extension.

PART L

Sec. L-1. Appropriations and allocations. The following appropriations and allocations are made.

PUBLIC SAFETY, DEPARTMENT OF

State Police 0291

Initiative: Deallocates funds for one vacant Emergency Communication Specialist position.

HIGHWAY FUND	2005-06	2006-07
Personal Services	(\$37,957)	(\$40,743)
HIGHWAY FUND TOTAL	(\$37,957)	(\$40,743)

Traffic Safety - Commercial Vehicle Enforcement 0715

Initiative: Deallocates funds no longer needed for overtime purposes.

HIGHWAY FUND	2005-06	2006-07
Personal Services	(\$31,660)	(\$31,660)
HIGHWAY FUND TOTAL	(\$31,660)	(\$31,660)

Traffic Safety - Commercial Vehicle Enforcement 0715

Initiative: Deallocates funds for 2 vacant Motor Carrier Inspector positions.

HIGHWAY FUND	2005-06	2006-07
POSITIONS - LEGISLATIVE COUNT	(2,000)	(2,000)
Personal Services	(\$125,198)	(\$134,282)
HIGHWAY FUND TOTAL	(\$125,198)	(\$134,282)

PUBLIC SAFETY, DEPARTMENT OF

DEPARTMENT TOTALS	2005-06	2006-07
HIGHWAY FUND	(\$194,815)	(\$206,685)
DEPARTMENT TOTAL - ALL FUNDS	(\$194,815)	(\$206,685)

PART M

Sec. M-1. Appropriations and allocations.

The following appropriations and allocations are made.

**ADMINISTRATIVE AND FINANCIAL SERVICES,
DEPARTMENT OF**

Buildings and Grounds Operations 0080

Initiative: Reduces funding for grounds maintenance as a result of Public Law 2003, chapter 673, Part SS, which transferred management and operation of the transportation headquarters building property to MaineDOT.

HIGHWAY FUND	2005-06	2006-07
All Other	(\$50,000)	(\$50,000)
HIGHWAY FUND TOTAL	(\$50,000)	(\$50,000)

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

HIGHWAY FUND	2005-06	2006-07
	(\$50,000)	(\$50,000)
DEPARTMENT TOTAL - ALL FUNDS	(\$50,000)	(\$50,000)

TRANSPORTATION, DEPARTMENT OF

Administration 0339

Initiative: Increases the funding for grounds maintenance as a result of Public Law 2003, chapter 673, Part SS, which transferred management and operation of the transportation headquarters building property to MaineDOT.

HIGHWAY FUND	2005-06	2006-07
All Other	\$50,000	\$50,000
HIGHWAY FUND TOTAL	\$50,000	\$50,000

**TRANSPORTATION,
DEPARTMENT OF
DEPARTMENT TOTALS**

HIGHWAY FUND	2005-06	2006-07
	\$50,000	\$50,000
DEPARTMENT TOTAL - ALL FUNDS	\$50,000	\$50,000

SECTION TOTALS	2005-06	2006-07
HIGHWAY FUND	\$0	\$0
SECTION TOTAL - ALL FUNDS	\$0	\$0

PART N

Sec. N-1. 29-A MRSA §456-C, first ¶, as enacted by PL 2005, c. 12, Pt. III, §44, is amended to read:

~~Beginning November 1, 2006 and notwithstanding section 468, subsection 2, the~~ The Secretary of

State shall issue sportsman registration plates pursuant to section 468.

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

Effective June 17, 2005.

CHAPTER 406

H.P. 1151 - L.D. 1633

**An Act To Prohibit the Disposal of
Dangerous and Unsafe Material in
Solid Waste Facilities**

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

Whereas, this legislation prohibits the deliberate improper disposal of dangerous or unsafe materials in solid waste facilities; and

Whereas, it is critical to enact this legislation immediately in order to prevent injury resulting from such improper disposal; and

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

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

Sec. 1. 38 MRSA c. 13, sub-c. 2-C is enacted to read:

SUBCHAPTER 2-C

**DANGEROUS OR UNSAFE MATERIAL
CONTROL**

§1316-O. Definitions

As used in this subchapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Dangerous or unsafe material. "Dangerous or unsafe material" means any substance or material that is capable of or likely to cause injury, including, but not limited to:

A. Pressure tanks such as propane tanks;

B. Flammable liquids or solids; and