

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND TWENTY-FIFTH LEGISLATURE

FIRST SPECIAL SESSION
September 27, 2011

SECOND REGULAR SESSION
January 4, 2012 to May 31, 2012

THE EFFECTIVE DATE FOR
FIRST SPECIAL SESSION
LAWS IS
SEPTEMBER 28, 2011

THE GENERAL EFFECTIVE DATE FOR
SECOND REGULAR SESSION
NON-EMERGENCY LAWS IS
AUGUST 30, 2012

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

Augusta, Maine
2012

**CHAPTER 649
H.P. 1412 - L.D. 1907**

An Act Making Supplemental Appropriations and Allocations for the Expenditures of State Government, Highway Fund and Other Funds, and Changing Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2012 and June 30, 2013

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: Adjusts funding to offset savings that were not achieved in the Highway Fund related to the retirement incentive program authorized in Public Law 2011, chapter 380, Part Z.

HIGHWAY FUND	2011-12	2012-13
Personal Services	\$1,108,908	\$1,202,048
HIGHWAY FUND TOTAL	\$1,108,908	\$1,202,048

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

DEPARTMENT TOTALS	2011-12	2012-13
HIGHWAY FUND	\$1,108,908	\$1,202,048
DEPARTMENT TOTAL - ALL FUNDS	\$1,108,908	\$1,202,048

MUNICIPAL BOND BANK, MAINE

Transcap Trust Fund Z064

Initiative: Provides funding to align allocations with projected available resources approved by the Revenue Forecasting Committee on December 1, 2011.

OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
All Other	\$93,325	\$32,501
OTHER SPECIAL REVENUE FUNDS TOTAL	\$93,325	\$32,501

Transcap Trust Fund Z064

Initiative: Adjusts funding to align allocations with projected available resources approved by the Revenue Forecasting Committee on March 1, 2012.

OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
All Other	\$108,987	\$103,807
OTHER SPECIAL REVENUE FUNDS TOTAL	\$108,987	\$103,807

MUNICIPAL BOND BANK, MAINE

DEPARTMENT TOTALS	2011-12	2012-13
OTHER SPECIAL REVENUE FUNDS	\$202,312	\$136,308
DEPARTMENT TOTAL - ALL FUNDS	\$202,312	\$136,308

PUBLIC SAFETY, DEPARTMENT OF

Motor Vehicle Inspection 0329

Initiative: Provides funding for the replacement of vehicles.

HIGHWAY FUND	2011-12	2012-13
Capital Expenditures	\$0	\$51,500
HIGHWAY FUND TOTAL	\$0	\$51,500

State Police 0291

Initiative: Transfers one Forensic Chemist I position from the Fire Marshal - Office of program to the State Police program.

HIGHWAY FUND	2011-12	2012-13
Personal Services	\$0	\$36,007
All Other	\$0	\$503
HIGHWAY FUND TOTAL	\$0	\$36,510

State Police 0291

Initiative: Provides funding for building rental costs for the Regional Communications Center and the State Police troop currently in Orono.

HIGHWAY FUND	2011-12	2012-13
All Other	\$0	\$63,130
HIGHWAY FUND TOTAL	\$0	\$63,130

State Police 0291

Initiative: Provides funding for the approved retroactive range change of one Forensic Scientist - Dual Discipline position from range 25 to range 27. Funding for the General Fund portion for fiscal year 2011-12 will be through salary and benefits savings within the department.

HIGHWAY FUND	2011-12	2012-13
Personal Services	\$14,307	\$0
HIGHWAY FUND TOTAL	\$14,307	\$0

State Police 0291

Initiative: Eliminates one limited-period Detective position within the State Police Criminal Laboratory, computer crimes unit and transfers the savings to the All Other line category for fiscal year 2012-13 only to contract for services.

HIGHWAY FUND	2011-12	2012-13
Personal Services	\$0	(\$120,889)
All Other	\$0	\$120,889
HIGHWAY FUND TOTAL	\$0	\$0

State Police - Support 0981

Initiative: Provides funding for the approved retroactive reclassification of one Office Assistant II position to an Office Associate II position.

HIGHWAY FUND	2011-12	2012-13
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Personal Services	\$4,369	\$2,383
HIGHWAY FUND TOTAL	\$4,369	\$2,383

Traffic Safety - Commercial Vehicle Enforcement 0715

Initiative: Provides funding for the replacement of vehicles.

HIGHWAY FUND	2011-12	2012-13
Capital Expenditures	\$0	\$58,960
HIGHWAY FUND TOTAL	\$0	\$58,960

Traffic Safety - Commercial Vehicle Enforcement 0715

Initiative: Reallocates the cost of 11 Motor Carrier Inspector positions from 34% Federal Expenditures Fund and 66% Highway Fund to 37% Federal Expenditures Fund and 63% Highway Fund for 9 positions, 38% Federal Expenditures Fund and 62% Highway Fund for one position, 38.09% Federal Expenditures Fund and 61.91% Highway Fund for one position and one Contract/Grant Specialist position from 34% Federal Expenditures Fund and 66% Highway Fund to 100% Highway Fund within the same program.

HIGHWAY FUND	2011-12	2012-13
Personal Services	(\$1,574)	(\$1,714)
HIGHWAY FUND TOTAL	(\$1,574)	(\$1,714)

FEDERAL EXPENDITURES FUND	2011-12	2012-13
Personal Services	(\$925)	(\$785)
FEDERAL EXPENDITURES FUND TOTAL	(\$925)	(\$785)

PUBLIC SAFETY, DEPARTMENT OF DEPARTMENT TOTALS	2011-12	2012-13
HIGHWAY FUND	\$17,102	\$210,769
FEDERAL EXPENDITURES FUND	(\$925)	(\$785)
DEPARTMENT TOTAL - ALL FUNDS	\$16,177	\$209,984

SECRETARY OF STATE, DEPARTMENT OF

Administration - Motor Vehicles 0077

Initiative: Reduces funding for repayment of certificate of participation principal and interest for the computer migration project.

