

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-THIRD LEGISLATURE

SECOND REGULAR SESSION
January 2, 2008 to March 31, 2008

FIRST SPECIAL SESSION
April 1, 2008 to April 18, 2008

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JUNE 30, 2008

THE GENERAL EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
NON-EMERGENCY LAWS IS
JULY 18, 2008

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

Penmor Lithographers
Lewiston, Maine
2008

from the Highway Fund pursuant to the Constitution of Maine, Article IX, Section 19. This paragraph applies to the preparation of the budget for the 2010-2011 biennium and thereafter.

Sec. 2. 25 MRSA §1509, as enacted by PL 2005, c. 664, Pt. R, §1, is repealed.

Sec. 3. Report. The Department of Public Safety, Bureau of State Police shall report no later than January 30, 2009 to the joint standing committee of the Legislature having jurisdiction over transportation matters the activity data collected by the bureau during calendar year 2008 under the tracking and reporting system it has established to track state police officers' work activity.

See title page for effective date.

CHAPTER 538

H.P. 1566 - L.D. 2196

An Act To Make Supplemental Allocations for the Expenditures of State Government, Highway Fund and Other Funds, and To Change Certain Provisions of State Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2008 and June 30, 2009

Emergency preamble. Whereas, acts and resolves 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. Supplemental allocations. There are allocated from various funds for the fiscal years

ending June 30, 2008 and June 30, 2009, to the departments listed, the following sums.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Buildings and Grounds Operations 0080

Initiative: Reduces the headcount in the Highway Fund for 2 positions that were transferred from the Bureau of General Services, Buildings and Grounds Operations account in the Highway Fund to the same program account in the General Fund in Public Law 2007, chapter 329, Part A. The headcount was correctly adjusted in the General Fund but not the Highway Fund for these 2 positions.

HIGHWAY FUND	2007-08	2008-09
POSITIONS -	(2.000)	(2.000)
LEGISLATIVE COUNT		
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HIGHWAY FUND TOTAL	\$0	\$0

Buildings and Grounds Operations 0080

Initiative: Provides funding for a projected 60% rate increase in electrical charges paid by the Bureau of General Services for state-owned facilities.

HIGHWAY FUND	2007-08	2008-09
All Other	\$391,000	\$391,000
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HIGHWAY FUND TOTAL	\$391,000	\$391,000

Buildings and Grounds Operations 0080

Initiative: Provides funding for fuel expenditures for state-owned buildings based on new fuel rates and fuel usage in fiscal year 2006-07.

HIGHWAY FUND	2007-08	2008-09
All Other	\$45,000	\$22,506
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HIGHWAY FUND TOTAL	\$45,000	\$22,506

Departments and Agencies - Statewide 0016

Initiative: Provides funding to offset the deallocation made in Public Law 2007, chapter 329, Part C, section 2 to the statewide account for health insurance. The savings in health insurance will not be achieved through a rate reduction but through a transfer from the Accident, Sickness and Health Insurance Internal Service Fund to the unallocated surplus of the Highway Fund.

HIGHWAY FUND	2007-08	2008-09
Personal Services	\$219,827	\$219,827
HIGHWAY FUND TOTAL	\$219,827	\$219,827

Salary Plan 0305

Initiative: Provides funding to correct the deallocation in the Highway Fund Salary Plan program that was made in error in Public Law 2007, chapter 452. The intent of the legislation was to allocate funds to cover the additional costs of health insurance to the State resulting from the requirement to provide coverage for hearing aids for persons 18 years of age and under. This request is offset by the lapsing of \$6,000 from the Highway Fund Salary Plan program, as reflected in Part F of this Act.

HIGHWAY FUND	2007-08	2008-09
Personal Services	\$0	\$6,000
HIGHWAY FUND TOTAL	\$0	\$6,000

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

DEPARTMENT TOTALS	2007-08	2008-09
HIGHWAY FUND	\$655,827	\$639,333
DEPARTMENT TOTAL - ALL FUNDS	\$655,827	\$639,333

MUNICIPAL BOND BANK, MAINE

Transcap Trust Fund Z064

Initiative: Defers the effective date to July 1, 2009 of depositing monthly into the TransCap Trust Fund 7.5% of the excise tax. This deposit is stipulated in Public Law 2007, chapter 470.

OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
All Other	\$0	(\$10,416,878)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	(\$10,416,878)

MUNICIPAL BOND BANK, MAINE

DEPARTMENT TOTALS	2007-08	2008-09
OTHER SPECIAL REVENUE FUNDS	\$0	(\$10,416,878)

DEPARTMENT TOTAL - ALL FUNDS	\$0	(\$10,416,878)
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PUBLIC SAFETY, DEPARTMENT OF Administration - Public Safety 0088

Initiative: Eliminates one Secretary Associate position in the Administration - Public Safety program, Highway Fund and transfers one Office Associate II position from the Gambling Control Board program to the Administration - Public Safety program and reallocates it from 100% General Fund to 50% General Fund and 50% Highway Fund to maintain costs within available resources.

