

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

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

Augusta, Maine
2010

CHAPTER 599
S.P. 645 - L.D. 1673

**An Act To Allow a
Maine-chartered Financial
Institution To Conduct a
Savings Promotion Raffle**

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

Sec. 1. 17 MRSA §1831, sub-§5, as enacted by PL 2009, c. 487, Pt. A, §2, is amended to read:

5. Game of chance. "Game of chance" means a game, contest, scheme or device in which:

- A. A person stakes or risks something of value for the opportunity to win something of value;
- B. The rules of operation or play require an event the result of which is determined by chance, outside the control of the contestant or participant; and
- C. Chance enters as an element that influences the outcome in a manner that cannot be eliminated through the application of skill.

For the purposes of this subsection, "an event the result of which is determined by chance" includes but is not limited to a shuffle of a deck of cards, a roll of a die or dice or a random drawing or generation of an object that may include, but is not limited to, a card, a die, a number or simulations of any of these. A shuffle of a deck of cards, a roll of a die, a random drawing or generation of an object or some other event the result of which is determined by chance that is employed to determine impartially the initial order of play in a game, contest, scheme or device does not alone make a game, contest, scheme or device a game of chance. For purposes of this chapter, beano ~~and~~ bingo ~~and~~ a savings promotion raffle are not games of chance.

Sec. 2. 17 MRSA §1831, sub-§13, as enacted by PL 2009, c. 487, Pt. A, §2, is amended to read:

13. Raffle. "Raffle" means a game of chance in which:

- A. A person pays or agrees to pay something of value for a chance, represented and differentiated by a number, to win a prize;
- B. One or more of the chances is to be designated the winning chance; and
- C. The winning chance is to be determined as a result of a drawing from a container holding numbers representative of all chances sold.

"Raffle" does not include a savings promotion raffle.

Sec. 3. 17 MRSA §1831, sub-§14-A is enacted to read:

14-A. Savings promotion raffle. "Savings promotion raffle" means a promotion offered by a financial institution authorized to do business in this State as defined in Title 9-B, section 131, subsection 17-A or a credit union authorized to do business in this State as defined in Title 9-B, section 131, subsection 12-A in which the sole consideration required for a chance of winning the designated prize in the raffle is the deposit of at least a specified amount of money into a savings account or other savings program and in which:

A. The savings account or other savings program provides interest at a comparable rate to other savings accounts or savings programs offered by that financial institution or credit union, with the interest accruing for the benefit of the account holder, and allows account holders access to deposited money;

B. The total of the designated prizes for each raffle does not exceed \$1,000 or the fair market value of \$1,000 in cases when an item or items of merchandise are the designated prizes;

C. The promotion is offered no more than 2 times per year; and

D. The terms and conditions of the promotion are disclosed to account holders and prospective account holders of the financial institution or credit union.

See title page for effective date.

CHAPTER 600
H.P. 1227 - L.D. 1728

**An Act To Make Supplemental
Allocations from the Highway
Fund and Other Funds for the
Expenditures of State
Government and To Change
Certain Provisions of State
Law Necessary to the Proper
Operations of State
Government for the Fiscal
Years Ending June 30, 2010
and June 30, 2011**

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. 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 to recognize additional savings achieved as a result of the retirement incentive program authorized in Public Law 2009, chapter 413, Part E.

HIGHWAY FUND	2009-10	2010-11
Personal Services	(\$938,959)	(\$938,959)
HIGHWAY FUND TOTAL	(\$938,959)	(\$938,959)

Departments and Agencies - Statewide 0016

Initiative: Provides funding to restore longevity payments and other items approved through the collective bargaining process for employees in the Executive Branch in fiscal year 2010-11.

HIGHWAY FUND	2009-10	2010-11
Personal Services	\$0	\$450,450
HIGHWAY FUND TOTAL	\$0	\$450,450

Executive Branch Departments and Independent Agencies - Statewide 0017

Initiative: Reduces funding to recognize additional savings authorized in Public Law 2009, chapter 213 from not granting merit increases.

HIGHWAY FUND	2009-10	2010-11
Personal Services	\$0	(\$101,284)
HIGHWAY FUND TOTAL	\$0	(\$101,284)

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

DEPARTMENT TOTALS	2009-10	2010-11
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HIGHWAY FUND	(\$938,959)	(\$589,793)
DEPARTMENT TOTAL - ALL FUNDS	(\$938,959)	(\$589,793)

MUNICIPAL BOND BANK, MAINE

Transcap Trust Fund Z064

Initiative: Allocates additional budgeted revenue from Public Law 2009, chapter 413, Part W that was not previously allocated.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$488,471	\$705,389
OTHER SPECIAL REVENUE FUNDS TOTAL	\$488,471	\$705,389

Transcap Trust Fund Z064

Initiative: Reduces funding to recognize revenue changes approved by the Revenue Forecasting Committee in December 2009.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	(\$406,500)	(\$390,750)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$406,500)	(\$390,750)

Transcap Trust Fund Z064

Initiative: Adjusts allocation to recognize revenue changes approved by the Revenue Forecasting Committee in March 2010.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
All Other	\$406,500	\$390,750
OTHER SPECIAL REVENUE FUNDS TOTAL	\$406,500	\$390,750

MUNICIPAL BOND BANK, MAINE

DEPARTMENT TOTALS	2009-10	2010-11
OTHER SPECIAL REVENUE FUNDS	\$488,471	\$705,389
DEPARTMENT TOTAL - ALL FUNDS	\$488,471	\$705,389

**PUBLIC SAFETY, DEPARTMENT OF
Information Technology Y23T**

Initiative: Transfers the funding reduction eliminating pagers for the State Police originally approved in Public Law 2009, chapter 462 to the correct program.