HIGHWAY FUND	2011-12	2012-13
All Other	(\$406,030)	(\$241,880)
HIGHWAY FUND TOTAL	(\$406,030)	(\$241,880)

**SECRETARY OF STATE,
DEPARTMENT OF
DEPARTMENT TOTALS**

	2011-12	2012-13
HIGHWAY FUND	(\$406,030)	(\$241,880)
DEPARTMENT TOTAL - ALL FUNDS	(\$406,030)	(\$241,880)

TRANSPORTATION, DEPARTMENT OF

Administration 0339

Initiative: Reorganizes one Transportation Planning Analyst position to a Transportation Planning Specialist position. Reduces All Other to fund the reorganization.

HIGHWAY FUND	2011-12	2012-13
Personal Services	\$605	\$2,424
All Other	(\$605)	(\$2,424)
HIGHWAY FUND TOTAL	\$0	\$0

Administration 0339

Initiative: Transfers one Procurement and Contracting Specialist position from the Highway and Bridge Capital program, funded 40% Highway Fund, 5% Other Special Revenue Funds and 55% Federal Expenditures Fund to 100% Highway Fund in the Administration program effective March 1, 2012.

HIGHWAY FUND	2011-12	2012-13
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$18,307	\$55,332
HIGHWAY FUND TOTAL	\$18,307	\$55,332

Administration 0339

Initiative: Transfers one Secretary Specialist position from the Administration program to the Highway and Bridge Capital program to be funded 40% Highway

Fund, 5% Other Special Revenue Funds and 55% Federal Expenditures Fund effective March 1, 2012.

HIGHWAY FUND	2011-12	2012-13
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
Personal Services	(\$23,445)	(\$70,744)
HIGHWAY FUND TOTAL	(\$23,445)	(\$70,744)

Administration 0339

Initiative: Transfers one Transportation Worker I Crew position from the Fleet Services program to 90.29% Highway Fund and 8.55% Federal Expenditures Fund in the Maintenance and Operations program and 1.16% Other Special Revenue Funds in the Suspense Receivable - Transportation program and one Inventory and Property Associate I position from the Fleet Services program to the Administration program effective March 1, 2012.

HIGHWAY FUND	2011-12	2012-13
POSITIONS - LEGISLATIVE COUNT	1.000	1.000
Personal Services	\$18,448	\$57,497
HIGHWAY FUND TOTAL	\$18,448	\$57,497

Administration - Aeronautics 0294

Initiative: Reorganizes the State Transit, Aviation and Rail Transportation Fund program by changing the account type of and renaming and disbursing the existing allocations to 6 Other Special Revenue Funds multimodal programs. The Multimodal - Passenger Rail program is a new program. The Public Transportation, Administration - Aeronautics, Railroad Assistance Program, Administration - Ports and Marine Transportation and State Transit, Aviation and Rail Transportation Fund programs are renamed to align with actual department operations. One Public Service Coordinator II position is reallocated from the State Transit, Aviation and Rail Transportation Fund program to the Multimodal - Ports and Marine program account. One Rail Technician position is reallocated from the State Transit, Aviation and Rail Transportation Fund program to the Multimodal - Freight - Motor Carrier account.

OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
Personal Services	\$0	\$55,000
All Other	\$0	\$857,000
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$912,000

Administration - Ports and Marine Transportation 0298

Initiative: Transfers funding from the Administration - Ports and Marine Transportation program to the newly renamed Multimodal - Ports and Marine program. The existing Administration - Ports and Marine Transportation program and the Ports and Marine Transportation program will merge and be renamed the Multimodal - Ports and Marine program.

FEDERAL EXPENDITURES FUND	2011-12	2012-13
All Other	\$0	(\$150,000)
FEDERAL EXPENDITURES FUND TOTAL	\$0	(\$150,000)

Callahan Mine Site Restoration Z007

Initiative: Transfers All Other to Personal Services to cover the cost of department personnel administering the project.

OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
Personal Services	\$15,000	\$5,000
All Other	(\$15,000)	(\$5,000)
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$0

Fleet Services 0347

Initiative: Transfers one Transportation Worker I Crew position from the Fleet Services program to 90.29% Highway Fund and 8.55% Federal Expenditures Fund in the Maintenance and Operations program and 1.16% Other Special Revenue Funds in the Suspense Receivable - Transportation program and one Inventory and Property Associate I position from the Fleet Services program to the Administration program effective March 1, 2012.

FLEET SERVICES FUND - DOT	2011-12	2012-13
POSITIONS - LEGISLATIVE COUNT	(1.000)	(1.000)
POSITIONS - FTE COUNT	(1.000)	(1.000)
Personal Services	(\$32,833)	(\$100,651)
FLEET SERVICES FUND - DOT TOTAL	(\$32,833)	(\$100,651)

Highway and Bridge Capital 0406

Initiative: Transfers one Office Associate II position and one Occupational Safety Engineer position funded 90.29% Highway Fund and 8.55% Federal Expenditures Fund in the Maintenance and Operations program and 1.16% Other Special Revenue Funds in the Suspense Receivable - Transportation program to the Highway and Bridge Capital program, funded 40% Highway Fund, 55% Federal Expenditures Fund and 5% Other Special Revenue Funds effective March 1, 2012.

