

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE

SECOND REGULAR SESSION
January 6, 2010 to April 12, 2010

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
JULY 12, 2010

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Augusta, Maine
2010

PUBLIC LAWS OF THE STATE OF MAINE
AS PASSED AT
THE SECOND REGULAR SESSION OF THE
ONE HUNDRED AND TWENTY-FOURTH LEGISLATURE
2009

CHAPTER 462
H.P. 1177 - L.D. 1668

**An Act To Implement the
Recommendations of the
Initiative To Streamline State
Government and To Make
Other Necessary Changes to
Law**

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

Whereas, Public Law 2009, chapter 213, Part QQQ directed the Joint Standing Committee on Appropriations and Financial Affairs to continue the effort of streamlining State Government begun in 2007 and achieve a targeted spending reduction of at least \$30,000,000 in the 2010-2011 biennium; and

Whereas, the committee is authorized to submit legislation to the Second Regular Session of the 124th Legislature to implement its recommendations; and

Whereas, it is necessary for this legislation to take effect sooner than the 90 days after adjournment of the Second Regular Session in order to achieve the recommended savings; 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. Appropriations and allocations.
The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Accident - Sickness - Health Insurance 0455

Initiative: Reduces the contribution from the General Fund to the Firefighters and Law Enforcement Officers Health Insurance Program Fund due to a lower participation rate in the program.

GENERAL FUND	2009-10	2010-11
All Other	(\$200,000)	(\$150,000)
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GENERAL FUND TOTAL	(\$200,000)	(\$150,000)

Departments and Agencies - Statewide 0016

Initiative: Adjusts funding in the Statewide - Streamline State Government account to recognize the distribution of savings associated with the initiative to streamline State Government as authorized in Public Law 2009, chapter 213, Part QQQ.

GENERAL FUND	2009-10	2010-11
Unallocated	\$0	\$30,000,000
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GENERAL FUND TOTAL	\$0	\$30,000,000

Financial and Personnel Services - Division of 0713

Initiative: Eliminates one vacant Inventory and Property Assistant position.

FINANCIAL AND PERSONNEL SERVICES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
Personal Services	\$0	(\$46,145)
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FINANCIAL AND PERSONNEL SERVICES FUND TOTAL	\$0	(\$46,145)

Revenue Services - Bureau of 0002

Initiative: Reduces funding for legal services paid to the Department of the Attorney General.

GENERAL FUND	2009-10	2010-11
All Other	\$0	(\$100,000)
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GENERAL FUND TOTAL	\$0	(\$100,000)

Revenue Services - Bureau of 0002

Initiative: Reduces funding for contracted services.

GENERAL FUND	2009-10	2010-11
All Other	(\$50,000)	(\$50,000)
GENERAL FUND TOTAL	(\$50,000)	(\$50,000)

Revenue Services - Bureau of 0002

Initiative: Reduces funding for printing costs.

GENERAL FUND	2009-10	2010-11
All Other	\$0	(\$140,000)
GENERAL FUND TOTAL	\$0	(\$140,000)

Statewide Radio Network System 0112

Initiative: Reduces funding for a portion of debt service payments as a result of a delay in the Statewide Radio and Network System project.

GENERAL FUND	2009-10	2010-11
All Other	\$0	(\$447,838)
GENERAL FUND TOTAL	\$0	(\$447,838)

Statewide Radio Network System 0112

Initiative: Reduces funding for debt service payments as a result of reduced estimated interest rates and making semiannual payments.

GENERAL FUND	2009-10	2010-11
All Other	\$0	(\$237,357)
GENERAL FUND TOTAL	\$0	(\$237,357)

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	(\$250,000)	\$28,874,805
FINANCIAL AND PERSONNEL SERVICES FUND	\$0	(\$46,145)
DEPARTMENT TOTAL - ALL FUNDS	(\$250,000)	\$28,828,660

AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF

Division of Animal Health and Industry 0394

Initiative: Reallocates the cost of one part-time Public Service Coordinator II position from 100% Division of Animal Health and Industry program, General Fund to 50% Division of Market and Production Development program, Other Special Revenue Funds and 50% Harness Racing Commission program, Other Special Revenue Funds.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	0.000	(0.500)
Personal Services	\$0	(\$52,210)
GENERAL FUND TOTAL	\$0	(\$52,210)

Division of Market and Production Development 0833

Initiative: Reallocates the cost of one part-time Public Service Coordinator II position from 100% Division of Animal Health and Industry program, General Fund to 50% Division of Market and Production Development program, Other Special Revenue Funds and 50% Harness Racing Commission program, Other Special Revenue Funds.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	0.000	0.500
Personal Services	\$0	\$26,105
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$26,105

Division of Market and Production Development 0833

Initiative: Eliminates one Public Service Manager II position and reduces funding for related All Other costs.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
Personal Services	\$0	(\$98,948)
All Other	\$0	(\$2,500)
GENERAL FUND TOTAL	\$0	(\$101,448)

Harness Racing Commission 0320

Initiative: Reallocates the cost of one part-time Public Service Coordinator II position from 100% Division of Animal Health and Industry program, General Fund to 50% Division of Market and Production Development program, Other Special Revenue Funds and 50% Har-

ness Racing Commission program, Other Special Revenue Funds.