HIGHWAY FUND	2009-10	2010-11
All Other	\$0	(\$13,451)
HIGHWAY FUND TOTAL	\$0	(\$13,451)

State Police 0291

Initiative: Eliminates one Senior Planner position in fiscal years 2009-10 and 2010-11 and reduces funding for salary savings from a Planning and Research Associate I position in fiscal year 2009-10.

HIGHWAY FUND	2009-10	2010-11
Personal Services	(\$45,891)	(\$37,927)
All Other	(\$961)	(\$794)
HIGHWAY FUND TOTAL	(\$46,852)	(\$38,721)

State Police 0291

Initiative: Eliminates one Public Service Manager II (Director of the Maine State Police Crime Laboratory) position.

HIGHWAY FUND	2009-10	2010-11
Personal Services	(\$23,950)	(\$55,556)
All Other	(\$524)	(\$1,173)
HIGHWAY FUND TOTAL	(\$24,474)	(\$56,729)

State Police 0291

Initiative: Reduces funding by freezing 4 vacant State Police Trooper positions.

HIGHWAY FUND	2009-10	2010-11
Personal Services	(\$197,269)	(\$227,599)
All Other	(\$3,980)	(\$4,270)
HIGHWAY FUND TOTAL	(\$201,249)	(\$231,869)

State Police 0291

Initiative: Reduces funding by freezing 2 Identification Specialist II positions for a portion of fiscal year 2009-10.

HIGHWAY FUND	2009-10	2010-11
Personal Services	(\$17,299)	\$0

All Other	(\$357)	\$0
HIGHWAY FUND TOTAL	(\$17,656)	\$0

State Police 0291

Initiative: Transfers the funding reduction eliminating pagers for the State Police originally approved in Public Law 2009, chapter 462 to the correct program.

HIGHWAY FUND	2009-10	2010-11
All Other	\$0	\$13,451
HIGHWAY FUND TOTAL	\$0	\$13,451

State Police - Support 0981

Initiative: Provides funding for the increased cost of STA-CAP in the State Police - Support program through a reduction in the Traffic Safety - Commercial Vehicle Enforcement program.

HIGHWAY FUND	2009-10	2010-11
All Other	\$2,260	\$2,260
HIGHWAY FUND TOTAL	\$2,260	\$2,260

Traffic Safety - Commercial Vehicle Enforcement 0715

Initiative: Provides funding for the increased cost of STA-CAP in the State Police - Support program through a reduction in the Traffic Safety - Commercial Vehicle Enforcement program.

HIGHWAY FUND	2009-10	2010-11
All Other	(\$2,260)	(\$2,260)
HIGHWAY FUND TOTAL	(\$2,260)	(\$2,260)

**PUBLIC SAFETY,
DEPARTMENT OF**

DEPARTMENT TOTALS	2009-10	2010-11
HIGHWAY FUND	(\$290,231)	(\$327,319)
DEPARTMENT TOTAL - ALL FUNDS	(\$290,231)	(\$327,319)

**TRANSPORTATION, DEPARTMENT OF
Bond Interest - Highway 0358**

Initiative: Reduces funding from savings in principal and interest costs.

HIGHWAY FUND	2009-10	2010-11
All Other	(\$1,548,500)	(\$1,953,538)
HIGHWAY FUND TOTAL	(\$1,548,500)	(\$1,953,538)

Bond Retirement - Highway 0359

Initiative: Reduces funding from savings in principal and interest costs.

HIGHWAY FUND	2009-10	2010-11
All Other	(\$4,000,000)	(\$2,830,000)
HIGHWAY FUND TOTAL	(\$4,000,000)	(\$2,830,000)

Fleet Services 0347

Initiative: Adjusts funding through the reorganization of 28 Bridge Maintenance Supervisor positions, 20 Heavy Vehicle and Equipment Supervisor positions and 71 Highway Crew Supervisor II positions to 119 Transportation Crew Supervisor positions as of April 1, 2010. The reorganization also affects funding in the Fleet Services and Suspense Receivable - Transportation programs.