HIGHWAY FUND	2011-12	2012-13
POSITIONS - LEGISLATIVE COUNT	2.000	2.000
Personal Services	\$16,614	\$50,170
HIGHWAY FUND TOTAL	\$16,614	\$50,170

FEDERAL EXPENDITURES FUND	2011-12	2012-13
Personal Services	\$22,845	\$68,986
FEDERAL EXPENDITURES FUND TOTAL	\$22,845	\$68,986

OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
Personal Services	\$2,079	\$6,271
OTHER SPECIAL REVENUE FUNDS TOTAL	\$2,079	\$6,271

Highway and Bridge Capital 0406

Initiative: Transfers one Technician position, 2 Transportation Planning Specialist positions and one Public Service Manager II position from the Highway and Bridge Capital program to the Maintenance and Operations program and allocates their costs to 90.29% Highway Fund and 8.55% Federal Expenditures Fund in the Maintenance and Operations program and 1.16% in the Suspense Receivable - Transportation program effective March 1, 2012.

HIGHWAY FUND	2011-12	2012-13
POSITIONS - LEGISLATIVE COUNT	(4.000)	(4.000)
Personal Services	(\$43,690)	(\$132,717)
HIGHWAY FUND TOTAL	(\$43,690)	(\$132,717)

FEDERAL EXPENDITURES FUND	2011-12	2012-13
Personal Services	(\$60,073)	(\$182,487)

FEDERAL EXPENDITURES FUND TOTAL	(\$60,073)	(\$182,487)
OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
Personal Services	(\$5,462)	(\$16,592)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$5,462)	(\$16,592)

Highway and Bridge Capital 0406

Initiative: Transfers one Procurement and Contracting Specialist position from the Highway and Bridge Capital program, funded 40% Highway Fund, 5% Other Special Revenue Funds and 55% Federal Expenditures Fund to 100% Highway Fund in the Administration program effective March 1, 2012.

HIGHWAY FUND	2011-12	2012-13
POSITIONS - LEGISLATIVE COUNT	(1,000)	(1,000)
Personal Services	(\$7,323)	(\$22,133)
HIGHWAY FUND TOTAL	(\$7,323)	(\$22,133)

FEDERAL EXPENDITURES FUND	2011-12	2012-13
Personal Services	(\$10,069)	(\$30,433)
FEDERAL EXPENDITURES FUND TOTAL	(\$10,069)	(\$30,433)

OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
Personal Services	(\$915)	(\$2,766)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$915)	(\$2,766)

Highway and Bridge Capital 0406

Initiative: Transfers one Secretary Specialist position from the Administration program to the Highway and Bridge Capital program to be funded 40% Highway Fund, 5% Other Special Revenue Funds and 55% Federal Expenditures Fund effective March 1, 2012.

HIGHWAY FUND	2011-12	2012-13
POSITIONS - LEGISLATIVE COUNT	1,000	1,000
Personal Services	\$9,378	\$28,298

HIGHWAY FUND TOTAL	\$9,378	\$28,298
FEDERAL EXPENDITURES FUND	2011-12	2012-13
Personal Services	\$12,895	\$38,909
FEDERAL EXPENDITURES FUND TOTAL	\$12,895	\$38,909

OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
Personal Services	\$1,172	\$3,537
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,172	\$3,537

Highway and Bridge Capital 0406

Initiative: Provides funding to the Highway and Bridge Capital program for capital improvements to Maine's highway system.

HIGHWAY FUND	2011-12	2012-13
Capital Expenditures	\$1,807,370	\$1,807,370
HIGHWAY FUND TOTAL	\$1,807,370	\$1,807,370

Highway and Bridge Capital 0406

Initiative: Transfers All Other to Capital Expenditures for the municipal partnership initiative to more appropriately reflect the capital nature of these projects.

HIGHWAY FUND	2011-12	2012-13
All Other	(\$2,000,000)	(\$5,000,000)
Capital Expenditures	\$2,000,000	\$5,000,000
HIGHWAY FUND TOTAL	\$0	\$0

Island Ferry Service 0326

Initiative: Transfers funding from the Island Ferry Service program to the newly renamed Multimodal - Island Ferry Service program. The existing Marine Highway Transportation program account and the Island Ferry Service program will merge and be renamed the Multimodal - Island Ferry Service program.

ISLAND FERRY SERVICES FUND	2011-12	2012-13
POSITIONS - LEGISLATIVE COUNT	0.000	(75.500)

POSITIONS - FTE	0.000	(10.819)
COUNT		
Personal Services	\$0	(\$5,591,826)
All Other	\$0	(\$3,617,900)
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ISLAND FERRY SERVICES	\$0	(\$9,209,726)
FUND TOTAL		

Maintenance and Operations 0330

Initiative: Transfers one Office Associate II position and one Occupational Safety Engineer position funded 90.29% Highway Fund and 8.55% Federal Expenditures Fund in the Maintenance and Operations program and 1.16% Other Special Revenue Funds in the Suspense Receivable - Transportation program to the Highway and Bridge Capital program, funded 40% Highway Fund, 55% Federal Expenditures Fund and 5% Other Special Revenue Funds effective March 1, 2012.