HIGHWAY FUND	2007-08	2008-09
POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
Personal Services	\$0	(\$29,591)
HIGHWAY FUND TOTAL	\$0	(\$29,591)

State Police 0291

Initiative: Reduces funding by eliminating unnecessary or redundant communications devices. This initiative relates to the curtailments ordered in Financial Order 003806 F8.

HIGHWAY FUND	2007-08	2008-09
All Other	(\$30,770)	(\$61,540)
HIGHWAY FUND TOTAL	(\$30,770)	(\$61,540)

State Police 0291

Initiative: Eliminates one vacant Office Associate II position. This initiative relates to the curtailments ordered in Financial Order 003806 F8.

HIGHWAY FUND	2007-08	2008-09
Personal Services	(\$18,846)	(\$34,232)
HIGHWAY FUND TOTAL	(\$18,846)	(\$34,232)

State Police - Support 0981

Initiative: Provides funding to cover a shortfall in STA-CAP for fiscal year 2007-08 and fiscal year 2008-09.

HIGHWAY FUND	2007-08	2008-09
All Other	\$698	\$1,062
HIGHWAY FUND TOTAL	\$698	\$1,062

**PUBLIC SAFETY,
DEPARTMENT OF**

DEPARTMENT TOTALS	2007-08	2008-09
HIGHWAY FUND	(\$48,918)	(\$124,301)
DEPARTMENT TOTAL - ALL FUNDS	(\$48,918)	(\$124,301)

**SECRETARY OF STATE, DEPARTMENT OF
Administration - Motor Vehicles 0077**

Initiative: Provides funding for the reorganization of 12 Office Assistant II positions to 12 Customer Representative Associate II positions, one Office Associate II position to one Accounting Associate II position and one Supervisor Highway Permits position to one Customer Representative Associate II Supervisor position within the Motor Carrier Services section of the Bureau of Motor Vehicles.

HIGHWAY FUND	2007-08	2008-09
Personal Services	\$3,669	\$4,727
All Other	(\$3,669)	(\$4,727)
HIGHWAY FUND TOTAL	\$0	\$0

Administration - Motor Vehicles 0077

Initiative: Provides funding for the reorganization of 7 Accounting Assistant positions to 7 Office Associate I positions and 2 Accounting Associate I positions to 2 Office Associate II positions in the Accounting section and one Office Assistant II position to one Information Associate position in the Information Services section of the Bureau of Motor Vehicles.

HIGHWAY FUND	2007-08	2008-09
Personal Services	\$4,640	\$16,161
All Other	(\$4,640)	(\$16,161)
HIGHWAY FUND TOTAL	\$0	\$0

Administration - Motor Vehicles 0077

Initiative: Recognizes savings in debt service costs related to the loan on Modules 1-3 of the computer migration project.

HIGHWAY FUND	2007-08	2008-09
All Other	(\$364,867)	\$0
HIGHWAY FUND TOTAL	(\$364,867)	\$0

**SECRETARY OF STATE,
DEPARTMENT OF**

DEPARTMENT TOTALS	2007-08	2008-09
HIGHWAY FUND	(\$364,867)	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$364,867)	\$0

**TRANSPORTATION, DEPARTMENT OF
Administration 0339**

Initiative: Reduces funding to recognize savings associated with vacancies in the Transportation Service Center.

HIGHWAY FUND	2007-08	2008-09
All Other	(\$109,832)	(\$181,793)
HIGHWAY FUND TOTAL	(\$109,832)	(\$181,793)

Administration 0339

Initiative: Generates Personal Services savings by freezing vacant positions. The savings will be used to cover increased costs of consumables (fuel, salt, etc.) in the Maintenance and Operations account.

HIGHWAY FUND	2007-08	2008-09
Personal Services	(\$124,366)	(\$257,220)
HIGHWAY FUND TOTAL	(\$124,366)	(\$257,220)

Administration 0339

Initiative: Generates Personal Services savings by managing vacant positions. The savings will be used to cover increased costs of consumables (fuel, salt, etc.) in the Maintenance and Operations account.

HIGHWAY FUND	2007-08	2008-09
Personal Services	(\$561,023)	(\$280,512)
HIGHWAY FUND TOTAL	(\$561,023)	(\$280,512)

Administration 0339

Initiative: Generates All Other savings due to the reduced number of devices billed by the Office of Information Technology. The savings will be used to cover increased costs of consumables (fuel, salt, etc.) in the Maintenance and Operations account.