FLEET SERVICES FUND - DOT	2009-10	2010-11
Personal Services	\$14,152	\$57,209
FLEET SERVICES FUND - DOT TOTAL	\$14,152	\$57,209

Fleet Services 0347

Initiative: Adjusts funding through the reorganization of 49 Bridge Maintenance Apprentice positions, one Highway Worker I position, 157 Highway Worker II positions and 13 Motor Transport Technician positions to 220 Transportation Worker I positions, the reorganization of 498 Highway Worker Truck Driver positions and 32 Bridge Maintenance Journey positions to 530 Transportation Worker II positions and the reorganization of 32 Bridge Maintenance Master positions and 119 Highway Worker Equipment Operator positions to 151 Transportation Worker III positions. The reorganization also affects funding in the Fleet Services and Suspense Receivable - Transportation programs.

FLEET SERVICES FUND - DOT	2009-10	2010-11
Personal Services	\$0	\$40,491
FLEET SERVICES FUND - DOT TOTAL	\$0	\$40,491

Fleet Services 0347

Initiative: Adjusts funding through the elimination of one Motor Transport Services Manager position, 2 Highway Crew Supervisor II positions, 2 Highway Worker Truck Driver positions, one Highway Worker Equipment Operator position, 2 seasonal Highway Crew Supervisor I positions, one seasonal Highway Worker II position and 4 project Highway Laborer positions in the Maintenance and Operations program and one Building and Trades Specialist position in the Fleet Services program to fund the new system that will reduce 3 Highway and Bridge Supervisor classifications to one Transportation Supervisor classification. Position eliminations also affect funding in the Fleet Services and Suspense Receivable - Transportation programs.

FLEET SERVICES FUND - DOT	2009-10	2010-11
POSITIONS - FTE COUNT	(1.000)	(1.000)
Personal Services	(\$33,743)	(\$67,485)
FLEET SERVICES FUND - DOT TOTAL	(\$33,743)	(\$67,485)

Fleet Services 0347

Initiative: Adjusts funding through the elimination of 40 project Highway Laborer positions, 6 Bridge Maintenance Apprentice positions, 2 seasonal Bridge Maintenance Apprentice positions, one seasonal Highway Crew Supervisor I position, one Highway Crew Supervisor II position, 2 Highway Worker Equipment Operator positions, one seasonal Highway Worker Equipment Operator position, 18 Highway Worker II positions, one Highway Worker Truck Driver position and 2 seasonal Highway Worker Truck Driver positions in the Maintenance and Operations program and one Heavy Vehicle Equipment Technician in the Fleet Services program to fund the proposed new system that will reduce 6 Highway and Bridge classifications to 3 Transportation Worker classifications. Position eliminations also affect funding in the Fleet Services and Suspense Receivable - Transportation programs.

FLEET SERVICES FUND - DOT	2009-10	2010-11
POSITIONS - FTE COUNT	(1.000)	(1.000)
Personal Services	(\$28,200)	(\$56,397)
FLEET SERVICES FUND - DOT TOTAL	(\$28,200)	(\$56,397)

Fleet Services 0347

Initiative: Corrects the Public Law 2009, chapter 413 initiative that eliminated 2 Heavy Vehicle and Equipment Technician crew positions in the Fleet Services program.

FLEET SERVICES FUND - DOT	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
POSITIONS - FTE COUNT	(2.000)	(2.000)
FLEET SERVICES FUND - DOT TOTAL	\$0	\$0

Highway and Bridge Capital 0406

Initiative: Transfers the remaining Capital Expenditures funding to the Highway and Bridge Light Capital program.

HIGHWAY FUND	2009-10	2010-11
Capital Expenditures	(\$501,000)	(\$3,600,000)
HIGHWAY FUND TOTAL	(\$501,000)	(\$3,600,000)

Highway and Bridge Light Capital Z095

Initiative: Provides funding through the reorganization of the workforce to be used for highway-related maintenance and light capital efforts.

HIGHWAY FUND	2009-10	2010-11
Capital Expenditures	\$700,000	\$400,000
HIGHWAY FUND TOTAL	\$700,000	\$400,000

Highway and Bridge Light Capital Z095

Initiative: Provides funding for the anticipated level of activities for Highway and Bridge Light Capital program projects based on available resources.

HIGHWAY FUND	2009-10	2010-11
Personal Services	\$265,000	(\$1,700,000)
All Other	\$1,605,000	(\$1,100,000)
Capital Expenditures	\$17,867,082	\$14,530,642
HIGHWAY FUND TOTAL	\$19,737,082	\$11,730,642

Island Ferry Service 0326

Initiative: Reduces funding through an increase in the number of authorized hours of intermittent employees and a reduction in overtime that will allow the use of the same number of hours by intermittent employees at straight time as opposed to time and a half.