HIGHWAY FUND	2011-12	2012-13
POSITIONS -	(2.000)	(2.000)
LEGISLATIVE COUNT		
Personal Services	(\$37,507)	(\$113,249)
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HIGHWAY FUND TOTAL	(\$37,507)	(\$113,249)
FEDERAL EXPENDITURES FUND	2011-12	2012-13
Personal Services	(\$3,552)	(\$10,725)
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FEDERAL EXPENDITURES	(\$3,552)	(\$10,725)
FUND TOTAL		

Maintenance and Operations 0330

Initiative: Transfers one Technician position, 2 Transportation Planning Specialist positions and one Public Service Manager II position from the Highway and Bridge Capital program to the Maintenance and Operations program and allocates their costs to 90.29% Highway Fund and 8.55% Federal Expenditures Fund in the Maintenance and Operations program and 1.16% in the Suspense Receivable - Transportation program effective March 1, 2012.

HIGHWAY FUND	2011-12	2012-13
POSITIONS -	4.000	4.000
LEGISLATIVE COUNT		
Personal Services	\$98,620	\$299,579
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HIGHWAY FUND TOTAL	\$98,620	\$299,579

FEDERAL EXPENDITURES FUND	2011-12	2012-13
Personal Services	\$9,338	\$28,366
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FEDERAL EXPENDITURES	\$9,338	\$28,366
FUND TOTAL		

Maintenance and Operations 0330

Initiative: Transfers one Transportation Worker I Crew position from the Fleet Services program to 90.29% Highway Fund and 8.55% Federal Expenditures Fund in the Maintenance and Operations program and 1.16% Other Special Revenue Funds in the Suspense Receivable - Transportation program and one Inventory and Property Associate I position from the Fleet Services program to the Administration program effective March 1, 2012.

HIGHWAY FUND	2011-12	2012-13
POSITIONS - FTE	1.000	1.000
COUNT		
Personal Services	\$12,946	\$38,838
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HIGHWAY FUND TOTAL	\$12,946	\$38,838

FEDERAL EXPENDITURES FUND	2011-12	2012-13
Personal Services	\$1,295	\$3,884
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FEDERAL EXPENDITURES	\$1,295	\$3,884
FUND TOTAL		

Maintenance and Operations 0330

Initiative: Transfers funding from available Personal Services savings to All Other to be used for improvements to the transportation system. Savings in fiscal year 2012-13 will be achieved through management of vacancies.

HIGHWAY FUND	2011-12	2012-13
Personal Services	(\$5,000,000)	(\$4,400,000)
All Other	\$5,000,000	\$4,400,000
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HIGHWAY FUND TOTAL	\$0	\$0

Marine Highway Transportation Z016

Initiative: Transfers funding from the Island Ferry Service program to the newly renamed Multimodal - Island Ferry Service program. The existing Marine Highway Transportation program account and the Island Ferry Service program will merge and be renamed the Multimodal - Island Ferry Service program.

ISLAND FERRY SERVICES FUND	2011-12	2012-13
POSITIONS - LEGISLATIVE COUNT	0.000	75.500
POSITIONS - FTE COUNT	0.000	10.820
Personal Services	\$0	\$5,591,826
All Other	\$0	\$3,617,900
ISLAND FERRY SERVICES FUND TOTAL	\$0	\$9,209,726

Motor Carrier Safety Program Z066

Initiative: Transfers funding from the Motor Carrier Safety Program to the newly renamed Multimodal - Freight program. The Motor Carrier Safety Program and the Railroad Assistance Program will be merged and renamed the Multimodal - Freight program.

FEDERAL EXPENDITURES FUND	2011-12	2012-13
All Other	\$0	(\$1,000,000)
FEDERAL EXPENDITURES FUND TOTAL	\$0	(\$1,000,000)

Ports and Marine Transportation 0323

Initiative: Reorganizes the State Transit, Aviation and Rail Transportation Fund program by changing the account type of and renaming and disbursing the existing allocations to 6 Other Special Revenue Funds multimodal programs. The Multimodal - Passenger Rail program is a new program. The Public Transportation, Administration - Aeronautics, Railroad Assistance Program, Administration - Ports and Marine Transportation and State Transit, Aviation and Rail Transportation Fund programs are renamed to align with actual department operations. One Public Service Coordinator II position is reallocated from the State Transit, Aviation and Rail Transportation Fund program to the Multimodal - Ports and Marine program account. One Rail Technician position is reallocated from the State Transit, Aviation and Rail Transportation Fund program to the Multimodal - Freight - Motor Carrier account.

OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
POSITIONS - LEGISLATIVE COUNT	0.000	1.000
Personal Services	\$0	\$238,917
All Other	\$0	\$8,334

OTHER SPECIAL	\$0	\$247,251
REVENUE FUNDS TOTAL		

Ports and Marine Transportation 0323

Initiative: Transfers funding from the Administration - Ports and Marine Transportation program to the newly renamed Multimodal - Ports and Marine program. The existing Administration - Ports and Marine Transportation program and the Ports and Marine Transportation program will merge and be renamed the Multimodal - Ports and Marine program.

FEDERAL EXPENDITURES FUND	2011-12	2012-13
All Other	\$0	\$150,000
FEDERAL EXPENDITURES FUND TOTAL	\$0	\$150,000

Public Transportation 0443

Initiative: Reorganizes the State Transit, Aviation and Rail Transportation Fund program by changing the account type of and renaming and disbursing the existing allocations to 6 Other Special Revenue Funds multimodal programs. The Multimodal - Passenger Rail program is a new program. The Public Transportation, Administration - Aeronautics, Railroad Assistance Program, Administration - Ports and Marine Transportation and State Transit, Aviation and Rail Transportation Fund programs are renamed to align with actual department operations. One Public Service Coordinator II position is reallocated from the State Transit, Aviation and Rail Transportation Fund program to the Multimodal - Ports and Marine program account. One Rail Technician position is reallocated from the State Transit, Aviation and Rail Transportation Fund program to the Multimodal - Freight - Motor Carrier account.

OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
Personal Services	\$0	\$55,000
All Other	\$0	\$547,845
OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$602,845

Railroad Assistance Program 0350

Initiative: Reorganizes the State Transit, Aviation and Rail Transportation Fund program by changing the account type of and renaming and disbursing the existing allocations to 6 Other Special Revenue Funds multimodal programs. The Multimodal - Passenger Rail program is a new program. The Public Transportation,

Administration - Aeronautics, Railroad Assistance Program, Administration - Ports and Marine Transportation and State Transit, Aviation and Rail Transportation Fund programs are renamed to align with actual department operations. One Public Service Coordinator II position is reallocated from the State Transit, Aviation and Rail Transportation Fund program to the Multimodal - Ports and Marine program account. One Rail Technician position is reallocated from the State Transit, Aviation and Rail Transportation Fund program to the Multimodal - Freight - Motor Carrier account.

OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
POSITIONS - LEGISLATIVE COUNT	0.000	1.000
Personal Services	\$0	\$250,000
All Other	\$0	\$3,414,000
Capital Expenditures	\$0	\$1,000,000
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$4,664,000

Railroad Assistance Program 0350

Initiative: Transfers funding from the Motor Carrier Safety Program to the newly renamed Multimodal - Freight program. The Motor Carrier Safety Program and the Railroad Assistance Program will be merged and renamed the Multimodal - Freight program.

FEDERAL EXPENDITURES FUND	2011-12	2012-13
All Other	\$0	\$1,000,000
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FEDERAL EXPENDITURES FUND TOTAL	\$0	\$1,000,000

State Transit, Aviation and Rail Transportation Fund Z017

Initiative: Reorganizes one Transportation Planning Analyst position to a Transportation Planning Specialist position. Reduces All Other to fund the reorganization.

STATE TRANSIT, AVIATION AND RAIL TRANSPORTATION FUND	2011-12	2012-13
Personal Services	\$204	\$806
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STATE TRANSIT, AVIATION AND RAIL TRANSPORTATION FUND TOTAL	\$204	\$806

State Transit, Aviation and Rail Transportation Fund Z017

Initiative: Reorganizes the State Transit, Aviation and Rail Transportation Fund program by changing the account type of and renaming and disbursing the existing allocations to 6 Other Special Revenue Funds multimodal programs. The Multimodal - Passenger Rail program is a new program. The Public Transportation, Administration - Aeronautics, Railroad Assistance Program, Administration - Ports and Marine Transportation and State Transit, Aviation and Rail Transportation Fund programs are renamed to align with actual department operations. One Public Service Coordinator II position is reallocated from the State Transit, Aviation and Rail Transportation Fund program to the Multimodal - Ports and Marine program account. One Rail Technician position is reallocated from the State Transit, Aviation and Rail Transportation Fund program to the Multimodal - Freight - Motor Carrier account.

OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
Personal Services	\$0	\$6,161
All Other	\$0	\$204,570
Capital Expenditures	\$0	\$2,100,000
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OTHER SPECIAL REVENUE FUNDS TOTAL	\$0	\$2,310,731

STATE TRANSIT, AVIATION AND RAIL TRANSPORTATION FUND	2011-12	2012-13
POSITIONS - LEGISLATIVE COUNT	0.000	(2.000)
Personal Services	\$0	(\$562,896)
All Other	\$0	(\$8,173,931)
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STATE TRANSIT, AVIATION AND RAIL TRANSPORTATION FUND TOTAL	\$0	(\$8,736,827)

State Transit, Aviation and Rail Transportation Fund Z017

Initiative: Reduces funding in the Multimodal Transportation Fund account as a result of eliminating the annual transfer of gasoline taxes authorized in Maine Revised Statutes, Title 36, section 2903-E.

OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
All Other	\$0	(\$100,000)

OTHER SPECIAL	\$0	(\$100,000)
REVENUE FUNDS TOTAL		

Suspense Receivable - Transportation 0344

Initiative: Transfers one Office Associate II position and one Occupational Safety Engineer position funded 90.29% Highway Fund and 8.55% Federal Expenditures Fund in the Maintenance and Operations program and 1.16% Other Special Revenue Funds in the Suspense Receivable - Transportation program to the Highway and Bridge Capital program, funded 40% Highway Fund, 55% Federal Expenditures Fund and 5% Other Special Revenue Funds effective March 1, 2012.

OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
Personal Services	(\$479)	(\$1,453)
OTHER SPECIAL REVENUE FUNDS TOTAL	(\$479)	(\$1,453)

Suspense Receivable - Transportation 0344

Initiative: Transfers one Technician position, 2 Transportation Planning Specialist positions and one Public Service Manager II position from the Highway and Bridge Capital program to the Maintenance and Operations program and allocates their costs to 90.29% Highway Fund and 8.55% Federal Expenditures Fund in the Maintenance and Operations program and 1.16% in the Suspense Receivable - Transportation program effective March 1, 2012.

OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
Personal Services	\$1,267	\$3,851
OTHER SPECIAL REVENUE FUNDS TOTAL	\$1,267	\$3,851

Suspense Receivable - Transportation 0344

Initiative: Transfers one Transportation Worker I Crew position from the Fleet Services program to 90.29% Highway Fund and 8.55% Federal Expenditures Fund in the Maintenance and Operations program and 1.16% Other Special Revenue Funds in the Suspense Receivable - Transportation program and one Inventory and Property Associate I position from the Fleet Services program to the Administration program effective March 1, 2012.