HIGHWAY FUND	2007-08	2008-09
All Other	(\$400,000)	(\$300,000)

HIGHWAY FUND TOTAL	(\$400,000)	(\$300,000)
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Administration 0339

Initiative: Reduces Capital Expenditures funding by delaying equipment purchases. The savings will be used to cover increased costs of consumables (fuel, salt, etc.) in the Maintenance and Operations account.

HIGHWAY FUND	2007-08	2008-09
Capital Expenditures	(\$160,000)	(\$160,000)
HIGHWAY FUND TOTAL	(\$160,000)	(\$160,000)

Bond Interest - Highway 0358

Initiative: Reduces funding for debt service savings in interest on bond anticipation notes.

HIGHWAY FUND	2007-08	2008-09
All Other	(\$500,000)	(\$300,000)
HIGHWAY FUND TOTAL	(\$500,000)	(\$300,000)

Callahan Mine Site Restoration Z007

Initiative: Provides funding for mitigation expenses of the Callahan Mine Site.

OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
All Other	\$400,000	\$350,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$400,000	\$350,000

Fleet Services 0347

Initiative: Provides funding for the increased cost of electricity.

FLEET SERVICES FUND - DOT	2007-08	2008-09
All Other	\$17,000	\$17,000
FLEET SERVICES FUND - DOT TOTAL	\$17,000	\$17,000

Fleet Services 0347

Initiative: Provides funding for the increased cost of diesel and gasoline fuel at an average of \$2.40 per gallon excluding taxes.

FLEET SERVICES FUND - DOT	2007-08	2008-09
All Other	\$2,472,500	\$1,862,500
FLEET SERVICES FUND - DOT TOTAL	\$2,472,500	\$1,862,500

Fleet Services 0347

Initiative: Reduces Personal Services funding by freezing vacant positions. The savings will be used to cover increased costs of consumables (fuel, salt, etc.) in the Maintenance and Operations account.

FLEET SERVICES FUND - DOT	2007-08	2008-09
Personal Services	(\$130,041)	(\$263,282)
FLEET SERVICES FUND - DOT TOTAL	(\$130,041)	(\$263,282)

Highway and Bridge Improvement 0406

Initiative: Provides funding to adjust allocations for positions in the Highway and Bridge Improvement program to allow the department to properly budget the reimbursement from the Federal Highway Administration for Personal Services.

HIGHWAY FUND	2007-08	2008-09
Personal Services	\$4,233,308	\$4,348,352
Capital Expenditures	(\$4,233,308)	(\$4,348,352)
HIGHWAY FUND TOTAL	\$0	\$0

FEDERAL EXPENDITURES FUND	2007-08	2008-09
Personal Services	(\$4,233,308)	(\$4,348,352)
Capital Expenditures	\$4,233,308	\$4,348,352
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0

Highway and Bridge Improvement 0406

Initiative: Adjusts funding for anticipated level of activities for infrastructure capital projects based on available resources.

HIGHWAY FUND	2007-08	2008-09
Capital Expenditures	(\$7,879,930)	(\$3,805,234)
HIGHWAY FUND TOTAL	(\$7,879,930)	(\$3,805,234)

Highway and Bridge Improvement 0406

Initiative: Defers the effective date to July 1, 2009 of depositing monthly into the TransCap Trust Fund 7.5% of the excise tax. This deposit is stipulated in Public Law 2007, chapter 470.

HIGHWAY FUND	2007-08	2008-09
Capital Expenditures	\$0	\$1,742,635
HIGHWAY FUND TOTAL	\$0	\$1,742,635

Highway and Bridge Improvement 0406

Initiative: Generates Personal Services savings by freezing vacant positions. The savings will be used to cover increased costs of consumables (fuel, salt, etc.) in the Maintenance and Operations account and to reduce the reduction to Capital Expenditures caused by reduced revenues.

HIGHWAY FUND	2007-08	2008-09
Personal Services	(\$391,962)	(\$800,788)
HIGHWAY FUND TOTAL	(\$391,962)	(\$800,788)

FEDERAL EXPENDITURES FUND	2007-08	2008-09
Personal Services	(\$320,697)	(\$655,191)
FEDERAL EXPENDITURES FUND TOTAL	(\$320,697)	(\$655,191)

Highway and Bridge Improvement 0406

Initiative: Generates Personal Services savings by managing vacant positions. The savings will be used to cover increased costs of consumables (fuel, salt, etc.) in the Maintenance and Operations account and to reduce the reduction to Capital Expenditures caused by reduced revenues.

HIGHWAY FUND	2007-08	2008-09
Personal Services	(\$431,769)	(\$444,722)
HIGHWAY FUND TOTAL	(\$431,769)	(\$444,722)

FEDERAL EXPENDITURES FUND	2007-08	2008-09
Personal Services	(\$353,266)	(\$363,863)
FEDERAL EXPENDITURES FUND TOTAL	(\$353,266)	(\$363,863)

Island Ferry Service 0326

Initiative: Provides funding for the increased cost of electricity.