ISLAND FERRY SERVICES FUND	2009-10	2010-11
POSITIONS - FTE COUNT	2.361	2.361
Personal Services	(\$30,776)	(\$31,424)
ISLAND FERRY SERVICES FUND TOTAL	(\$30,776)	(\$31,424)

Maintenance and Operations 0330

Initiative: Adjusts funding through the reorganization of 28 Bridge Maintenance Supervisor positions, 20 Heavy Vehicle and Equipment Supervisor positions and 71 Highway Crew Supervisor II positions to 119 Transportation Crew Supervisor positions as of April 1, 2010. The reorganization also affects funding in the Fleet Services and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2009-10	2010-11
Personal Services	\$105,955	\$423,814
HIGHWAY FUND TOTAL	\$105,955	\$423,814

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$10,033	\$40,132
FEDERAL EXPENDITURES FUND TOTAL	\$10,033	\$40,132

Maintenance and Operations 0330

Initiative: Adjusts funding through the reorganization of 49 Bridge Maintenance Apprentice positions, one Highway Worker I position, 157 Highway Worker II positions and 13 Motor Transport Technician positions to 220 Transportation Worker I positions, the reorganization of 498 Highway Worker Truck Driver positions and 32 Bridge Maintenance Journey positions to 530 Transportation Worker II positions and the reorganization of 32 Bridge Maintenance Master positions and 119 Highway Worker Equipment Operator positions to 151 Transportation Worker III positions. The reorganization also affects funding in the Fleet Services and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2009-10	2010-11
Personal Services	\$0	\$1,535,956
HIGHWAY FUND TOTAL	\$0	\$1,535,956

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	\$0	\$145,448
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$145,448

Maintenance and Operations 0330

Initiative: Adjusts funding through the elimination of one Motor Transport Services Manager position, 2 Highway Crew Supervisor II positions, 2 Highway Worker Truck Driver positions, one Highway Worker Equipment Operator position, 2 seasonal Highway Crew Supervisor I positions, one seasonal Highway Worker II position and 4 project Highway Laborer positions in the Maintenance and Operations program and one Building and Trades Specialist position in the Fleet Services program to fund the new system that will reduce 3 Highway and Bridge Supervisor classifications to one Transportation Supervisor classification. Position eliminations also affect funding in the Fleet Services and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2009-10	2010-11
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
POSITIONS - FTE COUNT	(6.615)	(6.615)
Personal Services	(\$242,440)	(\$484,879)
HIGHWAY FUND TOTAL	(\$242,440)	(\$484,879)

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	(\$22,957)	(\$45,916)
FEDERAL EXPENDITURES FUND TOTAL	(\$22,957)	(\$45,916)

Maintenance and Operations 0330

Initiative: Adjusts funding through the elimination of 40 project Highway Laborer positions, 6 Bridge Maintenance Apprentice positions, 2 seasonal Bridge Maintenance Apprentice positions, one seasonal Highway Crew Supervisor I position, one Highway Crew Supervisor II position, 2 Highway Worker Equipment Operator positions, one seasonal Highway Worker Equipment Operator position, 18 Highway Worker II positions, one Highway Worker Truck Driver position and 2 seasonal Highway Worker Truck Driver positions in the Maintenance and Operations program and one Heavy Vehicle Equipment Technician in the Fleet Services program to fund the proposed new system

that will reduce 6 Highway and Bridge classifications to 3 Transportation Worker classifications. Position eliminations also affect funding in the Fleet Services and Suspense Receivable - Transportation programs.

HIGHWAY FUND	2009-10	2010-11
POSITIONS - FTE COUNT	(25.615)	(25.615)
Personal Services	(\$1,070,585)	(\$2,141,170)
HIGHWAY FUND TOTAL	(\$1,070,585)	(\$2,141,170)

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	(\$101,380)	(\$202,758)
FEDERAL EXPENDITURES FUND TOTAL	(\$101,380)	(\$202,758)

Maintenance and Operations 0330

Initiative: Adjusts funding through the reorganization of 11 Highway Worker Truck Driver positions, one Bridge Maintenance Master position, 4 Highway Worker Equipment Operator positions, one Bridge Maintenance Assistant position, one Building and Trades Specialist position, 2 Highway Crew Supervisor I positions and one Traffic Control Electrician position to 21 Transportation Worker I positions. Allocated costs also affect funding in the Suspense Receivable - Transportation program.

HIGHWAY FUND	2009-10	2010-11
Personal Services	(\$20,598)	(\$41,196)
HIGHWAY FUND TOTAL	(\$20,598)	(\$41,196)

FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	(\$1,951)	(\$3,901)
FEDERAL EXPENDITURES FUND TOTAL	(\$1,951)	(\$3,901)

Maintenance and Operations 0330

Initiative: Adjusts funding through the reorganization of one Bridge Maintenance Supervisor position and 6 Highway Crew Supervisor II positions to 7 Transportation Worker I positions. Allocated costs also affect funding in the Suspense Receivable - Transportation program.

HIGHWAY FUND	2009-10	2010-11
Personal Services	(\$38,772)	(\$77,543)

HIGHWAY FUND TOTAL	(\$38,772)	(\$77,543)
FEDERAL EXPENDITURES FUND	2009-10	2010-11
Personal Services	(\$3,672)	(\$7,343)
FEDERAL EXPENDITURES FUND TOTAL	(\$3,672)	(\$7,343)

Maintenance and Operations 0330

Initiative: Provides funding through the reorganization of the workforce to be used for highway-related maintenance and light capital efforts.