OTHER SPECIAL REVENUE FUNDS	2011-12	2012-13
Personal Services	\$144	\$432

OTHER SPECIAL	\$144	\$432
REVENUE FUNDS TOTAL		

Urban-Rural Initiative Program 0337

Initiative: Adjusts funding for the Urban-Rural Initiative Program at the correctly proportioned rate in accordance with the Maine Revised Statutes, Title 23, section 1803-B.

HIGHWAY FUND	2011-12	2012-13
All Other	\$199,275	\$212,973
HIGHWAY FUND TOTAL	\$199,275	\$212,973

TRANSPORTATION, DEPARTMENT OF DEPARTMENT TOTALS

	2011-12	2012-13
HIGHWAY FUND	\$2,068,993	\$2,211,214
FEDERAL EXPENDITURES FUND	(\$27,321)	(\$83,500)
OTHER SPECIAL REVENUE FUNDS	(\$2,194)	\$8,630,107
FLEET SERVICES FUND - DOT	(\$32,833)	(\$100,651)
STATE TRANSIT, AVIATION AND RAIL TRANSPORTATION FUND	\$204	(\$8,736,021)
ISLAND FERRY SERVICES FUND	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$2,006,849	\$1,921,149

SECTION TOTALS

	2011-12	2012-13
HIGHWAY FUND	\$2,788,973	\$3,382,151
FEDERAL EXPENDITURES FUND	(\$28,246)	(\$84,285)
OTHER SPECIAL REVENUE FUNDS	\$200,118	\$8,766,415
FLEET SERVICES FUND - DOT	(\$32,833)	(\$100,651)
STATE TRANSIT, AVIATION AND RAIL TRANSPORTATION FUND	\$204	(\$8,736,021)
ISLAND FERRY SERVICES FUND	\$0	\$0

SECTION TOTAL - ALL FUNDS	\$2,928,216	\$3,227,609
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SECTION TOTAL - ALL FUNDS	\$0	\$0
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PART B

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

PUBLIC SAFETY, DEPARTMENT OF Traffic Safety 0546

Initiative: RECLASSIFICATIONS

HIGHWAY FUND	2011-12	2012-13
Personal Services	\$6,051	\$5,524
All Other	(\$6,051)	(\$5,524)
HIGHWAY FUND TOTAL	\$0	\$0

PUBLIC SAFETY, DEPARTMENT OF

DEPARTMENT TOTALS	2011-12	2012-13
HIGHWAY FUND	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0

TRANSPORTATION, DEPARTMENT OF Administration 0339

Initiative: RECLASSIFICATIONS

HIGHWAY FUND	2011-12	2012-13
Personal Services	\$2,069	\$2,068
All Other	(\$2,069)	(\$2,068)
HIGHWAY FUND TOTAL	\$0	\$0

TRANSPORTATION, DEPARTMENT OF

DEPARTMENT TOTALS	2011-12	2012-13
HIGHWAY FUND	\$0	\$0
DEPARTMENT TOTAL - ALL FUNDS	\$0	\$0

SECTION TOTALS	2011-12	2012-13
HIGHWAY FUND	\$0	\$0

PART C

Sec. C-1. Attrition savings. Notwithstanding any other provision of law, the attrition rate for fiscal year 2012-13 is increased from 5% to 6% for executive branch departments and agencies and the judicial branch.

Sec. C-2. Calculation and transfer; Highway Fund; attrition savings. Notwithstanding any other provision of law, the State Budget Officer shall calculate the amount of savings in Part A of this Act that applies against each Highway Fund account for executive branch departments and agencies statewide and the judicial branch as a result of attrition savings. 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 2012-13.

Sec. C-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 to reflect projected savings from the increase in the attrition rate from 5% to 6% for fiscal year 2012-13.

HIGHWAY FUND	2011-12	2012-13
Personal Services	\$0	(\$998,663)
HIGHWAY FUND TOTAL	\$0	(\$998,663)

PART D

Sec. D-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 Executive Branch Departments and Independent Agencies - Statewide program in the Department of Administrative and Financial Services in Part A of this Act that applies against each Highway Fund account for executive branch departments and independent agencies statewide from implementing a decrease in charges for services provided by the Department of Administrative and Financial Services, Division of Financial and Personnel Services. 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 years 2011-12 and 2012-13.

Sec. D-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: Recognizes savings from implementing a decrease in charges made by the Department of Administrative and Financial Services, Division of Financial and Personnel Services for its services.

HIGHWAY FUND	2011-12	2012-13
All Other	(\$281,257)	(\$355,423)
HIGHWAY FUND TOTAL	(\$281,257)	(\$355,423)

PART E

Sec. E-1. 6 MRSA §54, as amended by PL 2005, c. 457, Pt. GGG, §2, is further amended to read:

§54. Fees

Effective October 1, 2005, all All fees collected under this chapter must be deposited to the Treasurer of State, and by the Treasurer of State credited to the State Transit, Aviation and Rail Multimodal Transportation Fund established in Title 23, section 4210-B.

Sec. E-2. 23 MRSA §4210-B, as amended by PL 2011, c. 380, Pt. G, §§1 and 2 and affected by §3 and amended by c. 420, Pt. J, §§1 and 2 and affected by §3, is further amended to read:

§4210-B. Multimodal Transportation Fund

1. Establishment of fund. The State Transit, Aviation and Rail Multimodal Transportation Fund, referred to in this section as "the STAR Multimodal Transportation Fund" is established as an enterprise fund and Other Special Revenue Funds program through the Department of Administrative and Financial Services. Funds appropriated, allocated, transferred or deposited in the account accrue interest earnings that must be used within the STAR Multimodal Transportation Fund.