ISLAND FERRY SERVICES FUND	2007-08	2008-09
All Other	\$13,000	\$13,000
ISLAND FERRY SERVICES FUND TOTAL	\$13,000	\$13,000

Island Ferry Service 0326

Initiative: Provides funding for the increased cost of diesel and gasoline fuel at an average of \$2.40 per gallon excluding taxes.

ISLAND FERRY SERVICES FUND	2007-08	2008-09
All Other	\$295,000	\$295,000
ISLAND FERRY SERVICES FUND TOTAL	\$295,000	\$295,000

Island Ferry Service 0326

Initiative: Eliminates 2 Ferry Service Terminal Agent positions and 3 Ferry Engineer positions.

ISLAND FERRY SERVICES FUND	2007-08	2008-09
POSITIONS - FTE COUNT	(1.177)	(1.177)
Personal Services	(\$58,046)	(\$60,864)
ISLAND FERRY SERVICES FUND TOTAL	(\$58,046)	(\$60,864)

Island Ferry Service 0326

Initiative: Provides funding for the approved fiscal years 2007-08 and 2008-09 collective bargaining cost of the Maine State Ferry Service.

ISLAND FERRY SERVICES FUND	2007-08	2008-09
Personal Services	\$58,368	\$154,313
ISLAND FERRY SERVICES FUND TOTAL	\$58,368	\$154,313

Maintenance and Operations 0330

Initiative: Provides funding for the increased cost of electricity.

HIGHWAY FUND	2007-08	2008-09
All Other	\$145,000	\$145,000
HIGHWAY FUND TOTAL	\$145,000	\$145,000

Maintenance and Operations 0330

Initiative: Provides funding for the increased cost of diesel and gasoline fuel at an average of \$2.40 per gallon excluding taxes.

HIGHWAY FUND	2007-08	2008-09
All Other	\$2,472,500	\$1,862,500
HIGHWAY FUND TOTAL	\$2,472,500	\$1,862,500

Maintenance and Operations 0330

Initiative: Provides funding to establish and maintain a rest area with bathroom facilities on U.S. Route 9 between the cities of Brewer and Calais.

HIGHWAY FUND	2007-08	2008-09
All Other	\$81,000	\$48,000
HIGHWAY FUND TOTAL	\$81,000	\$48,000

Maintenance and Operations 0330

Initiative: Eliminates funding in the Maintenance and Operations Lease Equipment account.

OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
All Other	\$0	(\$10,958)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	(\$10,958)

Maintenance and Operations 0330

Initiative: Provides funding for the increased cost of heating oil.

HIGHWAY FUND	2007-08	2008-09
All Other	\$146,250	\$191,250
HIGHWAY FUND TOTAL	\$146,250	\$191,250

Maintenance and Operations 0330

Initiative: Provides funding for the increased demand for salt.

HIGHWAY FUND	2007-08	2008-09
All Other	\$2,063,120	\$0

HIGHWAY FUND TOTAL	\$2,063,120	\$0
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Maintenance and Operations 0330

Initiative: Generates Personal Services savings by freezing vacant positions. The savings will be used to cover increased costs of consumables (fuel, salt, etc.) in the Maintenance and Operations account.

HIGHWAY FUND	2007-08	2008-09
Personal Services	(\$377,120)	(\$761,313)
HIGHWAY FUND TOTAL	(\$377,120)	(\$761,313)

Maintenance and Operations 0330

Initiative: Generates Personal Services savings by managing vacant positions. The savings will be used to cover increased costs of consumables (fuel, salt, etc.) in the Maintenance and Operations account.

HIGHWAY FUND	2007-08	2008-09
Personal Services	(\$574,300)	(\$1,258,685)
HIGHWAY FUND TOTAL	(\$574,300)	(\$1,258,685)

Maintenance and Operations 0330

Initiative: Reduces Capital Expenditures funding by delaying equipment purchases. The savings will be used to cover increased costs of consumables (fuel, salt, etc.) in the Maintenance and Operations account.

HIGHWAY FUND	2007-08	2008-09
Capital Expenditures	(\$400,000)	\$0
HIGHWAY FUND TOTAL	(\$400,000)	\$0

Marine Highway Transportation Z016

Initiative: Provides funding to increase the state support to 50% of the operating cost of the Maine State Ferry Service in accordance with Public Law 2005, chapter 664, Part C.

HIGHWAY FUND	2007-08	2008-09
All Other	\$182,794	\$244,472
HIGHWAY FUND TOTAL	\$182,794	\$244,472

Motor Carrier Safety Program Z066

Initiative: Provides funds for a new commercial vehicle information system and network system funded from the United States Department of Transportation, Federal Motor Carrier Safety Administration to house

interstate and intrastate motor carrier, vehicle, driver credential and safety status information.