	2009-10	2010-11
OTHER SPECIAL REVENUE FUNDS		
Personal Services	\$0	\$26,105
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$26,105

Office of the Commissioner 0401

Initiative: Reduces funding for charges made by the Department of Administrative and Financial Services, Division of Financial and Personnel Services as a result of the elimination of one Inventory and Property Assistant position in the Natural Resources Service Center.

	2009-10	2010-11
GENERAL FUND		
All Other	\$0	(\$5,467)
GENERAL FUND TOTAL	\$0	(\$5,467)

	2009-10	2010-11
OTHER SPECIAL REVENUE FUNDS		
All Other	\$0	(\$1,293)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	(\$1,293)

AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF DEPARTMENT TOTALS

	2009-10	2010-11
GENERAL FUND	\$0	(\$159,125)
OTHER SPECIAL REVENUE FUNDS	\$0	\$50,917
DEPARTMENT TOTAL - ALL FUNDS	\$0	(\$108,208)

ATTORNEY GENERAL, DEPARTMENT OF THE

Administration - Attorney General 0310

Initiative: Transfers one Research Assistant position and reallocates the cost from the General Fund to Other Special Revenue Funds within the same program.

	2009-10	2010-11
GENERAL FUND		

POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$123,206)	(\$130,023)
GENERAL FUND TOTAL	(\$123,206)	(\$130,023)

	2009-10	2010-11
OTHER SPECIAL REVENUE FUNDS		
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$123,206	\$130,023
OTHER SPECIAL REVENUE FUNDS TOTAL	\$123,206	\$130,023

Administration - Attorney General 0310

Initiative: Reallocates the cost of one Research Assistant position from 100% General Fund in the Administration - Attorney General program to 50% General Fund within the same program and 50% Other Special Revenue Funds in the Victims' Compensation Board program effective January 1, 2010.

	2009-10	2010-11
GENERAL FUND		
Personal Services	(\$20,817)	(\$43,975)
GENERAL FUND TOTAL	(\$20,817)	(\$43,975)

Administration - Attorney General 0310

Initiative: Reduces funding to recognize savings achieved by realigning responsibilities.

	2009-10	2010-11
GENERAL FUND		
Personal Services	(\$92,718)	(\$70,293)
GENERAL FUND TOTAL	(\$92,718)	(\$70,293)

Victims' Compensation Board 0711

Initiative: Reallocates the cost of one Research Assistant position from 100% General Fund in the Administration program to 50% General Fund within the same program and 50% Other Special Revenue Funds in the Victims' Compensation Board program effective January 1, 2010.

	2009-10	2010-11
OTHER SPECIAL REVENUE FUNDS		
Personal Services	\$20,817	\$43,975
OTHER SPECIAL REVENUE FUNDS TOTAL	\$20,817	\$43,975

ATTORNEY GENERAL, DEPARTMENT OF THE DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	(\$236,741)	(\$244,291)
OTHER SPECIAL REVENUE FUNDS	\$144,023	\$173,998
DEPARTMENT TOTAL - ALL FUNDS	(\$92,718)	(\$70,293)

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	(\$13,453)	(\$17,817)
FEDERAL EXPENDITURES FUND	\$13,453	\$14,118
OTHER SPECIAL REVENUE FUNDS	\$0	(\$7,104)
DEPARTMENT TOTAL - ALL FUNDS	\$0	(\$10,803)

**CONSERVATION, DEPARTMENT OF
Office of the Commissioner 0222**

Initiative: Reduces funding for charges made by the Department of Administrative and Financial Services, Division of Financial and Personnel Services as a result of the elimination of one Inventory and Property Assistant position in the Natural Resources Service Center.

GENERAL FUND	2009-10	2010-11
All Other	\$0	(\$3,699)
GENERAL FUND TOTAL	\$0	(\$3,699)
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$0	(\$7,104)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	(\$7,104)

Parks - General Operations 0221

Initiative: Reallocates 30% of the cost of one Office Assistant II position from the General Fund to the Federal Expenditures Fund within the same program.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$13,453)	(\$14,118)
GENERAL FUND TOTAL	(\$13,453)	(\$14,118)
FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$13,453	\$14,118
FEDERAL EXPENDITURES FUND TOTAL	\$13,453	\$14,118

**CONSERVATION,
DEPARTMENT OF**

**CORRECTIONS, DEPARTMENT OF
Adult Community Corrections 0124**

Initiative: Eliminates one Public Service Manager II position.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$52,771)	(\$109,208)
GENERAL FUND TOTAL	(\$52,771)	(\$109,208)

Adult Community Corrections 0124

Initiative: Reduces funding for facilities through regional office closure, renegotiated leases and colocation with juvenile probation offices.

GENERAL FUND	2009-10	2010-11
All Other	(\$4,341)	(\$23,660)
GENERAL FUND TOTAL	(\$4,341)	(\$23,660)

Juvenile Community Corrections 0892

Initiative: Reduces funding in facilities through regional office closure, renegotiated leases and colocation with adult probation offices.