HIGHWAY FUND	2009-10	2010-11
All Other	\$566,440	\$385,619
HIGHWAY FUND TOTAL	\$566,440	\$385,619

Maintenance and Operations 0330

Initiative: Reduces Personal Services funding due to the light winter weather and other factors and allocates a portion of those savings for replacement of cross culverts, pothole patching, shoulder grading, bridge repair and street sweeper rental for winter sand cleanup on town-plowed state aid roads in village areas.

HIGHWAY FUND	2009-10	2010-11
Personal Services	(\$5,577,000)	\$0
All Other	\$1,977,000	\$0
HIGHWAY FUND TOTAL	(\$3,600,000)	\$0

Marine Highway Transportation Z016

Initiative: Provides funding for the 50% Marine Highway Transportation share of a net reduction in funds through an increase in the number of authorized hours of intermittent employees and a reduction in overtime that will allow the use of the same number of hours by intermittent employees at straight time as opposed to time and a half.

HIGHWAY FUND	2009-10	2010-11
All Other	(\$15,388)	(\$15,712)
HIGHWAY FUND TOTAL	(\$15,388)	(\$15,712)

Suspense Receivable - Transportation 0344

Initiative: Adjusts funding through the reorganization of 28 Bridge Maintenance Supervisor positions, 20

Heavy Vehicle and Equipment Supervisor positions and 71 Highway Crew Supervisor II positions to 119 Transportation Crew Supervisor positions as of April 1, 2010. The reorganization also affects funding in the Fleet Services and Suspense Receivable - Transportation programs.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$1,360	\$5,445
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,360	\$5,445

Suspense Receivable - Transportation 0344

Initiative: Adjusts funding through the reorganization of 49 Bridge Maintenance Apprentice positions, one Highway Worker I position, 157 Highway Worker II positions and 13 Motor Transport Technician positions to 220 Transportation Worker I positions, the reorganization of 498 Highway Worker Truck Driver positions and 32 Bridge Maintenance Journey positions to 530 Transportation Worker II positions and the reorganization of 32 Bridge Maintenance Master positions and 119 Highway Worker Equipment Operator positions to 151 Transportation Worker III positions. The reorganization also affects funding in the Fleet Services and Suspense Receivable - Transportation programs.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
Personal Services	\$0	\$19,734
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$19,734

Suspense Receivable - Transportation 0344

Initiative: Adjusts funding through the elimination of one Motor Transport Services Manager position, 2 Highway Crew Supervisor II positions, 2 Highway Worker Truck Driver positions, one Highway Worker Equipment Operator position, 2 seasonal Highway Crew Supervisor I positions, one seasonal Highway Worker II position and 4 project Highway Laborer positions in the Maintenance and Operations program and one Building and Trades Specialist position in the Fleet Services program to fund the new system that will reduce 3 Highway and Bridge Supervisor classifications to one Transportation Supervisor classification. Position eliminations also affect funding in the Fleet Services and Suspense Receivable - Transportation programs.

OTHER SPECIAL REVENUE FUNDS	2009-10	2010-11
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Personal Services	(\$3,115)	(\$6,229)
OTHER SPECIAL	(\$3,115)	(\$6,229)
REVENUE FUNDS TOTAL		

Suspense Receivable - Transportation 0344

Initiative: Adjusts funding through the elimination of 40 project Highway Laborer positions, 6 Bridge Maintenance Apprentice positions, 2 seasonal Bridge Maintenance Apprentice positions, one seasonal Highway Crew Supervisor I position, one Highway Crew Supervisor II position, 2 Highway Worker Equipment Operator positions, one seasonal Highway Worker Equipment Operator position, 18 Highway Worker II positions, one Highway Worker Truck Driver position and 2 seasonal Highway Worker Truck Driver positions in the Maintenance and Operations program and one Heavy Vehicle Equipment Technician in the Fleet Services program to fund the proposed new system that will reduce 6 Highway and Bridge classifications to 3 Transportation Worker classifications. Position eliminations also affect funding in the Fleet Services and Suspense Receivable - Transportation programs.

OTHER SPECIAL	2009-10	2010-11
REVENUE FUNDS		
Personal Services	(\$13,755)	(\$27,509)
OTHER SPECIAL	(\$13,755)	(\$27,509)
REVENUE FUNDS TOTAL		

Suspense Receivable - Transportation 0344

Initiative: Adjusts funding through the reorganization of 11 Highway Worker Truck Driver positions, one Bridge Maintenance Master position, 4 Highway Worker Equipment Operator positions, one Bridge Maintenance Assistant position, one Building and Trades Specialist position, 2 Highway Crew Supervisor I positions and one Traffic Control Electrician position to 21 Transportation Worker I positions. Allocated costs also affect funding in the Suspense Receivable - Transportation program.