FEDERAL EXPENDITURES FUND	2007-08	2008-09
All Other	\$654,000	\$1,000,000
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FEDERAL EXPENDITURES FUND TOTAL	\$654,000	\$1,000,000

Urban-Rural Initiative Program 0337

Initiative: Adjusts funding for the Urban-Rural Initiative Program at the correct proportioned rate per the Maine Revised Statutes, Title 23, section 1803-B. This includes the transit bonus payment program as authorized by Public Law 2001, chapter 681.

HIGHWAY FUND	2007-08	2008-09
All Other	\$0	(\$1,113,662)
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HIGHWAY FUND TOTAL	\$0	(\$1,113,662)

TRANSPORTATION, DEPARTMENT OF

DEPARTMENT TOTALS	2007-08	2008-09
HIGHWAY FUND	(\$6,819,638)	(\$5,430,072)
FEDERAL EXPENDITURES FUND	(\$19,963)	(\$19,054)
OTHER SPECIAL REVENUE FUNDS	\$400,000	\$339,042
FLEET SERVICES FUND - DOT	\$2,359,459	\$1,616,218
ISLAND FERRY SERVICES FUND	\$308,322	\$401,449
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DEPARTMENT TOTAL - ALL FUNDS	(\$3,771,820)	(\$3,092,417)

SECTION TOTALS	2007-08	2008-09
HIGHWAY FUND	(\$6,577,596)	(\$4,915,040)
FEDERAL EXPENDITURES FUND	(\$19,963)	(\$19,054)
OTHER SPECIAL REVENUE FUNDS	\$400,000	(\$10,077,836)
FLEET SERVICES FUND - DOT	\$2,359,459	\$1,616,218

ISLAND FERRY SERVICES FUND	\$308,322	\$401,449
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SECTION TOTAL - ALL FUNDS	(\$3,529,778)	(\$12,994,263)
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PART B

Sec. B-1. Allocations. There are allocated from the various funds for the fiscal years ending June 30, 2008 and June 30, 2009, 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

Initiative: RECLASSIFICATIONS

HIGHWAY FUND	2007-08	2008-09
Personal Services	\$6,653	\$6,331
All Other	(\$6,653)	(\$6,331)
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HIGHWAY FUND TOTAL	\$0	\$0

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

DEPARTMENT TOTALS	2007-08	2008-09
HIGHWAY FUND	\$0	\$0
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DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0

PUBLIC SAFETY, DEPARTMENT OF

Administration - Public Safety 0088

Initiative: RECLASSIFICATIONS

HIGHWAY FUND	2007-08	2008-09
Personal Services	\$7,951	\$8,024
All Other	(\$7,951)	(\$8,024)
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HIGHWAY FUND TOTAL	\$0	\$0

State Police 0291

Initiative: RECLASSIFICATIONS

HIGHWAY FUND	2007-08	2008-09
Personal Services	\$6,404	\$4,560
All Other	(\$6,404)	(\$4,560)

HIGHWAY FUND TOTAL	\$0	\$0
PUBLIC SAFETY, DEPARTMENT OF		
DEPARTMENT TOTALS	2007-08	2008-09
HIGHWAY FUND	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0

**SECRETARY OF STATE, DEPARTMENT OF
Administration - Motor Vehicles 0077**

Initiative: RECLASSIFICATIONS

HIGHWAY FUND	2007-08	2008-09
Personal Services	\$15,703	\$74,938
All Other	(\$15,703)	(\$74,938)
HIGHWAY FUND TOTAL	\$0	\$0

**SECRETARY OF STATE,
DEPARTMENT OF**

DEPARTMENT TOTALS	2007-08	2008-09
HIGHWAY FUND	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0

**TRANSPORTATION, DEPARTMENT OF
Administration 0339**

Initiative: RECLASSIFICATIONS

HIGHWAY FUND	2007-08	2008-09
Personal Services	\$15,251	\$16,071
All Other	(\$15,251)	(\$16,071)
HIGHWAY FUND TOTAL	\$0	\$0

Fleet Services 0347

Initiative: RECLASSIFICATIONS

FLEET SERVICES FUND - DOT	2007-08	2008-09
Personal Services	\$29,880	\$30,251
All Other	(\$25,312)	(\$25,639)

FLEET SERVICES FUND - DOT TOTAL	\$4,568	\$4,612
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Highway and Bridge Improvement 0406

Initiative: RECLASSIFICATIONS

HIGHWAY FUND	2007-08	2008-09
Personal Services	\$49,883	\$56,039
All Other	(\$49,883)	(\$56,039)
HIGHWAY FUND TOTAL	\$0	\$0