GENERAL FUND	2009-10	2010-11
All Other	\$0	(\$12,532)
GENERAL FUND TOTAL	\$0	(\$12,532)

Juvenile Community Corrections 0892

Initiative: Transfers one Public Service Coordinator II position and reallocates the cost from 100% General Fund to 100% Other Special Revenue Funds within the same program.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$52,055)	(\$108,100)

GENERAL FUND TOTAL	(\$52,055)	(\$108,100)
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$52,055	\$108,100
OTHER SPECIAL REVENUE FUNDS TOTAL	\$52,055	\$108,100

Mountain View Youth Development Center 0857

Initiative: Reduces funding through decreased dependence on fossil fuel with the installation of a wood pellet fuel system.

GENERAL FUND	2009-10	2010-11
All Other	(\$2,030)	(\$24,358)
GENERAL FUND TOTAL	(\$2,030)	(\$24,358)

CORRECTIONS, DEPARTMENT OF DEPARTMENT TOTALS

GENERAL FUND	2009-10	2010-11
	(\$111,197)	(\$277,858)
OTHER SPECIAL REVENUE FUNDS	\$52,055	\$108,100
DEPARTMENT TOTAL - ALL FUNDS	(\$59,142)	(\$169,758)

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Business Development 0585

Initiative: Eliminates one Development Director position.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$101,459)	(\$107,586)
GENERAL FUND TOTAL	(\$101,459)	(\$107,586)

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	(\$101,459)	(\$107,586)
DEPARTMENT TOTAL - ALL FUNDS	(\$101,459)	(\$107,586)

EDUCATION, DEPARTMENT OF Adult Education 0364

Initiative: Reallocates the cost of 2 Education Specialist III positions to reflect the percentage of the distribution of job functions.

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	0.000	1.000
Personal Services	\$0	\$21,221
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$21,221

Federal and State Program Services Z079

Initiative: Transfers 50% of the cost of one Education Specialist III position from the Federal and State Program Services program, General Fund to the Adult Education program, Federal Expenditures Fund and transfers 25% of the costs of one Education Specialist III position from the Adult Education program, Federal Expenditures Fund to the Federal and State Program Services program, General Fund.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
Personal Services	\$0	(\$21,221)
GENERAL FUND TOTAL	\$0	(\$21,221)

PK-20 Curriculum, Instruction and Assessment Z081

Initiative: Reduces funding for support for regional representatives, statewide effort for travel, technology, general operating and support costs, telephones, supplies and the Maine Educational Assessment Advisory Committee.

GENERAL FUND	2009-10	2010-11
All Other	\$0	(\$43,000)
GENERAL FUND TOTAL	\$0	(\$43,000)

Special Services Team Z080

Initiative: Reduces funding for the coordinated school health program professional development and consultative assistance to local school personnel.

GENERAL FUND	2009-10	2010-11
All Other	\$0	(\$43,000)
GENERAL FUND TOTAL	\$0	(\$43,000)

Special Services Team Z080

Initiative: Reduces funding for the Interdepartmental Committee on Transition in the areas of professional development and assistance to schools, interdepartmental agencies and families in the transition of students with disabilities from school to postsecondary education, the work force and their communities.

GENERAL FUND	2009-10	2010-11
All Other	\$0	(\$200,000)
GENERAL FUND TOTAL	\$0	(\$200,000)

**EDUCATION,
DEPARTMENT OF**

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$0	(\$307,221)
FEDERAL EXPENDITURES FUND	\$0	\$21,221
DEPARTMENT TOTAL - ALL FUNDS	\$0	(\$286,000)

**ENVIRONMENTAL PROTECTION,
DEPARTMENT OF**

Administration - Environmental Protection 0251

Initiative: Reduces funding for charges made by the Department of Administrative and Financial Services, Division of Financial and Personnel Services as a result of the elimination of one Inventory and Property Assistant position in the Natural Resources Service Center.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$0	(\$11,095)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	(\$11,095)

**ENVIRONMENTAL PROTECTION,
DEPARTMENT OF**

DEPARTMENT TOTALS	2009-10	2010-11
OTHER SPECIAL REVENUE FUNDS	\$0	(\$11,095)
DEPARTMENT TOTAL - ALL FUNDS	\$0	(\$11,095)

**ETHICS AND ELECTION PRACTICES,
COMMISSION ON GOVERNMENTAL**

Governmental Ethics and Election Practices - Commission on 0414

Initiative: Reallocates the cost of one Registration and Reporting Officer position from 42% General Fund and 58% Other Special Revenue Funds to 34% General Fund and 66% Other Special Revenue Funds within the same program and reduces the All Other line category to fund the position costs in Other Special Revenue Funds.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$5,470)	(\$5,655)
GENERAL FUND TOTAL	(\$5,470)	(\$5,655)
OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$5,470	\$5,655
All Other	(\$5,470)	(\$5,655)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

**ETHICS AND ELECTION PRACTICES,
COMMISSION ON GOVERNMENTAL**

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	(\$5,470)	(\$5,655)
OTHER SPECIAL REVENUE FUNDS	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	(\$5,470)	(\$5,655)

**HEALTH AND HUMAN SERVICES,
DEPARTMENT OF (FORMERLY BDS)**

Driver Education and Evaluation Program - Substance Abuse 0700

Initiative: Reduces funding not required to support program costs.