OTHER SPECIAL	2009-10	2010-11
REVENUE FUNDS		
Personal Services	(\$265)	(\$529)
OTHER SPECIAL	(\$265)	(\$529)
REVENUE FUNDS TOTAL		

Suspense Receivable - Transportation 0344

Initiative: Adjusts funding through the reorganization of one Bridge Maintenance Supervisor position and 6 Highway Crew Supervisor II positions to 7 Transportation Worker I positions. Allocated costs also affect

funding in the Suspense Receivable - Transportation program.

OTHER SPECIAL	2009-10	2010-11
REVENUE FUNDS		
Personal Services	(\$498)	(\$996)
OTHER SPECIAL	(\$498)	(\$996)
REVENUE FUNDS TOTAL		

Urban-Rural Initiative Program 0337

Initiative: Adjusts funding for the Urban-Rural Initiative Program at the correct proportion rate under the Maine Revised Statutes, Title 23, section 1803-B.

HIGHWAY FUND	2009-10	2010-11
All Other	\$1,102,013	\$365,718
HIGHWAY FUND TOTAL	\$1,102,013	\$365,718

**TRANSPORTATION,
DEPARTMENT OF**

DEPARTMENT TOTALS	2009-10	2010-11
HIGHWAY FUND	\$11,174,207	\$3,697,711
FEDERAL	(\$119,927)	(\$74,338)
EXPENDITURES FUND		
OTHER SPECIAL	(\$16,273)	(\$10,084)
REVENUE FUNDS		
FLEET SERVICES	(\$47,791)	(\$26,182)
FUND - DOT		
ISLAND FERRY	(\$30,776)	(\$31,424)
SERVICES FUND		
DEPARTMENT TOTAL -	\$10,959,440	\$3,555,683
ALL FUNDS		

SECTION TOTALS	2009-10	2010-11
HIGHWAY FUND	\$9,945,017	\$2,780,599
FEDERAL	(\$119,927)	(\$74,338)
EXPENDITURES FUND		
OTHER SPECIAL	\$472,198	\$695,305
REVENUE FUNDS		
FLEET SERVICES	(\$47,791)	(\$26,182)
FUND - DOT		
ISLAND FERRY	(\$30,776)	(\$31,424)
SERVICES FUND		
SECTION TOTAL - ALL	\$10,218,721	\$3,343,960
FUNDS		

PART B

Sec. B-1. Allocations. There are allocated from the various funds for the fiscal years ending June 30, 2010 and June 30, 2011, to the departments listed, the sums identified in the following, in order to provide funding for approved reclassifications and range changes.

**PUBLIC SAFETY, DEPARTMENT OF
State Police 0291**

Initiative: RECLASSIFICATIONS

HIGHWAY FUND	2009-10	2010-11
Personal Services	\$29,932	\$10,554
All Other	(\$29,932)	(\$10,554)

HIGHWAY FUND TOTAL	\$0	\$0
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**PUBLIC SAFETY,
DEPARTMENT OF**

DEPARTMENT TOTALS	2009-10	2010-11
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HIGHWAY FUND	\$0	\$0
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DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0
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**SECRETARY OF STATE, DEPARTMENT OF
Administration - Motor Vehicles 0077**

Initiative: RECLASSIFICATIONS

HIGHWAY FUND	2009-10	2010-11
Personal Services	\$10,049	\$87,091
All Other	(\$10,049)	(\$87,091)

HIGHWAY FUND TOTAL	\$0	\$0
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**SECRETARY OF STATE,
DEPARTMENT OF**

DEPARTMENT TOTALS	2009-10	2010-11
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HIGHWAY FUND	\$0	\$0
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DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0
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**TRANSPORTATION, DEPARTMENT OF
Highway and Bridge Capital 0406**

Initiative: RECLASSIFICATIONS

HIGHWAY FUND	2009-10	2010-11
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Personal Services	\$7,470	\$9,341
All Other	(\$7,470)	(\$9,341)

HIGHWAY FUND TOTAL	\$0	\$0
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**FEDERAL
EXPENDITURES FUND**

Personal Services	\$10,269	\$12,842
All Other	(\$10,269)	(\$12,842)

FEDERAL EXPENDITURES FUND TOTAL	\$0	\$0
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**OTHER SPECIAL
REVENUE FUNDS**

Personal Services	\$937	\$1,163
All Other	(\$937)	(\$1,163)

OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0
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Island Ferry Service 0326

Initiative: RECLASSIFICATIONS

ISLAND FERRY SERVICES FUND	2009-10	2010-11
Personal Services	\$896	\$936
All Other	(\$896)	(\$936)

ISLAND FERRY SERVICES FUND TOTAL	\$0	\$0
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**TRANSPORTATION,
DEPARTMENT OF**

DEPARTMENT TOTALS	2009-10	2010-11
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HIGHWAY FUND	\$0	\$0
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FEDERAL	\$0	\$0
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EXPENDITURES FUND		
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OTHER SPECIAL REVENUE FUNDS	\$0	\$0
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ISLAND FERRY SERVICES FUND	\$0	\$0
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DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0
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SECTION TOTALS	2009-10	2010-11
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HIGHWAY FUND	\$0	\$0
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FEDERAL	\$0	\$0
EXPENDITURES FUND		
OTHER SPECIAL	\$0	\$0
REVENUE FUNDS		
ISLAND FERRY	\$0	\$0
SERVICES FUND		
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SECTION TOTAL - ALL FUNDS	\$0	\$0