2. Establishment of program. The department shall establish the STAR Multimodal Transportation Fund program through the Department of Administrative and Financial Services, Office of the State Controller.

3. Use of funds. The money deposited into and disbursed from the STAR Multimodal Transportation Fund must be used for the support of the activities of the STAR Transportation Fund to manage transit, aeronautics and rail transportation purposes of purchasing, operating, maintaining, improving, repairing, constructing and managing the assets of multimodal

forms of transportation, including, but not limited to, transit, aeronautics, marine and rail, of the State, municipalities and multimodal providers.

4. Disbursements from fund. Money disbursed from the STAR Transportation Fund may be used for the purpose of purchasing, operating, maintaining, improving, repairing, constructing and managing the assets of the STAR Transportation Fund including buildings, structures and improvements and equipment.

5. Other fund sources. The STAR Multimodal Transportation Fund may accept funds from other sources, including, but not limited to, the Federal Rail Administration, to carry out the provisions of this section.

6. Financial management. All assets including the cash balance, liabilities and equity in the Augusta State Airport Fund must be transferred to the STAR Multimodal Transportation Fund and accounted for in a manner prescribed by the Department of Administrative and Financial Services, Office of the State Controller.

7. Sales tax revenue. Beginning July 1, 2009 and every July 1st thereafter, the State Controller shall transfer to the STAR Multimodal Transportation Fund an amount, as certified by the State Tax Assessor, that is equivalent to 50% of the revenue from the tax imposed on the value of rental of a pickup truck or van with a gross weight of less than 26,000 pounds rented from a person primarily engaged in the business of renting automobiles and the value of rental for a period of less than one year of an automobile pursuant to Title 36, section 1811 for the first 6 months of the prior fiscal year after the reduction for the transfer to the Local Government Fund under Title 30-A, section 5681, subsection 5. Beginning on October 1, 2009 and every October 1st thereafter, the State Controller shall transfer to the STAR Multimodal Transportation Fund an amount, as certified by the State Tax Assessor, that is equivalent to 50% of the revenue from the tax imposed on the value of rental of a pickup truck or van with a gross weight of less than 26,000 pounds rented from a person primarily engaged in the business of renting automobiles and the value of rental for a period of less than one year of an automobile pursuant to Title 36, section 1811 for the last 6 months of the prior fiscal year after the reduction for the transfer to the Local Government Fund. The tax amount must be based on actual sales for that fiscal year and may not consider any accruals that may be required by law. The amount transferred from General Fund sales and use tax revenues does not affect the calculation for the transfer to the Local Government Fund.

This subsection is repealed June 30, 2012.

7-A. Sales tax revenue. Beginning July 1, 2012 and every July 1st thereafter, the State Controller shall

transfer to the ~~STAR~~ Multimodal Transportation Fund an amount, as certified by the State Tax Assessor, that is equivalent to 100% of the revenue from the tax imposed on the value of rental of a pickup truck or van with a gross weight of less than 26,000 pounds rented from a person primarily engaged in the business of renting automobiles and the value of rental for a period of less than one year of an automobile pursuant to Title 36, section 1811 for the first 6 months of the prior fiscal year. Beginning on October 1, 2012 and every October 1st thereafter, the State Controller shall transfer to the ~~STAR~~ Multimodal Transportation Fund an amount, as certified by the State Tax Assessor, that is equivalent to 100% of the revenue from the tax imposed on the value of rental of a pickup truck or van with a gross weight of less than 26,000 pounds rented from a person primarily engaged in the business of renting automobiles and the value of rental for a period of less than one year of an automobile pursuant to Title 36, section 1811 for the last 6 months of the prior fiscal year. The tax amount must be based on actual sales for that fiscal year and may not consider any accruals that may be required by law.

Sec. E-3. 23 MRSA §7103-A, as enacted by PL 2005, c. 457, Pt. GGG, §5, is amended to read:

§7103-A. Deposit into Multimodal Transportation Fund account

~~Effective October 1, 2005, the~~ The Treasurer of State shall receive all revenue derived from the tax levied pursuant to Title 36, chapter 361 and taxes paid under Title 36, section 1865 and shall deposit all revenue in a separate account to be known as the ~~State Transit, Aviation and Rail~~ Multimodal Transportation Fund account established in section ~~4210-B~~.

Sec. E-4. 36 MRSA §1865, as amended by PL 2005, c. 457, Pt. GGG, §6, is further amended to read:

§1865. Deposit of use taxes paid on certain fuels

The Treasurer of State shall deposit all use taxes received for fuel consumed by vehicles operating on rails and qualifying for a fuel tax refund under section 3218 and taxed under this chapter into the ~~State Transit, Aviation and Rail~~ Multimodal Transportation Fund account established in Title 23, section ~~7103-A 4210-B~~.

Sec. E-5. 36 MRSA §2625, as amended by PL 2005, c. 457, Pt. GGG, is further amended to read:

§2625. Return and payment

Every railroad company incorporated under the laws of this State or doing business in this State shall file with the State Tax Assessor annually, on or before April 15th, a railroad excise tax return, on a form prescribed by the State Tax Assessor. The tax must be paid in equal installments on the next June 15th, September 15th and December 15th. Except as otherwise provided in subsection 1, the Treasurer of State shall

deposit all taxes paid under this chapter into the ~~State Transit, Aviation and Rail~~ Multimodal Transportation Fund account established under Title 23, section ~~7103-A 4210-B~~.

Sec. E-6. 36 MRSA §2903-E, as enacted by PL 2005, c. 457, Pt. GGG, §8, is repealed.