GENERAL FUND	2009-10	2010-11
All Other	(\$945,000)	(\$555,000)
GENERAL FUND TOTAL	(\$945,000)	(\$555,000)

Mental Health Services - Children 0136

Initiative: Deappropriates funds based on a history of lapsed balances and fiscal year 2009-10 first quarter allotment reserves.

GENERAL FUND	2009-10	2010-11
All Other	(\$145,000)	(\$145,000)
GENERAL FUND TOTAL	(\$145,000)	(\$145,000)

Mental Health Services - Community 0121

Initiative: Deappropriates funds based on a history of lapsed balances and fiscal year 2009-10 first quarter allotment reserves.

GENERAL FUND	2009-10	2010-11
All Other	(\$145,000)	(\$145,000)
GENERAL FUND TOTAL	(\$145,000)	(\$145,000)

Mental Retardation Services - Community 0122

Initiative: Deappropriates funds based on a history of lapsed balances and fiscal year 2009-10 first quarter allotment reserves.

GENERAL FUND	2009-10	2010-11
All Other	(\$145,000)	(\$145,000)
GENERAL FUND TOTAL	(\$145,000)	(\$145,000)

Office of Substance Abuse 0679

Initiative: Deappropriates funds based on a history of lapsed balances and fiscal year 2009-10 first quarter allotment reserves.

GENERAL FUND	2009-10	2010-11
All Other	(\$10,000)	(\$10,000)
GENERAL FUND TOTAL	(\$10,000)	(\$10,000)

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY BDS)

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	(\$1,390,000)	(\$1,000,000)
DEPARTMENT TOTAL - ALL FUNDS	(\$1,390,000)	(\$1,000,000)

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)

FHM - Bureau of Health 0953

Initiative: Transfers one Public Service Manager II position from the Office of Management and Budget program to the FHM - Bureau of Health program.

FUND FOR A HEALTHY MAINE	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	0.000	1.000
Personal Services	\$0	\$110,092
FUND FOR A HEALTHY MAINE TOTAL	\$0	\$110,092

Office of Elder Services Central Office 0140

Initiative: Deappropriates funds based on a history of lapsed balances and fiscal year 2009-10 first quarter allotment reserves.

GENERAL FUND	2009-10	2010-11
All Other	(\$5,000)	(\$5,000)
GENERAL FUND TOTAL	(\$5,000)	(\$5,000)

Office of Management and Budget 0142

Initiative: Transfers one Public Service Manager II position from the Office of Management and Budget program to the FHM - Bureau of Health program.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	0.000	(1.000)
Personal Services	\$0	(\$110,092)
GENERAL FUND TOTAL	\$0	(\$110,092)

Purchased Social Services 0228

Initiative: Deappropriates funds based on a history of lapsed balances and fiscal year 2009-10 first quarter allotment reserves.

GENERAL FUND	2009-10	2010-11
All Other	(\$50,000)	(\$50,000)
GENERAL FUND TOTAL	(\$50,000)	(\$50,000)

State Supplement to Federal Supplemental Security Income 0131

Initiative: Reduces funding not required to support program costs.

GENERAL FUND	2009-10	2010-11
All Other	\$0	(\$500,000)
GENERAL FUND TOTAL	\$0	(\$500,000)

HEALTH AND HUMAN SERVICES, DEPARTMENT OF (FORMERLY DHS)

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	(\$55,000)	(\$665,092)
FUND FOR A HEALTHY MAINE	\$0	\$110,092
DEPARTMENT TOTAL - ALL FUNDS	(\$55,000)	(\$555,000)

HISTORIC PRESERVATION COMMISSION, MAINE

Historic Preservation Commission 0036

Initiative: Transfers operational expenditures for professional services by the State from the General Fund to the Federal Expenditures Fund.

GENERAL FUND	2009-10	2010-11
All Other	(\$11,750)	(\$12,040)
GENERAL FUND TOTAL	(\$11,750)	(\$12,040)

FEDERAL EXPENDITURES FUND	2009-10	2010-11
All Other	\$11,750	\$12,040
FEDERAL EXPENDITURES FUND TOTAL	\$11,750	\$12,040

HISTORIC PRESERVATION COMMISSION, MAINE

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	(\$11,750)	(\$12,040)
FEDERAL EXPENDITURES FUND	\$11,750	\$12,040
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF

Administrative Services - Inland Fisheries and Wildlife 0530

Initiative: Reduces funding for charges made by the Department of Administrative and Financial Services, Division of Financial and Personnel Services as a result of the elimination of one Inventory and Property Assistant position in the Natural Resources Service Center.