PART C

Sec. C-1. PL 2009, c. 413, Pt. I, §1 is amended to read:

Sec. I-1. Consolidation of statewide information technology functions, systems and funding to improve efficiency and cost-effectiveness. The Chief Information Officer shall review the current organizational structure, systems and operations of information technology units to improve organizational efficiency and cost-effectiveness. The Chief Information Officer is authorized to manage and operate all information technology systems in the executive branch, to fulfill strategic and operational objectives as expressed in a memorandum of agreement with each agency. Notwithstanding any other provision of law, the Chief Information Officer or the Chief Information Officer's designee shall provide direct oversight and management over statewide technology services and oversight over the technology personnel assigned to information technology services in accordance with such memoranda of agreement. The Chief Information Officer is authorized to identify savings and position eliminations to the Highway Fund and other funds from efficiencies to achieve the savings identified in section 2 of this Part.

The Chief Information Officer is authorized to approve all information technology expenditures from a consolidated account within each agency as provided in memoranda of agreement and this Part. Notwithstanding any other provision of law, the State Budget Officer shall transfer position counts and available balances by financial order upon approval of the Governor to the Department of Administrative and Financial Services, Office of Information Technology for the provision of those services. These transfers are considered adjustments to authorized position counts, appropriations and allocations in fiscal years 2009-10 and 2010-11. As a result of these financial orders, information technology services that are funded by the Highway Fund must be reflected in future Highway Fund budgets as Highway Fund allocations. An annual reconciliation of actual services rendered against budgeted amounts must be performed. Any savings from annual reconciliations reverts to the Highway

Fund as unallocated surplus. The Chief Information Officer annually shall provide the joint standing committee of the Legislature having jurisdiction over transportation matters a report of the annual reconciliation and any transferred amounts. More frequent, more narrowly focused reconciliations may be performed upon request of an agency regarding information technology services specific to that agency, such as application development and maintenance.

PART D

Sec. D-1. Transfer of excess equity reserves from Workers' Compensation Management Fund. Notwithstanding any other provision of law, the State Controller shall transfer \$73,480 representing the Highway 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 Highway 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. D-2. Calculation and transfer; Highway Fund; statewide workers' compensation savings. Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings in section 3 in the Statewide Workers' Compensation Savings account within the Department of Administrative and Financial Services that applies against each Highway 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 allocations in fiscal year 2010-11.

Sec. D-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.

HIGHWAY FUND	2009-10	2010-11
Personal Services	\$0	(\$73,353)
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HIGHWAY FUND TOTAL	\$0	(\$73,353)

PART E

Sec. E-1. Transfer; equity reserve fiscal year 2008-09; Retiree Health Insurance Internal Service Fund. Notwithstanding any other provision of law, the State Controller shall transfer \$5,429,219 representing the Highway Fund share of excess equity reserve for retiree health insurance on June 30, 2009 from the Retiree Health Insurance Internal Service Fund in the Department of Administrative and Financial Services to the unappropriated surplus of the Highway Fund by June 30, 2010. The State Controller shall also transfer the equitable share of retiree health insurance excess equity reserve to each participating fund by June 30, 2010.

Sec. E-2. Transfer; equity reserve fiscal year 2009-10; Retiree Health Insurance Internal Service Fund. Notwithstanding any other provision of law, the State Controller shall transfer \$5,672,481 representing the projected Highway Fund share of excess equity reserve for retiree health insurance on June 30, 2010 from the Retiree Health Insurance Internal Service Fund in the Department of Administrative and Financial Services to the unappropriated surplus of the Highway Fund by June 30, 2010. The State Controller shall also transfer the equitable share of retiree health insurance excess equity reserve to each participating fund by June 30, 2010.

Sec. E-3. Calculation and transfer; Highway Fund; retiree health insurance savings. Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings identified in section 4 of the Statewide-Retiree Health Insurance, Highway Fund account within the Department of Administrative and Financial Services that applies against each Highway Fund account for departments and agencies statewide as a result of a rate reduction in retiree health insurance. The State Budget Officer shall transfer the savings by financial order upon approval of the Governor. These transfers are considered adjustments to allocations in fiscal year 2010-11.

Sec. E-4. 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 retiree health insurance.

HIGHWAY FUND	2009-10	2010-11
Personal Services	\$0	(\$5,241,774)

HIGHWAY FUND TOTAL	\$0	(\$5,241,774)
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PART F

Sec. F-1. Calculation and transfer; Highway Fund savings; central administration. Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings in the Statewide Service Center account within the Department of Administrative and Financial Services in section 2 that applies against each Highway Fund account for executive branch departments and agencies statewide from a decrease in charges by the Department of Administrative and Financial Services, Division of Financial and Personnel Services associated with savings from a reduction in retiree health insurance rates. 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 2010-11.