FEDERAL EXPENDITURES FUND	2007-08	2008-09
Personal Services	\$40,812	\$45,840
All Other	(\$40,812)	(\$45,840)
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0

Island Ferry Service 0326

Initiative: RECLASSIFICATIONS

ISLAND FERRY SERVICES FUND	2007-08	2008-09
Personal Services	\$57,266	\$87,494
ISLAND FERRY SERVICES FUND TOTAL	\$57,266	\$87,494

Maintenance and Operations 0330

Initiative: RECLASSIFICATIONS

HIGHWAY FUND	2007-08	2008-09
Personal Services	\$242,530	\$256,467
All Other	(\$242,530)	(\$256,467)
HIGHWAY FUND TOTAL	\$0	\$0

FEDERAL EXPENDITURES FUND	2007-08	2008-09
Personal Services	\$19,189	\$19,737
All Other	(\$19,189)	(\$19,737)
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0

Suspense Receivable - Transportation 0344

Initiative: RECLASSIFICATIONS

OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
Personal Services	\$2,606	\$2,717
All Other	(\$2,606)	(\$2,717)
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

TRANSPORTATION, DEPARTMENT OF

DEPARTMENT TOTALS	2007-08	2008-09
HIGHWAY FUND	\$0	\$0
FEDERAL EXPENDITURES FUND	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$0	\$0
FLEET SERVICES FUND - DOT	\$4,568	\$4,612
ISLAND FERRY SERVICES FUND	\$57,266	\$87,494
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DEPARTMENT TOTAL - ALL FUNDS	\$61,834	\$92,106

SECTION TOTALS	2007-08	2008-09
HIGHWAY FUND	\$0	\$0
FEDERAL EXPENDITURES FUND	\$0	\$0
OTHER SPECIAL REVENUE FUNDS	\$0	\$0
FLEET SERVICES FUND - DOT	\$4,568	\$4,612
ISLAND FERRY SERVICES FUND	\$57,266	\$87,494
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SECTION TOTAL - ALL FUNDS	\$61,834	\$92,106

PART C

Sec. C-1. Transfer of funds from Accident, Sickness and Health Insurance Internal Service Fund. Notwithstanding any other provision of law, the State Controller shall transfer \$219,827 by June 30, 2008 and \$448,707 by June 30, 2009 from the

Accident, Sickness and Health Insurance Internal Service Fund in the Department of Administrative and Financial Services to the unallocated surplus of the Highway Fund. The fund transfer recognizes health insurance savings achieved through changes to be adopted by the State Employee Health Commission.

Sec. C-2. Transfer of excess equity reserve balance from Accident, Sickness and Health Insurance Internal Service Fund. Notwithstanding any other provision of law, the State Controller shall transfer \$2,329,928, representing the Highway Fund share of excess equity reserve, by June 30, 2008 from the Accident, Sickness and Health Insurance Internal Service Fund in the Department of Administrative and Financial Services to the unallocated surplus of the Highway Fund.

Sec. C-3. Transfer of excess equity reserve balance from Retiree Health Insurance Internal Service Fund. Notwithstanding any other provision of law, the State Controller shall transfer \$3,129,941 representing the Highway Fund share of excess equity reserve by June 30, 2008, from the Retiree Health Insurance Internal Service Fund in the Department of Administrative and Financial Services to the unallocated surplus of the Highway Fund.

Sec. C-4. Transfer of funds from Retiree Health Insurance Internal Service Fund. Notwithstanding any other provision of law, the State Controller shall transfer \$62,962 by June 30, 2009 from the Retiree Health Insurance Internal Service Fund in the Department of Administrative and Financial Services to the unallocated surplus of the Highway Fund. The fund transfer recognizes retiree health insurance savings achieved through changes to be adopted by the State Employee Health Commission.

PART D

Sec. D-1. Allocations. The following allocations are made.

PUBLIC SAFETY, DEPARTMENT OF State Police 0291

Initiative: Reduces funding by pooling aircraft resources and coordinating dual missions, allowing a reduction to contracts with outside vendors for fire detection and savings on maintenance and fuel costs to streamline State Government in accordance with Public Law 2007, chapter 240, Part QQQ.

HIGHWAY FUND	2007-08	2008-09
All Other	\$0	(\$4,621)
	<hr/>	<hr/>
HIGHWAY FUND TOTAL	\$0	(\$4,621)

PART E

Sec. E-1. Calculation and transfer; Highway Fund insurance savings. Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of projected savings in section 2 of this Part that applies against each Highway Fund account for all departments and agencies from savings in the cost of property insurance and vehicle liability 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 2007-08 and 2008-09.