GENERAL FUND	2009-10	2010-11
All Other	\$0	(\$8,444)
GENERAL FUND TOTAL	\$0	(\$8,444)

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$0	(\$3,120)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	(\$3,120)

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	\$0	(\$8,444)
OTHER SPECIAL REVENUE FUNDS	\$0	(\$3,120)
DEPARTMENT TOTAL - ALL FUNDS	\$0	(\$11,564)

LABOR, DEPARTMENT OF Governor's Training Initiative Program 0842

Initiative: Reduces funding for the Governor's Training Initiative Program beginning in fiscal year 2009-10.

GENERAL FUND	2009-10	2010-11
All Other	(\$250,000)	(\$250,000)
GENERAL FUND TOTAL	(\$250,000)	(\$250,000)

LABOR, DEPARTMENT OF

DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	(\$250,000)	(\$250,000)
DEPARTMENT TOTAL - ALL FUNDS	(\$250,000)	(\$250,000)

MARINE RESOURCES, DEPARTMENT OF

Bureau of Resource Management 0027

Initiative: Reallocates the cost of one Marine Resource Scientist II position from 100% General Fund in the Bureau of Resource Management program to 50% General Fund in the Bureau of Resource Management program and 50% Other Special Revenue Funds in the Office of the Commissioner program.

GENERAL FUND	2009-10	2010-11
Personal Services	(\$43,444)	(\$44,110)
GENERAL FUND TOTAL	(\$43,444)	(\$44,110)

Marine Patrol - Bureau of 0029

Initiative: Transfers one Public Service Manager II position from the General Fund to Other Special Revenue Funds within the same program.

GENERAL FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$21,439)	(\$94,275)
GENERAL FUND TOTAL	(\$21,439)	(\$94,275)

OTHER SPECIAL REVENUE FUNDS

	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$21,439	\$94,275

OTHER SPECIAL REVENUE FUNDS TOTAL	\$21,439	\$94,275
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Marine Patrol - Bureau of 0029

Initiative: Reduces funding for the purchase of law books.

GENERAL FUND	2009-10	2010-11
All Other	(\$1,000)	(\$1,000)
GENERAL FUND TOTAL	(\$1,000)	(\$1,000)

Office of the Commissioner 0258

Initiative: Reallocates the cost of one Marine Resource Scientist II position from 100% General Fund in the Bureau of Resource Management program to 50% General Fund in the Bureau of Resource Management program and 50% Other Special Revenue Funds in the Office of the Commissioner program.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$43,444	\$44,110
OTHER SPECIAL REVENUE FUNDS TOTAL	\$43,444	\$44,110

Office of the Commissioner 0258

Initiative: Eliminates funding for the printing of tide charts.

GENERAL FUND	2009-10	2010-11
All Other	(\$700)	(\$700)
GENERAL FUND TOTAL	(\$700)	(\$700)

Office of the Commissioner 0258

Initiative: Reduces funding for charges made by the Department of Administrative and Financial Services, Division of Financial and Personnel Services as a result of the elimination of one Inventory and Property Assistant position in the Natural Resources Service Center.

GENERAL FUND	2009-10	2010-11
All Other	\$0	(\$5,236)
GENERAL FUND TOTAL	\$0	(\$5,236)

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11

All Other	\$0	(\$685)
OTHER SPECIAL	\$0	(\$685)
REVENUE FUNDS TOTAL		

Sea Run Fisheries and Habitat Z049

Initiative: Transfers one Biologist I position from the General Fund to the Federal Expenditures Fund within the same program.

GENERAL FUND	2009-10	2010-11
POSITIONS -	(1,000)	(1,000)
LEGISLATIVE COUNT		
Personal Services	(\$72,111)	(\$73,337)
GENERAL FUND TOTAL	(\$72,111)	(\$73,337)

FEDERAL EXPENDITURES FUND	2009-10	2010-11
POSITIONS -	1,000	1,000
LEGISLATIVE COUNT		
Personal Services	\$72,111	\$73,337
FEDERAL EXPENDITURES FUND TOTAL	\$72,111	\$73,337

Sea Run Fisheries and Habitat Z049

Initiative: Eliminates funding for the Atlantic Salmon Commission.

GENERAL FUND	2009-10	2010-11
All Other	(\$500)	(\$1,000)
GENERAL FUND TOTAL	(\$500)	(\$1,000)

MARINE RESOURCES, DEPARTMENT OF DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	(\$139,194)	(\$219,658)
FEDERAL EXPENDITURES FUND	\$72,111	\$73,337
OTHER SPECIAL REVENUE FUNDS	\$64,883	\$137,700
DEPARTMENT TOTAL - ALL FUNDS	(\$2,200)	(\$8,621)

PUBLIC SAFETY, DEPARTMENT OF Liquor Enforcement 0293

Initiative: Eliminates funding for radios for the Liquor Licensing unit.

GENERAL FUND	2009-10	2010-11
All Other	(\$3,000)	(\$6,000)
GENERAL FUND TOTAL	(\$3,000)	(\$6,000)

State Police 0291

Initiative: Eliminates funding for pagers for the State Police.