Sec. F-2. Appropriations and allocations. The following appropriations and allocations are made.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Executive Branch Departments and Independent Agencies - Statewide 0017

Initiative: Reduces funding from departments and agencies statewide to recognize a reduction in charges by the Division of Financial and Personnel Services as a result of a distribution of excess reserves for retiree health insurance for fiscal years 2008-09 and 2009-10 and a reduction in retiree health insurance rates for fiscal year 2010-11.

HIGHWAY FUND	2009-10	2010-11
All Other	\$0	(\$253,189)
HIGHWAY FUND TOTAL	\$0	(\$253,189)

PART G

Sec. G-1. PL 2009, c. 413, Pt. S, §1 is amended to read:

Sec. S-1. Calculation and transfer; longevity payment savings. Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings identified in section 2 of this Part that applies against each Highway Fund account for all departments and agencies from savings associated with implementation of Public Law 2009, chapter 213, Part SSS, section 4, as amended, and shall transfer the amounts by financial order upon the approval of the Governor. These transfers are consid-

ered adjustments to allocations in fiscal ~~years~~ year 2009-10 ~~and 2010-11~~.

PART H

Sec. H-1. Carrying provision; Department of Secretary of State, Administration - Motor Vehicles program. Notwithstanding any other provision of law, the State Controller shall carry forward any unexpended balance in the All Other line category on June 30, 2010 and on June 30, 2011 in the Department of Secretary of State, Administration - Motor Vehicles program. The amount carried forward may not exceed a total of \$1,000,000 for the biennium ending June 30, 2011 and may carry forward into fiscal year 2011-12. The amount carried forward must be used for the acquisition of a document management system to improve the efficiency and effectiveness of the department's operations.

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

Effective April 2, 2010.

CHAPTER 601

H.P. 1271 - L.D. 1781

An Act To Allow Electronic Filing of Vital Records and Closing of Records To Guard against Fraud and Make Other Changes to the Vital Records Laws

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

Sec. 1. 22 MRSA §256-A, first ¶, as amended by PL 2007, c. 631, §1, is further amended to read:

Beginning in 2006, the Department of Labor, in conjunction with the Office of ~~Health Data and Program Management's Division~~ of Data, Research and Vital Statistics, shall compile and annually update a health care occupations report to be completed and presented to the health workforce forum established in section 257 by September 15th. Beginning in 2009, the health care occupations report must be completed and presented to the health workforce forum established in section 257 by September 15th and presented every 4th year thereafter. The report must be posted on a publicly accessible site on the Internet maintained by the Department of Labor and provide the following information:

Sec. 2. 22 MRSA §256-B, sub-§3, as amended by PL 2007, c. 240, Pt. RR, §3, is further amended to read:

3. Submission of surveys. All surveys conducted pursuant to subsection 1 must be submitted to the Office of ~~Health Data and Program Management's Division~~ of Data, Research and Vital Statistics for analysis, and survey data from which personally identifiable information has been eliminated must be publicly available.

Sec. 3. 22 MRSA §2701, first ¶, as amended by PL 2001, c. 574, §16 and PL 2003, c. 689, Pt. B, §6, is further amended to read:

The Department of Health and Human Services shall establish the Office of ~~Health Data and Program Management~~ Data, Research and Vital Statistics, which shall maintain a statewide system for the registration of vital statistics.

Sec. 4. 22 MRSA §2701, sub-§5, as amended by PL 2001, c. 574, §19, is further amended to read:

5. Deputy State Registrar. The state registrar may designate an employee of the Office of ~~Health Data and Program Management~~ Data, Research and Vital Statistics to represent the Office of ~~Health Data and Program Management~~ Data, Research and Vital Statistics. The representative is known as the Deputy State Registrar of Vital Statistics and has the authority of the state registrar in the state registrar's absence.

Sec. 5. 22 MRSA §2701, sub-§7, as amended by PL 2001, c. 574, §20, is further amended to read:

7. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "File" means the presentation and acceptance of a vital record or report for registration by the Office of ~~Health Data and Program Management~~ Data, Research and Vital Statistics or a municipal clerk as specified in departmental rule.

B. "Date of filing" means the date a vital record is accepted for registration by the Office of ~~Health Data and Program Management~~ Data, Research and Vital Statistics or a municipal clerk.

Sec. 6. 22 MRSA §2702, as amended by PL 1995, c. 260, §§4 and 5, is further amended to read:

§2702. Duties of municipal clerks

The clerk of each municipality in this State shall keep a chronological record of all live births, marriages, deaths and fetal deaths reported to ~~him~~ the municipal clerk under this Title. Such record ~~shall~~ must be kept as prescribed by the state registrar.

1. Enforce law and rules. Each municipal clerk in this State shall enforce, so far as comes within ~~his~~ the municipal clerk's jurisdiction, this Title and the ~~regulations~~ rules of the department relating to the registration of vital statistics.