Sec. E-7. 36 MRSA §2912, as amended by PL 2005, c. 457, Pt. GGG, §9, is further amended to read:

§2912. Records and reports regarding sales of fuels for aeronautical purposes

~~Effective October 1, 2005, the~~ The tax received by the State on internal combustion engine fuels that are sold to be used for aeronautical purposes must accrue to the ~~State Transit, Aviation and Rail~~ Multimodal Transportation Fund. The necessary expenses of the collection of the tax on such fuels to be used for aeronautical purposes must be deducted.

Sec. E-8. Rename Administration - Aeronautics program. Notwithstanding any other provision of law, the Administration - Aeronautics program within the Department of Transportation is renamed the Multimodal - Aviation program.

Sec. E-9. Rename Railroad Assistance Program. Notwithstanding any other provision of law, the Railroad Assistance Program within the Department of Transportation is renamed the Multimodal - Freight program.

Sec. E-10. Rename Marine Highway Transportation program. Notwithstanding any other provision of law, the Marine Highway Transportation program within the Department of Transportation is renamed the Multimodal - Island Ferry Service program.

Sec. E-11. Establish Multimodal - Passenger Rail program. Notwithstanding any other provision of law, the Multimodal - Passenger Rail program is established within the Department of Transportation for the State funds used to assist in the operation of the Downeaster rail service operated by the Northern New England Passenger Rail Authority.

Sec. E-12. Rename Administration - Ports and Marine Transportation program. Notwithstanding any other provision of law, the Administration - Ports and Marine Transportation program within the Department of Transportation is renamed the Multimodal - Ports and Marine program.

Sec. E-13. Rename State Transit, Aviation and Rail Transportation Fund program. Notwithstanding any other provision of law, the State Transit, Aviation and Rail Transportation Fund program within the Department of Transportation is renamed the Multimodal Transportation Fund program.

Sec. E-14. Rename Public Transportation program. Notwithstanding any other provision of

law, the Public Transportation program within the Department of Transportation is renamed the Multimodal - Transit program.

PART F

Sec. F-1. Lapsed balances; Highway Fund; Department of Secretary of State, Administration - Motor Vehicles program. Notwithstanding any other provision of law, \$170,263 of unencumbered balance forward in the Personal Services line category in the Administration - Motor Vehicles program, Highway Fund account in the Department of the Secretary of State lapses to the Highway Fund no later than June 30, 2012.

PART G

Sec. G-1. Carrying provision; Administration - Motor Vehicles; International Fuel Tax Agreement. Notwithstanding any other provision of law, the State Controller shall carry forward any unexpended balance on June 30, 2012 up to \$600,000 in the All Other line category in the Administration - Motor Vehicles program, Bureau of Motor Vehicles within the Department of the Secretary of State to be used for the acquisition and installation of an international fuel tax agreement system to replace the IFTA Regional Processing Center in New York State.

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

Effective April 18, 2012.

CHAPTER 650

H.P. 1353 - L.D. 1833

An Act To Encourage Enrollment in Electrical Education Programs

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

Sec. 1. 32 MRSA §1101, sub-§4-A, as amended by PL 2011, c. 286, Pt. F, §4, is further amended to read:

4-A. Supervision. ~~One~~ Two apprentice electrician ~~or electricians,~~ one helper electrician ~~or 2 helper electricians who are both currently enrolled in, or have completed, a program of study consisting of 576 hours of education as approved by the Electricians' Examining Board or from an accredited institution~~ may work with and under the direct supervision of ~~each~~ a master electrician, limited electrician or journeyman electrician. A master electrician who teaches an electrical course at a Maine career and technical education center, a Maine career and technical education region, a Maine community college or an apprenticeship pro-

gram registered by the Department of Labor may have a maximum of 12 helper or apprentice electricians under direct supervision while making electrical installations that are a part of the instructional program of the school or apprenticeship program, as long as the total value of each installation does not exceed \$5,000. An electrical installation may not be commenced pursuant to this subsection without the prior approval of the director or president of the school or apprenticeship program at which the master electrician is an instructor. These installations are limited to those done in buildings or facilities owned or controlled by:

- A. School administrative units; and
- B. Nonprofit organizations.

The Electricians' Examining Board and the municipal electrical inspector of the municipality in which the installation is to be made, if the municipality has an inspector, must be notified of all installation projects entered into pursuant to this subsection prior to the commencement of the project. There must be an inspection by a state electrical inspector or by the municipal electrical inspector of the municipality in which the installation has been made, if the municipality has an inspector, before any wiring on the project is concealed.

Sec. 2. Rules. The Director of the Office of Professional and Occupational Regulation within the Department of Professional and Financial Regulation shall amend its rules pertaining to the establishment of fees for helper electrician licenses to exempt a high school student or a community college student approved by the Electricians' Examining Board from paying the fee to obtain a helper electrician license.

Sec. 3. Report on the increase in the ratio of helper and apprentice electricians working under a master electrician, limited electrician or journeyman electrician. The Director of the Office of Professional and Occupational Regulation within the Department of Professional and Financial Regulation shall provide a report by February 1, 2014 to the joint standing committee of the Legislature having jurisdiction over labor, commerce, research and economic development matters on the impact of the increase in the ratio of helper and apprentice electricians working under a master electrician, limited electrician or journeyman electrician and identify any safety issues or licensing concerns that may have arisen as a result of the increase in the ratio. The joint standing committee of the Legislature having jurisdiction over labor, commerce, research and economic development matters is authorized to report out a bill on the issues raised by the increase in the ratio of helper and apprentice electricians to the Second Regular Session of the 126th Legislature.

See title page for effective date.