GENERAL FUND	2009-10	2010-11
All Other	(\$7,000)	(\$14,000)
GENERAL FUND TOTAL	(\$7,000)	(\$14,000)

HIGHWAY FUND	2009-10	2010-11
All Other	(\$6,725)	(\$13,451)
HIGHWAY FUND TOTAL	(\$6,725)	(\$13,451)

State Police 0291

Initiative: Eliminates funding for Troop D barracks for the State Police.

GENERAL FUND	2009-10	2010-11
All Other	(\$7,000)	(\$14,000)
GENERAL FUND TOTAL	(\$7,000)	(\$14,000)

HIGHWAY FUND	2009-10	2010-11
All Other	(\$6,725)	(\$13,451)
HIGHWAY FUND TOTAL	(\$6,725)	(\$13,451)

PUBLIC SAFETY, DEPARTMENT OF DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	(\$17,000)	(\$34,000)
HIGHWAY FUND	(\$13,450)	(\$26,902)
DEPARTMENT TOTAL - ALL FUNDS	(\$30,450)	(\$60,902)

SECRETARY OF STATE, DEPARTMENT OF Bureau of Administrative Services and Corporations 0692

Initiative: Reduces funding through eliminating the requirement that referendum questions be advertised in the State's 7 daily newspapers.

GENERAL FUND	2009-10	2010-11
All Other	(\$20,000)	(\$20,000)
GENERAL FUND TOTAL	(\$20,000)	(\$20,000)

SECRETARY OF STATE, DEPARTMENT OF DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	(\$20,000)	(\$20,000)
DEPARTMENT TOTAL - ALL FUNDS	(\$20,000)	(\$20,000)

STATE PLANNING OFFICE

Planning Office 0082

Initiative: Reduces funding to maintain costs within projected available resources.

GENERAL FUND	2009-10	2010-11
All Other	(\$79,053)	(\$80,091)
GENERAL FUND TOTAL	(\$79,053)	(\$80,091)

STATE PLANNING OFFICE DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	(\$79,053)	(\$80,091)
DEPARTMENT TOTAL - ALL FUNDS	(\$79,053)	(\$80,091)

**TREASURER OF STATE, OFFICE OF
Administration - Treasury 0022**

Initiative: Recognizes savings in banking services.

GENERAL FUND	2009-10	2010-11
All Other	\$0	(\$102,720)
GENERAL FUND TOTAL	\$0	(\$102,720)

Debt Service - Treasury 0021

Initiative: Reduces funding for debt service based on updated projections for the bond package approved by

the Legislature in Public Law 2009, chapter 414 coupled with revisions to the interest rate assumptions.

GENERAL FUND	2009-10	2010-11
All Other	(\$3,485,483)	(\$5,888,104)
GENERAL FUND TOTAL	(\$3,485,483)	(\$5,888,104)

TREASURER OF STATE, OFFICE OF DEPARTMENT TOTALS	2009-10	2010-11
GENERAL FUND	(\$3,485,483)	(\$5,990,824)
DEPARTMENT TOTAL - ALL FUNDS	(\$3,485,483)	(\$5,990,824)

SECTION TOTALS	2009-10	2010-11
GENERAL FUND	(\$6,165,800)	\$19,475,103
HIGHWAY FUND	(\$13,450)	(\$26,902)
FEDERAL EXPENDITURES FUND	\$97,314	\$120,716
FUND FOR A HEALTHY MAINE	\$0	\$110,092
OTHER SPECIAL REVENUE FUNDS	\$260,961	\$449,396
FINANCIAL AND PERSONNEL SERVICES FUND	\$0	(\$46,145)
SECTION TOTAL - ALL FUNDS	(\$5,820,975)	\$20,082,260

PART B

Sec. B-1. Transfer of excess equity reserves from Workers' Compensation Management Fund. Notwithstanding any other provision of law, the State Controller shall transfer \$1,772,840 representing the General Fund share of excess equity reserve for workers' compensation by June 30, 2010 from the Workers' Compensation Management Fund in the Department of Administrative and Financial Services to the unappropriated surplus of the General Fund. The State Controller shall also transfer the equitable share of workers' compensation excess equity reserve to each participating fund by June 30, 2010.

Sec. B-2. Calculation and transfer; General Fund; Statewide Workers' Compensation Savings. Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings in the Statewide Workers' Compen-

sation Savings account in the Department of Administrative and Financial Services in section 3 that applies against each General Fund account for departments and agencies statewide in fiscal year 2010-11 from savings achieved through an adjustment in the rates for workers' compensation. The State Budget Officer shall transfer the savings by financial order upon approval of the Governor. These transfers are considered adjustments to appropriations in fiscal year 2010-11.

Sec. B-3. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Departments and Agencies - Statewide 0016

Initiative: Reduces funding from departments and agencies statewide from projected savings in Personal Services achieved through a rate reduction for workers' compensation.

GENERAL FUND	2009-10	2010-11
Personal Services	\$0	(\$1,731,300)
GENERAL FUND TOTAL	\$0	(\$1,731,300)

PART C

Sec. C-1. Lapse; unencumbered balance; Debt Service Payments; Office of the Treasurer of State. Notwithstanding any other provision of law, the State Controller shall lapse \$6,393,322 from the unencumbered balance in All Other from the General Fund Debt Service Payments account in the office of the Treasurer of State to General Fund unappropriated surplus at the close of fiscal year 2009-10.