Sec. E-2. Allocations. The following allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Departments and Agencies - Statewide 0016

Initiative: Reduces funding to reflect savings to the State for the cost of property insurance and vehicle liability insurance through negotiated plan savings and adjustments in coverage as part of the initiative to streamline State Government in accordance with Public Law 2007, chapter 240, Part QQQ.

HIGHWAY FUND	2007-08	2008-09
All Other	(\$21,709)	(\$21,709)
	_____	_____
HIGHWAY FUND TOTAL	(\$21,709)	(\$21,709)

PART F

Sec. F-1. Calculation and transfer; Highway Fund central services savings. Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of projected savings in section 2 of this Part that applies against each Highway Fund account for all departments and agencies from savings in the cost of central services from the elimination of the audio-visual operations and shall transfer the amounts by financial order upon the approval of the Governor. These transfers are considered adjustments to allocations in fiscal year 2008-09.

Sec. F-2. Allocations. The following allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Departments and Agencies - Statewide 0016

Initiative: Reduces funding from a reduction in the rates for Central Services - Purchases program associated with the elimination of 2 Audio Visual Operation positions, which were subsidized by the Postal, Printing and Supply Fund. This is part of the initiative to streamline State Government in accordance with Public Law 2007, chapter 240, Part QQQ.

HIGHWAY FUND	2007-08	2008-09
All Other	\$0	(\$12,419)
	_____	_____
HIGHWAY FUND TOTAL	\$0	(\$12,419)

PART G

Sec. G-1. Calculation and transfer; Highway Fund telecommunications savings. Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of projected savings in section 2 of this Part that applies against each Highway Fund account for all departments and agencies from savings through the elimination of desktop telephones for those employees who have both a desktop telephone and a state-provided cellular telephone, who have a low volume of call minutes per month on their desk telephone and who have good cellular coverage in their offices. The State Budget Officer shall transfer the amounts by financial order upon the approval of the Governor. These transfers are considered adjustments to allocations in fiscal year 2008-09.

Sec. G-2. Allocations. The following allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Departments and Agencies - Statewide 0016

Initiative: Reduces funding through the elimination of desktop telephones for those employees who are currently assigned cellular telephones and do not need desktop telephones for their offices as part of the initiative to streamline State Government in accordance with Public Law 2007, chapter 240, Part QQQ.

HIGHWAY FUND	2007-08	2008-09
All Other	\$0	(\$8,280)
	_____	_____
HIGHWAY FUND TOTAL	\$0	(\$8,280)

PART H

Sec. H-1. Calculation and transfer; Highway Fund postal and printing savings. Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of projected savings in section 3 of this Part that applies against each Highway Fund account for all departments and agencies from savings associated with the elimination of a position and the reduction of All Other expenditures in the Printing, Postal and Supply Internal Services Fund through the consolidation of the printing and postal activities currently carried out in the Department of Labor and the Department of Administrative and Financial Services, Bureau of General Services and Office of Information Technology. The State

Budget Officer shall transfer the amounts by financial order upon the approval of the Governor. These transfers are considered adjustments to allocations in fiscal year 2008-09.

Sec. H-2. Position transfers; allocation adjustments; postal and printing consolidation. Notwithstanding any other provision of law, the Director of the Office of Information Technology within the Department of Administrative and Financial Services is authorized to transfer by financial order positions to achieve the consolidation of the postal and printing functions referenced in section 1 of this Part. The State Budget Officer shall transfer the amounts from savings that result from such position transfers by financial order upon the approval of the Governor. These transfers are considered adjustments to allocations in fiscal year 2008-09.

Sec. H-3. Allocations. The following allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Departments and Agencies - Statewide 0016

Initiative: Reduces funding through the consolidation of printing and postal activities as part of the initiative to streamline State Government in accordance with Public Law 2007, chapter 240, Part QQQ.

HIGHWAY FUND	2007-08	2008-09
All Other	\$0	(\$22,779)
HIGHWAY FUND TOTAL	\$0	(\$22,779)

PART I

Sec. I-1. Compensation and Benefit Plan; lapsed balances; Administrative and Financial Services; Highway Fund. Notwithstanding any other provision of law, \$6,000 of unencumbered balance forward in the Personal Services line category in the Compensation and Benefit Plan, Highway Fund account in the Department of Administrative and Financial Services lapses to the Highway Fund at the close of fiscal year 2008-09.

PART J

Sec. J-1. Rename Highway and Bridge Improvement program. Notwithstanding any other provision of law, the Highway and Bridge Improvement program within the Department of Transportation is renamed the Highway and Bridge Capital program.

Sec. J-2. Transfer balances. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, at the close of fiscal year 2007-08, the State Controller shall transfer all remaining Other Special Revenue Fund balances in the

Maintenance and Operations - Lease Equipment account to the STAR Transportation Fund account within the Department of Transportation.