PART D

Sec. D-1. 1 MRSA §353, as amended by PL 2009, c. 341, §1, is further amended to read:

§353. Explanation of proposed amendments and statewide referenda

With the assistance of the Secretary of State, the Attorney General shall prepare a brief explanatory statement that must fairly describe the intent and content and what a "yes" vote favors and a "no" vote opposes for each constitutional resolution or statewide referendum that may be presented to the people and that must include any information prepared by the Treasurer of State under Title 5, section 152. The explanatory statement may not include comments of proponents or opponents as provided by section 354. In addition to the explanatory statement, the Office of Fiscal and Program Review shall prepare an estimate of the fiscal impact of each constitutional resolution or statewide referendum on state revenues, appropriations and allocations within 10 business days after the re-

ceipt of the application and full text of the proposed law by the Secretary of State. The fiscal impact estimate must summarize the aggregate impact that the constitutional resolution or referendum will have on the General Fund, the Highway Fund, Other Special Revenue Funds and the amounts distributed by the State to local units of government. ~~The Secretary of State shall publish the explanatory statement and the fiscal estimate in each daily newspaper of the State, not more than 10 and not less than 7 days prior to the voting. This information may be published in the English language in a foreign language newspaper.~~

PART E

Sec. E-1. 30-A MRSA §5681, sub-§5-C, as enacted by PL 2009, c. 213, Pt. S, §6 and affected by §16, is amended to read:

5-C. Transfers to General Fund. For the months beginning on or after July 1, 2009, ~~\$18,758,840~~ \$19,383,491 in fiscal year 2009-10 and ~~\$25,260,943~~ \$25,270,254 in fiscal year 2010-11 from the total transfers pursuant to subsection 5 must be transferred to General Fund undedicated revenue. The amounts transferred to General Fund undedicated revenue each fiscal year pursuant to this subsection must be deducted from the distributions required by subsections 4-A and 4-B based on the percentage share of the transfers to the Local Government Fund pursuant to subsection 5. The reductions in this subsection must be allocated to each month proportionately based on the budgeted monthly transfers to the Local Government Fund as determined at the beginning of the fiscal year.

Sec. E-2. Transfers to General Fund for fiscal year 2009-10. Notwithstanding the requirement in the Maine Revised Statutes, Title 30-A, section 5681, subsection 5-C that amounts must be transferred to General Fund undedicated revenue on a proportionate basis, for fiscal year 2009-10, only \$19,383,491 must be transferred on a proportional basis based on the number of months remaining in fiscal year 2009-10 following the effective date of this Part.

PART F

Sec. F-1. Install fee collection stations at unstaffed state park entrances. The Commissioner of Conservation shall install fee collection stations at unstaffed entrances of certain state parks and historic sites and, pursuant to the Maine Revised Statutes, Title 12, section 1819, shall establish, in a manner determined most appropriate by the commissioner, fees so as to generate additional undedicated revenue to the General Fund of \$17,000 in fiscal year 2009-10 and \$132,000 annually beginning in fiscal year 2010-11.

PART G

Sec. G-1. 5 MRSA §1582, sub-§4, as amended by PL 2009, c. 213, Pt. BB, §1, is further amended to read:

4. Use of savings; personal services funds. Savings accrued from unused funding of employee benefits may not be used to increase services provided by employees. Accrued salary savings generated within an appropriation or allocation for Personal Services may be used for the payment of nonrecurring Personal Services costs only within the account where the savings exist. Accrued savings generated from vacant positions within a General Fund account's appropriation for Personal Services may be used to offset Personal Services shortfalls in other General Fund accounts that occur as a direct result of Personal Services appropriation reductions for projected vacancies, and accrued savings generated within a Highway Fund account's allocations for Personal Services may be used to offset Personal Services shortfalls in other Highway Fund accounts that occur as a direct result of Personal Services allocation reductions for projected vacancies; except that the transfer of such accrued savings is subject to review by the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs. Costs related to acting capacity appointments and emergency, unbudgeted overtime for which it is impractical to budget in advance may be used with the approval of the appointing authority. Other actions such as retroactive compensation for reclassifications or reallocations and retroactive or one-time settlements related to arbitrator or court decisions must be recommended by the department or agency head and approved by the State Budget Officer. Salary and employee benefits savings may not be used to fund recurring Personal Services actions either in the account where the savings exist or in another account. At the close of each fiscal year, any unexpended General Fund Personal Services appropriations to executive branch agencies including accounts that are authorized to carry unexpended balances forward must lapse to the Salary Plan program, General Fund account in the Department of Administrative and Financial Services.

Sec. G-2. Salary Plan program; lapsed balances; Administrative and Financial Services, General Fund. Notwithstanding any other provision of law, \$500,000 at the close of fiscal year 2009-10 and \$468,985 at the close of fiscal year 2010-11 of unencumbered balance forward in the Personal Services line category in the Salary Plan program, General Fund account in the Department of Administrative and Financial Services lapses to the General Fund unappropriated surplus.

PART H

Sec. H-1. 8 MRSA §1036, sub-§2, ¶E, as amended by PL 2005, c. 663, §12, is further amended to read:

E. Ten percent of the net slot machine income must be forwarded by the board to the State Controller to be credited to the Fund for a Healthy Maine established by Title 22, section 1511 and segregated into a separate account under Title 22, section 1511, subsection 11, with the use of funds in the account restricted to the purposes described in Title 22, section 1511, subsection 6, paragraph E. For the fiscal years ending June 30, 2010, June 30, 2011 and June 30, 2012, the amount credited annually by the State Controller to the Fund for a Healthy Maine under this paragraph may not exceed \$4,500,000 annually and any funds in excess of \$4,500,000 annually during these fiscal years must be credited as General Fund undedicated revenue;

PART I

Sec. I-1. 22 MRSA §3273, sub-§7, as enacted by PL 1977, c. 712, §3, is repealed.

Sec. I-2. 22 MRSA §3273, sub-§7-A is enacted to read:

7-A. Transfer of funds prohibited. Funds appropriated to support benefits authorized under sections 3271 and 3274 may not be transferred by financial order.

Sec. I-3. 22 MRSA §3274, sub-§4, as enacted by PL 1973, c. 790, §3, is amended to read:

4. Inconsistent provisions. The provisions of sections 3271, 3272 and 3273, except for section 3273, subsection 7-A, do not apply to so-called "mandatory" payments. If any provision of these sections is inconsistent with this section, this section, as it relates to mandatory payments, ~~shall prevail~~ prevails.

PART J

Sec. J-1. 5 MRSA §20072-A is enacted to read:

§20072-A. Funding

General Fund appropriations for the Driver Education and Evaluation Programs may not exceed \$1,700,000 in any fiscal year.

PART K

Sec. K-1. 5 MRSA §933, sub-§1, ¶L, as enacted by PL 2005, c. 337, §2 and affected by §4, is amended to read:

L. Director, Division of Animal Health and Industry; and

Sec. K-2. 5 MRSA §933, sub-§1, ¶M, as enacted by PL 2005, c. 337, §2 and affected by §4, is repealed.

PART L

Sec. L-1. Adjustment for general purpose aid for local schools. Notwithstanding any other provision of law, the Department of Education is authorized to temporarily adjust payments to local school administrative units under the General Purpose Aid for Local Schools program in fiscal year 2009-10 pursuant to the curtailment of the allotment of \$38,098,223 contained in Executive Order 05 FY 10/11 dated November 20, 2009.

Sec. L-2. Report. The Department of Education shall report to the Joint Standing Committee on Education and Cultural Affairs and the Joint Standing Committee on Appropriations and Financial Affairs regarding the implementation of this Part no later than March 1, 2010.

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

Effective January 21, 2010.

CHAPTER 463

H.P. 1070 - L.D. 1521

An Act To Clarify the State's Initiative Involving the Federal Post-9/11 Veterans Educational Assistance Act of 2008

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

Whereas, Public Law 2009, chapter 443 established a waiver of the tuition charges remaining for veterans who are using benefits under the federal Post-9/11 Veterans Educational Assistance Act of 2008 and who are enrolled as undergraduate students at any campus of the University of Maine System, the Maine Community College System and Maine Maritime Academy; and

Whereas, the legislative intent of Public Law 2009, chapter 443 was to establish a waiver of the tuition charges for eligible veterans in a manner that also provided the opportunity for the University of Maine System, the Maine Community College System and Maine Maritime Academy to receive the maximum possible funding from the federal Department of Veterans Affairs; and

Whereas, an unintended consequence of the provisions established by Public Law 2009, chapter

443 is that campuses of the University of Maine System, the Maine Community College System and Maine Maritime Academy would receive, in some cases, less than the in-state tuition rates that they charge to eligible veterans enrolled as undergraduate students; and

Whereas, immediate enactment of this legislation is necessary to prevent a significant and adverse fiscal impact for the campuses of the University of Maine System, the Maine Community College System and Maine Maritime Academy; 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. 20-A MRSA §10010, as enacted by PL 2009, c. 443, §1, is amended to read:

§10010. Veterans

Regardless of the state of residence, a veteran of the Armed Forces of the United States using the benefits under the Post-9/11 Veterans Educational Assistance Act of 2008 must receive a waiver from the tuition that remains after the application of all payments from the federal Department of Veterans Affairs, including payments under the Yellow Ribbon G.I. Education Enhancement Program in the Post-9/11 Veterans Educational Assistance Act of 2008, and the application of other nonrepayable resources for which the veteran may be eligible. The amount of the tuition waiver received by a veteran under this section may not exceed an amount that lowers the tuition to less than the in-state tuition charged by the institution. This section applies to all veterans enrolled at any campus of the University of Maine System, the Maine Community College System or Maine Maritime Academy in an undergraduate program of education.

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

Effective February 8, 2010.

CHAPTER 464

H.P. 1069 - L.D. 1520

An Act To Allow the Board of Dental Examiners To Grant Permits to Qualified Individuals To Practice as Dental Residents