PART K

Sec. K-1. 5 MRSA §1666, 2nd ¶, as amended by PL 2005, c. 601, §4, is further amended to read:

The Governor, when submitting the budget to the Legislature, shall submit the budget document and the General Fund and Highway Fund bills in a manner that identifies the gross amount of resources for each program. The gross unified budget bills and budget document encompass resources from the General Fund, Highway Fund, Federal Expenditures Fund, Federal Block Grant Fund, Other Special Revenue Funds, internal service funds and enterprise funds. Separate gross unified budget bills must be submitted for the General Fund and the Highway Fund. All funds except trust and agency funds, bond funds and costs of goods sold expenditures in internal service funds and enterprise funds are subject to legislative allocation. All programs with Highway Fund allocations and all internal service funds, enterprise funds and Other Special Revenue Funds accounts of the Department of Transportation and the TransCap Trust Fund in the Maine Municipal Bond Bank are subject to legislative allocations and are presented for informational purposes only in the budget document and General Fund budget bills unless a separate Highway Fund budget is not enacted.

PART L

Sec. L-1. 36 MRSA §2903, sub-§5, as enacted by PL 2007, c. 470, Pt. E, §1, is amended to read:

5. Deposit to trust fund. Beginning ~~January~~ July 1, 2009 the Treasurer of State shall deposit monthly into the TransCap Trust Fund established in Title 30-A, section 6006-G 7.5% of the excise tax after the distribution of taxes pursuant to section 2903-D imposed under subsection 1.

Sec. L-2. 36 MRSA §3203, sub-§4, as amended by PL 2007, c. 470, Pt. E, §2, is further amended to read:

4. Highway Fund. All taxes and fines collected under this chapter must be credited to the Highway Fund, except that beginning ~~January~~ July 1, 2009 the Treasurer of State shall deposit monthly into the TransCap Trust Fund established in Title 30-A, section 6006-G 7.5% of the excise tax imposed under subsection 1.

PART M

Sec. M-1. Funding of Urban-Rural Initiative Program. Notwithstanding the Maine Revised Statutes, Title 23, section 1803-B, subsection 1, paragraph D or any other provision of law, the decrease in

funding of the Urban-Rural Initiative Program due to the decrease in the Highway Fund allocation to the Department of Transportation for highway purposes for fiscal year 2007-08 must be implemented in fiscal year 2008-09.

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

Effective March 31, 2008.

CHAPTER 539

H.P. 1651 - L.D. 2289

An Act Making 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, 2008 and June 30, 2009

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

PART A

Sec. A-1. Appropriations and allocations.

The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Accident - Sickness - Health Insurance 0455

Initiative: Reduces funding for the State's contribution to premiums for the law enforcement and firefighters retiree health insurance to recognize savings from slightly lower than projected enrollments.

GENERAL FUND	2007-08	2008-09
All Other	\$0	(\$29,607)
GENERAL FUND TOTAL	\$0	(\$29,607)

Administration - Human Resources 0038

Initiative: Transfers one Public Service Manager II position, 2 Public Service Coordinator II positions, 3 Public Service Coordinator I positions and one Office Specialist II position and related All Other funding from the Office of Employee Relations to the Bureau of Human Resources as part of the merger approved in Public Law 2007, chapter 240, Part HH.

GENERAL FUND	2007-08	2008-09
POSITIONS - LEGISLATIVE COUNT	0.000	7.000
Personal Services	\$0	\$611,952
All Other	\$0	\$57,791
GENERAL FUND TOTAL	\$0	\$669,743

Administration - Human Resources 0038

Initiative: Transfers one Office Associate I position and one Office Associate II position from the Office of the State Controller to the Bureau of Human Resources in order to properly place these positions in the program where the duties of these 2 individuals are being performed.

GENERAL FUND	2007-08	2008-09
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$93,963	\$97,237
GENERAL FUND TOTAL	\$93,963	\$97,237

Administration - Human Resources 0038

Initiative: Reduces funding by recognizing one-time savings in Personal Services from the management of vacant positions in fiscal year 2007-08. This initiative relates to the curtailments ordered in Financial Order 003806 F8.

GENERAL FUND	2007-08	2008-09
Personal Services	(\$13,487)	\$0
GENERAL FUND TOTAL	(\$13,487)	\$0

Budget - Bureau of the 0055

Initiative: Reduces funding for Personal Services and information technology from the management of vacant positions in fiscal year 2007-08. This initiative relates to the curtailments ordered in Financial Order 003806 F8.

GENERAL FUND	2007-08	2008-09
Personal Services	(\$90,000)	\$0
All Other	(\$2,939)	(\$4,645)
GENERAL FUND TOTAL	(\$92,939)	(\$4,645)

Buildings and Grounds Operations 0080

Initiative: Reduces the headcount in the Real Property Lease Internal Service Fund. The headcount was in-